



Bedminster Township, Somerset County

2009 Plan Conformance Grant Program Module 7. Municipal Self-Assessment Report

Prepared by the State of New Jersey Highlands Water Protection and Planning Council in Support of the Highlands Regional Master Plan

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2009

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

PLAN CONFORMANCE GRANT PROGRAM MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

Introduction

The purpose of this Municipal Self-Assessment (MSA) Report is to provide municipalities with a template for the narrative portion of the MSA Report described in the Module 7 Instructions (Section B. 9). The MSA Report summarizes all draft changes to the municipal planning and regulatory programs to date (based at a minimum on the results of Modules 2 through 6 of the 2009 Plan Conformance Grant Program) and all changes that will remain necessary after Basic Plan Conformance to achieve Full Plan Conformance with the Highlands Regional Master Plan (RMP). The MSA Report should consist of a brief narrative only, with the assessment reliant substantially upon inclusion of completed checklists for the MSA Report and the draft Highlands Implementation Plan and Schedule, which were provided as Appendix A with the Module 7 Instructions.

The MSA Report Checklist provides a list of Basic Plan Conformance submission items for the municipal Petition for Plan Conformance. The MSA Report below follows the sequence of the checklist and provides narrative to assist municipalities in completing this MSA Report and the Checklist. The MSA Report Checklist asks the municipality to indicate if the level of preparation of the submission item addresses Basic or Full Plan Conformance. Items denoted by the checkmark box indicate those required to achieve Basic Plan Conformance unless otherwise noted.

Each item in the MSA Report asks for a Status update, as does the MSA Report Checklist. The status in the MSA Report should indicate for each item, whether it is complete as provided in the petition, or will require additional work under Full Plan Conformance. It should also indicate whether an existing document has been included as a substitution for a Module or section of any Module. This would apply for example, if the municipality provided an existing Environmental Resource Inventory (ERI) with edits to achieve consistency with the RMP instead of the Highlands Module 4 ERI. Another example would be where a municipality provides existing municipal regulations for a specific natural resource, such as steep slopes, as a substitute for the Module 6 model Highlands Land Use Ordinance provisions relative to the natural resource. This should be noted as appropriate in the MSA Report and in the status column of the MSA Report Checklist.

The Highlands Implementation Plan and Schedule Checklist includes all tasks that are not required for Basic Plan Conformance and are not indicated as having been completed in the MSA Report Checklist. For each of these tasks, the Highlands Implementation Plan and Schedule Checklist ask for an “anticipated completion date.” The anticipated completion date shall be calculated based on the date of the Highlands Council’s approval of the Petition for Plan Conformance. For example, if the approval of the Petition for Plan Conformance is granted on April 1, 2010, the anticipated completion date for tasks on the Highlands Implementation Plan and Schedule for the requirements of Full Plan Conformance would begin after April 1, 2010. The anticipated completion date for most of these tasks should fall into the range of six (6) to fifteen (15) months from the approval of the Petition for Plan Conformance. However, some tasks (e.g., Water Use and Conservation Management Plans) may require a longer timeframe. The Highlands Implementation Plan and Schedule submitted with the Petition is considered a draft to be finalized only after discussion between the Highlands Council staff and the municipality prior to the Highlands Council approval of the Petition. The final Implementation Plan and Schedule will not only guide the municipality’s Full Plan Conformance activities, but will identify the need for future Plan Conformance grant funding.

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1. **Modules 1 and 2: Preservation Area Municipal Build-Out Report**

The final Highlands Municipal Build-Out Report and supporting documents and files were prepared by the Highlands Council, provided to the municipality, and posted on the Highlands Council website. The Report may be incorporated by reference in the petition. The Highlands Council is providing these reports, so the status in the MSA Report Checklist is complete except where this report is still in development. If relevant, provide comments in the narrative to supplement the final Report.

Status: Bedminster Township has completed Modules 1 and 2 and has provided detailed geodatabase edits that have refined the data that forms the basis for Municipal Build Out report from the Highlands Council. No additional comments are being prepared for the Municipal Self Assessment at this time.



2. **Module 3: Housing Element and Fair Share Plan**

The Highlands Council has developed a timeline for the preparation and submission of petitions for substantive certification based on the COAH deadline extension of June 8, 2010. At minimum, the December 8, 2009 petition must include the following: a. Summary of Housing Obligations, b. Summary and Consistency Review of Proposed Prior Round Sites, and c. Housing Partnership Program narrative (including proposed participation in the Regional Affordable Housing Development Partnership Program or RAHDPP, where applicable). The Module 3 Instructions provide narrative on these submission requirements. The municipality should provide status comments in the narrative to supplement submission items a. through c. as appropriate. [NOTE: Additional submittals are required as of March 1, 2010 (due: draft Housing Element and Fair Share Plan) and June 8, 2010 (due: final versions of each), resulting in submittal of an adopted Housing Element and completed Fair Share Plan by the latter date.]

Status: Bedminster Township's Housing Plan Element and Fair Share Plan were certified by COAH in November 2009. The Township will continue to participate in the COAH process but will not complete Module 3 as part of Basic Plan Conformance..



3. **Module 4: Preservation Area Environmental Resource Inventory (ERI)**

The requirements for Basic Plan Conformance include supplementing a municipality's existing ERI to include all Highlands resource information (or adopting a new ERI if none exists). The Highlands Council provided a model Highlands ERI along with tabular data, which may be used as either a supplement to an existing municipal ERI or as a stand-alone ERI, where the municipality has not previously adopted one. Please indicate in the narrative below whether the Highlands Model will be incorporated into an existing ERI or Natural Resource Inventory, or will be used as a stand-alone document. For municipalities that have already submitted a draft ERI, please indicate whether Highlands Council staff comments and edits have been addressed in the final draft ERI or if outstanding issues need consideration.

Status: Bedminster Township completed the initial draft of the Preservation Area ERI in June 2009 and received comments from the Highlands staff in September 2009. The Township has revised the draft ERI in response to Highlands Council comments and the revised draft ERI is

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included with the Township's Petition for Plan Conformance. The Township has prepared a Municipal ERI, available for public viewing from the Township's website at http://www.bedminster.us/index.asp?Type=B_BASIC&SEC={94F2B2B9-C179-4ED1-92B1-CB8D0DC749DA}. Bedminster intends to integrate the Township's ERI with the Highlands ERI during the next phase of Plan Conformance.



4. **Module 5: Preservation Area Element of Municipal Master Plan**

The requirements for Basic Plan Conformance include revisions to municipal master plans that will bring them into alignment with the Highlands RMP. The Highlands Council provided a Model Municipal Master Plan "Highlands Element" to assist municipalities in addressing the mandatory master plan requirements necessary to achieve Basic Plan Conformance. The Highlands Element is intended to be used as a supplement to existing municipal master plans for application to land use and development in that portion of the municipality for which Plan Conformance is sought. Each section of the Highlands Element is referenced below, and it is noted in the narrative if requirements are for Basic or Full Plan Conformance. For municipalities that have already submitted a draft Highlands Element, please indicate whether Highlands Council staff comments and edits have been addressed in the final draft Highlands Element or if outstanding issues need consideration. **[NOTE: Basic Plan Conformance requirements (4.a through 4.i below) are satisfied by adoption of the Model Highlands Element prepared by the Highlands Council.]**

- a. **Statement of Policies, Goals and Objectives:** Basic Plan Conformance requirement.
- b. **Land Use Plan Element:** Basic Plan Conformance requirement. However, an up-to-date Land Use Inventory (inventory) is not a requirement for Basic Plan Conformance. The municipality should submit their most current inventory. If the inventory requires updates it will be a Full Plan Conformance requirement. If an up-to-date inventory has been completed and submitted with the petition; it should be noted as "Full" in the level of preparation column in the MSA Report Checklist.
- c. **Housing Plan Element:** To be included in the Module 3 submission.
- d. **Conservation Plan Element:** Basic Plan Conformance requirement.
- e. **Utility Services Plan Element:** Basic Plan Conformance requirement.
- f. **Circulation Plan Element:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. An updated Circulation Plan will be developed as part of the Full Plan Conformance process.
- g. **Land Preservation and Land Stewardship Plan Element including updated preserved land inventory and map:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Where no Plan exists; one will be developed and adopted as a Full Plan Conformance task. The updated preserved land inventory and map is a Full Plan Conformance task.
- h. **Agriculture Retention/Farmland Preservation Plan Element (NOT APPLICABLE) including updated preserved land inventory and map:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. The updated preserved farmland inventory and map is a Full Plan Conformance task.
- i. **Community Facilities Plan Element:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. An updated Community Facilities Plan will be developed as part of the Full Plan Conformance process.

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- j. Sustainable Economic Development Plan Element:** Basic Plan Conformance requirement. This Plan Element supplements the Township's Economic Plan Element of the Master Plan, which will be revised under Full Plan Conformance.
- k. Historic Preservation Plan Element:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Modified Historic District designations have been identified as part of a local ongoing process, which have not yet been incorporated into the Local Historic Preservation Plan Element. Therefore, an updated Historic preservation Plan Element will be required under Full Plan Conformance.
- l. Relationship of Master Plan to State/Regional/Local Plans:** Basic Plan Conformance requirement.
- m. Development Transfer Plan Element:** Optional. Technical guidance will be required from the Highlands Council to address this requirement, which may be needed in conjunction with the mandatory clustering requirements of the RMP.

Status: The Township is submitting the Draft Preservation Area Master Plan Element as part of the Plan Conformance Petition module for the Preservation Area only. The Township will review and respond to any comments provided by the Highlands Staff during Plan Conformance negotiations, and intends to advance the Township's position, within the Planning Area, for a map amendment that would prevent the intrusion of the ECZ and ECZ-EC west of US 206. Preventing any "creep" of more dense development than Bedminster has ever planned, this change will also provide for greater conservation sustainability than the proposed Zone, and thus, greater protection of the water supply.

The extent of the ECZ/ECZ-EC in the greater Bedminster Village area should be limited to the SPC-approved Bedminster Village Center replacing a less restrictive current RMP zone with a more restrictive zone (CZ, CZ-EC and/or PZ). This would be beneficial to the sustainability of the natural resources and just as importantly, consistent with a long history of Bedminster's concept of land development to the west of 202/206. Even though the Township is currently submitting a petition for Preservation Area conformance only, at this time, Bedminster believes that the RMP should reflect SDRP Land Use Capability designations for the designated centers in Bedminster.

During deliberations about opting-in for the Planning Area, Bedminster heard suggestions from stakeholders suggesting that the permitted residential density in the R-10 zone be reduced from 10 acres per unit to 20 acres per unit. The remapping of the ECZ's will assure that whenever NJDEP relies on the RMP in its permitting decisions, it will not be misled into thinking that Bedminster has growth ambitions for areas never intended for growth.

The Township prepared a Conservation Plan and a Land Use Plan in 2003 which it intends to retain and supplement as needed with the Preservation Area Conservation Plan and Master Plan as a draft for Basic Plan Conformance. The Township will review and incorporate any necessary information into the revised Master Plan Elements during Full Plan Conformance.

5. **Module 6: Preservation Area Land Use Ordinance**

The requirements of Basic Plan Conformance include the regulation of new development through a Highlands Land Use Ordinance. The Highlands Council developed a model Highlands Land Use Ordinance, including language addressing all requirements applicable to Basic Plan Conformance. In accordance with instructions provided for Module 6; the municipality should submit an edited version of the model Highlands Land Use Ordinance and if applicable, may

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submit existing municipal ordinances that are more restrictive or more comprehensive with respect to certain resources. [Note: Development of additional municipal regulations concerning the prevention of pollution and public health threats from existing land uses will be required as a component of Full Plan Conformance in the years 2010 and beyond. As such, these are not included in the MSA Report Checklist, but do appear in the Highlands Implementation Plan and Schedule.]

Status: The Township is submitting its edited draft of the Preservation Area Land Use Ordinance, prepared by the Highlands Council. The Township is proposing to retain the current lot size averaging standards in the Preservation Area (6-acre minimum lot area) and to address the mandatory cluster requirements of the RMP through deed restrictions.

6. Redevelopment and Rehabilitation Plans (Adopted or Proposed)

Redevelopment and Rehabilitation Plans are not a requirement of Basic Plan Conformance. The municipality may choose to incorporate narrative on adopted or proposed redevelopment and rehabilitation plans to supplement the Petition for Plan Conformance.

Status: Bedminster Township has not identified any Brownfield sites or other redevelopment candidates in the Highlands Preservation Area.

7. Management Plans and Ordinances

Management plans and ordinances are not a requirement for Basic Plan Conformance. The municipality may wish to supplement their Petition for Plan Conformance with available draft plans or ordinances, such as a Wastewater Management Plan or a Stormwater Management Plan.

Status: The Township is currently participating with Somerset County in the preparation of an updated WMP for submission to the NJDEP. Bedminster Township's updated WMP will not include sewer service area expansion. The updated, approved WMP will be provided to the Highlands Council upon approval of same from the NJDEP.

8. Discretionary Items, List (Optional)

Discretionary items are not a requirement of Basic Plan Conformance. These are additional materials beyond those required for a Petition for Plan Conformance that the municipality believes will support the petition. For example, a draft or adopted municipal ordinance that supports the Petition for Plan Conformance.

Status: Bedminster Township is not submitting discretionary items at this time.

Draft Preservation Area Implementation Plan and Schedule Checklist – Full Plan Conformance Tasks

Municipalities shall also include a draft Highlands Implementation Plan and Schedule Checklist, which provides a listing of items from the MSA Report Checklist that are not required for Basic Plan Conformance and are not indicated by the municipality as having been completed. To the extent known, the municipality should insert a brief narrative below indicating the anticipated approach (not including budget estimates) to achieving the tasks listed in the draft Highlands Implementation Plan and Schedule Checklist. For example: preparation of incomplete portions of the Highlands Element will be developed by the municipality's professional planner; conservation management plans will be developed following receipt of guidance from the Highlands Council, with assistance from professionals having specialized expertise in each area. The municipality may prioritize Full Plan Conformance tasks based upon municipal interest and the Highlands Council will work to assist in addressing those priorities.

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The actual schedule for Full Plan Conformance will be developed by the municipality and the Highlands Council during the review of the Petition for Basic Plan Conformance.

Status: Bedminster Township is providing a draft Implementation Plan and Schedule Checklist as part of this petition for Basic Plan Conformance in the Preservation Area only..