

**RESOLUTION #09126
FAR HILLS BOROUGH, SOMERSET COUNTY, NJ
INTENTION TO REVISE MASTER PLAN AND
DEVELOPMENT REGULATIONS FOR PLAN CONFORMANCE
FOR LAND IN THE PLANNING AREA**

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

WHEREAS, Section 13:20-15.a, of the Highlands Act states that for any municipality located wholly in the Planning Area or for the portion of a municipality lying within the Planning Area, the municipality may, by ordinance, petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance), and:

WHEREAS, Far Hills Borough is located in the Highlands Region with lands lying within the Planning Area, as defined by Section 7 of the Highlands Act; and

WHEREAS, the Highlands Council prepared and distributed to the Highlands municipalities Plan Conformance Guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance; and

WHEREAS, in accordance with the Highlands Act and Plan Conformance Guidelines, the Highlands Council shall consider a Petition for Plan Conformance, and accept, reject or accept with conditions, a Petition for Plan Conformance, as it deems appropriate, to conform them to the Regional Master Plan; and

WHEREAS, since Plan Conformance by the municipality is strictly voluntary for lands in the Planning Area and Far Hills Borough may at any time voluntarily revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them to the Regional Master Plan; and

WHEREAS, at any time during the Plan Conformance process, Far Hills Borough may choose not to obtain conformance with the Regional Master Plan and withdraw from the Plan Conformance process for the lands lying within the Planning Area, and any approvals, rejections or conditions of revised municipal master plan or development regulations recommended by the Highlands Council during the Plan Conformance

process will not be binding on Far Hills Borough as they relate to the development and use of land in the Planning Area; and

WHEREAS, should Far Hills Borough choose to conform its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, with the Regional Master Plan and Plan Conformance Guidelines, in accordance with a decision of the Highlands Council, Far Hills Borough will be required under the Highlands Act to enact an ordinance setting forth such intention; and

WHEREAS, upon application of Far Hills Borough into the Plan Conformance Grant Program, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to Far Hills Borough for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, as applicable to the development and use of land in the Planning Area, which are designed to bring those plans and regulations into conformance with the Regional Master Plan; and

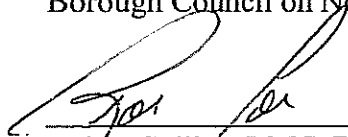
WHEREAS, the Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and shall also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council; and

WHEREAS, should Far Hills Borough formally withdraw from the Plan Conformance process, grant funding awarded to Far Hills Borough up to the date of withdrawal that has been appropriately utilized in accordance with the Plan Conformance Grant Program and applicable grant agreement shall not be reimbursable to the Highlands Council;


NOW, THEREFORE BE IT RESOLVED, that the Far Hills Borough Council hereby submits this resolution of intention to revise its master plan and development regulations for Plan Conformance to the Highlands Council, as it relates to the development and use of land for the entire municipality which lies solely within the Planning Area in accordance with the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines.

FAR HILLS BOROUGH COUNCIL

Attest: I herein certify that the foregoing resolution was duly adopted by the Far Hills Borough Council on November 23, 2009.



Robin Collins, RMC, Borough Clerk
Far Hills Borough, Somerset County, NJ



Carl J. Torsilieri, Mayor