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**INCORPORATED BY REFERENCE INTO
HIGHLANDS COUNCIL RESOLUTION 2011-5
ADOPTED JANUARY 20, 2011**

FINAL CONSISTENCY REVIEW AND RECOMMENDATIONS REPORT

**PETITION FOR PLAN CONFORMANCE:
GREEN TOWNSHIP, SUSSEX COUNTY**

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

JANUARY 11, 2011

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
Petition for Plan Conformance – Final Consistency Review & Recommendations Report

INTRODUCTION

This Final Consistency Review and Recommendations Report (“Report”) has been prepared by the Staff of the New Jersey Highlands Water Protection and Planning Council (“Highlands Council”). It provides review and recommendations for consideration by the Highlands Council as to the consistency of the Petition for Plan Conformance of the Township of Green, with the Highlands Regional Master Plan (RMP). The Report provides review and discussion of each component of the Petition for Plan Conformance, in the order in which they are set forth under submission guidelines provided to municipalities by the Highlands Council. It begins with a brief summary of Staff findings, displayed in a table format, to provide an at-a-glance overview of the results of Staff review.

Green Township has petitioned for Plan Conformance with regard to the Preservation Area only. The entirety of this 281-acre area is owned by the State of New Jersey. Approval of Plan Conformance for Green Township will have no effect on the Township’s master plan or development ordinances, which do not regulate State lands. Therefore, most requirements normally applicable to Petitions for Plan Conformance are not relevant to Green Township, and were waived by the Highlands Council Executive Director, by letter of November 2, 2009 addressed to the Mayor. This Report documents the remaining aspects of Plan Conformance.

At any time the Township may reconsider and petition for plan conformance for the Planning Area portion of the municipality.

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REPORT SUMMARY

Municipality: Township of Green, Sussex County

Date of Petition Submission: December 8, 2009

Date Deemed Complete: January 22, 2010

Conformance Area: Preservation Area

Staff Recommendation: Approve Petition as Presented; No Conditions Attached

Administrative Submittals	Meets Requirements	Conditions of Approval
1. Resolution	X	None
2. Record of Public Involvement	Waived	None
3. List of Current Planning and Regulatory Documents	Waived	None

Petition Components	Consistent	Conditions of Approval
1. Modules 1-2 Build-Out Report*	X	None
2. Module 3 Housing Element/Plan	Waived	None
3. Module 4 ERI	Waived	None
4. Module 5 Highlands Element	Waived	None
5. Module 6 Land Use Ordinance	Waived	None
6. Module 7 Petition		
a. Self-Assessment Report	Waived	None
b. Implementation Plan/Schedule	Waived	None

*Completed by the Highlands Council prior to substantive review of the Petition.

Optional Submission Items	Submission Date	Status/Recommendation
1. RMP Updates	N/A	
2. Map Adjustments	N/A	
3. Center Designation Requests	N/A	
4. Highlands Redevelopment Area Designation Requests	N/A	

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A. REVIEW OF ADMINISTRATIVE SUBMITTALS

1. **Resolution or Ordinance.** The Resolution petitioning the Highlands Council for Plan Conformance was adopted by the municipal Governing Body at its noticed public meeting of December 7, 2009. The document submitted is appropriately signed and certified by the Municipal Clerk to verify authenticity. The language of the Resolution does not follow that of the model provided by the Highlands Council, however the Resolution clearly petitions the Highlands Council for Plan Conformance, with respect to municipal lands located in the Preservation Area of the municipality only. Please note that at any time the Township may reconsider and petition for plan conformance for the Planning Area portion of the municipality.
2. **Record of Public Involvement.** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.
3. **List of Current Planning Documents.** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.

B. REVIEW OF PLAN CONFORMANCE PETITION COMPONENTS

1. **Highlands Municipal Build-Out Report (Modules 1-2).** Consistent. The Highlands Municipal Build-Out Report was completed by the Highlands Council prior to a finding of Administrative Completeness of the Petition. The date of the Highlands Municipal Build-Out Report is November 2009.
2. **Housing Element & Fair Share Plan (Module 3).** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009. On September 25, 2009 the Highlands Council provided a review of Green Township's Fair Share Plan to COAH outlining issues that must be addressed to minimize any potential RMP consistency issues.
3. **Environmental Resource Inventory (Module 4).** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.
4. **Master Plan Highlands Element (Module 5).** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.
5. **Highlands Area Land Use Ordinance (Module 6).** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.
6. **Petition Submission Documents (Module 7).**
 - a. **Municipal Self-Assessment Report.** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.

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- b. **Highlands Implementation Plan & Schedule.** Requirement waived by letter of the Highlands Council Executive Director dated November 2, 2009.

C. **REVIEW OF OPTIONAL SUBMISSION COMPONENTS**

1. **RMP Updates, Map Adjustments, Highlands Center Designation Requests, and Highlands Redevelopment Area Designation Requests.** The Petition for Plan Conformance was not accompanied by any such requests.

D. **FINAL STAFF RECOMMENDATIONS**

On the basis of the Staff review completed and described in the preceding Sections, which examined both sufficiency of administrative submittals and consistency of all substantive materials with the Highlands Regional Master Plan, Highlands Council Staff recommends that the Petition for Plan Conformance of the Township of Green, as currently proposed by the municipality, be **approved as presented, with no conditions attached.**

E. **MUNICIPAL RESPONSE PERIOD**

Due to the unique circumstances of this Petition for Plan Conformance, where all lands in the Preservation Area are owned by the State of New Jersey, the Highlands Council did not provide a Draft Consistency Review and Recommendations Report to the municipality and the Municipal Response period is not applicable. The municipality has been provided with a copy of this Final Draft Report.

F. **COMMENTS FROM THE PUBLIC**

The Final Draft Consistency Review and Recommendations Report was posted to the Highlands Council website and made available (in paper format) at the Highlands Council offices in Chester, NJ, for review and comment by the general public by January 5, 2011. No public comments were received.

G. **FINAL RECOMMENDATIONS**

The Highlands Council Staff recommends that the Petition for Plan Conformance of the Township of Green, be approved as presented with no conditions attached.