

**PETITION FOR HIGHLANDS PLAN CONFORMANCE
HARDYSTON TOWNSHIP, SUSSEX COUNTY**

Introduction

**December
2009**

INTRODUCTION

On August 10, 2004 the Highlands Act was enacted by the State Legislature in order to protect the natural resources of the Highlands Region. The Township of Hardyston is one of the 88 municipalities located in the Highlands Region subject to the planning and regulatory provisions of the Highlands Act. The Highlands Act established two distinct areas within the Highlands Region; the Planning area and the Preservation Area. The Act mandates that the lands located within the Preservation Area achieve conformance with the Highlands Regional Master Plan, while conformance for lands in the Planning Area is strictly voluntary. The Township of Hardyston is located partially in each, the Preservation Area and Planning Area. The Township of Hardyston is seeking Plan Conformance for the portion of the municipality located within the Preservation Area only, but the Township has reserved its right to not to seek conformance to the RMP for the portion of the municipality located within the Planning Area.

Hardyston's long-held planning efforts, policies, and objectives have sought to protect the valuable environmental resources located throughout the Township. The Township has adopted conservation-based zoning throughout the Preservation Area that seeks to protect the environment with provisions for clustering and lot-size averaging. In addition, of the land that is located within the Preservation Area nearly 73 percent is already preserved open space. Nonetheless, basic conformance to the Highlands RMP requires municipalities to adopt goals and policies consistent with the RMP. The goal of Highlands Basic Plan Conformance is for municipalities to enact policies and regulations that will implement the RMP provisions that will help to ensure the protection of the Highlands natural resources in the near term.

Hardyston Township expressed its notice of intent to conform to the RMP for the portion of the Township located in the Preservation Area by resolution of the Township Council on January 20, 2009. The Township has successfully addressed the requirements for Basic Plan Conformance through the 2009 Plan Conformance Grant. Basic Plan Conformance consists of 7 planning modules which are incorporated as part of this petition.

- Module 1 & 2: Current Municipal Conditions & Build-Out Analysis
- Module 3: Housing Element & Fair Share Plan
- Module 4: Highlands Environmental Resource Inventory
- Module 5: Highlands Preservation Area Master Plan Element
- Module 6: Highlands Preservation Area Land Use Ordinance
- Module 7: Petition for Plan Conformance – Municipal Self Assessment & Implementation Schedule

The Highlands Implementation Plan and Schedule developed by the Township and the Highlands Council will address any remaining requirements necessary to achieve Full Plan Conformance; including further development of zoning provisions and resource management plans. The Township will continue to work towards to goal of achieving Full Plan Conformance for the Preservation Area in the upcoming months.