



Independence Township, Warren 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

April 2011

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.

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

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1. **Modules 1 and 2: Highlands 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: Independence Township has completed Modules 1 and 2 and has received the Municipal Build Out reports 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: Independence Township is submitting the adopted 2006 Housing Plan Element and Fair Share Plan. The Township will continue to participate in the COAH process and will provide the items necessary as part of Basic Plan Conformance for the December 8th, 2009 deadline. The items are found in the Module 3 section of the petition.



3. **Module 4: Highlands 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: Independence Township completed the initial draft of the Highlands ERI in June 2009. The Township will submit the draft ERI with the Township Submission Petition for Basic Plan Conformance.

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT



4. **Module 5: Highlands 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: Under 4.a through 4.l below, where an item is listed as a “Basic Plan Conformance requirement” all of the necessary information has already been provided to the municipality as part of the Model Highlands Element prepared by the Highlands Council. Inclusion of the text in the draft municipal Highlands Element submitted with the petition constitutes completion of the requirement.]**

- 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.
- 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.

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

- 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 Highlands Master Plan Element as part of the Plan Conformance Petition module. The draft plan is herewith enclosed with this petition. The Township intends to review and respond to any comments provided by the Highlands Staff during Plan Conformance negotiations, which are anticipated by the Township as part of the RMP Plan Conformance process.

The Township will provide an up-to-date Land Use Inventory during the Full Conformance Process and use the information provided to the Highlands Council during Module 1 and 2 to complete the inventory.

Attached is a list planning documents adopted by the Township of Independence including a copy of those documents.

The Township has never adopted a Communities Facilities Element. Also as noted in the Reexamination Report, the Circulation Element is out of date and will need to be updated.

5. **Module 6: Highlands 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 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 the edited version of the Preservation Area Draft Highlands Land Use Ordinance as prepared by the Highlands Council and revised by the municipality as part of the Plan Conformance grant activities. There are a number of issues that remain incomplete in the draft Ordinance, which are dependent upon the receipt of guidance and publication of the Highlands Nitrate Dilution Model for calculation of development yield (referenced in the model ordinance, but not available prior to submission of Plan Conformance petition).

6. Redevelopment and Rehabilitation Plans (Adopted or Proposed)

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

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: Does the Township has any brownfield redevelopment sites? The Township has identified two (2) redevelopment sites in the Highlands Element and Land Use Ordinance.

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: Does the Township have any updated ordinances to include in the petition submission? No.

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: Are there other items the Township wishes to include in the petition submission?

There is a list of substantial revisions identified in Attachment A, which are issues identified by the Township for review and consideration by the Highlands Council as part of the Township's petition for plan conformance.

Draft Highlands 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.

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: Independence Township is providing a draft Implementation Plan and Schedule Checklist, which indicates items that will be submitted for Full Plan Conformance.