

Town of Phillipsburg
Warren County, NJ

Highlands Regional Master Plan

INITIAL ASSESSMENT REPORT

July 23, 2009

Prepared for:
TOWN OF PHILLIPSBURG PLANNING BOARD

Prepared by:
 CMX

**Town of Phillipsburg
Initial Assessment Report**

Table of Contents

- Introduction.....*page 1*
- Section 1. Consistency Assessment.....*page 6*
- Section 2. Potential Impacts of Plan Conformance.....*page 12*
- Section 3. RMP Updates.....*page 16*
- Section 4. Cost Estimate.....*page 18*
- Appendix. RMP Goals.....*page 19*
- Maps
 - Highlands Region.....*page 4*
 - Land Use Capability Zones.....*page 5*
 - Ingersoll Rand Redevelopment Area.....*page 14*
 - Riverfront Redevelopment Area.....*page 15*
 - RMP Updates.....*page 17*

INTRODUCTION

The Highlands Water Protection and Planning Act (Highlands Act) was enacted on August 10, 2004. The Act established the New Jersey Highlands Water Protection and Planning Council (Highlands Council) and provided for the preparation of a Regional Master Plan (RMP) to protect the critical natural resources and other significant values of the Highlands Region. The Highlands Act specifically emphasizes the protection of water resources for both potable supply and ecosystem viability but also includes goals relating to the protection of agricultural viability, ecosystems, animal and plant species, as well as scenic and historic resources.

The New Jersey Highlands is a 1,343 square mile area in the northwest part of the state stretching from Phillipsburg in the southwest to Ringwood in the northeast, and lies within portions of seven counties (Hunterdon, Somerset, Sussex, Warren, Morris, Passaic, and Bergen) and includes 88 municipalities. The Highlands Act established two major subareas within the Highlands region – the Preservation Area and the Planning Area (see Highlands Region Map at the end of this section). The Highlands Act designated specific boundaries for the Preservation Area, which consists of nearly 415,000 acres located in 52 municipalities within the seven Highlands Counties. The Planning Area consists of nearly 445,000 acres located in 83 municipalities including **Phillipsburg, which is entirely within the Planning Area.**

The Highlands Council approved the Highlands Regional Master Plan on July 17, 2008. Conformance with the RMP is required throughout the Preservation Area, and is voluntary within the Planning Area. The purpose of the Plan Conformance process is to provide a framework that supports the efforts of municipalities and counties in the Highlands Region to bring master plans and development regulations into conformance with the goals, requirements, and provisions of the RMP.

The Town of Phillipsburg is located in the Highlands Planning Area and as such, conformance with the RMP is voluntary. Phillipsburg has decided to pursue conformance and has initiated the process by filing a “Notice of Intent” with the Highlands Council. The Notice of Intent is not binding on the Town but informs the Highlands Council that the Town will be working with the Council to assess the potential impacts of plan conformance while identifying those elements of the Town’s planning portfolio, e.g., master plan, natural resource inventory, land development ordinances, etc. that may need to be revised to conform with the RMP.

The road to plan conformance is marked by seven steps or “modules” that will culminate in a Petition for Plan Conformance at the end of 2009 –

1. Current Municipal Conditions and Build-Out Analysis Module
2. Land Use and Resource Capacity Analysis Module
3. Housing Element & Fair Share Plan Module
4. Highlands Environmental Resource Inventory Module
5. Highlands Master Plan Element Module
6. Highlands Regulations Module
7. Municipal Self Assessment, Implementation Plan & Petition Module

At the time of this report, the first module – an assessment and verification of land use data – had been completed and the second module – the resource capacity analysis – was about to begin. Module 7 will discuss all progress made by the Town toward achieving Plan

Conformance during 2009 and the steps remaining to achieve full Plan Conformance. It will be accompanied by a proposed Implementation Plan and Implementation Schedule outlining the remaining tasks and schedule.

The Initial Assessment Report is separate from but complementary of the modules. The purpose of this report is to provide an early snapshot of how local planning compares to the RMP and to determine the scope of work that might be required to achieve conformance with the RMP. Specifically, this report includes:

- A broad-based assessment of the Town's existing planning program for its consistency or inconsistency with the RMP.
- A general assessment of what voluntary plan conformance would mean to the community.
- An identification of the need for any RMP Updates (verifiable, factual discrepancies between municipal maps/data/info and the RMP).
- An estimate of the municipality's anticipated cost to achieve plan conformance.

RMP Context

The RMP defines six Highlands zones – three major zones and three sub-zones, which are found in both the Preservation and Planning Areas.

The major zones are:

- the Protection Zone,
- the Conservation Zone, and
- the Existing Community Zone.

The sub-zones are:

- the Conservation - Environmentally Constrained Sub-Zone,
- the Existing Community – Environmentally Constrained Sub-Zone, and
- the Lake Community Sub-Zone.

The *Protection Zone* includes lands within the Highlands Region which contain the highest quality resource value lands, which are essential to maintaining and enhancing water quality and quantity and preserving ecological function. The Protection Zone includes regionally significant lands that serve to protect environmentally sensitive resources of the Highlands Region.

The *Conservation Zone* includes lands of significant agricultural importance and associated natural resource lands that are adjacent to, or in common ownership with, land used for agricultural purposes. Development potential in the Conservation Zone is limited in location and intensity because of agricultural and natural resource protection requirements and infrastructure constraints.

The *Existing Community Zone* includes those areas characterized by existing development with comparatively fewer natural resource constraints than the Protection and Conservation Zones; they often are currently or more easily served with public infrastructure. The Existing Community Zone includes previously developed lands of regional significance in size,

geography and infrastructure that may include areas of opportunity for future growth and development, including development and redevelopment which may involve the use of Highlands Development Credits (HDC), provided that such growth and development are consistent and compatible with existing community character, natural resource constraints and is desired by the municipality.

The *Conservation-Environmentally Constrained Sub-Zone* identifies areas within the Conservation Zone that have significant environmental features that should be preserved and protected from non-agricultural development.

The *Existing Community-Environmentally Constrained Sub-Zone* identifies areas within the Existing Community Zone that have high resource value and limited or no capacity for on-site human development without adversely affecting the ecological value of the Highlands Region.

The *Lake Community Sub -Zone* applies to areas within the Existing Community Zone that are within 1,000 feet of lakes that are ten acres or greater in size. This sub-zone has unique policies to prevent degradation of water quality, harm to lake ecosystems, and natural aesthetic values.

Phillipsburg

As illustrated on the Land Use Capability Zone Map at the end of this section, Phillipsburg falls into all three Zones and two Sub-Zones. The *Existing Community Zone* applies to the vast majority of the Town. The *Conservation Zone* applies to an agricultural area on the eastern edge of the Town just south of the former Ingersoll complex, and to a very small area at the southern end of the Town. The *Protection Zone* runs most of the length of the Delaware River.

The *Existing Community-Environmentally Constrained Sub-Zone* is scattered throughout the Town and appears to coincide with forested areas, carbonate rock, steep slopes and riparian areas. The *Conservation-Environmentally Constrained Sub-Zone* covers the small Conservation Zone in southern end of the Town.

INSERT

- HIGHLANDS REGION MAP

INSERT

- PHILLIPSBURG LAND USE CAPABILITY MAP

SECTION 1. CONSISTENCY ASSESSMENT

Task – Complete a broad-based assessment of the existing planning program for its consistency/inconsistency with the RMP.

Basic Plan Conformance

The Highlands Council established two levels of conformance for municipalities – *basic* Plan Conformance and *full* Plan Conformance. The remainder of 2009 will be spent establishing the basis for achieving Basic Plan Conformance with the more complex tasks associated with full conformance to be completed over an as yet undetermined period of time in accordance with an Implementation Plan and Schedule. Basic Plan Conformance will require the adoption of plans and regulations that the Council deems “immediately necessary to ensure protection of the Highlands resources.” Templates for those plans and ordinances are being developed by the Council and will be reviewed, revised, and adopted as necessary by the Borough as we proceed through the seven modules discussed earlier in this report. The four required elements for Basic Plan Conformance are described by the Council as follows:

- **Housing Element & Fair Share Plan (Module 3)**

Municipalities seeking conformance with the RMP must prepare a Housing Element and Fair Share Plan in accordance with the requirements of the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.). In addition, the Fair Share Plan must be developed in compliance with all applicable RMP requirements, with water use/availability, wastewater treatment, and resource protection provisions being of particular relevance.

Assessment: Although Phillipsburg’s 1988 master plan and 2004 master plan update address the Town’s housing needs and programs, the Town has never prepared a housing plan in accordance with COAH regulations. Preparation of a new housing element & Fair Share Plan will coincide with Module 3 and be based on the build-out and capacity data, and subsequent projections developed under Modules 1 and 2.

- **Environmental Resource Inventory (Module 4)**

The Highlands Council will provide a model Highlands Environmental Resource Inventory (Highlands ERI), which may be used as either a supplement to an existing municipal ERI or as a new ERI if none exists. The Highlands ERI will include resource narrative applicable to the Highlands Region generally, as well as municipal-specific data and maps reflective of the particular resources of each Highlands municipality.

Assessment: Phillipsburg does not have an ERI nor is there an inventory of natural and cultural resources in any of the Town’s planning documents. The 2004 master plan update does, however, recommend that such an inventory be prepared. At a minimum, the Town will have to adopt a localized version of the model ERI.

- **Highlands Master Plan Element (Module 5)**

The Highlands Council has provided a draft model “Highlands Element,” which municipalities may adopt as a supplement to existing municipal master plans. The model covers all of the required and optional master plan elements found in the Municipal Land Use Law.

Municipalities may modify the document as necessary to ensure applicability to specific municipal circumstances.

A compliant Highlands master plan element would include the following goals for the Highlands Planning Area:

1. To protect, restore, and enhance the quality and quantity of surface and ground waters;
2. To preserve to the maximum extent possible any environmentally sensitive lands and other lands needed for recreation and conservation purposes;
3. To protect and maintain the essential character of the Highlands Area environment;
4. To preserve farmland, historic sites, and other historic resources;
5. To promote the continuation and expansion of agricultural, horticultural, recreational, and cultural uses and opportunities;
6. To preserve outdoor recreation opportunities on publicly owned land;
7. To promote conservation of water resources;
8. To promote Brownfield remediation and redevelopment, where applicable;
9. To encourage as applicable, and consistent with the State Development and Redevelopment Plan and smart growth strategies and principles, appropriate patterns of compatible residential, commercial, and industrial development, redevelopment, and economic growth, in or adjacent to areas already utilized for such purposes, and to discourage piecemeal, scattered, and inappropriate development, in order to accommodate local growth and economic development in an orderly way while protecting the Highlands Area environment from the individual and cumulative adverse impacts thereof; and
10. To the extent applicable - To promote local transportation opportunities that are consistent with smart growth strategies and principles.

Assessment: Phillipsburg's 2004 master plan update contains one overarching goal statement:

To maintain the Town of Phillipsburg as a proud community where people and families of all ages and incomes can live and travel safely, have clean and well kept neighborhoods, have a variety of above average housing opportunities and have accessibility to needed businesses and professional services. The community should preserve its history, protect its natural resources, provide recreation for all ages, and maintain a mixture of land uses that will offer a stable tax base.

To guide Phillipsburg toward this goal, the update includes 50 specific objectives distributed over eight master plan elements along with recommendations for specific actions designed to begin or continue implementation of the objectives. Most if not all of the Highlands Element goals are addressed to some degree in the update. The Town's master plan will, however, need to be reviewed to identify where additional refinement and detail, e.g., standards and guidelines, will be required to comply with the Highlands Element. The Town will likely have to adopt portions of the Highlands Element to supplement its master plan until such time as the master plan can be comprehensively updated.

It should be noted that Phillipsburg has concentrated on various economic development, housing and redevelopment plans over the years that in many ways address the Highlands Element goals related to existing communities such as Phillipsburg, The Town may want to

consider consolidating and coordinating these efforts, with the addition of applicable conservation elements, under a new comprehensive master plan.

- **Highlands Regulations (Module 6)**

Municipalities must prepare certain Highlands Regulations to conform to the RMP. Municipalities will have the option of referring to existing municipal ordinances where these satisfy RMP conformance standards. Achieving the basic level of Plan Conformance will require preparation of a Board of Health Ordinance and various Land Use and Development Ordinances, including an updated development application checklist. The Highlands Council will provide sample Highlands Regulations that will address each of these areas. Alternatively, a municipality may propose specific revisions to existing regulations to achieve conformance with the RMP. Similar to the Highlands Master Plan Element, the Highlands Regulations may be adopted as a supplement to the municipal Zoning/Land Development Ordinances.

The model Highlands Regulations will likely address the following:

1. *Definitions*
2. *Zone Districts and District Regulations.* Adopt language indicating that Highlands RMP provisions will apply with respect to non-exempt development in all zones.
3. *Application Submission Checklists.* Require that any applications for development indicate and substantiate its Highlands exemption or consistency status.
4. *Notice Requirements.* Require in certain instances that an applicant provide notice to the Highlands Council at least 10 days prior to the date on which their application is scheduled for consideration by the Planning or Zoning Board.
5. *Highlands Council Review.* Require in certain cases that the reviewing board provide a certified copy of the fully-executed resolution memorializing its final decision to the Highlands Council within 10 days of its adoption.
6. *Resource Area and Supporting Regulations.* Require that development applications include maps and plans identifying and delineating Highlands resources, and that application approvals be conditioned upon imposition of conservation easements to protect them. Ordinances should regulate water and wastewater, special resources, and Highlands Resource including where applicable:
 - a. Steep Slopes
 - b. Forest Areas
 - c. Open Water and Riparian Areas
 - d. Ground Water Recharge Management
 - e. Wellhead Protection
 - f. Stormwater Management
 - g. Right to Farm
 - h. Critical Habitat
 - i. Carbonate Rock Areas
 - j. Agricultural Resources
 - k. Lake Management
 - l. Low Impact Development
 - m. Scenic Resources
 - n. Historic/Cultural
7. *Application Procedures.* Adopt procedural requirements to account for applicable Highlands provisions.

Assessment: As the Town's regulations predate the RMP, they will at least need to be revised to incorporate the applicable Highlands terminology and procedural provisions. Although the Town's current land use regulations and general code contain basic requirements related to grading, stormwater management, landscaping, utilities, wastewater treatment and potable water; they do not provide detailed standards for the protection of many of the resources

cited above. The extent to which new standards need to be developed and existing standards expanded will not be known until the Highlands model is available.

General Conformance

The Highlands RMP goals are organized under 10 major headings, which are outlined in the appendix of this report. Each goal is supported by numerous policies, objectives and standards that the Town will need to review in more detail when considering revisions or additions to local planning documents to achieve plan conformance. In order to simplify this initial assessment of Phillipsburg's conformance with the RMP, The Highlands Council has provided a template – the [Initial Assessment Conformance Summary](#) – which is found on the next page. The summary table provides a list of the major subject areas in the RMP and an opportunity to determine whether or not the subject matter is addressed in three primary municipal planning documents – the Environmental/Natural Resource Inventory (ERI/NRI), the master plan, and the land development ordinances.

Certain clarifications are in order regarding the summary table –

1. As noted earlier in this report, Phillipsburg does not have an ERI or NRI. That column is therefore marked “not applicable” (NA).
2. References to the master plan include the 2004 Reexam Report and 2004 Master Plan Update, Stormwater Management Plan, 2005 Riverfront Redevelopment Plan, 2003 Community Schools Plan, and Ingersoll Rand Redevelopment Plan.
3. All of the referenced planning documents predate the RMP and therefore do not contain specific RMP references, but may generally address the subject matter. An indication that the RMP subject matter is included or addressed in a given document is not a determination that it would satisfy RMP conformance standards.

Assessment: Although many of the RMP topics are “included” in the master plan documents, it is often a cursory reference or a “to-do” list and few of the RMP topics are addressed in any detail. To some degree, this can be attributed to the Town's urban landscape and the focus on redevelopment as the prime economic engine as well as the town-wide availability of public infrastructure. Full conformance with the RMP will in some cases require substantial revisions to, or expansions of, the Town's existing master plan elements to flesh out the recommendations found in the 2004 update with appropriate standards and guidelines. At a minimum, the Town will have to prepare a comprehensive ERI. Revisions to the land development ordinances to address such items as stream corridor protection, carbonate rock, steep slopes, and wellhead protection would need to follow the preparation of the updated master plan.

A closer look at the Town's zoning map reveals some potential conflicts with the RMP. The RMP Conservation Zone at the eastern border covers the southern portion of the Ingersoll Rand Redevelopment Area. The RMP Protection Zone along the Delaware River covers portions of the Riverfront Redevelopment Area. These conflicts are discussed further in Sections 2 and 3 of this report.

INITIAL ASSESSMENT CONFORMANCE SUMMARY

| RMP TOPIC | EXISTING ERI/NRI | | EXISTING MASTER PLAN | | EXISTING LAND USE ORDINANCES | | ACTIONS REQUIRED FOR FULL CONFORMANCE |
|--|------------------|--------------|----------------------|--------------|------------------------------|--------------|--|
| | Includes Topic? | Address RMP? | Includes Topic? | Address RMP? | Include Topic? | Address RMP? | |
| Forest Resources | NA | | Yes | No | No | No | <ul style="list-style-type: none"> • Prepare ERI. • Revise and expand master plan to incorporate additional topics and guidelines for meeting objectives. • Revise Land Use Ordinances to be consistent with and supportive of the updated master plan. |
| Highlands Open Waters & Riparian Areas | NA | | Yes | No | No | No | |
| Steep Slopes | NA | | Yes | No | No | No | |
| Critical Habitat | NA | | Yes | No | No | No | |
| Carbonate Rock | NA | | No | No | No | No | |
| Lake Management | NA | | NA | NA | NA | NA | |
| Water Resources Availability | NA | | No | No | No | No | |
| Prime Groundwater Recharge | NA | | No | No | No | No | |
| Water Quality | NA | | Yes | No | No | No | |
| Wellhead Protection | NA | | Yes | No | No | No | |
| Stormwater Management | NA | | Yes | Yes | Yes | Yes | |
| Water/Wastewater Utilities | NA | | Yes | Yes | Yes | No | |
| Septic Densities | NA | | NA | NA | NA | NA | |
| Low Impact Development | | | No | No | No | No | |
| Transportation | | | Yes | Yes | No | No | |
| Land Pres/Stewardship | NA | | Yes | No | No | No | |
| Agricultural Resources | NA | | NA | NA | NA | NA | |
| Cluster Development | | | No | No | No | No | |
| Community Facilities | | | Yes | Yes | No | No | |
| Sustainable Economic Development | | | Yes | Yes | No | No | |
| Historic, Cultural, Archaeological Resources | NA | | Yes | No | No | No | |

Consistency Summary

Achieving both Basic and full Plan Conformance will require a broader approach to local master planning and resource assessment and protection than is currently found in the Town's primary planning documents. Basic Plan Conformance should, however, be reachable with the adoption of the Highlands templates as supplements to the current master plan and development ordinances. Full conformance will require a greater effort, the timing and cost of which will be better known when an implementation plan and schedule is established at the end of the Basic Plan Conformance process. Progression to full Plan Conformance will be dependent on continued technical and financial support from the Highlands Council.

Full Plan Conformance will likely require more detailed analysis of the Town's natural and built resources and more definitive plans, including standards and guidelines, for addressing the objectives identified in each of the master plan elements. At a minimum, the Town will have to prepare a comprehensive Environmental Resource Inventory (ERI). Land development ordinances will need to be revised to ensure consistency with the new master plan elements as well as the RMP.

This consistency assessment was based on a review of the following local documents:

- Master Plan Update (2004)*
- Re-Examination Report (2004)*
- Zoning Map & Zoning Code*
- Land Use Regulations*
- Subdivision & Site Plan Regulations*
- Stormwater Management Plan*
- Flood Hazard Ordinance*
- UEZ Plan*
- Riverfront Redevelopment Plan (2005)*
- Community Schools Plan (2003)*
- Ingersoll Redevelopment Plan*

SECTION 2. POTENTIAL IMPACTS OF PLAN CONFORMANCE

Task – Gain a general understanding of what voluntary plan conformance means to the community.

In addition to the master plan and ordinance work noted in Section 1, there are certain issues or concerns vis-à-vis RMP conformance that may have a bearing on whether or not the Town petitions for plan conformance at the end of 2009. They are listed in no particular order of importance below. Other issues may surface as the Town works through the remaining Modules and the depth and breadth of the required master plan elements and development regulations take shape. Some of the issues pertain to potential RMP updates, which are outlined in Section 3.

1. The southern portion of the Ingersoll Rand Redevelopment Area (approximately 62 acres) is covered by the RMP Conservation Zone (see map at the end of this section). The redevelopment plan generally proposes that the former Ingersoll-Rand complex be redeveloped as a large-scale industrial/office park. A General Development Plan for the “Phillipsburg Commerce Park” indicates that the area in the Conservation Zone – outside of the 300-foot Lopatcong Creek buffer – would be developed with approximately 354,000 square feet of office, industrial, and warehouse space. The area inside of the 300-foot buffer area would be preserved as public open space.

As part of the same redevelopment project, a connector road would be built to provide direct access from the Commerce Park to US Route 22. The connector road would pass through the Conservation Zone in Phillipsburg as well as the Conservation Environmentally Constrained Sub-Zone in neighboring Lopatcong.

This restrictive RMP zoning – in both Phillipsburg and Lopatcong – could severely hinder the redevelopment of this site. An RMP update is requested in Section 3.

2. A major portion of the Riverside Redevelopment Area – Sub-Area 3 is in an RMP Protection Zone (see map at the end of this section). This 35.6 acre site fronting on Howard Street has been approved for 445 townhouse units. This project is critical to the Town’s overall redevelopment strategy and the impact of the Protection Zone needs to be evaluated. An RMP update is requested in Section 3.

3. NJDOT has proposed a new I-78 interchange at Carpentersville Road and High Street in neighboring Pohatcong just west of Alpha. This interchange will provide direct access to I-78 for two large residential developments (approximately 1,000 units) that have been approved in Pohatcong. This interchange will also provide an alternative to the only other access to I-78 at Exit 3 just east of Alpha, thus providing Phillipsburg with additional access to the Interstate system. The proposed interchange would be located in the Conservation Zone and Conservation – Environmentally Constrained Sub-Zone. Phillipsburg is concerned that this restrictive RMP zone designation might hinder the development of the interchange, which could result in a detriment to the Town’s economic development efforts.

4. Site preparation has begun for the new Phillipsburg Regional High School in neighboring Lopatcong Township. The completed facility will contain approximately 326,000 square feet of classroom, administrative and support space and seven athletic fields. The site is located in the Conservation Zone with a small piece at the northern edge located in the Conservation

- Environmentally Constrained Sub-Zone. Phillipsburg is concerned that the Conservation Zone designation might impede the completion of the High School.

5. The Highlands Net Water Availability map indicates that the area north of US Route 22 is located in a subwatershed that is deficient by 5.745836 million gallons of water per day (MGD). Where net water availability is positive, it is assumed there is water available beyond the existing demand. Where net water availability is negative, the subwatershed is deemed to be a "current deficit area," which means that current uses are exceeding sustainable supplies. The RMP indicates that restoration of water resources can occur through mitigation and management opportunities such as conservation, recycling, and reuse identified during the conformance process. The implications of the deficit area designation will be better understood when the Module 2 build-out analysis is completed.

6. The Town recognizes the benefit of a regional agency such as the Highlands Council weighing in on development with potential regional impacts, and the need for the Highlands Council to ensure that the goals of the RMP are met. The Town will need to be assured, however, that the authority of its local Boards will not in any way be usurped by conformance with the RMP, and that undue procedural layers will not hinder beneficial redevelopment or economic development.

INSERT

- INGERSOLL RAND REDEVELOPMENT AREA MAP

INSERT

- RIVERFRONT REDEVELOPMENT AREA MAP

SECTION 3. RMP UPDATES

Task – Identify the need for RMP Updates (verifiable, factual discrepancies between municipal maps/data/info and the RMP).

As part of the Module 1 exercise, the Town Engineer reviewed the Highlands data related to tax parcels, developed land, developable land, open space, and utility service and verified any necessary changes to the data. There are, however, certain revisions that ought to be made to the RMP Land Use Capability Zone Map. They are discussed below and illustrated on the Requested RMP Updates Map at the end of this section.

1. Conservation Zone

The Conservation Zone covers the southern portion of the Ingersoll Rand Redevelopment Area (Block 3301; Lots 1 and 2). Highlands data indicate that this is an area of only moderate agricultural priority with riparian areas along the Lopatcong Creek. The non-riparian portions of these properties ought to be made part of the Existing Community Zone with the riparian areas placed in the Existing Community –Environmentally Constrained Sub-Zone.

2. Protection Zone

A major portion of the Riverfront Redevelopment Area fronting on Howard Street is in an RMP Protection Zone (Block 2102; Lots 2 and 11). This 35.6 acre site has been approved for 445 townhouse units. This project is critical to the Town’s overall redevelopment strategy and ought to be made part of the Existing Community Zone.

3. Existing Community – Environmentally Constrained Sub-Zone

The *Existing Community–Environmentally Constrained Sub-Zone* is scattered throughout the Town and appears to coincide with forested areas, carbonate rock, steep slopes and riparian areas. There are instances, however, where the sub-zone covers a parking lot (Block 1701 Lot 2), and several railroad rights-of-way (see list below). These parcels should be considered for removal from this sub-zone.

Railroad ROW Parcels

| | |
|--|--------------------------------|
| Block 920 Lots 4, 5 and 7; | Block 923 Lots 10 and 19; |
| Block 1411 Lots 23, 24, 34, 35, 68, 89, 90 and 91; | Block 1502 Lots 16, 37 and 54; |
| Block 1601 Lot 16; | Block 1701 Lots 16 and 17; |
| Block 1901 Lots 11 and 12; | Block 2007 Lot 9; |
| Block 2101 Lot 6; | Block 2201 Lot 12; |
| Block 2503 Lot 11; | Block 2506 Lots 19 and 20; |
| Block 2507 Lot 1; | Block 2510 Lot 2; |
| Block 2806 Lot 10; | Block 2808 Lot 18; |
| Block 3201 Lots 4, 5 and 6; | Block 919 Lots 11 and 12; |
| Block 1411 Lots 36 and 88; | Block 1901 Lot 7; |
| Block 2506 Lot 22; | Block 2507 Lot 4; |
| Block 2806 Lot 8; | Block 2808 Lot 17. |

INSERT

- REQUESTED RMP UPDATES MAP

SECTION 4. COST ESTIMATE

Task – Estimate the municipality’s anticipated cost to achieve Plan Conformance.

It will be difficult to determine the ultimate cost of full Plan Conformance until the full scope of work is known – probably at the conclusion of the Basic Plan Conformance process. It is evident at this point, however, that a substantial amount of work will be necessary on the Town’s part if it is to achieve full Plan Conformance.

At this point in time, the \$50,000 Plan Conformance Grant appears to be adequate for Basic Plan Conformance; but that could change depending how readily the forthcoming module templates can be incorporated into or replace existing plans and ordinances, particularly the housing element, which still must conform to COAH standards. (It should be noted that typical housing and fair share plans often cost in the \$20,000 range.) There may also be a need for additional funds to cover the required planning board and governing body public hearings if the templates are to be adopted into the master plan or land development ordinances.

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APPENDIX

HIGHLANDS RMP GOALS

| |
|--|
| 1. NATURAL RESOURCES |
| A. FOREST RESOURCES |
| <i>Goal 1A. Protection of Large areas of contiguous Forested Lands of the Highlands Region to the maximum extent possible.</i> |
| <i>Goal 1B. Protection and enhancement of forests in the highlands region.</i> |
| <i>Goal 1C. Conforming municipalities and counties include forest protection programs in their master plans and development regulations.</i> |
| B. HIGHLANDS OPEN WATERS AND RIPARIAN AREAS |
| <i>Goal 1D. Protection, restoration, and enhancement of highlands open waters and riparian areas.</i> |
| C. STEEP SLOPES |
| <i>Goal 1E. Protection and enhancement of the natural, scenic, and other resources of the highlands region by protection of steep slopes from inappropriate development and disturbance.</i> |
| D. CRITICAL HABITAT |
| <i>Goal 1F. Protection and enhancement of critical wildlife habitats, significant natural areas, and vernal pools.</i> |
| <i>Goal 1G. Inclusion of critical habitat area management programs in the master plans and development regulations of conforming municipalities and counties.</i> |
| E. LAND PRESERVATION AND STEWARDSHIP |
| <i>Goal 1H. Protection of critical resources through land preservation and stewardship of open space throughout the highlands region.</i> |
| <i>Goal 1I. Conforming municipalities and counties include open space preservation and land stewardship programs in their master plans and development regulations.</i> |
| <i>Goal 1J. Preservation of forests in private ownership through creation of a forest preservation easement program.</i> |
| F. CARBONATE ROCK (KARST) TOPOGRAPHY |
| <i>Goal 1K. Protection of ground water quality and public safety regarding Karst features in the highlands.</i> |
| G. LAKE MANAGEMENT |
| <i>Goal 1L. Protection of highlands region lakes from the impacts of present and future development.</i> |
| <i>Goal 1M. Protect the unique character of highlands lake communities.</i> |
| <i>Goal 1N. Maintain public and private lakes, or restore lake beds and downstream areas when lakes are drained.</i> |

| |
|--|
| 2. WATER RESOURCES AND WATER UTILITIES |
| A. WATER RESOURCES AVAILABILITY |
| Goal 2A. Protection of the value of the highlands region as an “essential source of drinking water, providing clean and plentiful drinking water for one-half of the state’s population” along with the ecological values of clean water, through the protection, enhancement and restoration of water resources quantity, flow characteristics and quality as fundamental to ensuring that there are adequate water supplies to support these needs. |
| Goal 2B. Protection, restoration and enhancement of water quality and quantity of surface and ground waters, and to determine the amount and type of human development and activity which the ecosystem of the highlands region can sustain while still maintaining the overall ecological values thereof, with special reference to surface and ground water quality and supply. |
| B. PROTECTION OF WATER RESOURCES QUANTITY |
| Goal 2C. Refinement of water availability methods and estimates. |
| Goal 2D. Maintenance of hydrologic integrity through the protection of ground water recharge. |
| Goal 2E. Improvement of ground water recharge through regional management efforts. |
| C. WATER QUALITY |
| Goal 2F. Assessment and restoration of surface and ground water quality of the highlands region. |
| Goal 2G. Protection, restoration and enhancement of the water quality of the highlands region. |
| Goal 2H. Limitation of the type and amount of human development in the wellhead protection areas of public water supply wells. |
| D. SUSTAINABLE DEVELOPMENT AND WATER RESOURCES |
| Goal 2I. Limitation of the expansion of water and wastewater infrastructure in the preservation area. |
| Goal 2J. All existing and future development in the highlands region that use public water supply systems are served by adequate and appropriate infrastructure. |
| Goal 2K. All existing and future development in the highlands region that use public wastewater treatment systems are served by adequate and appropriate infrastructure. |
| Goal 2L. Ensure that on-site wastewater system discharges do not exceed the natural capacity of ground water to attenuate loadings, exacerbate existing nitrate impairment, or contribute to potential nitrate impairment for sub watersheds of the highlands region. |
| Goal 2M. Refinement and improvement of the ground water resource management element. |
| 3. AGRICULTURAL RESOURCES |
| Goal 3A. Protection and enhancement of agricultural resources and the agricultural industry in the highlands region. |
| Goal 3B. Protection and enhancement of agricultural sustainability and viability of the agricultural industry within the highlands region. |
| Goal 3C. Minimize construction of non-agricultural development-inducing water and wastewater infrastructure in agricultural resource areas. |
| Goal 3D. Protection and enhancement of surface and ground water quality and natural resources in the highlands region and agricultural resource areas. |
| Goal 3E. Conforming municipalities and counties include agriculture retention/farmland preservation plan elements in their master plans and development regulations. |
| 4. HISTORIC, CULTURAL, ARCHAEOLOGICAL, AND SCENIC RESOURCES |
| Goal 4A. Protection and preservation of the historic, cultural and archaeological resources of the highlands region. |
| Goal 4B. Protection and enhancement of the scenic resources within the highlands region. |
| Goal 4C. Conforming municipalities and counties include minimum standards for historic, cultural, archaeological, and scenic protection in municipal and county master plans and land development regulations. |

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| 5. TRANSPORTATION |
| Goal 5A. Provision of safe and efficient mobility within the highlands, and between the highlands and destinations outside of the region. |
| Goal 5B. Maintenance of a safe and effective level of service on the existing highlands road system without the use of capacity improvements that could trigger additional development in areas that are not appropriate for “growth inducing” land uses. |
| Goal 5C. Transportation improvements within the highlands region that are consistent with the highlands regional master plan. |
| Goal 5D. A multi-modal transportation system which facilitates the movement of people and goods within and through the highlands region without adversely affecting ecosystem integrity and community character. |
| Goal 5E. Minimization of travel demand and vehicle miles of travel. |
| 6. FUTURE LAND USE |
| A. LAND USE AND CAPABILITY ZONES |
| Goal 6A. Use the highlands land use capability map series as a framework for determining the character, location, and magnitude of new growth and development in the highlands region. |
| Goal 6B. Preservation of the land and water resources and ecological function of highlands areas in the protection zone. |
| Goal 6C. Limitation of development in the protection zone to development and redevelopment which does not adversely affect the natural resources of the highlands region ecosystem. |
| Goal 6D. Protection and enhancement of agricultural uses and preservation of associated land and water resources in highlands areas in the conservation zone. |
| Goal 6E. Incorporation of regional development patterns and related environmentally sensitive areas within existing community zones. |
| Goal 6F. Support of compact development, mixed use development and redevelopment and maximization of water, wastewater and transit infrastructure investments for future use of land and development within the existing community zone. |
| B. RMP UPDATES, MAP ADJUSTMENTS, AND LOCAL BUILD-OUT ANALYSIS |
| Goal 6G. Continually update and improve the highlands land use capability map series. |
| C. REGIONAL GUIDANCE FOR DEVELOPMENT AND REDEVELOPMENT |
| Goal 6H. Guide development away from environmentally sensitive and agricultural lands and promote development and redevelopment in or adjacent to existing developed lands. |
| Goal 6I. Conforming municipalities and counties incorporate regional and local land and water resource planning and management programs in their master plans and development regulations. |
| D. REDEVELOPMENT |
| Goal 6J. Accommodation of regional growth and development needs through the reuse and redevelopment of previously developed areas, including brownfields, grayfields, and underutilized sites. |
| Goal 6K. Concentrate residential, commercial and industrial development, redevelopment, and economic growth in existing developed areas in locations with limited environmental constraints, access to existing utility, and transportation infrastructure. |
| Goal 6L. Conforming municipalities and counties consider development, redevelopment and brownfields opportunities in their master plans. |
| Goal 6M. Protection and enhancement of highlands resources through the remediation of contaminated sites in region. |
| E. SMART GROWTH |
| Goal 6N. Use of smart growth principles, including low impact development, to guide development and redevelopment in the highlands region. |
| F. HOUSING AND COMMUNITY FACILITIES |
| Goal 6O. Market-rate and affordable housing sufficient to meet the needs of the highlands region within the context of economic, social, and environmental considerations and constraints. |

7. LANDOWNER EQUITY

Goal 7A. Protection of lands that have limited or no capacity to support human development without compromising the ecological integrity of the highlands region, through mechanisms including but not limited to a region-wide transfer of development rights program.

Goal 7B. Provision for compensation through a region-wide program of transferable development rights to landowners whose properties have limited or no capacity to support additional development based upon analyses conducted by the highlands council and who are disproportionately burdened by the provisions of the highlands act.

Goal 7C. Creation of a highlands development credit bank.

Goal 7D. Establishment of sufficient highlands receiving zones to create a positive market for TDR credits.

Goal 7E. Maximization of the transfer and use of HDCS.

Goal 7F. Ensure that highlands act exemptions are properly issued and monitored.

Goal 7G. Ensure that highlands act permits and waivers are properly issued, tracked, and monitored.

Goal 7H. Mitigation to the maximum extent possible of the impacts of exempt development on the ecosystem integrity of the highlands region through use of innovative land use programs.

8. SUSTAINABLE ECONOMIC DEVELOPMENT

Goal 8A. Sustainable economic development in the highlands region.

Goal 8B. Protection and enhancement of the agriculture industry in the Highlands region.

Goal 8C. Expansion of compatible and sustainable tourism and recreation within the highlands region.

Goal 8D. Expansion of innovative technology and entrepreneurial businesses including home office, energy efficiency, and resource conservation enterprises in the highlands region.

Goal 8E. Estimate and track over time the costs and benefits associated with plan implementation and the protection of critical resources of the highlands region.

9. AIR QUALITY

Goal 9A. Reduction of air pollution through use of alternative and efficient modes of transportation and the use of renewable energy sources.

10. LOCAL PARTICIPATION

Goal 10A. Maximize municipal participation to ensure the regional master plan achieves its long term goals of protecting, enhancing and restoring highlands resources and maintaining a sustainable economy in the highlands region.