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April 22, 2015

Ms. Margaret Nordstrom, Executive Director  
NJ Highlands Council  
100 North Road  
Chester, NJ 07930

**Re: Highlands Regional Master Plan**

Dear Ms. Nordstrom,

Please accept the following in response to the Highlands Council request for public input regarding Highlands Regional Master Plan as part of its 2014 RMP Monitoring Program.

My wife and I live in Independence Township within the Highlands Preservation Area. We have been actively opposing an environmentally unsound development within our Township since 1987. We have spoken several times before the Highlands Council regarding this development and the general demeanor of Independence Township Officials. Our current Mayor has focused on this development, "Liberty Square", with such a laser like manner, he gives rise to specters of his motivation. This property has an active sink hole that receives large amounts of surface water which immediately disappears from a small basin. In the past this water would drain down the mountain in major storm events. Since the town allowed, even encouraged, the developer begin construction without an approved Site Plan or even an approved Stormwater Management Plan, he cleared most of the forest that existed on the site and stripped the topsoil. Since that time minor storms now funnel water from the site, that use to be absorbed in the forest floor, into the basin and sinkhole. There is a standing order from the NJDEP, issued on Oct. 12, 2007, to stop the work and restore the property both in topography as well as plantings. A pond that in the past formed after a rain storm and remained full for weeks was destroyed and obliterated by heavy equipment. I had provided pictures of this pond including local waterfowl to NJDEP as well as the Highlands Council. The property remains to this date as a stripped construction site where a forest once stood and has now existed eight years without action. This sink hole is in close proximity to County Route 517 and within the Wellhead Protection Area of a municipal well for Hackettstown, NJ. Even though a escrow fund is under the control of Independence Township for restoration of this site should the developer

fail to achieve a Highlands Exemption, the local officials refuse to take action. Independence Township and the developer remain in defiance of the NJDEP order to restore the topography and plantings that have been destroyed by the seemingly illegal action of the Township and developer. We and other concerned citizens provided testimony and a litany of expert witnesses including the developers own engineering report regarding this sink hole, to bring our environmental and safety concerns to the local planning board, without any response to our concerns. They listened to our expert witnesses and testimony and make no response. Our Mayor has publicly proclaimed that Independence Township is a “poster child” for the Highlands Act. He is right but for the wrong reason. Independence Township exemplifies why the many local authorities that control the environment and water protection that exists within the Highlands Area need a central and unified plan that the Highlands Act has provided. They are currently maneuvering to claim the before mentioned site as a reconstruction site. Please maintain the intent of the Act and protect our water and environment and avoid yielding to pressures generated by local municipal politicians and their special interests.

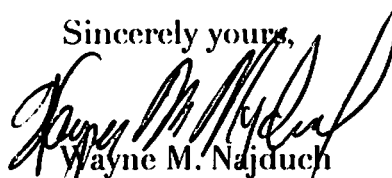
We would very much add our support that the Regional Master Plan be expanded to map existing Karst areas and features that create watersheds that drain to Karst areas. It is clear to me that local municipal officials have little or no knowledge of water runoff effects to carbonate rock formations and the environmental issues and those of public safety that could arise. To my knowledge there is no inventory of karst features or watershed areas that drain directly to carbonate rock formations. It is also very clear to me that depending on engineering reports from developers to guide local authorities is foolish. Mapping for these conditions and an expertly developed set of rules and guidelines should be developed and instituted.

The current owner and developer of the “Liberty Square Project” has recently under the current forestry rules has taken trees from the site described above, even though he is under an order from NJDEP, since 2007, to restore the plantings on this site, and even though this property had over 80% of the trees removed and destroyed by construction work completed without a “Site Plan Approval” or a “Stormwater Management Approval”. Clearly the right hand does not know what the left hand is doing. I believe that this was done strictly to impose punitive action to myself and the other neighbors that opposed his development of the site. There has been no effort to replant anything on the site and the few trees that remain on the 8 acre site can not represent a viable forestry endeavor. I would recommend and support the requests of others to require the inclusion of certification standards from the Forest Stewardship Council for forestry activities within the Highlands Preservation Area. It is my understanding that this is a highly regarded certification that has rendered great success in many locations. It is clear to us that the overall health of the forests and ecosystems within the Highlands Protection Area are key to quality and quantity of the water supply for New Jersey. Because of there importance we should employ the best practices to continue a sustainable forest system. This extends beyond the trees to the ecosystem and habitat that is provided.

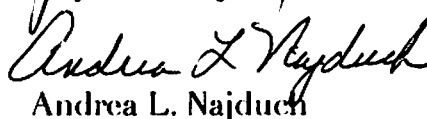
There is a myriad of proposals that have been put forth on compensation to land owners for loss in equity and value for development rights. Some landowners, particularly farmers feel they have been hard hit. Others who were simply speculating on land values deserve less consideration. Never the less there are programs such as the Transfer of Development Rights program and land acquisition programs that could provide some relief in this area. These programs seem to be languishing in both methodology and funding. If some improvements could be made in this area the resistance from local people would be tremendously mitigated. I would urge the Highlands Council to press the State to seek funding and simplification of these processes.

I would urge the Highlands Council to improve it's communication of their efforts and the content of the Regional Master Plan to the general public. Local politicians in our town and other influential people have been systematically misinforming the general public. They are very vocal and public, regarding the Highlands Act and the Highlands Council. They are telling people that the Act will prevent them from adding minor additions to their homes. They claim there is not water problem now or in the future and that the Act is just a invented device to steal land and offset political power in the Highlands Area. They are frightening the general public claiming reduction in property value, reduced ratables, and increases in taxes as a direct result of the Highlands Act. This is simply not true. The general public is not going out of their way to understand the Act or it's provisions. But they hear perpetrated misconceptions engineered by local politicians and delivered on the radio and public meetings. I would urge to Highlands Council to create a strong public relations effort to educate the general public about the real issues and rules under the Highlands Act. Many of the local politicians are large land holders with interests outside that of the general public, but use their influence to generate what may appear to be a ground swell of discontent with the Highlands Act. I think a strong public relations effort on the part of the Highlands Council would be the most effective way in reducing public fears and misconceptions and thus go far in achieving the results intended by the Highlands Act.

Sincerely yours,



Wayne M. Najdusch



Andrea L. Najdusch

cc: via mail