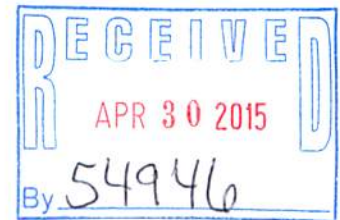


Mansfield Township Land Use Board  
NJ Highlands Act Regional Master Plan Monitoring Response



As an impacted community covered by the NJ Highlands Act, Mansfield Township has a vested interest in seeing that the Highlands Act be reevaluated to take into consideration the concerns of our community. Recently, the Warren County Freeholders submitted their comments on the Highlands Regional Master Plan as part of the Monitoring Program. Mansfield Township concurs with the comments submitted by the Freeholders and further makes the following comments:

1. Reevaluate Minimum Zoning Acreage Requirements for new development with Highlands Master Plan.
  - a. Adjust 88 acres to 10-15 acres for single family home development on forested lots.
  - b. Adjust 25 acres to 10-15 acres for single family home development on non-forested lots.

The Highlands Act instituted significant changes to the minimum zoning acreage requirements for new development. Specifically, single family home development on forested lots must now meet a minimum of 88 acres and new development on non-forested lots must meet a minimum of 25 acres in the area covered by the Highlands Act. This is an unreasonable constraint on our community and has virtually halted economic growth in Mansfield surrounding new home construction. It is our recommendation that the Highlands Act be adjusted to a more reasonable zoning requirement with minimum acreage established at 10-15 acres for both forested and non-forested lots.

2. Adjust minimum acceptable nitrate levels to align with state standards. Highlands standards are set at .17 vs. state standards of 2.5.

In terms of groundwater quality, there seems to be a misconception that limiting future development of individual septic systems to extremely low densities, 25 acres and 88 acres, will actually improve water quality. The basis for the lot sizes are based on an NJDEP report titled Basis and Background of the Septic Standard of the Highlands Water Protection and Planning Act Rule at NJAC 7:38-3.4 that used 45 samples throughout the region in mixed use areas. The median ambient nitrate level was .76 mg/L. For pristine areas 7 locations were selected as a representation of "pristine" forested areas. It appears that most of these samples were taken from State Parkland Areas. Therefore, nitrate levels included in the modeling reflect "pristine" conditions, with average value of .21 mg/L. So the values selected are to maintain the existing groundwater quality despite the commonly used target of 2 mg/L in the non-Highlands area of the State. The federal drinking water public health standard is 10mg/L.

3. Reevaluate existing rules concerning development on or near existing highway/railroad right-of-ways. Encourage light industrial / business development along existing access infrastructure.

The Highlands boundaries seem to be arbitrary. They lack foundation in basic and fundamental good planning policy. Specifically, we request that the Highlands reconsider currently drawn boundaries and

encourage development along already established highway and railroad right-of-ways. This will enable existing companies to grow appropriately and leverage existing and underutilized infrastructure.

4. Recommend immediate action to clean up existing brownfield sites as per original plan.

There is very little discussion on prioritizing the clean-up of contaminated areas or on methods to conserve water consumption on those that use the water outside of the Highlands Region. And there is little discussion on increasing water supply through the construction or expansion of reservoirs, impoundments, and other surface water and groundwater systems.

One of the planning area's goals is "to protect, restore, and enhance the quality and quantity of surface and ground waters therein". There is little to no discussion in the RMP where the existing contaminated sites are located and no meaningful discussion in setting priority to clean up these sites. According to the RMP, most of the watersheds have impaired water quality. It seems logical that cleaning up contaminated sites that are known to be significant polluters of our environment should be of top priority to restore and enhance the region's water resources.

5. Determine appropriate tax offset for Highlands communities to recognize value of the Highlands product (water) to non-Highlands act communities.

Mansfield Township has suffered significant negative economic impact as a result of the Highlands Act. If our sacrifice is necessary to ensure the water quality for those communities outside of the Highlands, we should be appropriately compensated for that sacrifice. Economic development in our community has come to a virtual halt. The Highlands Act has curtailed any potential for economic growth related to construction and further stymied migration into our community from other parts of the state. While communities in Eastern Pennsylvania that border the Highlands have flourished, we continue to suffer negative economic growth. It is only right and fair that the precious commodity we are protecting, water, be treated as a product that our community produces for the rest of the state and that we be appropriately compensated for it.