



JON S. CORZINE
Governor

State of New Jersey
Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.highlands.state.nj.us



JOHN R. WEINGART
Chairman

EILEEN SWAN
Executive Director

Contact: Nancy Benecki, Manager of Communications
(908) 879-6737 ext. 105 or nancy.benecki@highlands.state.nj.us

FOR IMMEDIATE RELEASE
February 11, 2008

Capacity Crowd Attends First Public Hearing for Highlands Regional Master Plan

CHESTER, N.J. – A capacity crowd filled the room for the first public hearing for the final draft of the Highlands Regional Master Plan, held Wednesday night at the Morris County Haggerty Education Center in Morristown.

Approximately 150 members of the public, including land owners, farmers, developers, environmental activists, and other concerned individuals attended the event. More than 40 people testified during the three-and-a-half hour hearing.

“An important part of the process of creating and adopting a Regional Master Plan for the Highlands is obtaining public input,” said John Weingart, Chairman of the Highlands Council. Public comment has already helped the Council improve the draft Master Plan from an earlier version and we look forward to refining it further based on the additional input we are receiving this month.”

There are two remaining public hearings that will take place at the following times and dates:

- **Today - February 11, 2008** from 6 p.m. to end of public comment at the Passaic County Community College, One College Blvd., Paterson, NJ.
- **February 13, 2008** from 6:30 p.m. to end of public comment at the Voorhees High School, 256 County Rt. 513, Glen Gardner, NJ.

“The final draft of the Regional Master Plan reflects changes suggested during the public comment period for the initial draft of the plan,” said Eileen Swan, Executive Director of the Highlands Council. “The Highlands Council will again consider the comments we receive from the public to make the Regional Master Plan the strongest document possible to help us meet the goals mandated by the Highlands Act.”

The first public hearing included numerous constructive comments from the public. In order to focus additional public comment and to clarify several misconceptions voiced at the hearing, below are several key issues of the Highlands Regional Master Plan with references to corresponding policies from the RMP:

Resource Protection

1. Misconception: *The RMP encourages growth in water deficit areas.*

The final draft RMP specifies that more than 120 of the 183 Highlands subwatersheds are in deficit for water supply and requires these municipalities to prepare a Water Management Plan to address water deficits. The RMP allows for limited additional development in deficit areas, subject to Highlands Council approval, only if that development actually reduces the deficits. Development that increases the deficits is prohibited. See Policy 2B5 on page 127 for more information.

2. Misconception: *The RMP encourages sewers in the Preservation Area.*

The final draft RMP specifically provides a prohibition of the expansion of sewers in the Preservation Area consistent with the provision of the Highlands Act. This information is found under Goal 2I and Policy 2I1 at page 135 of the RMP, "Limitation of the Expansion of Water and Wastewater Infrastructure in the Preservation Area." This policy states, "To ensure compliance with the statutory revocation of designated sewer service areas unless the wastewater collection systems had been installed by August 10, 2004, and unless extensions are warranted to address documented threats to public health and safety or are exempt from the Highlands Act." Also see Objective 2K5c on page 139 which states, "Prohibit expansion of public wastewater collection and treatment systems and community on-site treatment facilities within the Preservation Area except as provided by the Highlands Act..."

Agricultural Viability

3. Misconception: *The RMP does not implement the Right to Farm Act.*

The RMP specifically requires municipalities and counties to incorporate Right to Farm Act provisions as a mandatory element of Plan Conformance. Policy 3E3 on p. 145 of the RMP addresses this point.

4. Misconception: *Existing farming practices will be stopped by environmental standards in the RMP.*

The RMP is specifically intended to promote agricultural viability and the Plan only imposes natural resource protection standards where non-agricultural or residential development is proposed on existing farms. Policy 3A10 and Objectives 3A10a-d on p. 143 addresses this point.

Voluntary Growth Policies

5. Misconception: *The RMP mandates growth and fails to protect environmentally sensitive resources in the Existing Community Zone.*

The Existing Community Zone does not mandate growth; it is an overlay zone showing existing communities. The draft final RMP specifies that any additional growth in the Highlands Region is discretionary. This policy states that growth may occur after a municipality has clearly proven that Highlands resources will be maintained and protected. For more information, see page 153, Policy 6B6, Policy 6B7 and Policy 6I11 on page 156.

In addition, the RMP includes many different policies that require the protection of sensitive environmental features regardless of zone. For example, policy for wetlands protection in the Existing Community Zone is just as stringent as the policy in the Protection Zone. In most cases, resources of this type are better protected through site-by-site development review, as shown in the Site Specific Constraints Analysis on page 242. Wetlands and floodplains, for example, are mapped regionally on a general basis, but always regulated using site-specific mapping. For more information, see Policy 1D4 on page 113.

6. Misconception: *The RMP limits all development and redevelopment opportunities.*

The RMP includes policies to encourage development and redevelopment in appropriate areas after addressing necessary resource protection and any capacity limitations.

The RMP includes very stringent redevelopment procedures, consistent with the Highlands Act, in the Preservation Area. The Highlands Act specifically allows the Highlands Council to approve redevelopment sites for areas containing 70 percent impervious surfaces and brownfields sites designated by New Jersey Department of Environmental Protection (NJDEP). These sites then are eligible for a waiver from the NJDEP's Preservation Area rules only where natural resources are adequately protected. (See Policy 6J1 on p. 156). In the Planning Area, the RMP requires that redevelopment sites have "water, wastewater, transportation capacity and are appropriate for increased land use intensity or conversion to greenfields." For more information, see policies 6J2 and 6J3 on page 156.

7. Misconception: *The RMP encourages the creation of receiving zones for the Transfer of Development Rights (TDR) in environmentally sensitive areas.*

The designation of Receiving Zones is a voluntary process as specified in the Highlands Act. The Highlands Council has conducted a preliminary GIS-based analysis to identify potential areas where there is available infrastructure. The RMP specifically requires a municipal petition and a determination by the Highlands Council that the Receiving Zone is appropriate and is conformance with the RMP. For more information, see Goal 7D on page 163 and the program at 276-278.

In addition to the public hearing process, the Highlands Council is also accepting comments via e-mail and regular mail. For more information on submitting a public comment, visit the Highlands Council Web site at http://www.highlands.state.nj.us/njhighlands/master_plan.html. The public comment period will close on February 28, 2008.