

Highlands Council Monthly Report

February 2024

Released March 13, 2024



Canada Geese enjoying some sun in Blue Heron Lake, Weldon Brook Wildlife Management Area
Jefferson Township, Morris County

Photo: Herb Scott August

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Highlands Council Monthly Report

Summary of Activities | February 1-29, 2024

Executive Director Priority Spotlight

- **Affordable Housing Bill** – One of the Highlands Council’s highest priorities is to provide adequate support to Highlands municipalities faced with balancing sound land use planning and protection of the vital resources found in the region. The task of appropriately providing affordable housing opportunities in that context is one of the more difficult challenges that Highlands towns face. The current methodology of meeting affordable housing obligations is poised to change with the likely passage of legislation (A-4/S-50) currently pending before the N.J. Assembly and Senate. The proposed bills are designed to provide clear guidance on how municipal affordable housing obligations will be calculated starting with “Round 4” that begins in 2025 and starts a 10-year cycle continuing forward from that point.

The Highlands Council started the process of developing guidance for its 88 municipalities in anticipation of Round 4 obligations last year. These efforts slowed when the aforementioned legislation was first introduced in late 2023. Fortunately, the new bills directly address the complex issues around meeting affordable housing requirements in a manner that is consistent with the Highlands Act and the Highlands Regional Master Plan (RMP). This recognition of the Highlands Act, the RMP, the Highlands Land Use Capability Zones, and the calculated municipal buildouts for the region is a major step forward in affordable housing policy as it pertains to the Highlands and its constituent towns.

The Council will now be accelerating its work to complete guidance materials that will support Highlands towns in appropriately planning the scope of municipal obligations with clear direction on where and how affordable housing units will be constructed. This will likely culminate in the incorporation of the developed guidance as an amendment to the RMP along with a robust grant program to assist municipalities with the costs of drafting the new affordable housing plans that will be required.

- **State Plan** – The New Jersey State Development and Redevelopment Plan (State Plan) is currently being updated and revised. The existing State Plan, adopted in 2001, recognized the Highlands Region and its many resources as a “Special Resource Area.” This designation, along with the 2002 U.S. Forest Service study of the 4-state Highlands region, were the catalysts for the 2004 enactment of the Highlands Water Protection and Planning Act that created the Highlands Council. The State Plan was intended to guide land use state-wide as well as provide a road map for future development and infrastructure investments. The broader goals of implementing long-term sustainable policies and protection of important environmental resources are familiar to anyone who has followed the work of the Highlands Council as its approach to planning the region relies on very similar principles.

The Highlands RMP has been endorsed by the State Planning Commission. This means that it has been accepted as state-wide policy. This isn’t only important regarding the Council’s work within

the region, but it also means that all state agencies must recognize the RMP when making policy decisions, planning infrastructure projects, and creating and enforcing regulations that will impact the Highlands. It also means that the Highlands Land Use Capability Zones replace the State Plan's policy maps for the Highlands, regardless of whether it is pertaining to the Planning Area or the Preservation Area. Only the alignment of municipal zoning with the RMP is voluntary in the Highlands Planning Area. State agencies must respect the RMP and its provisions. The Highlands Council has submitted its comments on the new State Plan that sets forth these principles clearly and will serve as a guide for interaction with sister agencies as well as adding a layer of legal recognition for all Highlands Council actions.

- **RMP Amendments.** There are two pending amendments to the Regional Master Plan. One incorporates the [Policy Standards for Warehousing](#) issued by the Council in 2023 as a formal amendment to the RMP. The second is an update to the Land Use Capability Zone map that accompanies the RMP. The Highlands Council is [still accepting written comments](#) from the public on the two proposed RMP Amendments through Monday, April 1, 2024. The policy standards related to warehousing in the Highlands region seeks to limit warehouse development to appropriate locations where impacts to important resources, traffic, and local residents will be minimized and other considerations such as access to highways and existing infrastructure would be required. Also, the design of any warehouse project would be informed by the provisions in this amendment.

The second provides an update to the Highlands Land Use Capability Zone map, which is the foundational mapping for most of the work of the Council. This mapping is based upon criteria contained in the RMP that determines the exact zone designation for lands within the Highlands. It is based upon the data that can be found in [Highlands Interactive Map](#) as well as other environmental factors. Both amendments and supporting documentation can be found on the [Council's web site](#). In addition to the ongoing public comment period, the Council held six public hearings throughout the Highlands as well as in Trenton over the past several weeks. All comments received will be considered by Council staff. A formal response document will be issued shortly after the completion of the comment period. Based upon these comments, there may be changes to the proposed amendments. The Council and staff appreciate everyone who took the time to attend a hearing and provide feedback or who submitted a written comment.

- **New Council Members.** At its February meeting the Highlands Council welcomed Dan Bush as its newest member. Dan is a lifelong Hunterdon County resident and brings many years of leadership experience as a municipal official in Holland Township and as part of Hunterdon County Parks and Recreation to this role. Dan's work as a mayor of a fully conforming Highlands municipality will bring an invaluable perspective to the Council. He has years of practical knowledge regarding the interaction of the Highlands Act and Highlands RMP with local land use as well as the ways that municipalities can benefit from working with the Council.

The Governor has sent other nominations to the Senate. The Council still has four vacancies. The existing Council members have been asked to take on a great deal of behind-the-scenes work that

is not readily apparent to the public. The addition of Council member Bush is extremely helpful in this regard. The Council has met with several of the pending nominees to provide them with background materials regarding the Council's work and to answer any questions they might have with the intent of allowing them to hit the ground running as soon as they are confirmed. We are looking forward to the prospect of operating with a full complement of Council members in the near future.

Municipal and County Regional Master Plan (RMP) Implementation

Updates related to Highlands Council-funded projects that help implement the RMP at the local level.

- **The Town of Clinton, Hunterdon County.** Submitted a Scope of Work (SOW) to complete a traffic study. Staff reviewed and approved the SOW, authorizing the project to begin.
- **Harding Township, Morris County.** The Township passed a resolution indicating its intent to revise its master plan and development regulations to conform with the Highlands RMP.
- **High Bridge Borough, Hunterdon County.** The Borough submitted a redevelopment plan for a parcel within a previously designated Area in Need of Rehabilitation. Highlands Council staff reviewed the plan, provided comments, and anticipate a final plan in the near future.
- **Hunterdon County.** The County submitted a request for funding to develop a Historic Preservation Plan, and a separate request to complete a Watershed Management Plan. The request for the Historic Preservation Plan was reviewed and approved by staff, authorizing work to begin. The Watershed Management plan request is currently under review.
- **Jefferson Township, Morris County.** Submitted a Phase 1 Sewer Service Area Expansion Feasibility Study. The study is being reviewed by staff for alignment with the approved SOW.
- **Mendham Township, Morris County and Pohatcong Township, Warren County.** Both municipalities submitted SOWs to complete stormwater management activities related to MS4 permit compliance. The SOWs specify tasks including: Stormwater Facilities Mapping, Pollution Prevention, Municipal Stormwater Management Plan, Public Outreach, Ordinances, Private Facility Inspections, Employee Training, Inspection and Maintenance Mapping, and the generation of a Watershed Improvement Plan. Staff has reviewed and approved the SOWs, authorizing work to begin.
- **Morris County.** The County submitted a SOW to complete floristic inventories at two of their park facilities as part of the county's Natural Resource Inventory. These inventories will guide the county's management strategies into the future. Staff reviewed and approved the SOW, authorizing project work to begin.
- **Mountain Lakes Borough, Morris County.** The Borough submitted a SOW to complete the necessary tasks to prepare a petition to the Highlands Council for municipal conformance with the Highlands Regional Master Plan (RMP). Staff reviewed and approved the SOW, authorizing work to begin.
- **Roxbury Township, Morris County.** The Township submitted a SOW to complete a Highlands Conformance Assessment to better understand the impacts of bringing local zoning and planning documents into alignment with the Highlands RMP for the Planning Area portion of the town.

The Township is already conforming in the Preservation Area of the town. Staff review of the SOW is in progress.

- **West Milford Township, Passaic County.**
 - Completed a Watershed Management Study that was reviewed by staff and found to be consistent with the approved SOW for the project and eligible for reimbursement.
 - Submitted a SOW for preparation of a Climate Change-Related Hazard Vulnerability Assessment. Staff is currently reviewing.

Regional RMP Implementation

In addition to supporting municipal and county implementation of the RMP, the Highlands Council frequently funds larger and regionwide projects that help advance the goals, policies and objectives of the RMP.

- **Open Space and Recreation Plan for the Highlands Region.** A contract was awarded at the February Highlands Council meeting to the team of The Trust for Public Land (TPL) and TwentyTwenty Public Affairs. An Open Space and Recreation Plan for the entire Highlands Region will help the Council identify and prioritize lands that should be permanently protected and propose strategies for maximizing the limited resources available to complete these transactions. Project work is expected to be finished before the end of 2025. A United States Fish and Wildlife Service grant in the amount of \$172,000 will fund nearly 60% of the project cost with the Highlands Council contributing the remaining \$126,500.
- **Branding and Marketing Plan for the Highlands Region.** As mentioned in last month's report, this project grew from the Highlands Region Economic Sustainability Plan released in 2022 and seeks to raise the profile of the Highlands Region and all it has to offer as a desirable place to live, work, and play while bolstering important Highlands economic drivers like the agricultural industry and outdoor recreation. Four teams were interviewed in February and the Budget and Finance Committee will be making an award recommendation to the full Council at the March meeting.

Project Reviews

The Highlands Council does not issue permits but is statutorily required to review certain proposed projects in the region for consistency with the Highlands RMP. In some cases, the Highlands Council shares jurisdiction with the New Jersey Department of Environmental Protection (NJDEP).

- **Highlands Preservation Area Approval (HPAA) – Paradox Properties, LLC Restoration and Habitat Enhancement**

Washington Township, Morris County

Applicant is requesting authorization under Highlands Preservation Area General Permit 1 (GP1), Flood Hazard GP4, and Freshwater Wetlands GP16 from NJDEP for activities associated with stream habitat improvement of approximately 2,248 feet of the South Branch Raritan River. The project includes instream channel alteration and invasive brush management.

Highlands Council staff finding: Consistent with the RMP with modifications.

- **Highlands Preservation Area Approval (HPAA) – Subaru of Hackettstown**

Mount Olive Township, Morris County

An applicant is proposing the construction of an automobile dealership on a property that was previously designated as a Highlands Redevelopment Area. The project proposes new HPAA and Highlands Resource Applicability Determination (HRAD) approvals from NJDEP to supersede expired HPAA and HRAD permits.

Highlands Council staff review is in progress.

- **Highlands Redevelopment Area Designation – Sand Shore Road, Route 46 and Naughtright Road (multiple properties).**

Mount Olive Township, Morris County

Mount Olive Township is seeking to designate a Highlands Redevelopment Area in a portion of the Township to permit the development of an industrial property and the future expansion of an existing commercial development.

- **Conditions Compliance – Planning Area Consistency Determination, The Woodland Apartments**

Hackettstown, Warren County

Applicant provided responses and supporting material related to conditions included with a consistency determination made by the Highlands Council in 2022.

Highlands Council staff review is in progress.

- **Municipal Referral – Crossroads Logistics Center**

Mahwah Township, Bergen County

An applicant is proposing construction of two warehouse buildings (671,072 square feet and 1,015,752 square feet) on the former Mahwah Ford Motor Company property. The site is approximately 100 acres and is currently developed with a hotel and some regrown/previously disturbed areas.

Highlands Council staff review is in progress.

- **Municipal Referral – Ridge Road Multifamily Development**

Mahwah Township, Bergen County

Applicant is proposing a multistory residential building with associated parking.

Highlands Council staff review is in progress.

GIS Updates

- **Land Use Capability Zone Map (LUCZ) Amendments.** The Highlands Council GIS staff prepared and implemented a data layer group on the Highlands Council Interactive Map that allows members of the public to preview proposed updates to the map that are included in a [pending RMP Amendment](#) to the Highlands Regional Master Plan.

Staffing and Staff Development

- **Climate Adaptation Training.** The Highlands Council science staff is currently participating in an intensive online climate adaptation planning and practices course hosted by the Northern Institute of Applied Climate Science (NIACS). The goal of the program is to help natural resources managers incorporate climate change considerations into real-world forest management projects

and uses information and tools developed through the Climate Change Response Network. Knowledge gained from this training will help inform restoration and protection of Highlands forests.

- **Floodplain Manager Certification.** Two Highlands Council science staff members are pursuing Certified Floodplain Manager designations. The certification program will equip staff with increased knowledge and expertise regarding flood risks and strategies for protection of public safety, property, and local economies in the Highlands.
- **Principal Planner Vacancy.** The Highlands Council extended the deadline for the principal planner position. The posting closed on March 1, 2024. Seven applications were received and are being reviewed by staff.

Outreach & Education

- **7th Annual New Jersey Watershed Conference.** On February 23, Highlands Council Member Dr. Daniel Van Abs was the keynote speaker at The Watershed Institute's Annual Conference, held this year at The College of New Jersey in Ewing Township. The theme of the event was Regional Collaboration for our Watersheds, and Highlands Council Executive Director Ben Spinelli was a panelist at a session entitled "Working Regionally: Lessons Learned from the Highlands and Pinelands." Other panelists for the session were Jaclyn Rhoads, Ph.D., Assistant Executive Director, Pinelands Preservation Alliance and Julia Somers, Executive Director, New Jersey Highlands Coalition.
- **Help with MS4 Compliance and Municipal Budget Planning.** In February, the Highlands Council reached out to our municipal partners to remind them that the deadline to apply for NJDEP funding to support MS4 permit compliance had been extended to March 31, and that the Highlands Council has additional funding available to supplement the DEP funding to complete the work. Due to the timing concurrent with municipal budget planning, the Council also took this opportunity to remind municipal officials that the Highlands Council can bring grant funding and expertise to many local priorities such as master plan reexams, open space and recreation plans, farmland preservation plans, lake management plans, or any planning, design or engineering work that also helps implement the Highlands RMP.
- **Constituent Assistance.** The Highlands Council received and responded to 23 inquiries from constituents in February.

Municipal & County Coordination

Highlands Council staff frequently meet with our constituent municipalities and counties to discuss their priorities and how they intersect with implementation of the Highlands RMP.

- In February, the Highlands Council attended a Boonton Town Council meeting to discuss RMP implementation; and met with representatives from the Town of Dover (Highlands Center designation) and Washington Township, Morris County (Redevelopment Planning).

Agency & Organization Collaboration

Highlands Council staff often meet with sister state agencies to ensure effective coordination; professional and nongovernmental organizations to learn and collaborate; and other entities that have a stake in protecting the New Jersey Highlands.

- **Federal and State.** The Highlands Council met with the US Fish and Wildlife Service (Highlands boundaries, appraisal methodology) and the State Agricultural Development Committee (property valuation in the Highlands).
- **Academia.** In February, Highlands Council science staff met with Professor Daniela Shebitz Ph.D, chair of the Department of Environmental and Sustainability Sciences at Kean University to discuss possible collaborations on both research and outreach projects.

Council Committee Meetings

- The Highlands Council Budget and Finance committee met on February 2.

Looking Ahead

- **Public Council Meetings.** The March Highlands Council public meeting is scheduled for Thursday, March 21. The April public meeting is scheduled for Thursday, April 18. All meetings are held at 4 p.m. at the Highlands Council office in Chester, NJ. Complete details are available on the [calendar page](#) of the Highlands Council website.

