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DRAFT CONSISTENCY REVIEW AND RECOMMENDATIONS REPORT

Petition for Plan Conformance Jefferson Township, Morris County

Prepared by the State of New Jersey Highlands Water Protection and
Planning Council in Support of the Highlands Regional Master Plan

April 24, 2025

**New Jersey Highlands Water Protection and Planning Council
Petition for Plan Conformance - Draft Consistency Review and Recommendations Report**

PETITION SUMMARY

Municipality:	<u>Township of Jefferson, Morris County</u>
Date of Petition Submission:	<u>April 2, 2025</u>
Conformance Area:	<u>Planning Area</u>
Staff Recommendation:	<u>Approve Subject to Conditions</u>

Summary of Petition Submittal

1. Township of Jefferson, NJ - Resolution 25-103, "Resolution of the Township of Jefferson, County of Morris, State of New Jersey, to Petition the Highlands Council for Plan Conformance in the Planning Area."
2. Highlands Initial Assessment, Highlands Centers, & Redevelopment Areas, April 2025 (Appendix B)

Jefferson Township is located in the northwestern section of Morris County and the northcentral part of the Highlands Region. The Township is just under 43 square miles with neighboring municipalities of Hardyston Township to the north, Sparta Township, Hopatcong Borough, and Lake Hopatcong to the west, the Borough of Mount Arlington and Township of Roxbury to the southwest, the Borough of Wharton to the south, Rockaway Township to the east, and the Township of West Milford to the northeast.

Jefferson Township can be primarily characterized as a rural residential community with two large, developed sections, Milton/Oak Ridge in the north and Lake Hopatcong in the south. The Township is home to Mahlon Dickerson Reservation and the Rockaway River Wildlife Management Area, as well as many other large tracts of preserved land accounting for 17,711 acres or 65% of the total land area. Jefferson Township also contains the most shoreline of Lake Hopatcong, New Jersey's largest freshwater lake. The Township is bisected by Route 15 which supports a strong commercial core.

The Highlands Water Protection and Planning Act delineated two specific boundaries within the Highlands Region, the Planning Area, where conformance with the Highlands Regional Master Plan is voluntary, and Preservation Area, where conformance with the Regional Master Plan is mandatory. The Township has approximately 88% of its land area, 24,046 acres, in the Preservation Area with the remaining 12% in the Planning Area. The Planning Area is mostly located in the southwestern corner of the Township near Lake Hopatcong. There is also a small sliver of Planning Area on the border of Rockaway Township where Picatinny Arsenal, the military research and manufacturing facility, is located.

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Jefferson Township's Petition for Plan Conformance in the Preservation Area was approved by the Highlands Council in April 2014. The Township completed an additional Initial Assessment Report in April 2025 for the Planning Area and adopted a resolution to "Petition the Highlands Council for Plan Conformance in the Planning Area."

The Highlands Regional Master Plan (RMP) further divides the Preservation and Planning Areas into three primary zones and four sub-zones which serve as an overlay to the existing municipal zoning. These zones represent an evaluation of on-the-ground features and infrastructure at the time the Zones were established. While local zoning establishes permitted land uses, the Land Use Capability Zones delineate specific requirements aimed at protecting water quality and quantity and ecological value while balancing the need for economic development.

- Protection Zone (15,891 acres or 58.1%): 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 regional significant lands that serve to protect environmentally sensitive resources of the Highlands Region.
- Conservation Zone (0 acres): 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.
- Existing Community Zone (2,385.8 acres or 8.7%): Includes those areas characterized by existing development with comparatively fewer natural resources 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.

Additional sub-zones of the Land Use Capability Zone map include:

- Wildlife Management Area (4,530 acres or 16.6%)
- Lake Community Zone (1,667 acres or 6.1%)
- Existing Community Zone Environmentally Constrained (305 acres or 1.1%)

The Initial Assessment Report notes that much of Jefferson Township's zoning is consistent with the Land Use Capability Zones.

Density controls in the Preservation Area are primarily regulated by the NJDEP Highlands Rules (N.J.A.C. 7:38 et seq.). In the Planning Area, density is restricted by septic density targets (for non-sewered development) for each municipality based on the Land Use Capability Zone. In Jefferson Township those densities are 17 acres for Protection Zone and 10 acres for Existing Community

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Zone. Development on public water and sewer infrastructure is generally permitted in the Existing Community Zone.

Pre-existing single-family homes in the Planning Area will not be impacted by conformance with the RMP in the Planning Area. Vacant lots that are, according to current municipal zoning, incapable of creating three or more new units, will not be impacted by conformance with the RMP.

The Planning Area of the Township is mostly comprised of single-family residential zones, including the R-30 Medium-Density Residential Zone and the R-40, Low-Density Residential Zone. Per municipal zoning, the R-30 minimum lot area is 30,000 square feet and the R-40 minimum lot area is 40,000 square feet. Based on municipal zoning density and the applicability standards for Highlands Project Review, any lot in the R-30 Zone would require 90,000 square feet or 2 acres and any lot in the R-40 Zone would require 120,000 square feet or 2.75 acres before being impacted by conformance with the RMP.

Lake Hopatcong is a significant environmental resource in the Township and provides economic and recreational opportunities including fishing, boating, and swimming. Plan conformance in the Planning Area will help further the Township's goal of protecting and improving the environment in and around Lake Hopatcong through additional water and natural resource protections. The Township and Highlands Council have worked together on multiple planning efforts and initiatives to protect and improve water quality in Lake Hopatcong. The Highlands Council has provided grant funding for a Sewer Services Area Expansion Feasibility Study, a three-year trout stocking study to assess the long-term population dynamics of the stocked fish and the general health of the fishery, and development of a Water Use and Conservation Management Plan (WUCMP).

The Initial Assessment Report identifies commercial areas in the Planning Area as potential Highlands Center Designations in the Planning Area. However, the Center Designations are not incorporated into the Township's current Petition for Plan Conformance. The Initial Assessment identifies the Woodport Area, Route 15 and Bowling Green Parkway, and the intersection of Espananog Road and Howard Boulevard as potential future Highlands designated Centers which will require further study by the Township and subsequent approval by the Highlands Council. Any such Center designation will continue to ensure protection of the sensitive Highlands Resources through inclusion of Highlands Environmental Resource Zones (HERZ) and confirmation of available water and wastewater utilities.

The Initial Assessment Report also identified potential Highlands Redevelopment Areas in the Preservation Area. Highlands Redevelopment Area designation must be found by the Highlands Council to be consistent with the Goals, Policies, and Objectives of the RMP. The Township may petition the Highlands Council for Highlands Redevelopment Area designation if the area consists of either a brownfield site designated by the Department of Environmental Protection or a site consisting of at least 70% lawfully existing impervious surface. The formal process requires a pre-application

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meeting with Highlands Council staff, submittal of an application, review by the Highlands Council staff, issuance of a recommendation to the Highlands Council, and finally, a determination by the Highlands Council with provision for public review and comment during a public hearing.

Staff Recommendation

The approval of Jefferson Township's Petition for Plan Conformance for the Planning Area is recommended with the following conditions:

- 1) Adherence to the Plan Conformance Implementation Tasks set forth in the Implementation Plan and Schedule (IPS) (Appendix A). The Highlands Council is available to provide technical assistance and guidance for activities listed in the IPS. The Council's approval of the Township's Petition specifically includes grant funding for those items listed in Fiscal Year 2026 of the IPS. Funding for items beyond Fiscal Year 2026 are subject to future Highlands Council approval. The approval of the petition includes approval of grant funding in the total amount of \$39,000 for FY2026 for the purposes outlined below and in the Implementation Plan and Schedule.
- 2) **Adoption of Approved Master Plan Highlands Element and Re-examination Report.** The Township shall prepare the Highlands Master Plan Re-examination Report and the Master Plan Highlands Element and submit it to the Highlands Council for final approval. Upon receipt of final Highlands Council approval, the municipal planning board shall arrange for the required process of scheduling, notice, public hearing, consideration, and formal adoption of the documents by the municipal planning board. At the conclusion of the process, certified copies of the adopted documents shall be provided to the Highlands Council.
- 3) **Adoption of Highlands Conformance Ordinance.** The Township shall adopt the Highlands Conformance Ordinance, implementing the Land Use Capability Zones of the Highlands Regional Master Plan along with other Highlands resource protections. Adoption of the Conformance Ordinance also meets the requirement for the adoption of a Planning Area Petition Ordinance as required under Section 15 of the Highlands Act. The Highlands Resource Maps are attached (Appendix D).
- 4) **Approval of Highlands ERI.** The Township shall review the Highlands Interactive Environmental Resource Inventory (ERI) as it relates to municipal resources and notify the Highlands Council of any necessary updates. Upon conclusion that the ERI is accurate, the municipal environmental commission shall provide for and complete the required process of formal approval of the ERI. At the conclusion of the process, a copy of the minutes of the meeting(s) or resolution shall be provided to the Highlands Council.

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- 5) **Preparation and Adoption of Housing Element and Fair Share Plan.** The Township shall prepare and adopt a municipal 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.) and Municipal Land Use Law. In accordance with the Fair Housing Act, all newly constructed residential development within the Highlands Region is required to reserve for occupancy by low- or moderate-income households at least 20 percent of the residential units constructed. As the 20% requirement is found in the Fair Housing Act, not the Highlands Act, all municipalities located in the Highlands Region are responsible for the 20 percent requirement, irrespective of plan conformance status or if the project is exempt from the Highlands Act.
- 6) **Stormwater Management Plan.** Revise and adopt a municipal Stormwater Management Plan that includes: a) Highlands-specific amendments; b) revisions required by the Stormwater Management Rules at N.J.A.C. 7:8; and c) Stormwater Mitigation Plan. Additional work under the Program to include requirements of the current Municipal Separate Storm Sewer System (MS4) permit. This may include: ordinance revision and adoption; stormwater facilities mapping; new/updated storage and maintenance plans; training activities; and development of a Watershed Improvement Plan.
- 7) **Water Use and Conservation Management Plan.** Completion and adoption of a municipal wide Water Use and Conservation Management Plan.
- 8) **Highlands Center Designation.** The Township shall prepare a feasibility study analyzing the potential for Center Designation.

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APPENDIX A

IMPLEMENTATION PLAN AND SCHEDULE

Township of Jefferson, Morris County

DRAFT

Jefferson Township, Morris County, New Jersey
Highlands Implementation Plan and Schedule

Amended Grant Agreement Task #	PLAN CONFORMANCE TASK	Currently Funded?	Proposed Cost Fiscal Year 2026	Future Projects (requires future HC Approval)	Status and Comments
1	Housing Element and Fair Share Plan	Yes			\$25,000 awarded in April 2025 for Affordable Housing Round IV Tasks (inclusive of Housing Element and Fair Share Plan)
1a	Adoption of Implementing Ordinances		\$ 5,000.00		Adoption of ordinances required as per the Fair Share Plan
2	Highlands Interactive Environmental Resource Inventory		\$ 3,000.00		Review Highlands Interactive ERI, propose amendments as necessary, and adopt.
3	Highlands Element of Municipal Master Plan		\$ 6,000.00		Adoption of updated Highlands element and reexamination report.
4	Highlands Center Feasibility Study		\$ 20,000.00		
5	Highlands Redevelopment Area Study			TBD	
6	Municipal Master Plan Elements (as applicable)				
	a. Land Use Plan Element			TBD	Municipal Priority - To include a climate change related hazard vulnerability assessment.
	b. Circulation Plan Element			TBD	Municipal Priority - With focus on Highlands RMP goals and objectives
	c. Open Space and Recreation Plan Element			TBD	Municipal Priority - work with partners to expand public access to open space and identify funding opportunities
	d. Historic Preservation Plan			TBD	Municipal Priority - the Township does not have a Historic Preservation Plan
7	Adoption of Highlands Land Use Ordinance		\$ 5,000.00		Adoption of Highlands Land Use Ordinance serves to protect municipal resources; future land use ordinance amendments may follow to update existing municipal ordinances.
8	Zoning Map Update			TBD	Update municipal zoning map as necessary
9	Resource Management Plans and Programs				
	a. Water Use and Conservation Management Plan	Yes		TBD	Funding available for municipal scope of work; Tri-party agreement signed in September 2021
	b. Municipal Stormwater Management Plan	Yes			\$50,000 for preparation of Stormwater Management Plan including MS4 Requirements awarded in November 2024
	c. Lake Hopatcong Trout Quality Study: Phase 3	Yes			\$43,500 awarded in July 2024 for Phase 3 of the Trout Habitat Quality Study
10	Attendance at Highlands Council Training Sessions				
	a. Municipal Exemption Determinations			\$ 500.00	The Township adopted a Highlands Preservation Area Exemption Ordinance in 2014. The ordinance will need to be modified to include the Planning Area.
	b. Ordinance Administration: Application Procedures, Implementation, Enforcement				
	Estimated Subtotal		\$ 39,000.00		

**The Highlands Council is available to provide technical assistance and guidance through the adoption of any of the above listed plans. The Highlands Council is committed to providing financial support for all Plan Conformance activities once funding becomes available.*

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**APPENDIX B
HIGHLANDS INITIAL ASSESSMENT, HIGHLANDS CENTERS
& REDEVELOPMENT AREAS
Township of Jefferson, Morris County**

HIGHLANDS INITIAL ASSESSMENT, HIGHLANDS CENTERS & REDEVELOPMENT AREAS



Prepared for:

Township of Jefferson

1022 Weldon Road

Lake Hopatcong, NJ 07849

Prepared by:

J. Caldwell & Associates, LLC

145 Spring Street, Suite E

Newton, NJ 07860

April 23, 2025

ACKNOWLEDGEMENTS

MAYOR

Eric Wilsusen

TOWN COUNCIL

Robert Birmingham | Council President
Josh Kalish | Council Vice President
Melissa Senatore | Councilwoman
Dan Schultz | Councilman
Barbie Garruto | Councilwoman
Thomas Ryan | Township Attorney

LAND USE BOARD

Clifford Williams | Chairman
John Palko | Vice-Chairman
Patricia Galfo | Vice-Chairwoman
Mayor Eric Wilsusen | Member
Councilwoman Melissa Senatore | Member
James Hine | Member
Chief Paul Castimore | Member
Robert Deutsch | Member
Jim Small | Member
Ray Cabrera | Member
Christine Steelman | Alternate Member
Michael Kahwaty | Alternate Member
Thomas Galfo | Alternate Member

MUNICIPAL STAFF

Debra Millikin | Business Administrator
Michele Reilly | Municipal Clerk
Stephanie McCormack | Land Use Administrator/Board Secretary

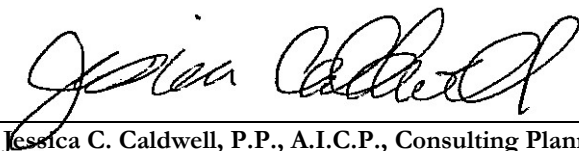
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This study was paid for by a grant from the New Jersey Highlands Council.
The original of this report was signed and sealed pursuant to N.J.A.C. Section 13:41-1.3.b:



Jessica C. Caldwell, P.P., A.I.C.P., Consulting Planner
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1. Introduction

Background and History with the Highlands Region and Highlands Council

Jefferson Township is in the New Jersey Highlands Region, which covers over 800,000 acres or over 1,250 square miles and 88 municipalities in seven (7) counties (Bergen, Hunterdon, Morris, Passaic, Somerset, Sussex, and Warren). Jefferson Township is just under 43 square miles and is located in the northwestern section of Morris County and the northcentral section of the Highlands Region. The Township is surrounded by Hardyston Township to the north, Sparta Township, Hopatcong Borough, and Lake Hopatcong to the west, the Borough of Mount Arlington and Township of Roxbury to the southwest, the Borough of Wharton to the south, Rockaway Township to the east, and the Township of West Milford to the northeast.

The Highlands Council was created by the Highlands Water Protection and Planning Act, adopted by the New Jersey State Legislature in 2004. In 2008, the Highlands Council adopted the Highlands Regional Master Plan (RMP) to primarily protect water resources within the New Jersey Highlands Region. In April 2014, the Highlands Council approved Jefferson Township's petition for Plan Conformance in the Preservation Area, the process for aligning the municipality's land use plans and ordinances with the Highlands RMP. As a part of Plan Conformance, Jefferson Township has prepared and adopted various Highlands Plan Conformance documents, including an updated Environmental Resource Inventory and a Highlands Master Plan Element of the Township Master Plan, as well as implementing land development ordinances. In addition to goals focused on protecting the Township's water and other natural resources, the Township recently completed a Sustainable Economic Development Plan (SEDP), which was funded by a grant from the Highlands Council and is scheduled for adoption in Spring 2025. The SEDP, which will also serve as an element of the Township's Master Plan, identified the following goals: 1) To foster and improve the local business environment; 2) To improve local tourism using recreation opportunities and effective marketing; and 3) To promote redevelopment and rehabilitation of existing developed areas through the targeted use of the Local Redevelopment and Housing Law and designating Highlands Redevelopment Areas.

Scope and Purpose

The purpose of this Highlands Initial Assessment is to understand what plan conformance in the Planning Area would mean for the municipality. This includes identifying actions necessary to make plans and regulations consistent with the RMP; identifying mapping updates that may be necessary to correct any discrepancies in Highlands mapping; identifying developable tracts, redevelopment areas, and vacant lands (includes mapping, existing zoning, and build-out potential); identifying natural and cultural resource protections in place or needed; and an assessment of effort needed to bring municipal plans and regulations into conformance. The second purpose of this report is to identify potential redevelopment areas in the municipality's Preservation Area. Inclusive of maps, charts, and visual aids, this Initial Assessment will include an overview of the Highlands RMP, a Consistency Assessment, Impacts of Plan Conformance, and Proposed Changes to Jefferson Township Planning Programs.

Overview of the Highlands Regional Master Plan

The Highlands Regional Master Plan (RMP) focuses primarily on protecting the water supply and water quality in the Highlands Region, which are important to the future of many of the urban and

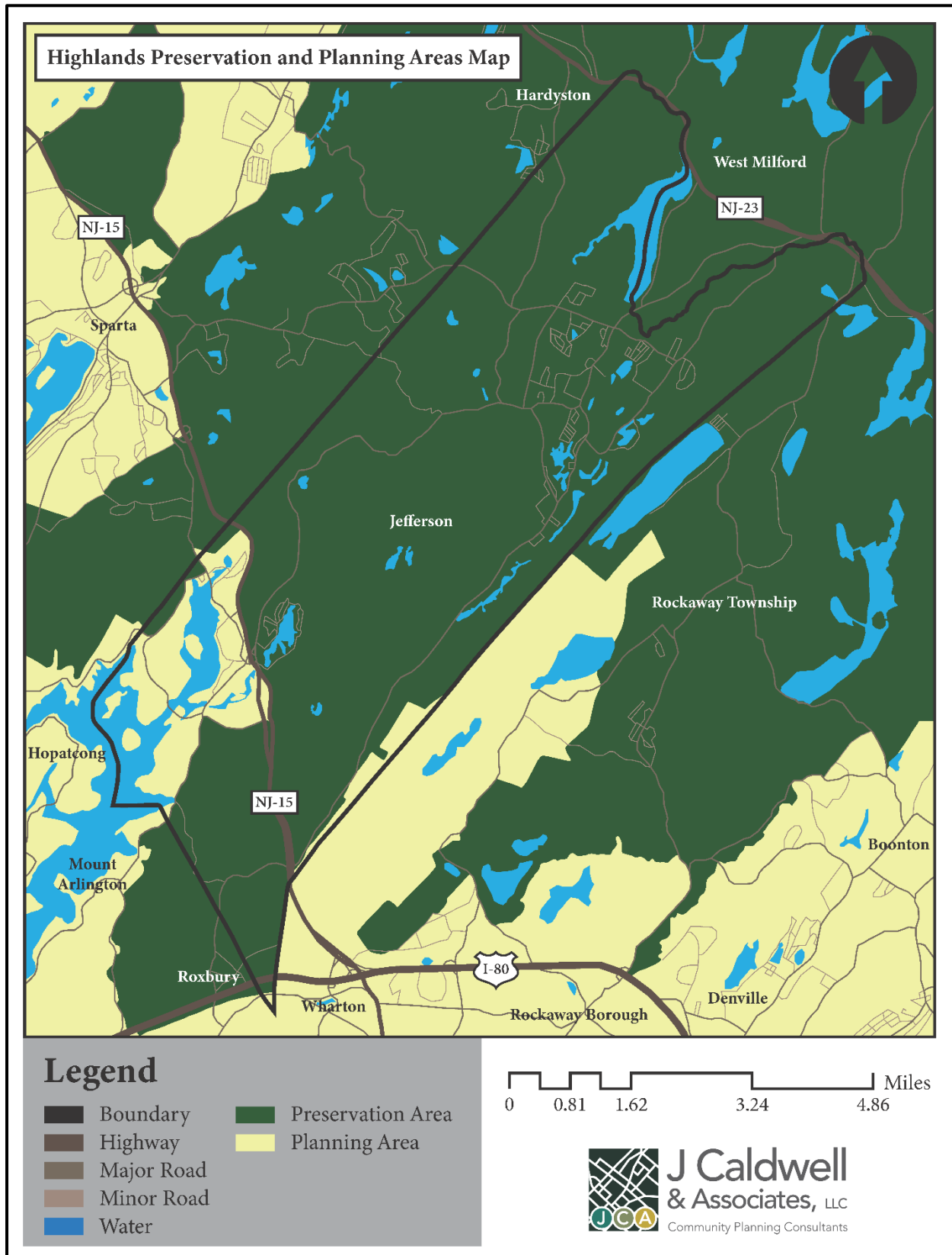
suburban communities in northern New Jersey. The RMP is also concerned with protecting and enhancing the ecosystems throughout the Highlands, partly because of the relationship between ecosystem preservation, water supply, and water quality issues; but also because of the need to protect and preserve habitat for threatened and endangered species. The RMP also recognizes the need for sustainable growth in the Highlands and is mindful of the fiscal impacts of the Highlands designation to Highlands communities.

The Highlands Regional Master Plan (RMP) established the parameters for future land use decisions within the 88 municipalities and seven (7) counties in the Highlands. The 2004 legislation divides the region into two parts – the Preservation Area and the Planning Area. Most of Jefferson Township – 24,045.9 acres (88%) – is located within the Preservation Area, while only 3,311.3 acres (12%) is located within the Planning Area (illustrated in **Exhibit 2**). The Planning Area is mostly located in the southwestern corner of the Township near Lake Hopatcong. There is also a small sliver of Planning Area on the border of Rockaway Township where Picatinny Arsenal, an American military research and manufacturing facility, is located. In the Highlands Preservation Area, land development is constrained by NJDEP Highlands Rules, and extensive development is generally not permitted. The remaining approximately 12% of the Township's land, designated as the Planning Area, has less stringent restrictions on development. The Planning Area has been developed under the current ordinances of the municipality; however, environmental constraints and limited availability of public utilities continue to restrict overall development.

Exhibit 1 – Boat Docks in Woodport along Lake Hopatcong (Planning Area)



Exhibit 2 – Jefferson Township Highlands Preservation and Planning Areas



2. Consistency Assessment

Jefferson Township Planning Programs and Policies

Jefferson Township Master Plan

Jefferson Township's Master Plan was adopted in 1978, with the most recent Master Plan Update in 1991. The Township completed Master Plan Reexamination Reports in 1998, 2000, 2001, 2003, and 2023. The 1991 Master Plan Update, prepared by Suburban Consulting Engineers, Inc., included the following seven (7) main goals and objectives, which were affirmed by all subsequent Reexamination Reports:

1. To recognize areas of environmental sensitivity including wetlands areas, stream corridors, rock outcrops, aquifer recharge areas, steep slopes, lakes, ponds, rivers, significant vegetated areas, and endangered wildlife and vegetation, and to preserve these critical resources through implementing appropriate planning and zoning policies;
2. To encourage development of housing types that will provide housing for various income levels and senior citizen housing, while at the same time respecting the environmental sensitivity of the land and its carrying capacity;
3. To encourage proper storm water management and surface drainage techniques to minimize potential flooding and to facilitate groundwater recharge;
4. To encourage the development of appropriate commercial, industrial, employment, and recreational facilities to service the needs of all Township residents and to help stabilize the Township's tax base;
5. To continue to improve and upgrade the Township's housing stock, especially where substantial conversion of seasonal homes for year-round use has occurred, through the strict enforcement of the Township code;
6. To continue to improve the quantity, quality, and location of recreational lands and open space including both active and passive recreational facilities, as well as environmentally sensitive lands; and
7. To encourage office and industrial development along the Route 15 corridor, Route 23, and in designated areas along Route 181, Berkshire Valley Road, and Ridge Road, while at the same time recognizing the need to control access along those major arteries in order to promote the safe and efficient movement of through traffic.

Open Space Recreation Plan

The Township adopted an Open Space Recreation Plan in 2001, which included the following eight (8) goals and objectives:

1. To preserve and protect scenic views throughout the Township, especially along roadways and from ridges;
2. To accommodate the year-round recreational needs of the Township's existing and future residents through public, private, and semi-public efforts;
3. To preserve and enhance environmentally sensitive areas such as steep slopes, stream corridors, and woodlands from development and to ensure compliance with State restrictions pertaining to wetlands, wetland transitional buffer areas, and floodplains;

4. To promote and set aside open space areas wherever possible so as to maintain the balance between developed and undeveloped areas;
5. To protect and preserve environmentally sensitive lands including habitats for endangered, threatened or rare flora and fauna;
6. To create stream corridor protection by requiring sufficiently wide buffers for the preservation of streams, the associated woodlands and natural habitats, and for the protection of the watershed areas and surface water quality;
7. To improve and/or expand the existing parks and recreational facilities of the Township, where appropriate; and
8. To meet the policy objectives, as indicated in the March 31, 1999 “New Jersey State Development and Redevelopment Interim Plan” for the “Environmentally Sensitive Planning Area”, which includes the entirety of Jefferson Township. This policy is to “protect and preserve large, contiguous tracts and corridors of recreation, forest or other open space land that protects natural systems and natural resources.”

Jefferson Township Highlands Environmental Resource Inventory

The Township adopted a Highlands Environmental Resource Inventory (ERI) in 2013. The ERI is discussed in depth in the Jefferson Township and Highlands Council Environmental Resource Inventories Section of this report.

Jefferson Township Highlands Preservation Area Master Plan Element

The Township adopted a Highlands Preservation Area Master Plan Element in 2014. This Master Plan Element includes four (4) categories of goals, including Preservation Area Goals, Land Preservation and Land Stewardship Plan Goals, Housing Plan Goals, and Sustainable Economic Development Plan Goals. Not all of the goals in the Preservation Area Master Plan Element may be fully relevant to the Planning Area.

Preservation Area Goals

1. To protect, restore, and enhance the quality and quantity of surface and ground waters;
2. To preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state, thereby ensuring retention of the unique and significant natural, scenic, and other resources representative of the Township Preservation Area;
3. To protect the natural, scenic, and other resources of the Township Preservation Area, including but not limited to contiguous forests, wetlands, vegetated stream corridors, steep slopes, and critical habitat for fauna and flora;
4. To preserve farmland, historic sites, and other historic resources;
5. To preserve outdoor recreation opportunities on publicly owned land;
6. To promote conservation of water resources;
7. To promote Brownfield remediation and redevelopment, where applicable;
8. To promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities within the framework of protecting the environment of the Township Preservation Area; and
9. To prohibit or limit, to the maximum extent possible, construction or development which is incompatible with preservation of this unique area.

Land Preservation and Land Stewardship Plan Goals

1. To apply Highlands Council prioritization criteria in making determinations regarding non-agricultural Land Preservation (whether by fee simple or easement dedication), which are ordered as follows:
 - a. Lands within Highlands Resource Areas generally, including but not limited to forested portions of Forest Resource Areas, Critical Habitat Areas, and Riparian Areas, particularly any portion of a Resource Area designated as “High Integrity” or “High Resource Value.”
2. To maintain a current Recreation and Open Space Inventory (ROSI) where required by the NJDEP Green Acres Program.
3. To seek ways to establish and fund local land acquisition for preservation and stewardship programs or to expand existing open space and stewardship programs.
4. To identify lands subject to stewardship programs within this Land Preservation and Land Stewardship Plan and to provide that information to the Highlands Council.
5. To require that conservation or land stewardship easements imposed during the course of development applications be enforceable by the Highlands Council and at least one of the following entities, as qualified and amenable in accordance with the particular circumstances: the Township, the County Agriculture Development Board, the SADC, Green Acres, or a non-profit land trust organized pursuant to § 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of land resources.
6. To establish a stewardship and monitoring program for preserved lands owned by or dedicated to the Township. This objective may be accomplished with the assistance of a non-profit land trust organized pursuant to § 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of land resources.
7. With the assistance of the Highlands Council, to develop and implement a Forest Management Plan or Forest Stewardship Plan consistent with the standards of the NJ Forest Stewardship Program for application to municipally-owned forest lands.
8. To ensure periodic monitoring of easement restrictions protecting Critical Habitat Areas, associated species and ecological communities from any changes in land use or management practices that would impair these resources.
9. To implement Riparian Area restoration practices on Preserved Lands that give priority to ecological and watershed protection measures.
10. To identify and preserve opportunities for outdoor recreation, including a variety of active and passive recreation options, in such locations and in such manner as to ensure environmental resource protections, while addressing the needs of the local population for physical activity, social interaction, connection with nature and the natural environment, and enjoyment of the outdoors.

Housing Plan Goals

1. To the extent feasible, the zone plan will guide anticipated new residential development into compact, center-based projects.
2. To provide a realistic opportunity for the provision of the municipal share of the region’s present and prospective needs for housing for low- and moderate-income families.

3. To the maximum extent feasible, affordable housing units shall be incorporated into any new residential construction that occurs within the Highlands Area including any mixed use, redevelopment, and/or adaptive reuse projects.
4. To preserve and monitor existing stocks of affordable housing.
5. To reduce long term housing costs through:
 - a. The implementation of green building and energy efficient technology in the rehabilitation, redevelopment, and development of housing. Recent innovations in building practices and development regulations reflect significant energy efficiency measures, and therefore cost reductions, through building materials, energy efficient appliances, water conservation measures, innovative and alternative technologies that support conservation practices, and common-sense practices such as recycling and re-use.
 - b. The promotion of the use of sustainable site design, efficient water management, energy efficient technologies, green building materials and equipment, and retrofitting for efficiencies.
 - c. Maximizing the efficient use of existing infrastructure, through such means as redevelopment, infill and adaptive reuse.
6. To use a smart growth approach to achieving housing needs:
 - a. Use land more efficiently to engender economically vibrant communities, complete with jobs, houses, shopping, recreation, entertainment and multiple modes of transportation.
 - b. Support a diverse mix of housing that offers a wide range of choice in terms of value, type and location. In addition, seek quality housing design that provides adequate light, air, and open space.
 - c. Target housing to areas with existing higher densities and without environmental constraints, within walking distance of schools, employment, services, transit and community facilities with sufficient capacity to support them.

Sustainable Economic Development Plan Goals

1. To develop appropriate strategies to improve the local tax base and create jobs and economic opportunities, while remaining consistent with the other policies and objectives of the Preservation Area Element.
2. To ensure opportunities for home office, entrepreneurial and other small business activities, as appropriate.
3. To identify appropriate opportunities for development and/or redevelopment, including possible brownfield redevelopment that may further the goal of economic sustainability.
4. To encourage development of small business incubator programs, particularly those focused on advancing specific goals and objectives of the Preservation Area Element, such as initiatives in compact design, native species landscaping, Low Impact Development, energy efficiency and resource conservation.
5. To coordinate with the Highlands Council and other applicable state and/or county agencies to develop or participate in eco-, agri-, and/or heritage-tourism programs, as appropriate.

Sustainable Economic Development Plan

The Township plans to adopt a Sustainable Economic Development Plan in 2025, which includes the following goals and objectives:

1. To foster and improve the local business environment.
 - a. Make the process of starting and growing a business in the Township easy to understand, access, and execute.
 - b. Identify opportunities to increase shopping, food/beverage, and event variety.
 - c. Encourage the redevelopment of developed areas and rehabilitate existing buildings to promote smart growth principles.
 - d. Assist business owners in growing their customer base with strategic marketing strategies and events.
 - e. Align permitted uses in commercial districts to current and future wants and needs.
 - f. Work with State and County government agencies to influence or change laws and policies.
2. To improve local tourism using recreation opportunities and effective marketing.
 - a. Improve access to Jefferson's natural resources and open spaces by promoting trails and developing parks and unique recreation areas.
 - b. Market the tourism benefits of the Township using social media, paper media, and roadside billboards.
 - c. Connect commercial centers with recreation and open space areas.
 - d. Identify opportunities for combining recreational activities and food and retail to create unique and attractive destinations.
 - e. Improve community facilities.
3. To promote redevelopment and rehabilitation of existing developed areas through the targeted use of the Local Redevelopment and Housing Law and designating Highlands Redevelopment Areas.
 - a. Improve the two main corridors (Route 15 and Berkshire Valley Road) with the intent of increasing the external appeal of the Township.
 - b. Improve and sustain commercial centers near Lake Hopatcong by encouraging and promoting uses and redevelopment compatible with the area.

Land Use Capability Zones

The Highlands Regional Master Plan (RMP) established land use zones, similar to the land use districts of a municipal master plan. The Land Use Capability Zone Map (the LUCZ map), included in the RMP, creates Land Use Capability Zones (LUCZ) that establish the level of land development desired by the RMP. In addition, the RMP also includes a series of goals, policies, and objectives, which have a direct correlation to the LUCZ map. According to the RMP, 21 indicators were used to determine how the zones and sub-zones were drawn on the LUCZ map. However, in some locations within the Township, it may be necessary in the future to investigate if those indicators were correctly interpreted and if some of the zone and sub-zone designations are correct.

The LUCZ map is divided into three (3) primary zones and four (4) sub-zones. They are identified as follows:

Primary Zones

Existing Community Zone

Conservation Zone

Protection Zone

Sub Zones

Existing Community – Environmentally
Constrained Sub-Zone

Lake Community Sub-Zone

Conservation – Environmentally Constrained
Sub-Zone

Wildlife Management Sub-Zone

The definitions of the LUCZ from the RMP are as follows:

- Existing Community Zone (ECZ) – Areas consisting of extensive and intensive existing development that may have the capacity to support additional human development without adversely affecting the ecological value of the Highlands Region.
- Conservation Zone (CZ) – Areas consisting of significant agricultural lands and limited low-density development interspersed with environmental features that should be preserved whenever possible.
- Protection Zone (PZ) – Those areas identified on the Land Use Capability Zone Map consisting primarily of high resource value lands in terms of forest resources, Critical Habitat, water quality and quantity, and ecological function, and having limited or no capacity to support human development without adversely affecting the overall ecological function of the Highlands Region.
- Existing Community – Environmentally Constrained Sub-Zone (ECECSZ) – Those areas identified on the Land Use Capability Zone Map 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.
- Lake Community Sub-Zone (LCZ) – Areas that are within 1000 feet of lakes that are 10 acres or greater in size. This subzone has unique policies to prevent degradation of water quality, harm to lake ecosystems, and natural aesthetic values. Lake Community Sub-Zones comprise the Highlands Lake Management Area, which provides a tier system. Each tier

requires its own policies. A description of Lake Management Areas and associated policies is located in **Appendix A**.

- Conservation – Environmentally Constrained Sub-Zone (CECSZ) – Areas that have significant environmental features that should be preserved and protected from non-agricultural development.
- Wildlife Management Sub-Zone (WMA) – Areas that are part of a network of lands and waters for conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats; and that permit compatible wildlife-dependent recreational uses such as hunting, fishing, wildlife observation and photography, and environmental education and interpretation. These areas are managed by appropriate state and federal agencies.

The Existing Community Zone is where the RMP envisions most development and redevelopment. The Conservation Zone and Protection Zone are primarily proposed for protection and preservation. There can be exceptions, especially concerning redevelopment projects and the types of development that fall under a Highlands Exemption. Five (5) of the seven (7) of the above designations are present in Jefferson Township as shown in **Exhibit 3**, which also displays the acreage of each LUCZ for both the Highlands Planning and Preservation Areas, in addition to their combined acreage for the municipality. **Exhibit 4** highlights Jefferson's Planning Area.

Zone/ Subzone	Planning Area Acreage	% of Planning Area	Preservation Area Acreage	% of Preservation Area	Total Acreage	% of Entire Municipality
PZ	812.9	40.0	15,078.0	66.3	15,890.9	64.1
WMA	1.9	0.1	4,528.4	19.9	4,530.3	18.3
ECZ	266.4	13.1	2,119.4	9.3	2,385.8	9.6
LCZ	919.1	45.2	748.0	3.3	1,667.1	6.7
ECECSZ	32.0	1.6	273.0	1.2	305.0	1.2
Total	2,032.4*		22,746.7*		24,779.1*	

* Right-of-way acreage and surface water features such as Lake Hopatcong and Oak Ridge Reservoir are not included.

Exhibit 3 – Jefferson Township Highlands Land Use Capability Zones (LUCZ)

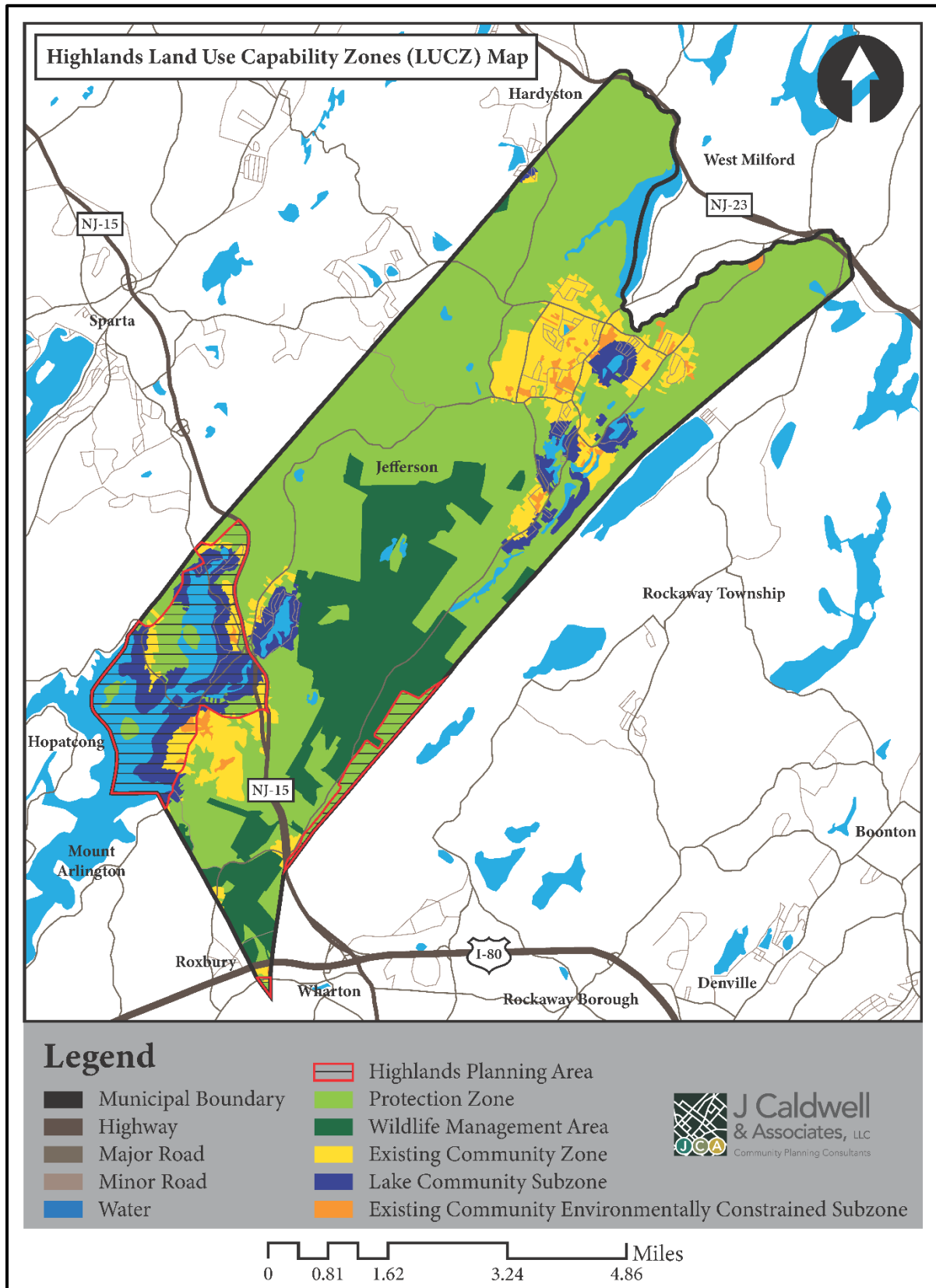
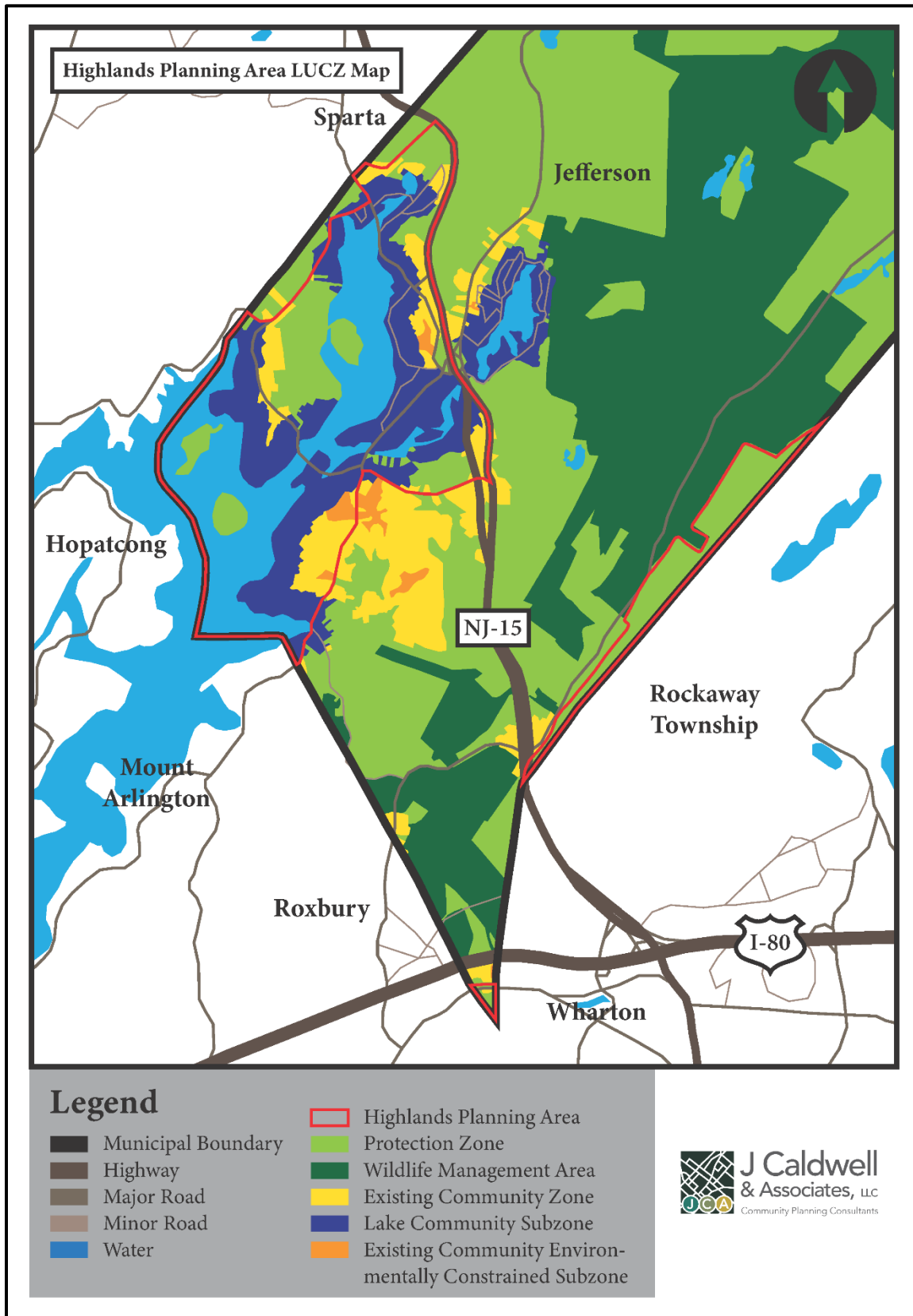


Exhibit 4 – Jefferson Township Highlands Planning Area LUCZ Map



Township Zoning

Jefferson Township has 17 zones including one (1) conservation zone, five (5) residential zones, three (3) special regulation use residential zones, five (5) commercial/office zones, one (1) industrial zone, and two (2) other land use zones, in addition to three (3) redevelopment areas in the Township, which are all listed in **Exhibit 5**.

The conservation zone is the RC, Rural Conservation District. The residential zones include the following: 1) Low Density Residential Zone; 2) Medium Density Residential Zone; 3) High Density Residential Zone; 4) Planned Adult Residential Community Zone; and 5) Affordable Housing Zone. The special regulation use zones include the following: 1) Special Regulation Zone (Medium Density Residential), 2) Special Regulation Zone (High Density Residential), and 3) Affordable Senior Citizens Housing District. The commercial/office zones include the following: 1) Neighborhood Business Zone; 2) Highway Business Zone; 3) Village Commercial District; 4) Office and Professional Zone; and 5) Business Park Zone. The industrial zone is the Industrial Park Zone. The other land use zones include the following: 1) Commercial Recreation Zone, and 2) Quarry/Overlay Zone. There are also three (3) redevelopment areas in the Township. **Exhibit 6** illustrates these land use districts and contains the zones that are included on the official Township Zoning Map (some Zones below are omitted because they are not on the Zoning Map). **Exhibit 7** highlights the Jefferson's Planning Area.

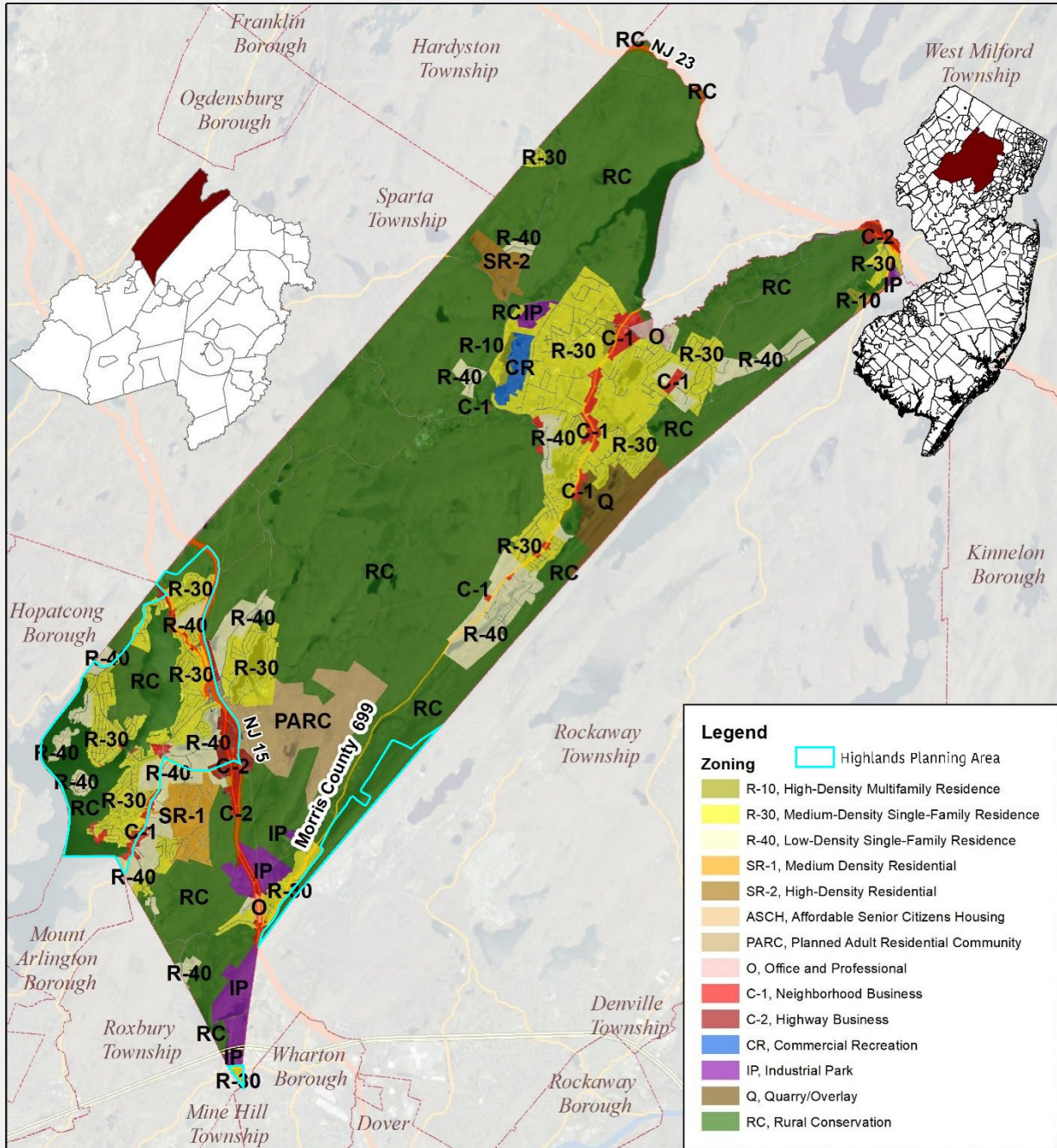
Exhibit 5 – Jefferson Township Land Use Districts Table

Land Use Category	Land Use District
Conservation	RC , Rural Conservation District
Residential	R-40 , Low Density Residential Zone
	R-30 , Medium Density Residential Zone
	R-10 , High Density Residential Zone
	PARC , Planned Adult Residential Community Zone
	AH , Affordable Housing Zone
Special Regulation Use (Residential)	SR-1 , Special Regulation Zone (Medium Den Res)
	SR-2 , Special Regulation Zone (High Den Res)
	ASCH , Affordable Senior Citizens Housing District
Commercial/Office	C-1 , Neighborhood Business Zone
	C-2 , Highway Business Zone
	VC , Village Commercial District
	O , Office and Professional Zone
	BP , Business Park Zone
Industrial	IP , Industrial Park Zone
Other Land Use	CR , Commercial Recreation Zone
	Q , Quarry/Overlay Zone
Redevelopment Area	RA-1 , Redevelopment Area
	RA-2 , Redevelopment Area
	RA-3 , Redevelopment Area

Exhibit 6 – Jefferson Township Zoning Map

Jefferson Zoning Map

Township of Jefferson, Morris County, New Jersey

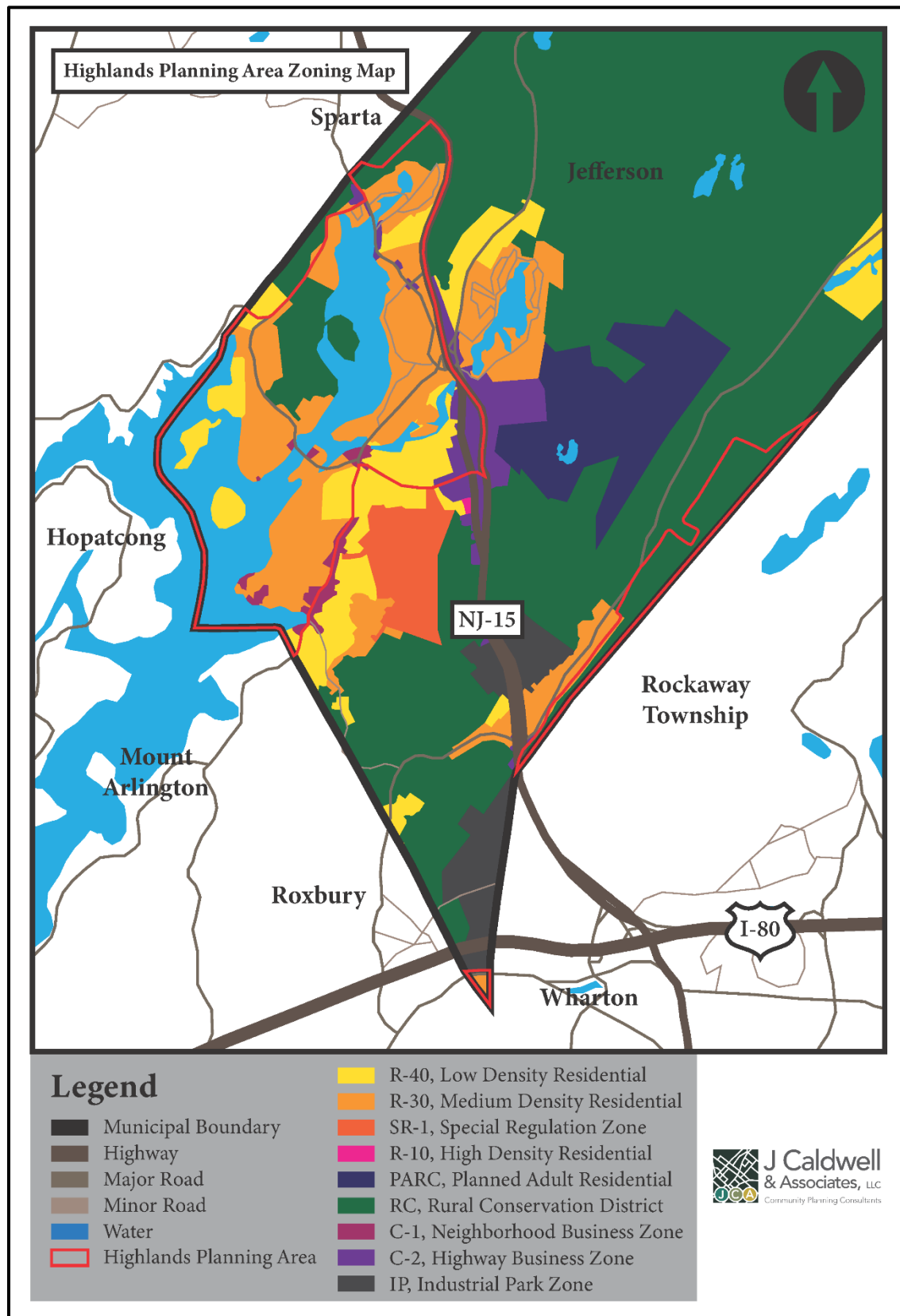


Sources: New Jersey Office of Information Technology, 2022
New Jersey Highlands Council, 2022
New Jersey Department of Transportation, 2022

0 0.5 1 2 3 4 5 Miles



Exhibit 7 – Jefferson Township Highlands Planning Area Zoning Map



Regional Master Plan Context

Much of Jefferson Township's zoning is consistent with the Highlands Regional Master Plan (RMP) including its Land Use Capability Zones (LUCZ). The following four (4) subsections analyze the Highlands RMP and/or Township Zoning in the context of Jefferson's Preservation and Planning Areas, the Highlands and Jefferson's Environmental Resource Inventories, and RMP Policy Areas and Goals. The Planning Area subsection identifies the impact of Plan Conformance for the Township, particularly in its existing commercial areas.

Preservation Area

The RC, Rural Conservation District is the largest zone in the Township, which comprises most of the conforming Preservation Area and greatly overlaps the Protection Zone and Wildlife Management Area (WMA) of the LUCZ map. This area is comprised of natural and scenic resource areas such as the Mahlon Dickerson Reservation and Rockaway River WMA in central Jefferson, the Berkshire Valley WMA and Tedford Property in southern Jefferson, and the Sparta Mountain WMA and Oak Ridge Reservoir Area in northern Jefferson. The RC District protects these areas from sprawl and future development. There are also numerous residential zones and small pockets of commercial, industrial, office, and other zones in the Preservation Area, particularly in the northern Oak Ridge neighborhood and near the far southern portion of the Township along NJ State Route 15.

Due to existing Highlands Council regulations, development that would pose a concern or be incompatible with the Highlands RMP is not allowed or feasible in much of the Preservation Area. There are existing wetlands, steep slopes, and other environmental constraints that naturally limit development. Most development has occurred within the Existing Community Zone and Lake Community Subzone, even if the municipal land use district extends into the Protection Zone and WMA of the LUCZ map. There are 17 total Highlands Exemptions, of which the most commonly used are Exemptions 1¹, 2², 4³, and 5⁴.

Planning Area

The Planning Area is mostly comprised of single-family residential zones, including the R-30, Medium-Density Residential Zone, and the R-40, Low-Density Residential Zone, which predominantly overlaps with the Lake Community Subzone of the LUCZ Map. The Planning Area also contains commercial zones, including the C-1, Neighborhood Business Zone, and the C-2, Highway Business Zone, which both overlap with the Lake Community Subzone and Existing Community Zone of the LUCZ map.

Residential Areas

Concerning the Protection Zone of the LUCZ map within the Planning Area, there are some overlaps with the R-40, Low-Density Residential Zone, including Halsey and Racoon Islands, a small area north of Edison Road and west of Route 15, and a small area of Woodport to the west of Route 15. This is not of significant concern considering the R-40 Zone does not promote medium- or high-density uses nor any uses other than residential. In the case of Halsey Island and Racoon Island in the Planning

¹ Highlands Exemption 1. Construction of a single-family dwelling for own use or family use.

² Highlands Exemption 2. Construction of a single-family dwelling on existing lot.

³ Highlands Exemption 4. Reconstruction of buildings or structures within 125% of the footprint.

⁴ Highlands Exemption 5. Improvement to a single-family dwelling.

Area, which both have residential development, large-scale projects are already unlikely given their geographic isolation.

One-, two-, and three-family homes in the Planning Area will not be impacted by conformance with the RMP, as they don't meet the applicability thresholds. Because this is already the dominant permitted use of these residential zones, Highlands Plan Conformance in this lake community region would not affect the existing residential character and scale of the region.

Woodport Commercial Area

Comprising approximately one-half mile of State Highway Route 181, the commercial Woodport area is part of the C-2, Highway Business Zone. This area is at the northernmost point of Lake Hopatcong, Bright's Cove. While there are existing businesses, including auto shops, restaurants, and marinas, this area poses a great location for future development and redevelopment. Much of the area is comprised of surface parking lots, and its location along the water reveals many opportunities for future commercial uses. This area is comprised of the Lake Community LUCZ, which has policies in place to protect water quality, prevent watershed pollution and harm to lake ecosystems, and promote natural aesthetic values. There are some resource limitations in the area, including Prime Groundwater Recharge and Highlands Open Waters. The RMP allows for structures or improvements that existed on August 10, 2004 to remain, be redeveloped, or expanded provided that the area of disturbance is not increased by more than 25%.

Espanong Road Commercial Area

At the corner of Espanong Road and Howard Boulevard is a small cluster of C-1, Neighborhood Business Zone properties in the Planning Area and one of the few locations suitable for infill and/or redevelopment. Commercial uses include various recreational shops and services, including San Bar Marina and Sunset Sailboat Co. The New Jersey State Police – Lake Hopatcong Marine Station is also located here. Low-density residential uses surround this commercial area. Similar to the Woodport area, impervious coverage is prevalent for parking lots. This area is a good location for other commercial uses, including restaurants and other small businesses. This area is located within the Highlands Open Water Protection Area and within the Lake Community Zone, thus, new development is limited. Redevelopment and infill are suitable options for this area given the existing development and impervious coverage. There is a small amount of Steep Slope Protection Area, but this area is already fully developed.

Route 15 Commercial Area

Most of Jefferson's businesses are clustered along the Route 15 corridor. North of Edison Road and along Bowling Green Parkway and Hellers Lane is the Planning Area portion of this commercial center. In addition to the C-2, Highway Business Zone, there are several Redevelopment Areas in this area, including the Hellers Lane Redevelopment Area and Redevelopment Area RA-3. Businesses of all types are located here and as identified through the 2025 Sustainable Economic Development Plan process, improving the Route 15 commercial area is a priority. The Township would like to make this area more cohesive and attractive by connecting commercial and recreational activities, integrating multiple uses, considering traffic calming measures, and planting trees. The Hellers Lane Redevelopment Area will include a multifamily development, named Jefferson Place, which will greatly increase the pedestrian population. As such, Plan conformance in this area without the designation of a Highlands Center would greatly limit the Township's ability to improve and redefine this commercial

area. The Township seeks to foster a memorable public realm along Route 15 and fewer development restrictions are required to implement that vision. This area falls within the Existing Community Zone, Lake Community Zone, and the Protection Zone.

Nolan's Point Commercial Area

There are 15 parcels located on the northeastern shore of Lake Hopatcong, which are part of the C-1, Neighborhood Business Zone. Known as Nolan's Point, this area is vital to the Township's economy, tourism, and historic charm. The uses within this area vary, including light industrial-type uses, professional offices, marinas, recreational services, and restaurants. These uses are developed in clusters that allow for a mixture of single-family residences in the immediate vicinity. Because the commercial pockets are fully developed and the existing historic character is envisioned to remain intact, Plan conformance in this area may not be a concern.

Jefferson Township and Highlands Council Environmental Resource Inventories

The Jefferson Township Highlands Environmental Resource Inventory (ERI) was adopted as an element of the Master Plan in August 2013. The ERI identified and depicted the natural and cultural resources present in the Township, which provides the base source for resource conservation and ultimately, for natural resources protection ordinances. The purpose of the ERI is to identify, map, and describe the natural and cultural resources in a community and serves as the basis for the development of natural resource protection ordinances. Development of an ERI is also a requirement of Plan Conformance. The existing Jefferson Township Highlands ERI would need to be updated for Plan Conformance, as it provides critical support to the Conservation Plan Element of the municipal master plan and the implementation of resource protection requirements in the land use ordinance and health codes of the municipality.

The Jefferson Township ERI includes 34 figures and accompanying narrative throughout the following sections: Highlands Region; Land Use Capability Map Series; Highlands Subwatersheds; Forest Resources; Highlands Open Waters and Riparian Areas; Steep Slope Protection Areas; Critical Habitat; Land Preservation and Stewardship; Carbonate Rock Areas; Lake Management Area; Water Resources Availability; Prime Ground Water Recharge Areas; Water Quality; Wellhead Protection; Septic System Yield; Agricultural Resources; Historic, Cultural & Archaeological Resources; Scenic Resources; Contaminated Sites; Infrastructure; Water and Wastewater Utilities; and Roadway and Transit.

Some of the sections included in the Jefferson Township ERI are the same or very similar to the current Highlands Region Interactive ERI found at www.highlandseri.com. For example, both ERIs list the same 12 HUC14 subwatersheds⁵. Additionally, the Forest Integrity Scores for each HUC14 subwatershed in the Township remained the same, with 10 designated as High⁶ and two (2) as Moderate⁷. However, there are sections of the Jefferson ERI that no longer match the updated

⁵ The watershed boundaries used for the analysis in the RMP were 14-digit Hydrologic Units (i.e., subwatersheds or HUC14s). There are 187 HUC14 subwatersheds that are located partially or entirely within the Highlands Region.

⁶ Predominantly forested, including a high proportion of forest cover consisting of high core area, large patch size, and a low distance to nearest patch.

⁷ Predominantly forested, but do not exhibit a high proportion of forest cover, core area or patch size and an increase in distance to nearest patch.

Highlands Interactive ERI. For example, the breakdown of Preserved Open Space in the Township is different, with the 2013 Township ERI listing 15,983 acres of total preserved lands, while the Highlands ERI lists 17,711 acres of total preserved lands. The Highlands ERI amounts for each category show there was an increase in State, County, Water Supply Management Areas, and Municipal Preserved Lands. Furthermore, the values for each Land Use Capability Zone (LUCZ) have been updated since 2013, as the Highlands Council has revised some of its metrics, and the Township's land use has changed. The updated acreage for each LUCZ has been listed and mapped in this report. Finally, there are some examples of extremely minor changes, including Steep Slope Protection Area totals. The 2013 Township ERI listed 1,507 acres of Moderately Constrained Slopes and 8,980 acres of Severely Constrained Slopes, while the Highlands Interactive ERI lists 1,504.4 acres and 8,971 acres, respectively.

Highlands Regional Master Plan Major Policy Areas and Goals

The goals, policies, and objectives of the RMP are both directly and indirectly related to the zone and subzone categories, as depicted on the LUCZ map. To quote from the RMP, on page 137, they "...provide the substantive standards and direction for implementing the goals and requirements of the Highlands Act." Furthermore, they, "... are used in Chapters 5 and 6 (of the RMP) as the basis for the implementation programs." The goals, objectives, and policies are contained in Chapter 4 of the RMP and are divided among ten (10) separate categories or parts as follows:

- Part 1 - Natural Resources
- Part 2 - Water Resources and Utilities
- Part 3 - Agricultural Resources
- Part 4 - Historic, Cultural, Archeological, and Scenic Resources
- Part 5 - Transportation
- Part 6 - Future Land Use
- Part 7 - Land Owner Equity
- Part 8 - Sustainable Economic Development
- Part 9 - Air Quality
- Part 10 - Local Participation

Some parts are further divided into subparts, such as Part 1 - Natural Resources, which is divided into seven (7) separate sub-parts, which include the following: A) Forest Resources, B) Open Waters/Riparian Areas, C) Steep Slopes, D) Critical Habitat, E) Land Preservation and Stewardship, F) Carbonate Rock, and G) Lake Management.

Each part and subpart are explained via the specific goals, policies, and objectives that pertain to each one. The format used involves stating a goal, which is followed by a description of one or more policies. Each policy is further clarified by one or more objectives.

The goals, policies, and objectives of the RMP are naturally heavily weighted toward environmental protection, including the protection of natural resources, cultural resources, and water resources. The overarching purpose is essentially to allow development and redevelopment in existing developed areas and to preserve land that is currently undeveloped.

Notwithstanding the focus on environmental protection in the RMP, Part 6 – Future Land Use and Part 8 – Sustainable Economic Development, provides important guidance regarding issues related to development and redevelopment in the Highlands Region. The RMP indicates that there are nearly a million people who reside in the Highlands Region and a substantial amount of existing development

already exists. The Highlands Region is not a pristine natural area. It is a mixture of the natural environment and human-made features and this is especially true in Jefferson Township. In March 2022, the Highlands Council adopted a Highlands Economic Sustainability Plan which “seeks to provide the framework by which to secure the economic future of the Highlands Region, and to do so by means that are compatible with and complementary to the work of the Highlands Council and its partners in protecting and enhancing the natural resources of the Region.”

So, concerning Jefferson Township and its relationship to the RMP, it is important to focus on portions of Part 6. In Part 6, sub-part A – Land Use Capability Zones, Goal 6A states – *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.*

Another important goal of sub-part A is Goal 6F which states – *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.*

Finally, in Part 6, sub-part D – Redevelopment – Goal 6J states – *Accommodation of regional growth and development needs through the reuse and redevelopment of previously developed areas, including brownfields, grayfields and underutilized sites.*

These three goals and others, including their associated policies and objectives, can guide Jefferson Township as a nearly fully developed community, which has limited growth potential outside of the redevelopment of existing developed areas. The Township has a limited public water and sewer system, which has greatly hindered and will continue to limit the location and extent of future growth. New development on public sewer and water outside of existing sewer service areas is unlikely, given environmental constraints. As a result, Redevelopment is a key priority for the Township along existing transportation and commercial corridors, such as Route 15 and Berkshire Valley Road.

Summary of Consistency

Jefferson Township’s Master Plan and associated elements are all highly consistent with the vision for the Highlands Region and goals and objectives from the Highlands Regional Master Plan (RMP). In particular, the Preservation Area, which covers 88% of the Township’s land area, is already highly consistent with RMP goals surrounding protecting natural, scenic, and other resources including water, forests, wetlands, steep slopes, and critical habitats, in addition to preserving farmland, historic sites, and outdoor recreation, among others. While future development is already focused on the Township’s remaining Planning Area, specific areas within the Planning Area should be identified where certain additional growth can be accommodated. For example, areas with access to public water and sewer (though there are few) should be where large-scale housing is encouraged. There also should be more cohesion regarding what kinds of commercial development might be most appropriate, as a vital economic hub in the center of the Highlands Region.

The following four subsections analyze the above in the context of Jefferson’s Preservation and Planning Areas, the Highlands and Jefferson’s Environmental Resource Inventories, and RMP Policy Areas and Goals. The immediate next section begins to conceptualize the impact of Plan Conformance for the Township, particularly in its existing commercial areas.

Many of the Township’s zoning boundaries are consistent with the Highlands RMP, including its Land Use Capability Zones (LUCZ). The Preservation Area is mostly comprised of the extensive RC, Rural

Conservation District, which supports the Protection Zone and Wildlife Management Area of the LUCZ. In both the Preservation and Planning Areas, single-family dwellings remain the predominant building type where development exists. Existing environmental constraints and limited access to water and sewer guide what can be built and where. Highlands Exemptions 1, 2, 4, and 5 are relevant for existing one-, two-, and three-family dwellings in the Preservation Area. However, there are some commercial corridors and areas where Plan conformance would hinder future development and redevelopment. Commercial areas such as Woodport, Espanong Road, and Route 15 may be most impacted by Plan conformance development restrictions, and limit the Township's ability to implement other goals and objectives.

The Jefferson Township ERI provides a relatively accurate overview of the Township's environmental assets, constraints, hazards, and other natural resources. The Highlands ERI provides the framework for land use and development policies that support plans and regulations, which are meant to be in conformance with the RMP. It forms the basis for the Conformance Ordinance. While there are some minor differences between the Township ERI and Highlands Interactive ERI, the Township ERI can still be used to inform resource conservation and protection ordinances. However, the Highlands Interactive ERI provides the most up-to-date information, and as such, their values and mapping tools should be utilized for more specific analyses and small-scale land use decisions.

Finally, various goals and objectives from the Highlands Regional Master Plan (RMP) are relevant to Jefferson Township. These include goals related to the Land Use Capability Zones (LUCZ), supporting compact and mixed-use development and redevelopment, and accommodating and focusing growth in previously developed areas through redevelopment on underutilized sites.

3. Impacts of Plan Conformance

Remaining Developable Lands in the Planning Area

In the Planning Area, Jefferson has limited areas for potential growth. There are minimal lands that are vacant and developable (i.e., without resource limitations). These lands were identified in the Department of Community Affairs' October 2024 report prepared as part of the new affordable housing legislation. These lands are illustrated in **Appendix A**. There are several large parcels in the R-40 Zone District; these sites would likely not be impacted by Plan Conformance, considering that one- to three-family dwellings are exempt from Highlands regulations. However, if a development other than that use was ever desired, it would be subject to more stringent restrictions. Given the existing zoning, more intensive development is unlikely.

When going through the process of Plan Conformance, there are several opportunities for municipalities to ensure the possibility of future development and redevelopment in strategic locations. Development may occur in the Planning Area through the use of Exemption #4 or by developing site plans that avoid critical resources. Furthermore, a Highlands Center Designation can be created wherein a municipality can tailor development and redevelopment to a specific location, and where the Highlands Land Use Capability Zone restrictions do not apply. Another method by which a municipality can promote growth in the Highlands is through the designation of a Highlands Redevelopment Area, not to be confused with redevelopment under the Local Redevelopment and Housing Law (LRHL). A Highlands Redevelopment Area must meet specific criteria set forth in the Highlands Act.

Regarding Highlands Plan Conformance in the Planning Area, certain applicability thresholds would apply (see Planning Area Conformance Ordinance Example below). When these thresholds are not met, the underlying zoning ordinance will continue to control development. It is anticipated that the Planning Area Conformance Ordinance would have minimal impact on existing residential zones, while there would be some impact along the existing commercial corridors. In other words, the applicability thresholds are more likely to be reached in the Township's commercial areas than its residential areas.

Exhibit 8 shows the proposed Highlands Center Designations and Highlands Redevelopment Areas as recommended by this office. The Center boundaries generally follow the non-residential zone districts along the Route 15 corridor and Howard Boulevard. Zones within this area include the C-2 – Highway Business, IP – Industrial Park, and O – Office and Professional Zones.

Planning Area Conformance Ordinance Example

The provisions of this Ordinance will apply in conjunction with all other applicable ordinances, rules and regulations of the municipality, but will supersede in the event of conflicting or less restrictive alternate provisions. Specific changes include the following:

1. Establishment of overlay Highlands Zones and Sub-Zones;
2. Changes to prohibited uses within the established overlay zones;
3. Changes in permitted density and intensity of development for properties to be served by new septic systems;

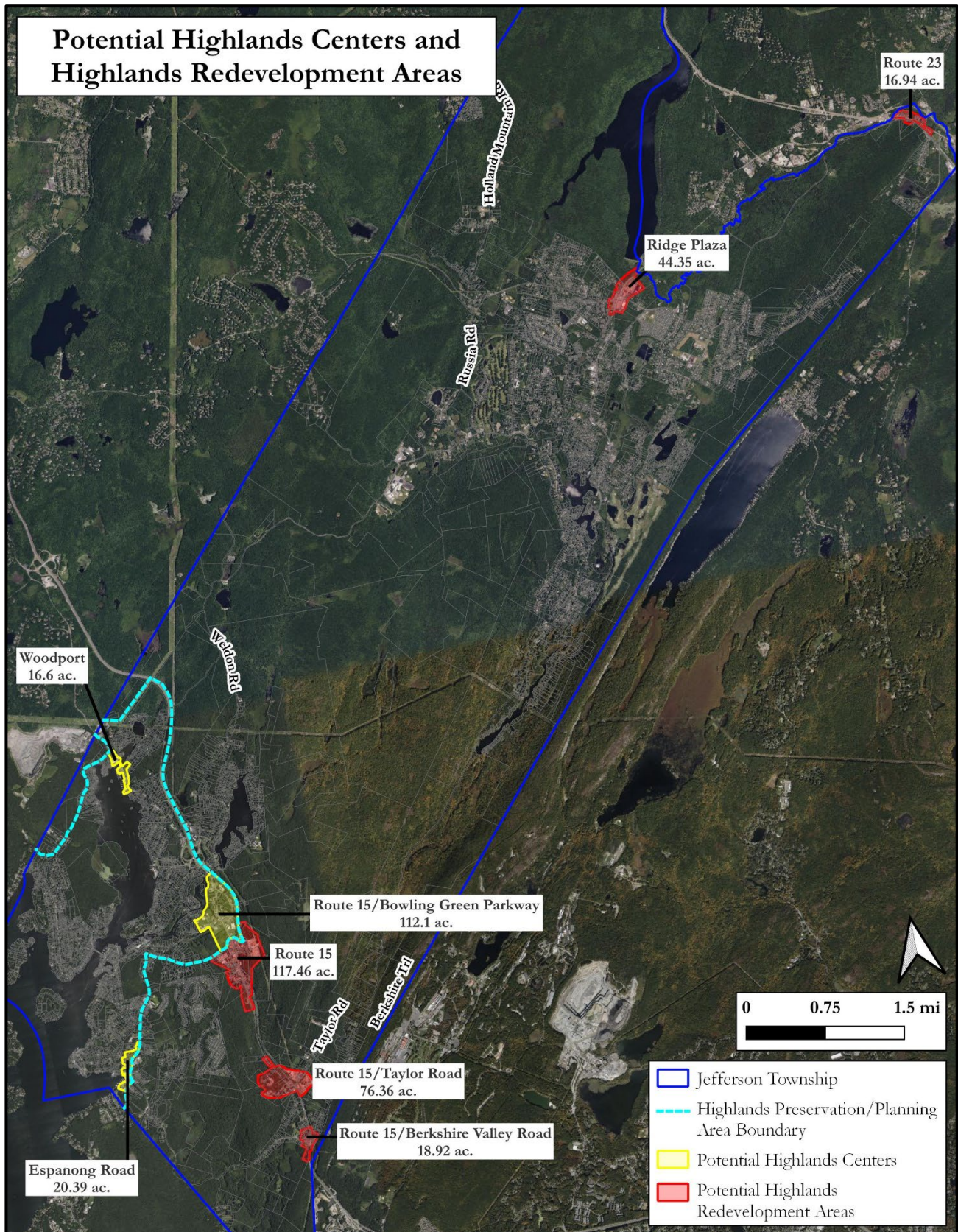
4. Establishment of resource regulations, including:
 - a. Highlands Open Waters & Riparian Resources
 - b. Critical Habitat
 - c. Steep Slopes
 - d. Prime Ground Water Recharge
 - e. Water Conservation and Deficit Mitigation (Net Water Availability)
 - f. Wellhead Protection Areas
 - g. Forest Resources
5. Establishment of regulatory provisions limiting Septic System Density;
6. Establishment of regulatory provisions and limitations on the installation of new or extended Public Water Systems and Wastewater Collection and Treatment Systems;
7. Establishment of affordable housing regulations to require that any development consisting of newly constructed residential units reserve for occupancy at least 20% of the residential units constructed for low- or moderate-income households; and
8. Establishment of procedures requiring the municipality to, within 15 calendar days of issuance of any decision under this Ordinance, provide a copy of the decision to the Highlands Council; and allowing the Highlands Council call-up of said decision to expire after 15 days of receipt.

The Planning Area Conformance Ordinance would contain the following exceptions and exemptions:

1. Any project or activity eligible for a Highlands Act exemption, as provided by the Highlands Act at N.J.S.A. 13:20-28 (and listed in the full text of the Ordinance);
2. In the Planning Area:
 - a. Any residential development in the Planning Area that does not create three or more new dwelling units or lots.
 - b. Any non-residential development that results in the ultimate disturbance of less than one (1) acre of land or; produces a cumulative increase in impervious surface of one-quarter ($\frac{1}{4}$) acre or less.
3. Any of a list of specified exclusions, involving minor or interior improvements to existing structures and activities such as the reconstruction within the same footprint, of any building or structure lawfully existing as of the effective date of the Ordinance.

If a project does not meet the above exception or exemption thresholds, the underlying zoning standards apply.

Exhibit 8 – Potential Highlands Centers and Redevelopment Areas



Highlands Center Designation (Planning Area)

A Highlands Center is an area delineated through a cooperative process with the Highlands Council in coordination with a Petition for Planning Area Conformance. Development and redevelopment are supported and encouraged within a Highlands Center in order to promote economic development and balanced growth within the Highlands Region. The Land Use Capability Zones do not apply within the boundaries of a Highlands Center; however, resource restrictions still apply. The designation of the center boundary is developed through a comprehensive planning process that allows flexibility in creating a tailored development plan for the Center. Highlands Center Designation is incorporated into the Plan Conformance petition process and results in the development of specific regulations for the center to promote appropriate development in the context of community goals and the RMP.

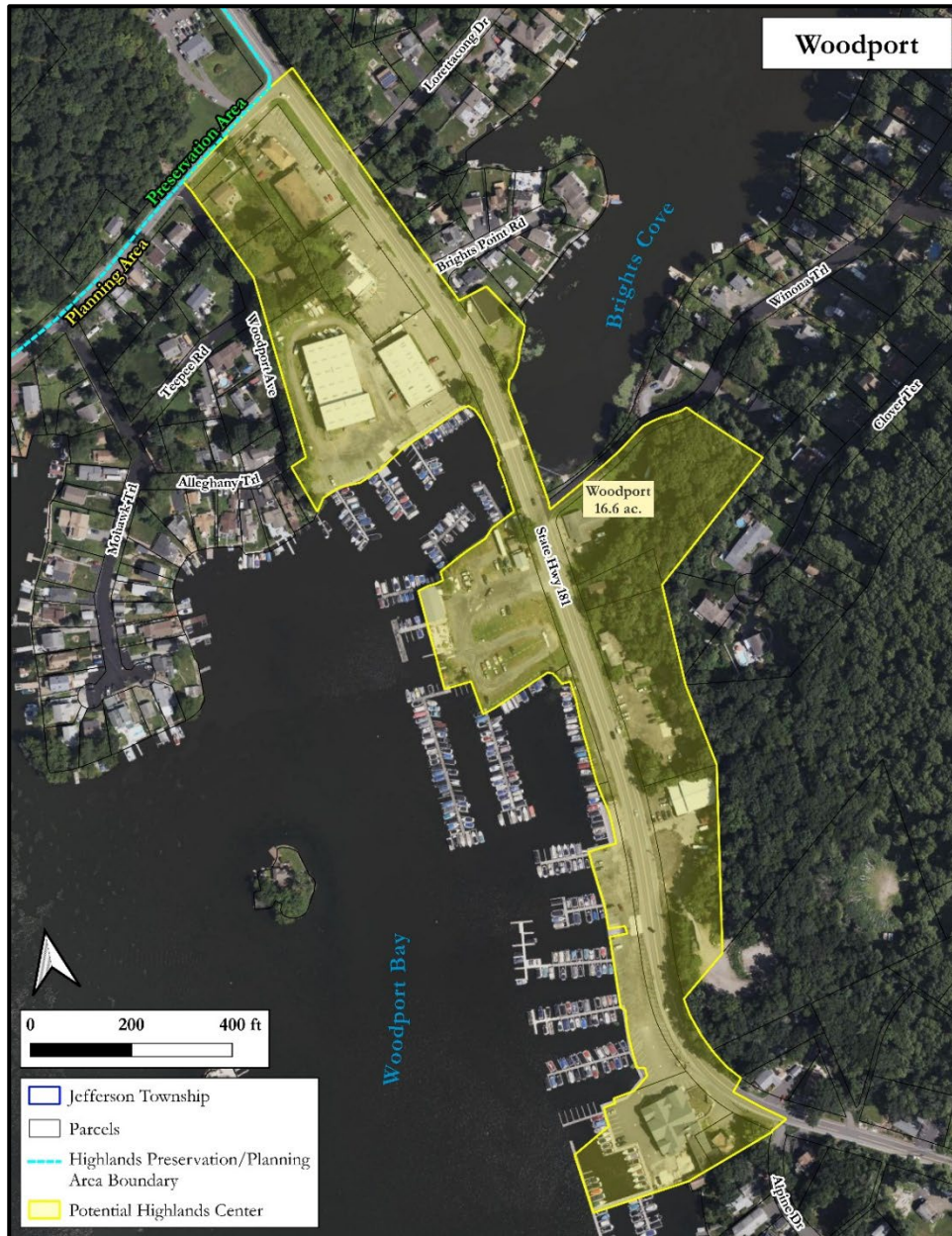
Through the preparation of this Initial Assessment and as a result of numerous planning efforts such as the preparation of the Sustainable Economic Development Plan, it was determined that there are several areas in Jefferson Township where a Highlands Center Designation could be considered with a Planning Area Petition, ultimately minimizing concerns over conflicts with development and redevelopment goals in non-residential areas. These areas are around the Route 15 commercial corridor, the Woodport area, and the intersection of Howard Boulevard and Espanong Road.

The maps below (**Exhibits 9 through 11**) show several proposed Highlands Centers as recommended by this office. The Center boundaries primarily follow the non-residential zone districts along the Route 15 corridor. Zones within this area include the C-2 – Highway Business, IP – Industrial Park, and O – Office and Professional Zones.

Woodport

The Woodport area (**Exhibit 9**) consists of approximately 16 acres of primarily C-2 – Highway Commercial Zone District parcels. The portion of this area identified as potentially suitable for a Highlands Center designation includes parcels in the Planning Area. Commercial uses in this area date back to the 1800s, and the area remains as such. There are a variety of uses, including several marinas, a restaurant, and a furniture store. The vast majority of the area is existing impervious coverage. Each parcel is within the existing sewer service area.

Exhibit 9 – Potential Highlands Center - Woodport



Route 15/Bowling Green Parkway

This 112-acre area is located along the Route 15 corridor and includes properties around the intersection of Hellers Lane and Bowling Green Parkway. There is existing commercial development in the area in addition to the Hellers Lane Redevelopment Area, where a residential development is in the process of being constructed. The Lakeside Recreation Complex is also in this area. Designating this area as a Highlands Center presents the opportunity for implementing strategic planning that encourages economic growth, promotes walkability, creates a destination, and fosters a sense of community.

Exhibit 10 – Potential Highlands Center – Route 15/Bowling Green Parkway



Espanong Road/Howard Boulevard

This 6-acre potential Highlands Center is located at the intersection of Espanong Road (County Route 615), Howard Boulevard, and Minnisink Road. Only the two parcels with frontage along Espanong Road are within the existing sewer service area. The area is mostly impervious coverage and is currently utilized by several marinas and a boat dealer.

Exhibit 11 – Potential Highlands Center – Espanong Road/Howard Boulevard



Highlands Redevelopment Areas (Preservation Area)

Overview

The Township has limited developable land and a lack of sewer and water infrastructure. With this in mind, the Township's efforts are more focused on identifying areas of redevelopment and opportunities for exemptions under the Highlands Act. The Highlands RMP establishes the basis on which an area may be designated a Highlands Redevelopment Area, resulting in the development opportunities that may otherwise be constrained by the Highlands. Highlands Redevelopment Areas are more useful in the Preservation Area because development is more limited. They may be proposed on one or more contiguous properties owned by an individual applicant, or multiple contiguous properties under varied ownership or control by a municipality. The Highlands Council may identify an area as appropriate for redevelopment if either of the following criteria is met:

- A. The site has received designation from the NDJEP as a Highlands brownfield pursuant to N.J.A.C. 7:38-6.6; or
- B. The site has at least 70% of its total area covered with lawfully existing impervious surface, as that term is defined in the Highlands Act (N.J.S.A. 13:20-3).

The benefits of an area being designated as a Highlands Redevelopment Area include possible waivers from certain rules set forth in the Highlands Water Protection and Planning Act. Projects in the Preservation Area have five (5) years from the date of approval to receive approval of an HPAA with Redevelopment Waiver from the NJDEP in accordance with N.J.A.C. 7:38-6.6 or 6.7. Projects in the Planning Area have five (5) years from the date of approval to secure any permits that require prior Highlands Council review and approval. The following areas are identified as potential Highlands Redevelopment Areas.

Potential Highlands Redevelopment Areas in Jefferson Township

The following potential Highlands Redevelopment Areas would fall under the second category, as they are predominantly developed with non-residential uses. Further study will be required for each area. Additionally, further areas may be identified, particularly along Route 15.

Route 23

This potential Highlands Redevelopment Area is approximately 16.9 acres and is in northeastern Jefferson Township. None of the parcels are within the existing sewer service area. Most parcels within this area are primarily impervious coverage. Existing uses in the area include a pet groomer, a fitness center, and a law office. The proposed Redevelopment Area has approximately 90.36% impervious coverage.

Route 15/Berkshire Valley Road

The intersection of Route 15 and Berkshire Valley Road (**Exhibit 13**) is approximately 18.9 acres. This is one gateway into the Township and is presently utilized by a restaurant, farmstand, and various commercial and residential uses. Approximately 94.29% of the proposed Redevelopment Area contains impervious surface.

Route 15/Taylor Road

This is primarily an industrial area along the Route 15 corridor that includes uses such as an HVAC company, trucking and transportation companies, equipment suppliers, and a gas station. It is one of the limited areas with existing impervious coverage in the Township.

Ridge Plaza

Ridge Plaza is located in northern Jefferson Township and is occupied by a strip mall. The potential Highlands Redevelopment Area encompasses this strip mall parcel in addition to several other parcels around the intersection of Ridge Road, Berkshire Valley Road, and Chamberlain Road, which contain commercial uses and are mostly impervious coverage. The total area shown on **Exhibit 14** is just over 35 acres. All but three (3) parcels (Lakeland Bank, Lukoil, and the Betsy Ross Diner) are within the existing sewer service area. The entire area is situated in the Highlands Preservation Area. This proposed Redevelopment Area is approximately 84.26% impervious surface.

Route 15

This 123-acre area is adjacent to the proposed Route 15 Highlands Center. The proposed Highlands Redevelopment Area is an invaluable commercial node within the Township and ensuring continued strategic growth within the area is vital. Approximately 72.6% of the proposed Redevelopment Area contains impervious surface.

Exhibit 12 – Potential Highlands Redevelopment Area – Route 23



Exhibit 13 – Potential Highlands Redevelopment Area – Route 15/Berkshire Valley Road

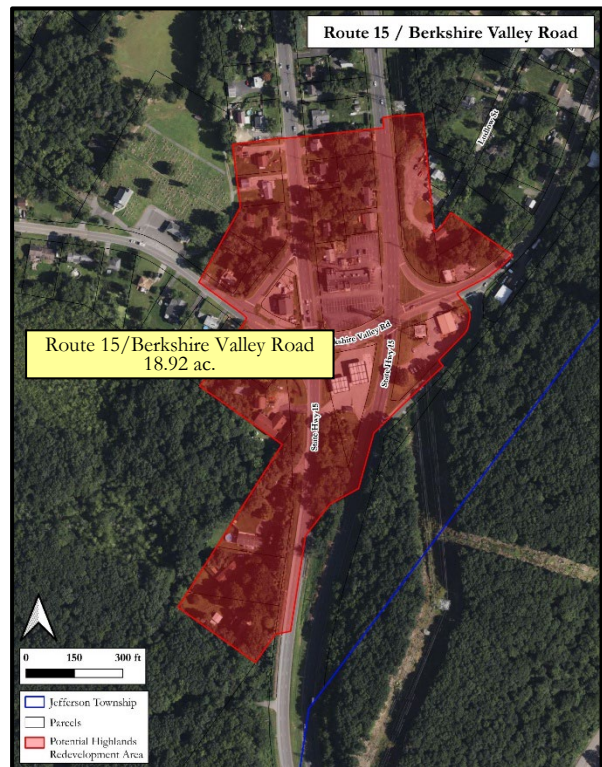


Exhibit 14 – Potential Highlands Redevelopment Area – Ridge Plaza

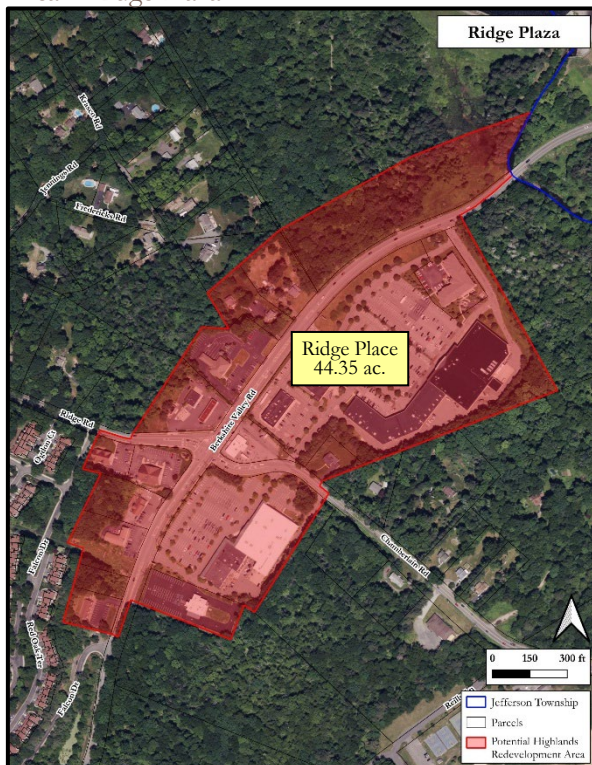


Exhibit 15 – Potential Highlands Redevelopment Area – Route 15/Taylor Road

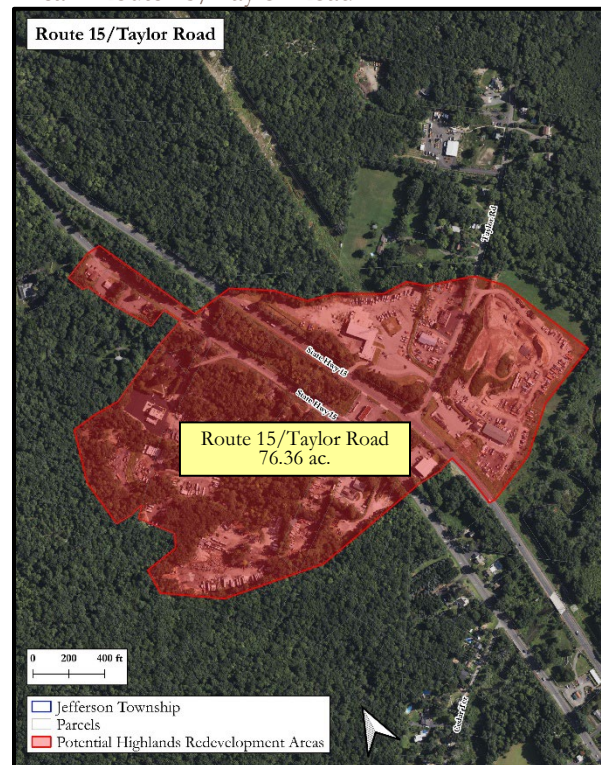
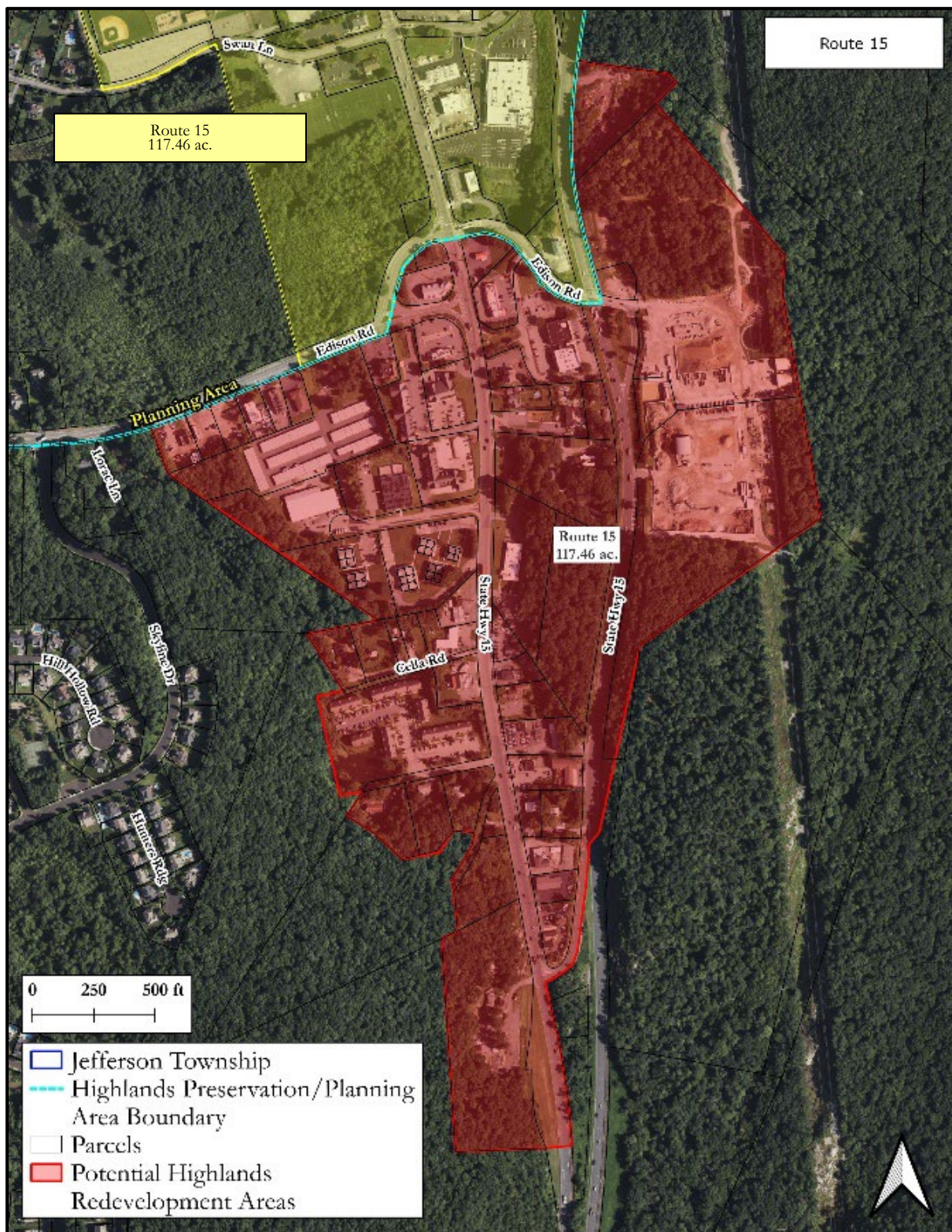


Exhibit 16 – Potential Highlands Redevelopment Area – Route 15



4. Changes to Jefferson Township Planning Programs

Proposed Changes for Highlands Plan Conformance

After analyzing the findings of this report, the following changes are proposed to the Township's planning programs, including the Zoning Map, Master Plan, and Land Development Regulations, to achieve Full Plan Conformance.

Adopt Planning Area Highlands Conformance Ordinance

Jefferson Township must adopt a Highlands Conformance Ordinance for the Planning Area of the municipality.

Adopt Planning Area Highlands Exemption Ordinance

Jefferson Township must adopt a Highlands Exemption Ordinance for the Planning Area of the municipality, which would clearly outline the applicable exemptions in the Township code.

Update Jefferson Township Highlands ERI

The Jefferson Township Highlands Environmental Resource Inventory (ERI) is required to be updated.

Pursue Highlands Center Designation

There are several key areas, particularly along the Route 15 commercial corridor in the Planning Area, which should be prioritized for future development and redevelopment. These areas, identified in Section 3 above, are envisioned as centers for economic growth and development as well as community gathering spaces and destinations. In coordination with the Highlands Council, the Township will first conduct more detailed Highlands Center studies, including specific boundary areas, and then pursue Highlands Center Designation.

Conduct Redevelopment Studies

Section 3 provides a list of areas that are appropriate for potential Highlands Redevelopment Area designation. These areas include those with existing development and large areas of impervious coverage, a critical component of Highlands Redevelopment Areas. The areas identified earlier in this report are also in strategic locations that, with sound planning, can provide the Township with unique economic development opportunities.

Update Township Zoning Map

The Township Zoning Map should be updated to include the Highlands Planning and Preservation Areas. Developers, residents, and the public should have a clear Zoning Map that illustrates which properties are in the Planning Area and the Preservation Area.

Update Township Master Plan

The most recent Master Plan Update was completed in 1991 and the most recent Reexamination Report was completed in 2023. While the 2023 Reexamination Report includes an updated Highlands Areas Map, Jefferson Land Use/Land Cover Map, Jefferson Existing Land Use Map, and Jefferson Zoning Map, the Township may consider completing a new Master Plan Update due to new requirements from the State and to better reflect Highlands RMP goals, context, and data. New Jersey now requires municipalities to include a Climate Change Related Hazard Vulnerability Assessment as

part of their Land Use Element. Additionally, the latest round of affordable housing obligations was issued for municipalities to be completed in the next decade. Finally, an updated Circulation Element with a focus on Highlands RMP transportation goals and objectives would greatly benefit the Township.

[Update Open Space Plan and Pursue More Funding for Open Space](#)

The Township should work on updating an Open Space and Recreation Plan (OSRP) Element of the Master Plan. This update should include an overall plan for Jefferson's open space including new and proposed property purchases. The Township should work with Morris County, the New Jersey Highlands Council, and surrounding municipalities to provide and expand corridors of open space and natural features to support habitat connectivity and adaptation to changing climate and ecological conditions. As part of the OSRP, the Township should work with the Highlands Council to discuss potential funding partnership options under its Open Space Partnership Funding Program (OSP) and Highlands Development Credit Purchase Program (HDCPP). The Township should also consider providing enhanced and expanded public access to popular and/or important natural areas and outdoor recreational facilities. The OSRP should address steps needed to be taken to proactively move the open space preservation program forward and increase local funding.

[Complete and Implement a Water Use and Conservation Management Plan \(WUCMP\)](#)

The Township should work with the Highlands Council to develop a Water Use and Conservation Management Plan (WUCMP), which will apply to the entire community.

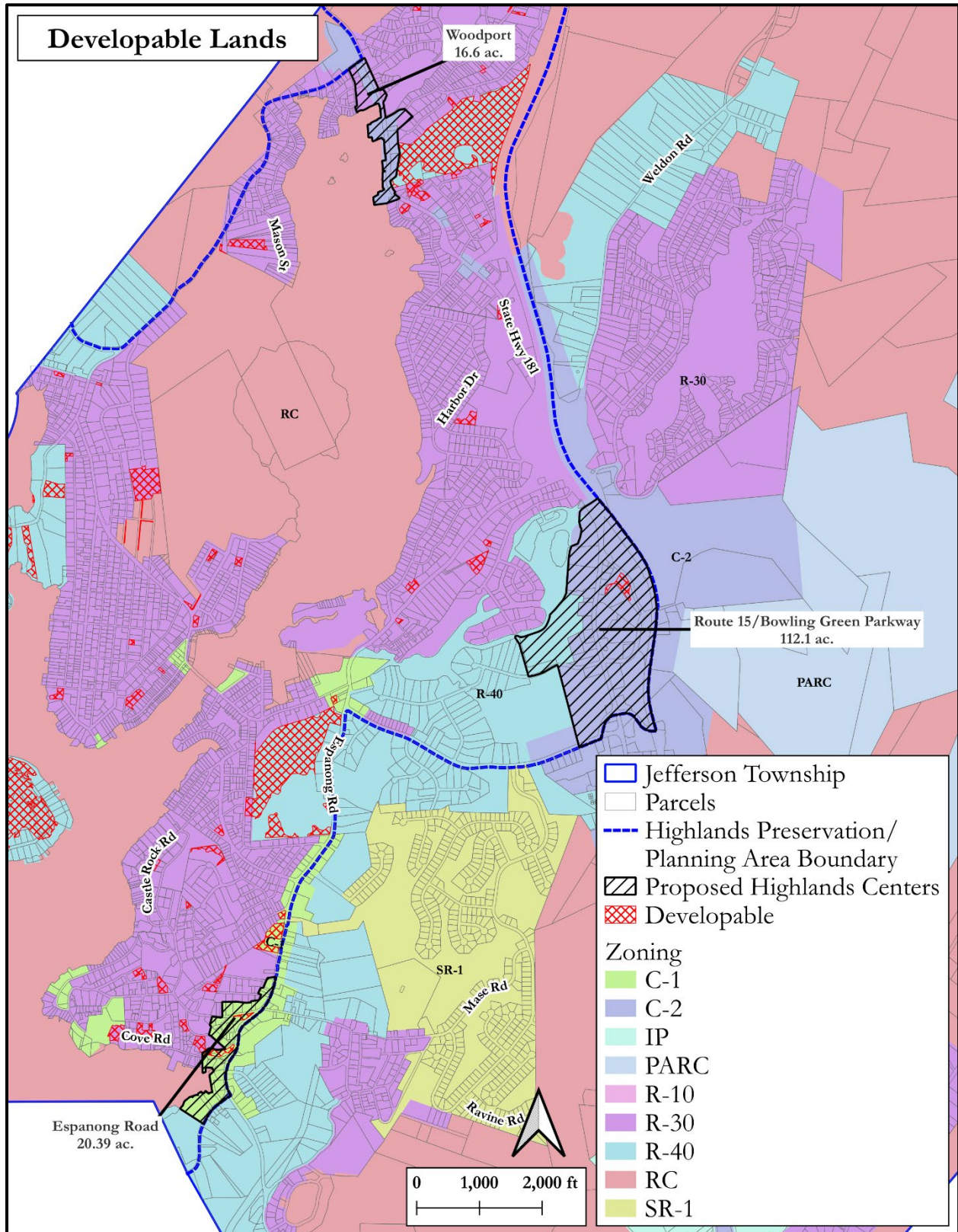
[Develop a Historic Preservation Plan](#)

The existing Master Plan does not have a Historic Preservation Plan Element that sets forth the goals and objectives, criteria for historic designation, and specific properties of historic interest in the community. A Historic Plan Element should be prepared that recognizes the historic, cultural, and archaeological resources of the Township as an essential component of its character and aesthetic quality. The Township may work with the Highlands Council to develop this plan.

[Update Stormwater Management Plan](#)

The Township should review stormwater management ordinances and update the Stormwater Management Plan. The Township may pursue grants to facilitate capital improvements to its stormwater infrastructure.

Appendix A.



**New Jersey Highlands Water Protection and Planning Council
Petition for Plan Conformance - Draft Consistency Review and Recommendations Report**

APPENDIX C

PUBLIC COMMENTS/HIGHLANDS COUNCIL RESPONSES

Township of Jefferson, Morris County

**New Jersey Highlands Water Protection and Planning Council
Petition for Plan Conformance - Draft Consistency Review and Recommendations Report**

APPENDIX D

**HIGHLANDS RESOURCE MAPS
Township of Jefferson, Morris County**

Exhibit 1: Highlands Area and Highlands Land Use Capability Zones

Jefferson Township

Land Use Capability Zones

- Protection Zone
- Conservation Zone
- Existing Community Zone

Land Use Capability Sub-Zones

- Wildlife Management Area Sub-Zone
- Conservation Environmentally Constrained Sub-Zone
- Existing Community Environmentally Constrained Sub-Zone
- Lake Community Sub-Zone

Highlands Preservation Area

- Highlands Preservation Area
- Municipal Boundary
- Lakes Greater Than 10 Acres
- Parcel Boundaries

Roads

- Interstates
- US Highways
- State Highways
- County Highways
- Local Roads
- Alleys
- Interstate Ramps



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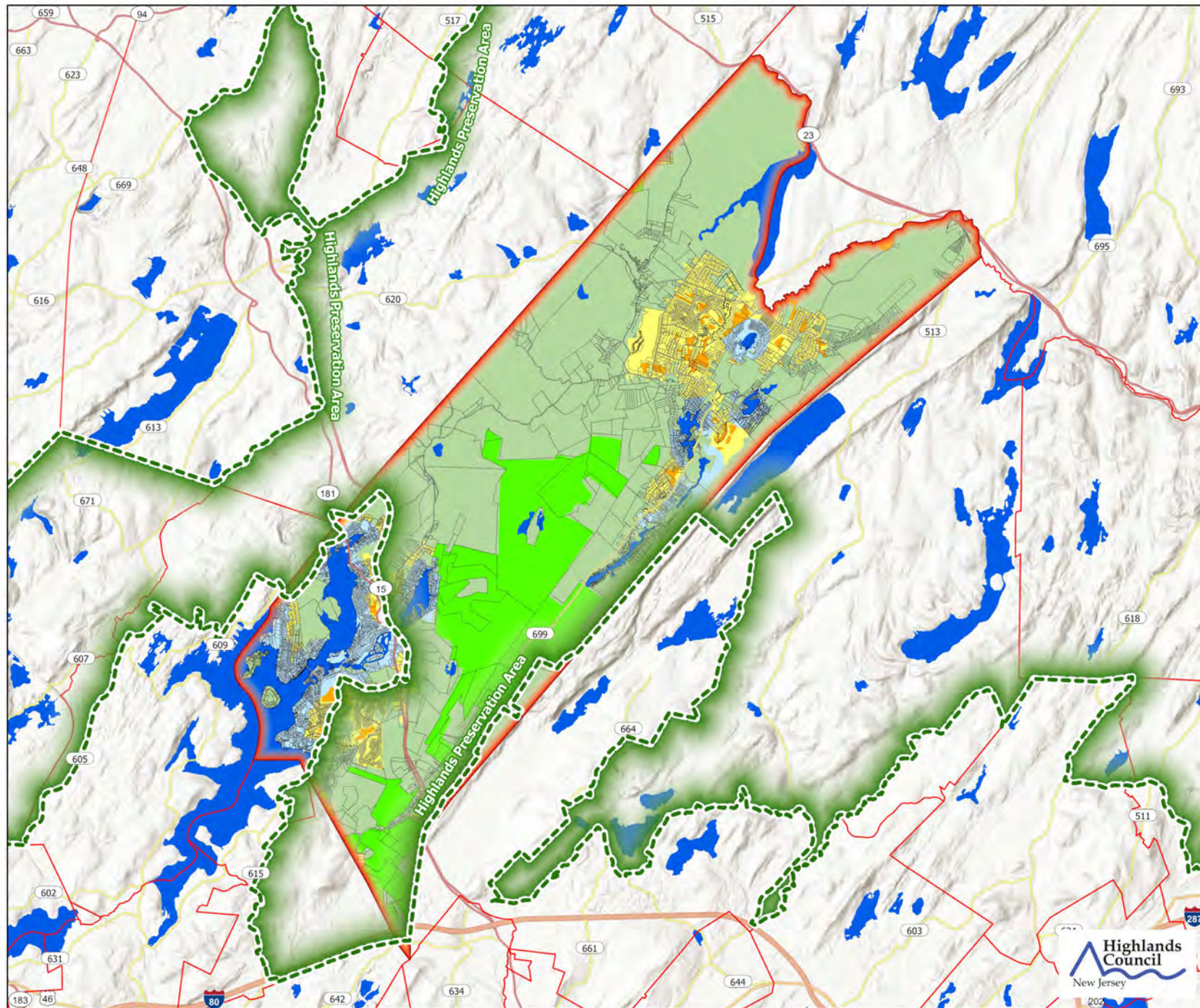


Exhibit 2: Wellhead Protection Areas

Jefferson Township

Wellhead Protection Areas

Tier 1 (2 - Year)

Tier 2 (5 - Year)

Tier 3 (12 - Year)

Municipal Boundary

Highlands Preservation Area

Lakes Greater Than 10 Acres

Parcel Boundaries

Roads

Interstates

US Highways

State Highways

County Highways

Local Roads

Alleys

Interstate Ramps



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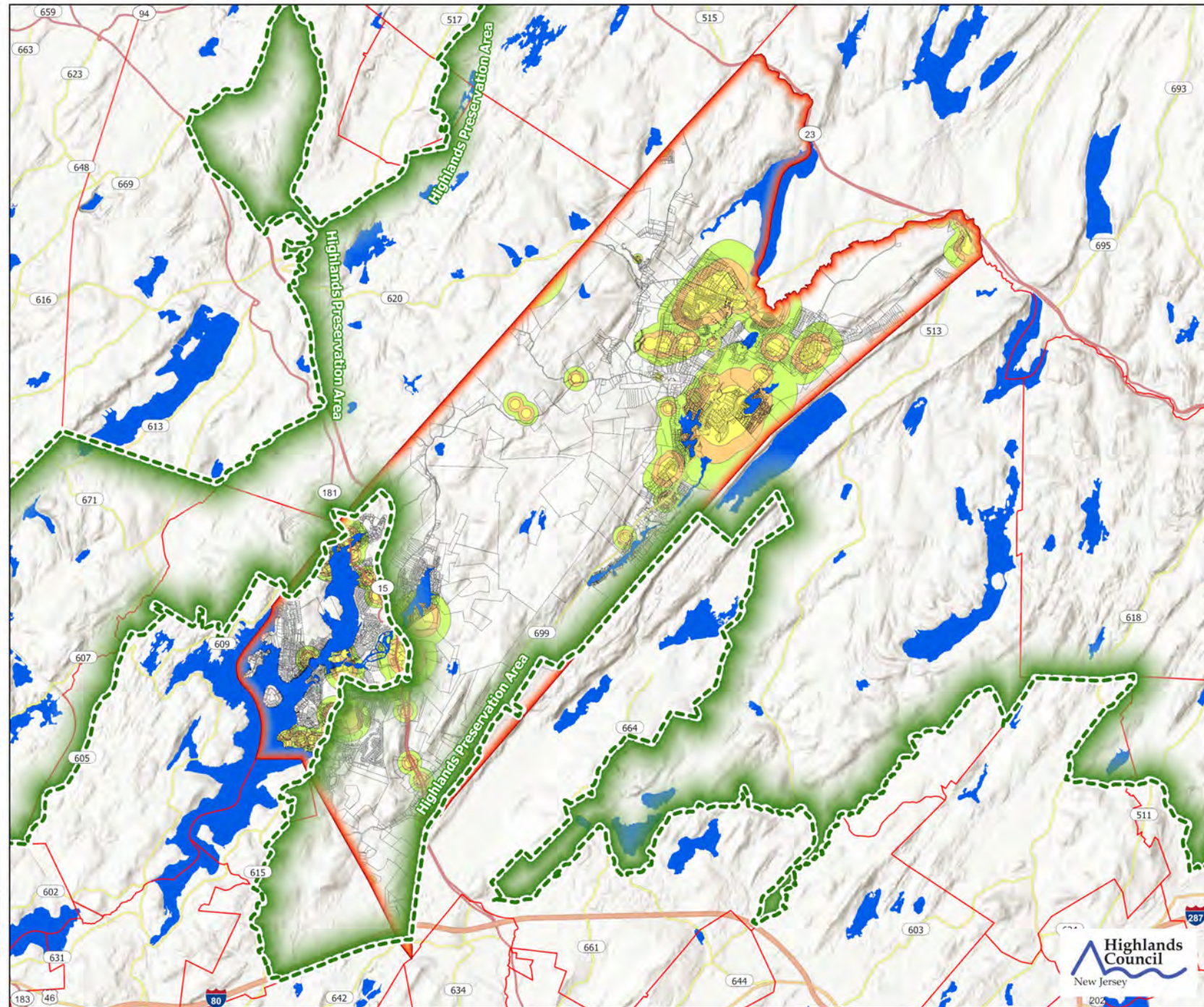


Exhibit 3: Highlands Open Waters and Buffers

Jefferson Township

-  Streams
 -  Lakes & Ponds
 -  Wetlands
 -  Highlands Open Water Buffers (300ft)
 -  Municipal Boundary
 -  Highlands Preservation Area
 -  Parcel Boundaries
- Roads**
-  Interstates
 -  US Highways
 -  State Highways
 -  County Highways
 -  Local Roads
 -  Alleys
 -  Interstate Ramps



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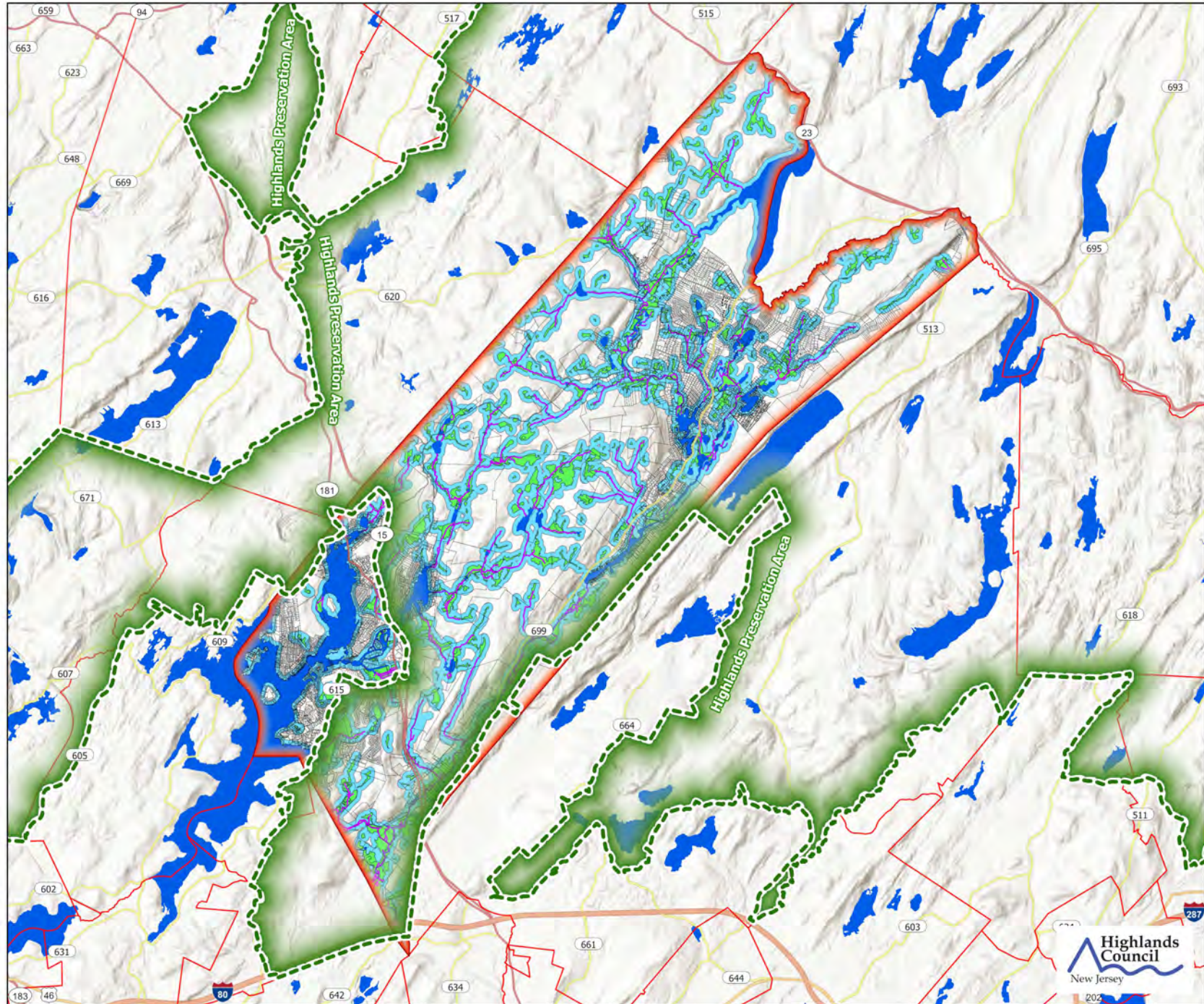


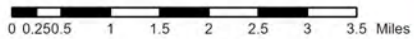
Exhibit 4: lands Riparian Areas

Jefferson Township

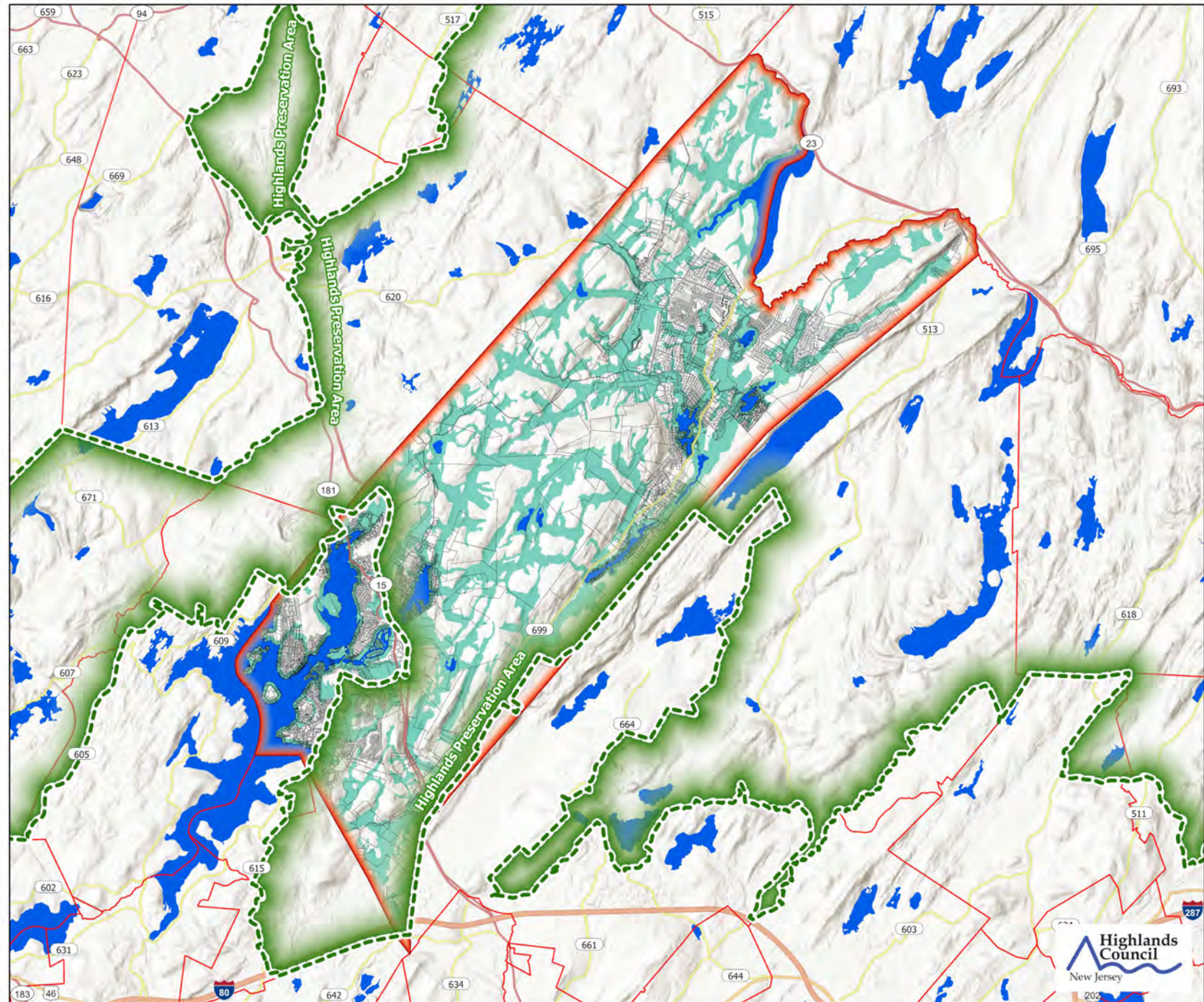
-  Riparian Area
-  Municipal Boundary
-  Highlands Preservation Area
-  Parcel Boundaries
-  Lakes Greater Than 10 Acres

Roads

-  Interstates
-  US Highways
-  State Highways
-  County Highways
-  Local Roads
-  Alleys
-  Interstate Ramps


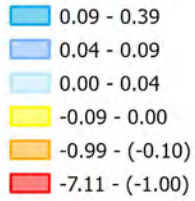


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Jefferson Township

Net Water Availability by HUC14 Subwatershed (MGD)


 Municipal Boundary Highlands Preservation Area

Parcel Boundaries

 Lakes Greater Than 10 Acres

Roads

 Interstates


 US Highways

 State Highways

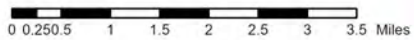
 County Highways

Local Roads

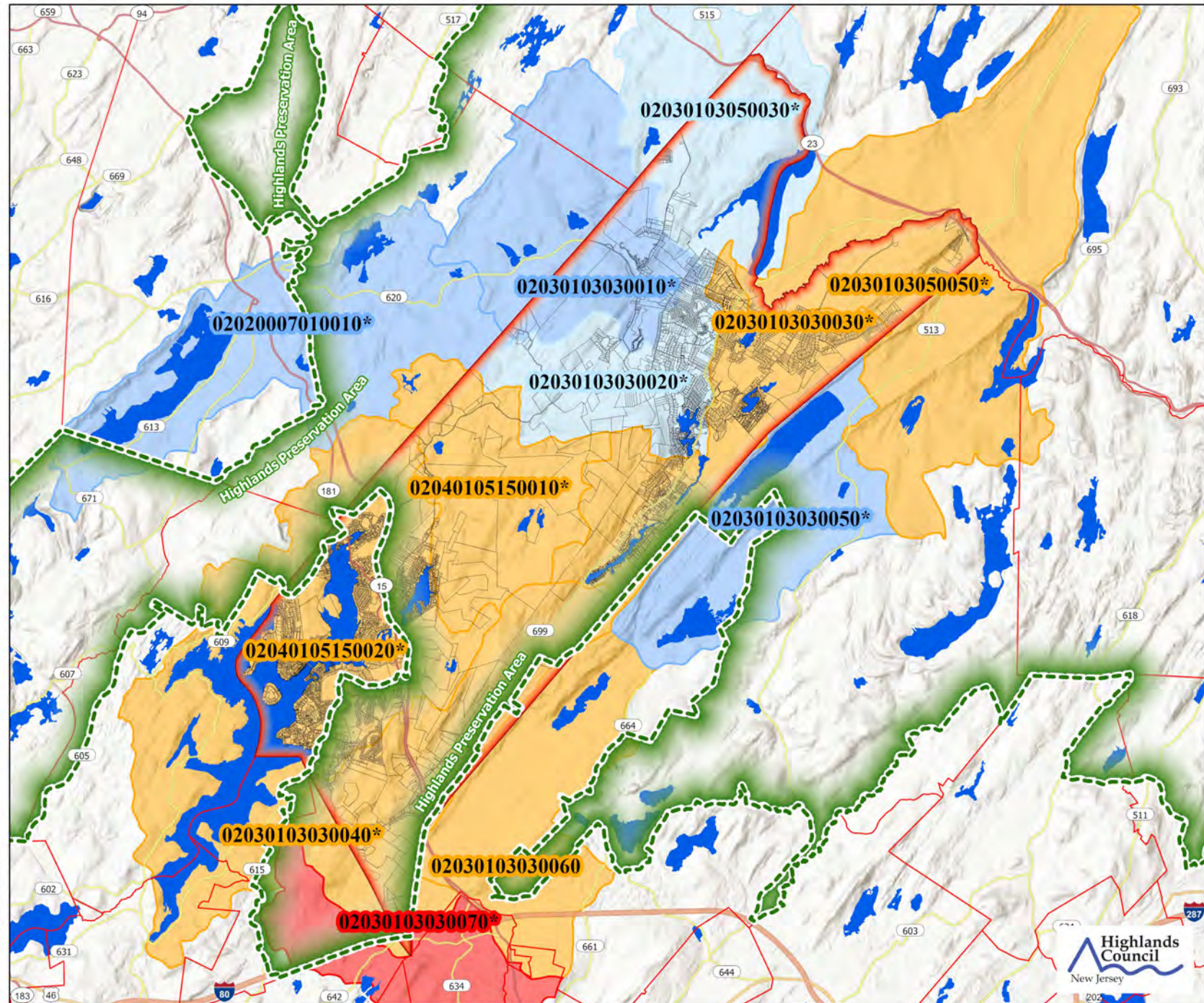
Alleys

 Interstate Ramps

* Indicates updated data was used in for this HUC



Map Created: 4/4/2025



Highlands Council
New Jersey

Exhibit 6: Forest Area

Jefferson Township

- Total Forest Area
 - Municipal Boundary
 - Highlands Preservation Area
 - Parcel Boundaries
 - Lakes Greater Than 10 Acres
- Roads
- Interstates
 - US Highways
 - State Highways
 - County Highways
 - Local Roads
 - Alleys
 - Interstate Ramps



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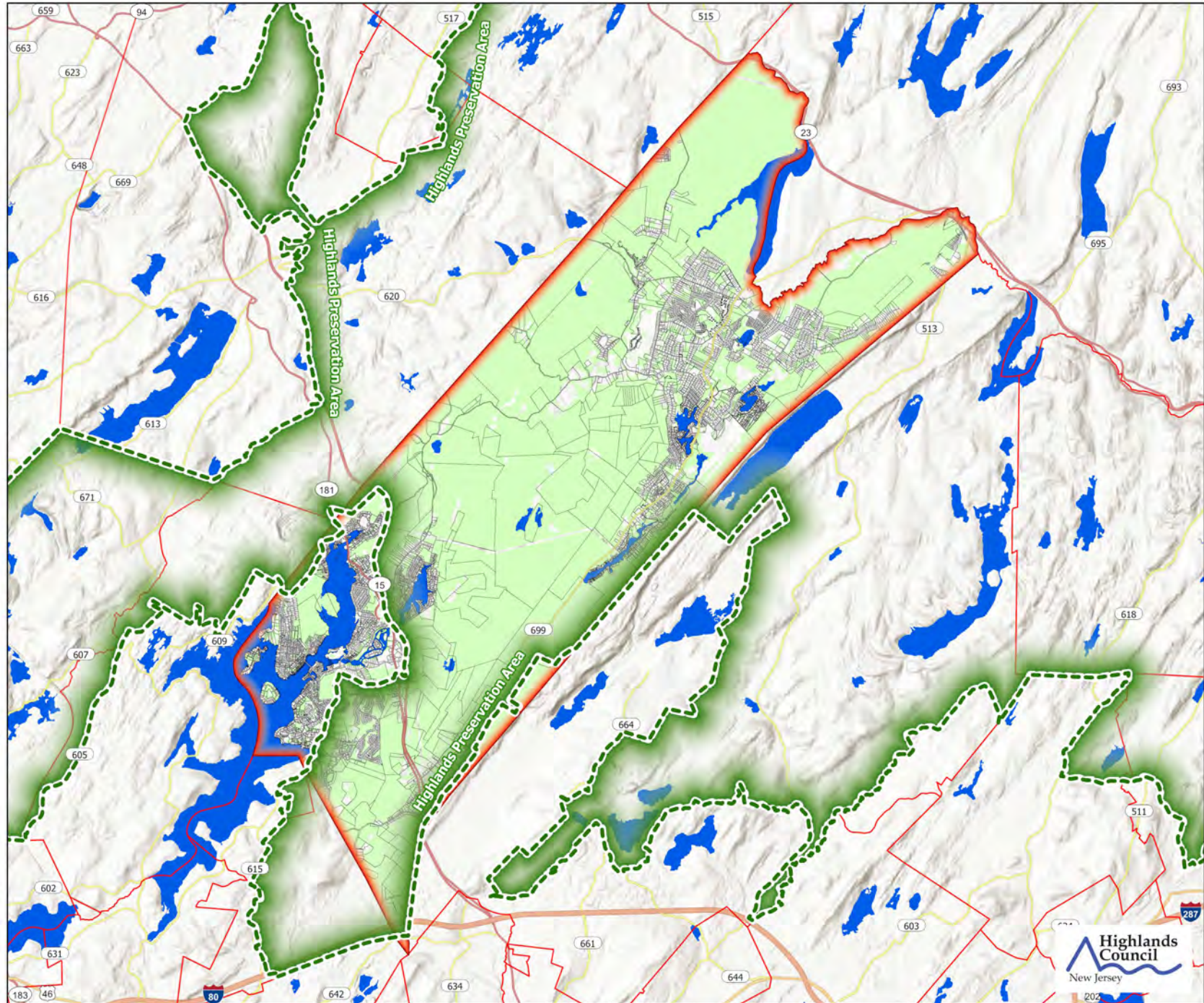














Exhibit 7: Prime Groundwater Recharge Areas

Jefferson Township

-  Prime Ground Water Recharge Areas
-  Municipal Boundary
-  Highlands Preservation Area
-  Parcel Boundaries
-  Lakes Greater Than 10 Acres
- Roads
 -  Interstates
 -  US Highways
 -  State Highways
 -  County Highways
 -  Local Roads
 -  Alleys
 -  Interstate Ramps



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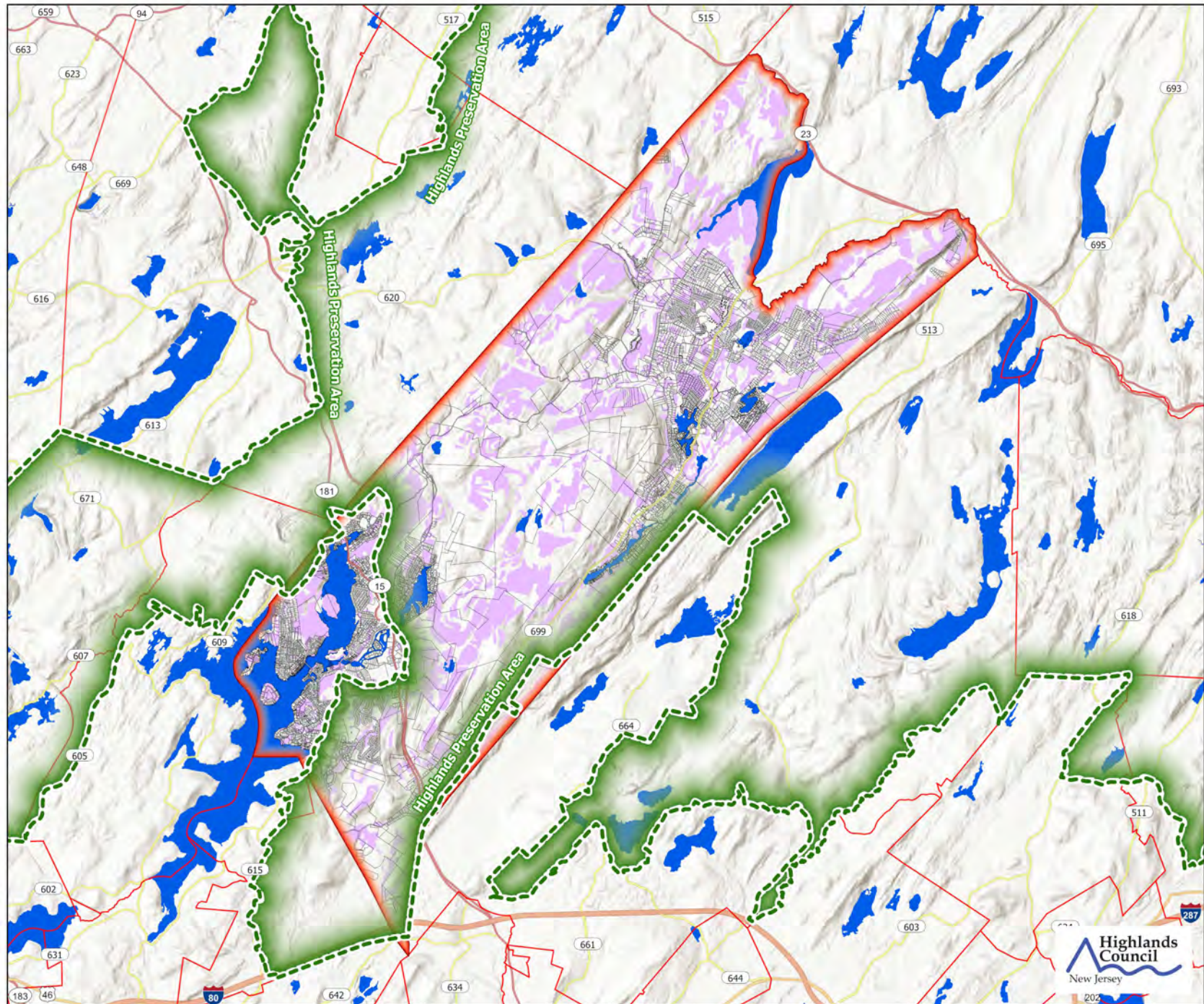
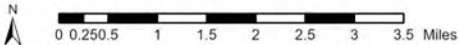


Exhibit 8: Special Environmental Zone

Jefferson Township

- Special Environmental Zone (SEZ)
 - Municipal Boundary
 - Highlands Preservation Area
 - Parcel Boundaries
 - Lakes Greater Than 10 Acres
- Roads
- Interstates
 - US Highways
 - State Highways
 - County Highways
 - Local Roads
 - Alleys
 - Interstate Ramps



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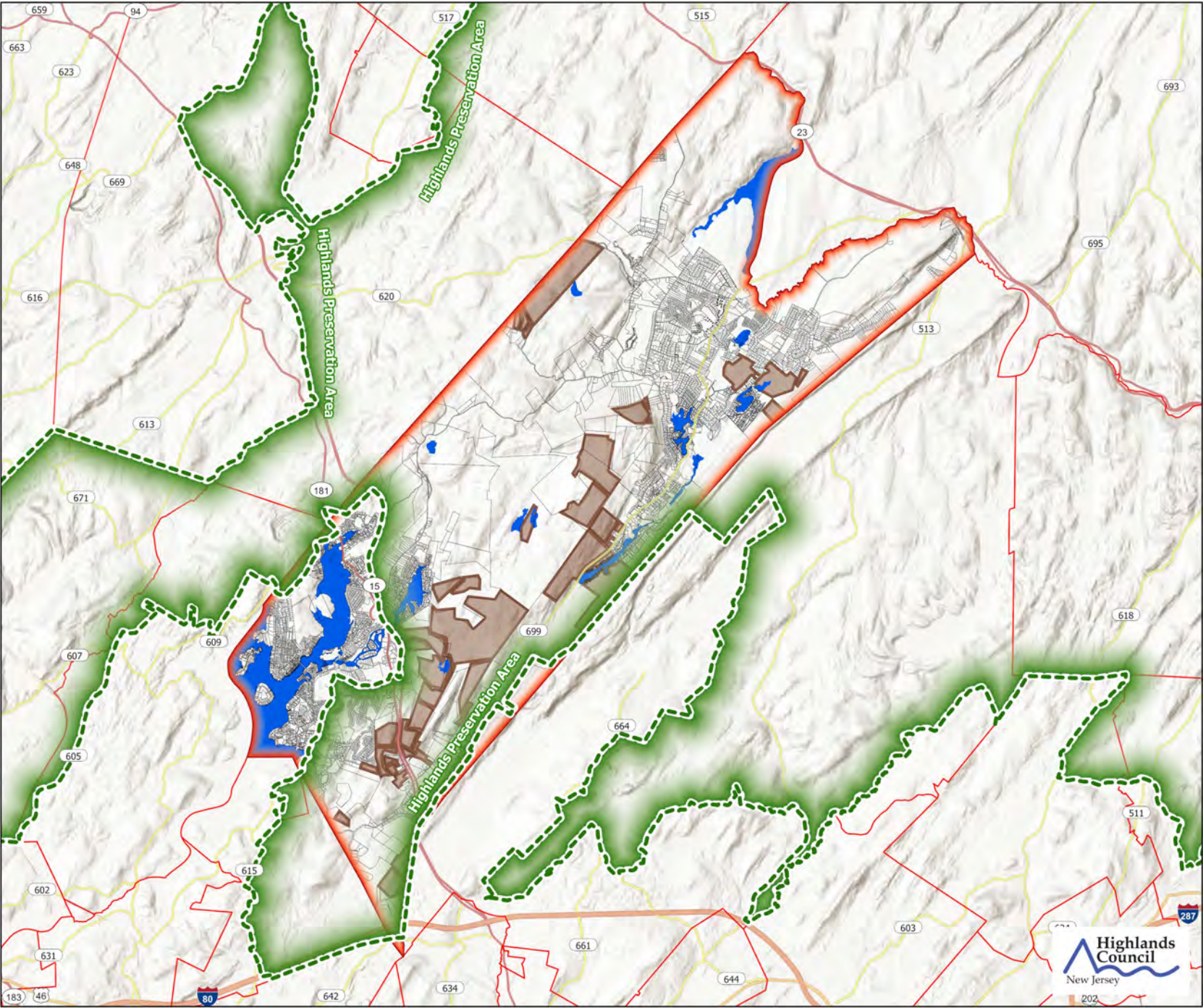
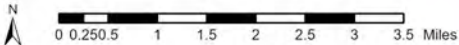


Exhibit 9:
Steep Slope Protection Areas
Jefferson Township

- Steep Slope Protection Area
- Moderate
 - Severe
- Municipal Boundary
- Highlands Preservation Area
- Parcel Boundaries
- Lakes Greater Than 10 Acres
- Roads
- Interstates
 - US Highways
 - State Highways
 - County Highways
 - Local Roads
 - Alleys
 - Interstate Ramps



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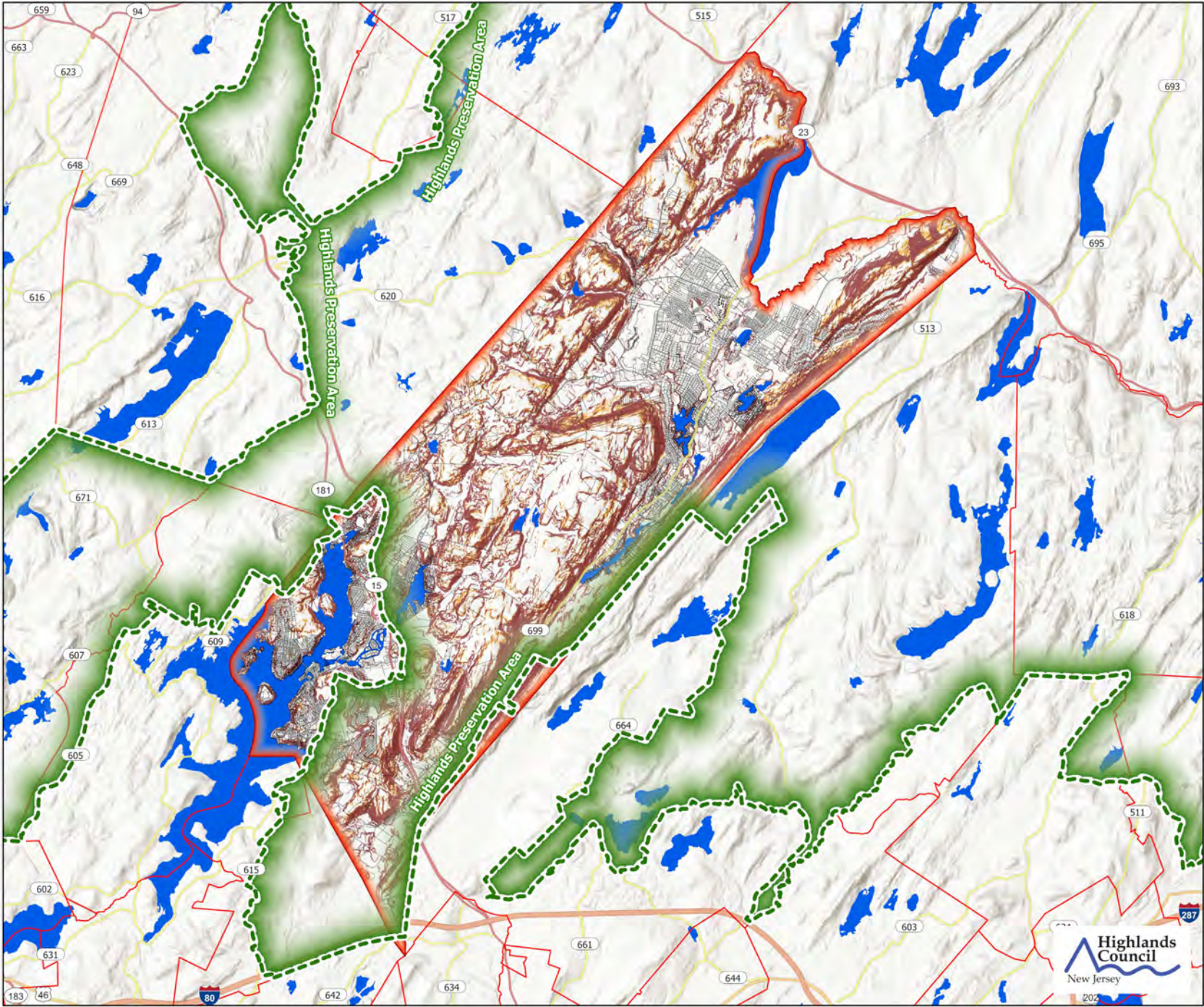


Exhibit 10: Critical Wildlife Habitat, Vernal Pools and NJDEP Natural Heritage Priority Sites

Jefferson Township

-  Freshwater Mussel Critical Habitat
 -  Significant Natural Areas
 -  Confirmed Vernal Pool Buffer (1,000 ft)
 -  Critical Wildlife Habitat
 -  Municipal Boundary
 -  Highlands Preservation Area
 -  Parcel Boundaries
 -  Lakes Greater Than 10 Acres
- Roads
-  Interstates
 -  US Highways
 -  State Highways
 -  County Highways
 -  Local Roads
 -  Alleys
 -  Interstate Ramps



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Map Created: 4/4/2025

