

Resolution No. 09-389
A RESOLUTION OF THE TOWNSHIP OF ROXBURY REQUESTING PLAN
CONFORMANCE FROM
THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
FOR LAND IN THE PRESERVATION AREA AS MANDATED BY THE
HIGHLANDS ACT

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., with inadequate consideration of local government function, finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources; and

WHEREAS, the Highlands Act requires the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

WHEREAS, the Highlands Act requires that within nine to 15 months after the effective date of the Regional Master Plan, September 8, 2008, each municipality located wholly or partially in the Preservation Area shall submit revisions to the municipal master plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, as may be necessary to conform them with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance); and

WHEREAS, the Township of Roxbury is located in the Highlands Region with lands partially lying within the Preservation Area, as defined by the Highlands Act; and

WHEREAS, the Highlands Council prepared and distributed to the Highlands municipalities Plan Conformance Guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance in the Preservation Area; and

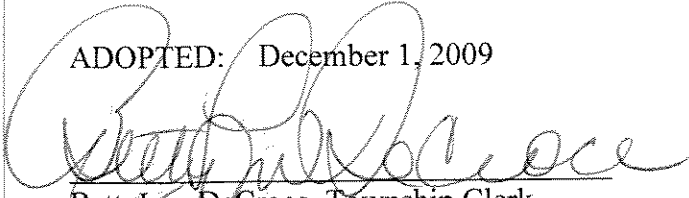
WHEREAS, the Highlands Council's Plan Conformance Guidelines also require that a Petition for Plan Conformance be filed with the Highlands Council no later than December 8, 2009, which includes a comprehensive package of planning and implementation documents that meet the requirements of the Highlands Act, the Regional Master Plan and the Highlands Plan Conformance Guidelines; and

WHEREAS, the Township Council, while not supporting the confiscatory aspects of the Highlands Act, recognizes that non-compliance with the Regional Master Plan within that portion of the Township in the Preservation Area will create potential hardships in the State permitting approval process and other matters involving administration of the municipality.

NOW, THEREFORE BE IT RESOLVED, that the Township Council of the Township of Roxbury, in the County of Morris and State of New Jersey, hereby submits under protest this mandated Petition for Plan Conformance to the Highlands Council for that portion of our jurisdiction lying within the Preservation Area, as required by and in accordance with the

Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines, and reserves its right to revise, supplement, amend and/or rescind its submission.

ADOPTED: December 1, 2009



Betty Lou DeCroce, Township Clerk

Rs
Highlands/ResolutionPlanCond/12-09