

# Highlands Council Monthly Report

May 2024

Released June 7, 2024



Baby Box Turtle. Near Highlands Council office, Chester Township, Morris County.

### Contents

- Executive Director Priority Spotlight..... 1
- Municipal and County Regional Master Plan (RMP) Implementation..... 3
- Project Reviews ..... 4
- GIS Updates ..... 5
- Science Initiatives ..... 5
- Land Preservation Program Updates ..... 5
- Staffing and Staff Development ..... 5
- Outreach & Education ..... 6
- Municipal & County Coordination..... 6
- Agency & Organization Collaboration..... 6
- Looking Ahead ..... 6



# Highlands Council Monthly Report

*Summary of Activities* | May 1-31, 2024

## Executive Director Priority Spotlight

- **Highlands Grant Funding.** The Highlands Council is allotted approximately \$2.1 million each year to provide grants directly to Highlands counties and municipalities for their work to help implement the Highlands Act and the Highlands Regional Master Plan (RMP) at the local level. Originally the amount was about \$4.2 million, but the allocation was cut in half in 2010. Money for these grants comes from the Highlands Protection Fund, which is funded by a portion of the state's Realty Transfer Tax.

Since the Highlands Act was passed and the Highlands Council created 20 years ago, many of the tasks ordinarily funded by municipal and county planning budgets have instead been paid for by the Highlands Council because those tasks also helped implement the Highlands Act and RMP. Until recently, annual allocations to the Highlands Protection Fund for this purpose have been adequate. However, this is changing.

New requirements for managing stormwater, addressing climate change, and addressing the new affordable housing legislation have put an increased squeeze on municipal budgets, especially for the many smaller towns of the Highlands region. This will mean increasing demand for Highlands Council grants. In the upcoming fiscal year, the Council will likely need to prioritize funding, for the first time ever, based on how actively engaged a municipality or county is in working with the Highlands Council toward conformance with the RMP. This will result in good projects that advance the goals of the Highlands Act being either deferred or going unfunded.

Restoring the allocation for the Highlands Protection Fund to its original levels should be a priority for the legislature. This funding was established in the Act specifically to reduce the burden on local taxpayers in recognition of the vital role that municipalities and counties would play in implementing it at the local level, by paying for work that would otherwise be the sole responsibility of local governments. The work funded by these grants is vital for the future of the state and all its residents. With the budget process currently underway, consideration of restoring this funding to its original levels should be a priority.

- **RMP Amendments Adopted.** Two new and important updates to the Highlands RMP are now official. At the April Highlands Council Meeting, the updated [Land Use Capability Zone \(LUCZ\) mapping and its accompanying technical report](#) along with the new [Policy Standards for Warehousing](#) were approved following an extensive public comment period. The new LUCZ mapping incorporates the latest scientific data available and reflects an improved ability to more quickly and accurately update data based on on-the-ground conditions. Having the LUCZ maps reflect the best

available information is extremely important because this mapping forms the basis of the permitting and land use decisions made in the region and are a key component in much of the Council's work.

The warehousing policy standards are also vitally important to the future of the Highlands region and to the state as a whole. The Highlands, with its wealth of undeveloped land and strategic geographic location, is a prime target for warehouse development. This RMP amendment provides guidance to steer warehouse development away from inappropriate locations, lessen the impacts of development that does occur, and mitigate off-site effects.

The policy standards limit warehouses to locations that are near major highway interchanges and away from essential Highlands resources. This means primarily locations that are in the Existing Community Zone of the Highlands LUCZ or Highlands designated centers. The standards also direct warehouse development away from any location that would result in the loss of prime agricultural lands, increase impervious cover creating stormwater management issues that impact water quality, or trigger traffic and other impacts to the rural communities of the region.

The Policy Standards for Warehousing **are not** a ban on warehousing in the New Jersey Highlands. They **are** a tool for our municipal and county partners when making important land use decisions.

- **RMP Update Pending.** In addition to the two recently adopted RMP updates, a third that addresses [municipal affordable housing obligations](#) for the communities in the Highlands is currently in the public comment period. The Highlands Council has been publicly discussing this topic both in this report and at its monthly public meetings since late last year as new legislation was being proposed. The Council took an active role in ensuring the region's 88 municipalities were considered in the process. This RMP amendment is the first of several steps the Highlands Council will be taking to assist the towns in the region as they plan for and implement the provisions of the newly adopted affordable housing law. The public comment period on the amendment runs through June 23.

Municipal officials in the Highlands are urged to review this RMP amendment with their legal and planning professionals and watch for additional information from the Council. The recognition of the Highlands in the new law means that Highlands municipalities will assess their affordable housing obligations differently than the rest of the state. Highlands Council staff will be providing technical assistance and funding support to help facilitate this process including instructions about how to comply with the new law, guidance for determining municipal buildouts in the Highlands, and model ordinances. Although materials won't be finalized until later in the year, Highlands municipalities are encouraged to reach out sooner versus later.

## Municipal and County Regional Master Plan (RMP) Implementation

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

### Completed Projects

The following municipalities/counties have submitted project deliverables that were reviewed by Highlands Council staff and found to be consistent with the approved scopes of work and eligible for reimbursement.

- **Hunterdon County.**
  - Tourism, Digital Marketing and Advertising Campaign (partial completion)
  - Hunterdon County Growth Management Plan
- **Jefferson Township, Morris County.** Lake Hopatcong Trout Habitat Study: Phase 2
- **Roxbury Township, Morris County.** Musconetcong River Stream Stabilization and Habitat Enhancement Engineering Report
- **Vernon Township, Sussex County.**
  - Septic Management Plan
  - Lake/Watershed Management Plan (Phase I)

### Deliverables Received

The following municipalities have submitted project deliverables that are currently being reviewed by Highlands Council staff for consistency with the approved scopes of work.

- **Mountain Lakes Borough, Morris County.** Municipal Coordination and Implementation Plan.

### Approved Scopes

Highlands Council staff have approved scopes of work for the following projects in the specified municipalities/counties. With approved scopes, project work may begin.

- **Rockaway Township, Morris County.** “Local Zoning/Local Control” recommendations report (review of local zoning for alignment with municipal goals and the Highlands RMP)
- **Vernon Township, Sussex County.** Lake/Watershed Management Plan (Phase II)
- **Harmony Township, Warren County.** Stormwater and MS4 Compliance
- **Franklin Township, Warren County.** Stormwater and MS4 Compliance
- **Oxford Township, Warren County.** Stormwater and MS4 Compliance
- **Washington Borough, Warren County.**
  - Land Use Master Plan Element
  - Municipal Ordinance Revisions
  - Center Planning Initiatives
- **West Milford Township, Passaic County.** Marshall Hill Road Redevelopment Study

### Scopes/Funding Requests

The following municipalities submitted scopes of work for the specified projects. The scopes are currently being reviewed by Highlands Council staff.

- **Alexandria Township, Hunterdon County.** Stormwater/MS4 Permit Compliance



- **Franklin Borough, Sussex County.** Stormwater/MS4 Permit Compliance
- **Mountain Lakes Borough, Morris County.** Review Highlands Council recommendations regarding RMP conformance.

### Other Notable Implementation Activities

- **Alpha Borough, Warren County**
  - Submitted materials related to compliance with the Highlands Warehousing Policy Standards regarding a proposed warehouse project in the borough.
- **Peapack-Gladstone Borough, Somerset County**
  - Passed a resolution indicating the borough’s intent to align its local planning and regulatory documents with the Highlands RMP.

### Project Reviews

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

- **Conditions Compliance - Warehouse Development, 2 Hilton Court**

*Parsippany-Troy Hills, Morris County*

Applicant submitted revised site plans and responses to staff comments sent in December 2023 that were in response to changes made to this proposed project to meet the conditions of a consistency review originally completed by Highlands Council staff in 2021.

*Highlands Council staff are reviewing.*

- **Highlands Applicability Determination (HAD), Exemption 11 (with NJDEP) – Veolia Water NJ, East Brookwood Tank Painting Temporary Tank Provisions**

*Byram Township, Sussex County*

The proposed project is to ensure water system operation during the painting of an on-site water storage tank. Provisions include installation of a temporary tank and associated piping which will be removed and the original operation restored upon completion of the painting project.

*Highlands Council staff finding: Consistent with the goals and purposes of the Highlands Act*

- **Highlands Planning Area Exemption Determination – Exemption 16**

*Rockaway Township, Morris County, Block 70001, Lot 2*

The proposed project involves various maintenance activities related to wastewater and electrical utilities located within the United States Army’s Picatinny Arsenal facility.

*Highlands Council staff finding: Exempt from the provisions of the Highlands Act.*

- **Highlands Municipal Referral – Lanidex Plaza West Warehouse**

*Parsippany-Troy Hills Township, Morris County*

The applicant is seeking to redevelop a previously disturbed site with a 140,351 square-foot warehouse and 5,000 square-foot office space along with associated parking, loading docks and other facilities.

*Highlands Council staff review is pending.*

- **Highlands Preservation Area Approval (HPAA) – Proposed NJ Division of Fish and Wildlife (NJFW) Headquarters**

*Union Township, Hunterdon County, Block 7 Lot 3*

NJFW is proposing a Wildlife Resource Education Center on Clinton Wildlife Management Area. The Center will host indoor educational displays on NJ Wildlife, NJ Highlands, wildlife management activities, and an outdoor educational trail highlighting various critical habitats for wildlife. There will be a 100-person room for educational programs and outdoor educational events including shooting sports. The facility will also be used to house conservation police, wildlife control, and staff from various wildlife bureaus who will participate in educational programs. Requires review as a Capital Project under Section 16 of the Highlands Act.

*Highlands Council staff review is pending.*

## GIS Updates

- **Zoning Ordinance Requests.** The Highlands Council is in the process of updating its region-wide zoning data. As part of this process, the Council reached out to several municipalities in May requesting copies of related ordinances.
- **GIS Services Contracts.** Following approvals in March to engage the professional services of three GIS vendors, contracts have been signed with Neglia Group, Verdantas LLC, and Remington & Vernick Engineering. Projects to be initiated under these contracts include an update to the Composite Zoning layer, updates to the Municipal Factbook (originally released with the Fiscal Impact Assessment, 2017) and development of maps and mapping-based navigational tools for the Highlands Council website.

## Science Initiatives

- **Stream Monitoring.** Highlands Council staff are coordinating with Raritan Headwaters Association to actively participate in their stream monitoring efforts within the Highlands region. Visual stream assessments as well as collection of macroinvertebrates for analysis is planned. The Highlands team plans to monitor a total of eight sites in June.

## Land Preservation Program Updates

- **Highlands Development Credit (HDC) Site inspections.** Properties that have been protected from future development through the HDC program continue to be inspected to ensure compliance with the terms of the deed restrictions placed on the lands. In May, 20 inspections were completed. No issues were identified.

## Staffing and Staff Development

- **Open Position: Administrative Assistant.** The Highlands Council is seeking a full-time Administrative Assistant to provide a wide range of support across all functions within the organization. Applications are being accepted through Friday, July 5. Complete details are available in the [job posting](#).

- **Open Position: Regional Planner.** The Highlands Council received 10 resumes and interviewed 4 candidates for the open planner position. An offer will be extended in early June.

## Outreach & Education

- **Public Hearings on Affordable Housing Amendment.** The Highlands Council held five public hearings in May and one in early June to collect input on the proposed Affordable Housing Amendment to the RMP. [Public Comments are being accepted through Sunday, June 23.](#)
- **Constituent Assistance.** The Highlands Council received and responded to 25 inquiries from constituents in May.

## Municipal & County Coordination

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

- In May, Highlands Council staff met with Denville Township, Morris County (affordable housing); Harding Township, Morris County (plan conformance); and Passaic County (plan conformance).

## Agency & Organization Collaboration

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

- In May, Highlands Council staff met with NJ Fish and Wildlife (resource center in Union Township); NJDEP (stormwater training); US Department of Agriculture (quarterly meeting); Kean University (Highlands science collaboration).

## Looking Ahead

- **Public Council Meetings.** The next Highlands Council public meeting is scheduled for Thursday, June 20. The following public meeting is scheduled for Thursday, July 18. All meetings are held at 4 p.m. at the Highlands Council office in Chester, NJ. Complete details are available on the [calendar page](#) of the Highlands Council website.

