

**RESOLUTION 13-141
WASHINGTON TOWNSHIP, WARREN COUNTY
WITHDRAWAL OF PETITION FOR PLAN CONFORMANCE
TO THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
FOR LANDS IN THE PLANNING AREA AND CONFIRMATION OF ITS INTENT
TO PROCEED WITH THE REQUIREMENTS OF THE HIGHLANDS ACT FOR THE
PRESERVATION AREA**

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., found and declared 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 natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan (RMP) for the Highlands Region and requiring that within nine to 15 months after September 8, 2008, each county and municipality located wholly or partially in the Preservation Area must submit a Petition for Plan Conformance to the Highlands Council for that portion of its jurisdiction lying within the Preservation Area; and

WHEREAS, each municipality located wholly or partially in the Preservation Area is mandated by the Highlands Act to conform to the RMP; and

WHEREAS, Section 13:20-15.a. of the Highlands Act states that for any portion of a municipality lying within the Planning Area, the municipality may, by ordinance, petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the RMP; and

WHEREAS, Washington Township is located in the Highlands Region with lands lying within both the Preservation Area and the Planning Area, as defined by section 7 of the Highlands Act; and

WHEREAS, by Resolution 09-158, dated December 3, 2009, Washington Township submitted a Petition for Plan Conformance to the Highlands Council for lands in the Preservation Area and the Planning Area; and

WHEREAS, by Resolution 11-120, dated July 19, 2011, the Township Committee of the Township of Washington agreed to continue in the process of participation in the Plan Conformance process for the Highlands Planning and Preservation Area with the intention of obtaining further information regarding the application of development controls which affect uses within the Highlands Planning Area, and with the understanding that Washington Township reserved the right to at any time withdraw its participation in any or all of the voluntary or optional terms; and

WHEREAS, the Highlands Council by Resolution 2011-40, dated December 1, 2011, approved Washington Township's Petition for Plan Conformance for both the Preservation Area and Planning Area; and

WHEREAS, upon application of Washington Township to the Plan Conformance Grant Program, the Highlands Council made grant funding and other financial and technical assistance available to Washington Township for the reasonable costs associated with the revisions of the master plan, development regulations, other regulations which are designed to bring those plans and regulations into conformance with the RMP, and studies, all of which would afford sufficient information in order to render an informed decision; and

WHEREAS, Washington Township has received a letter from the Highlands Council dated October 1, 2013 that suggests next steps for the Township to take with respect to Plan Conformance, based on recent actions taken by the Township in respect to Plan Conformance; and

NOW THEREFORE, BE IT RESOLVED, that the Governing Body has reviewed and considered the October 1, 2013 letter from the Highlands Council, and agrees with the conclusions and processes set forth therein

BE IT FURTHER RESOLVED, that after careful study and after consideration of opinions offered by municipal boards, bodies and residents, the Governing Body of Washington Township has made the determination to hereby amend its Petition for Plan Conformance to include only lands lying within the Preservation Area, and not lands lying within the Planning Area;
and

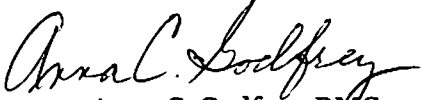
BE IT FURTHER RESOLVED, that the Township shall continue with Plan Conformance and all relevant implementation tasks as required by the Highlands Act and the Highlands Council's approval, by Resolution 2011-40, of the Township Petition for Plan Conformance for lands located within the Preservation Area; and

BE IT FURTHER RESOLVED, should Washington Township choose to conform its master plan, development regulations, and other regulations in the future, as they relate to the development and use of lands in the Planning Area, the Township would enact an ordinance formally petitioning the Highlands Council for same, as required by the Highlands Act.

Adopted: October 22, 2013

Certification:

I, Anna C. Godfrey, Clerk of the Township of Washington, Warren County, do hereby certify that the foregoing resolution is a true and exact copy adopted by the Township Committee of the Township of Washington on October 22, 2013.


Anna C. Godfrey, RMC
Township Clerk