

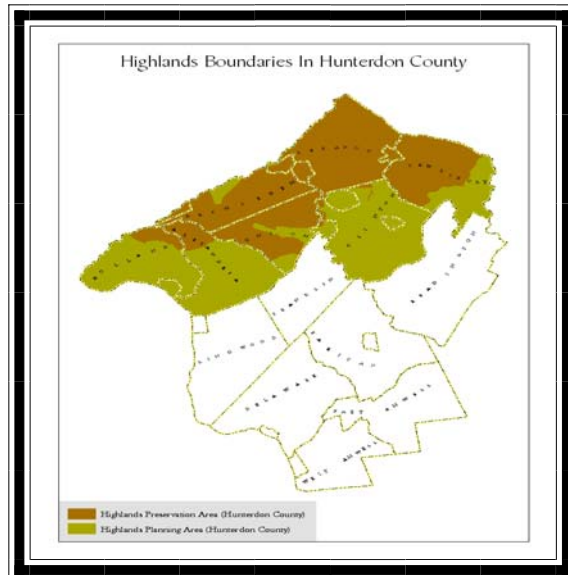
Highlands Legislation: What Does It All Mean?

We have all heard about the **Highlands Water Protection and Planning Act**, which was signed into law on August 10, 2004. The media and other organizations have published articles and summaries of the 151 pages of this legislation, and it is not too soon to take time to absorb this very complex new law. Here are a few of its many significant provisions:

The Highlands Act will dramatically change the way land-use planning decisions are made in a 1,250 square mile region of New Jersey, including approximately 200 square miles of Hunterdon County. Under the new law, a series of environmental regulations will take effect immediately. All projects considered "major Highlands developments" that are located within the **Highlands Preservation Area** (roughly 100 square miles in Hunterdon County) will be subject to a variety of new restrictions. Examples of these restrictions include 300 foot buffers around all open waters, impervious surface limits of 3%, and development restrictions on slopes of 20% or greater, and in upland forests. Additional requirements and programs will be put into place in the future, placing further constraints on growth in the Preservation Area.

A Highlands Water Protection and Planning Council will be created, and directed to prepare a Regional Master Plan for the entire Highlands area. The Master Plan will include, among other components, minimum standards and regulations in the **Highlands Preservation Area** governing land use, lot sizes, stream setbacks, population densities, and regulated and prohibited uses.

Within 9-15 months after the Regional Master Plan is adopted, every municipality and county within the Preservation Area must submit revised master plan and land development regulations to the Council. The Council will approve those that conform to the Highlands Regional Master Plan. If plans and regulations do not conform with the Highlands Plan, then the Council assumes authority to **(Continued on page 3)**



Map prepared by the Hunterdon County
Planning Board.

-Page 2:
Hunterdon County Bridge Plan Update

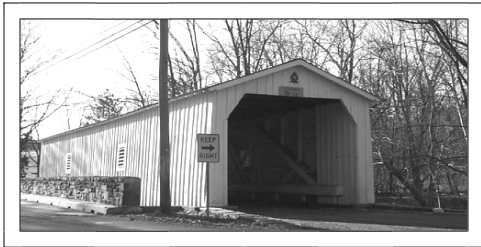
-Page 3:
Highlands (continued)
New COAH Rules

-Page 4:
2004 HCPB Annual Awards

-Page 5:
HCPB Awards (continued)
Southwest Bike Loop Update

Pages 6-7: *Cross Acceptance*

Hunterdon County Bridge Management Plan



Hunterdon County is developing a **Bridge Management Plan** for the care and maintenance of its over 2,000 drainage structures. The County Roads and Bridges Department has been working closely with the Planning Board staff to prepare a Plan that is useful for making bridge management decisions, and reflects the concerns and comments of the general public over the last few years.

According to the draft Plan, (still under development) its purpose is “to create a comprehensive, systematic approach towards the short-term and long term care of County owned bridges.” The County owns over 2,000 drainage structures – approximately 265 of which have a span of 20 feet or greater – and has a statutory obligation to provide a safe and convenient transportation system. The decision to prioritize and design improvements to each bridge is complex, given the competing forces of limited financial resources, aging bridges, natural and man-made accidents, and diverse community interests. Consequently, a systematic approach to maintenance, repair and replacement is the most prudent approach to managing the bridges. The process includes data collection, bridge analysis, management approach, design phase, and bridge maintenance.

Central to the Plan is a proposed three-tiered management approach that will guide the design of improvements for each individual structure. The three tiers include *preservation, rehabilitation*

and *reconstruction*, which are assigned to each structure based upon specific land use and transportation planning criteria, and the structural condition and setting of the bridge.

The Plan discusses the challenges that the County faces in balancing the need to provide a safe and efficient transportation network with the desires of the public to preserve and protect the character of their communities. It responds to these concerns by including:

- Formalized written policies on bridge management issues, e.g. narrow bridges, weight-restricted bridges
- Identification of historic bridges slated for preservation
- A structured approach to improving and maintaining bridges that will increase their longevity and safety
- Specific recommendations for communities to become involved in the bridge management process at both the local and county level

The Plan is a dynamic report that will change as local conditions – zoning, traffic, and the physical condition of the bridge – change. Any land use or structural changes to a bridge that occur subsequent to the adoption of the Plan will affect the bridge’s assigned management approach, and the design and extent of future improvements.

A draft of the County Bridge Management Plan will be distributed to communities and interested individuals and organizations in late summer for comments. The Hunterdon County Planning Board will review the more recent revisions at a meeting this fall. The ultimate approval of the Plan is subject to its adoption by the Hunterdon County Board of Chosen Freeholders. It is anticipated that the Freeholders will hold a public hearing before the end of the year.

(Highlands — Continued from page 1)

implement provisions of the Plan.

The Highlands Regional Plan will contain provisions applicable to both the Highlands Preservation Area, and the **Highlands Planning Area**. Provisions could result in substantial growth in the Planning Area, a concern expressed by numerous government officials in Hunterdon County. The Highlands Act offers financial and regulatory incentives to adhere to the Planning Area recommendations of the Highlands Regional Master Plan. For example, municipal applications for farmland preservation or Green Acres funding will receive more points for adherence to the Highlands Regional Master Plan Planning Area policies than those that do not.

Perhaps the most powerful incentive is the assurance of continued protections for municipalities that receive certification of their housing plans from the Council on Affordable Housing (COAH). The re-proposed COAH rules (see article this page) include a requirement that after receiving Substantive Certification, municipalities must receive official recognition (known as “Initial Plan Endorsement”) from the State Planning Commission that their master plans are consistent with the State Plan. The State Planning Commission will review the Planning Area provisions of the Highlands Regional Master Plan for consistency with the State Plan. It seems logical to conclude that the State Planning Commission will look for consistency among all 3 levels of government: the State Plan, the Highlands Regional Master Plan, and municipal master plans.

There is more to this legislation that must be absorbed, understood, and ultimately addressed at the County and local levels. The Hunterdon County Planning Board will keep its communities informed through future publications and public forums.

PUBLIC INVITED TO COMMENT ON PROPOSED NEW COAH RULES



The **Council on Affordable Housing (COAH)** has approved the publication of re-proposed rules governing the content of municipal plans to provide for a fair share of affordable housing. The re-proposed rules were published in the New Jersey Register on August 16, 2004. Comments on the rules will be accepted for a 60-day period, or until October 15, 2004.

Four public hearings will be conducted to provide the public with opportunities to comment on the new rules. **All hearings are scheduled from 4:00-8:00 p.m.**

Wed, Sept. 8:

*NJ Housing & Mortgage Finance Agency
Trenton, NJ*

Tues, Sept. 14:

*Morris County Administration Building
Morristown, NJ*

Tues, Sept. 21:

*Rutgers University Multi-Purpose Room
Camden, NJ*

Wed., Sept. 29:

*Monmouth County Library
Manalapan, NJ*

Further information (and directions) can be found at:

www.nj.gov/dca/coah/newthirdround.shtml

2004 Hunterdon County Planning & Design Awards

At the **2004 Planning Board's Annual Dinner**, the following organizations were recognized for designs that represent "outstanding planning accomplishments and the people who are responsible for them."

The Hermia Lechner Award was presented to the **New Jersey Water Supply Authority** for partnering with 5 municipalities – Bethlehem, Glen Gardner, High Bridge, Lebanon Twp. and Union to develop the "Critical Areas Preservation Plan" as a guide for protecting critical areas within watersheds that drain into the Spruce Run Reservoir.

Three projects were honored in the **Rehabilitated/Adaptive Use** category:



Lebanon Borough General Store, and owners Lisa and John Saharic, and Donna and Drew Johns, were recognized for renovations to the 19th century luncheonette. Vacant for over 6 years, the building required major structural work. Using old photographs, library articles and information from previous owners and life-long village residents, the owners restored the 1930's vintage luncheonette in keeping with its original character, including an old-fashioned counter with bar stools, and hanging Tiffany style lamps.

Cross River Design, Inc. refurbished an existing single family residence on Route 22 in Clinton Twp. into a professional design office

and studio. Improvements to the house were true to its original craftsman-style design. Site improvements included a 9-foot diameter granite pond in a courtyard surrounded by a stonewall. The firm also planted shrubs, perennials, and flowering bulbs around the building and courtyard, and along the highway.

Rollin' Fast Cycle Sports, and designer Denise Costa, redesigned their building on Main Street, Lebanon. Originally an automobile service station, the existing early 20th century building had been vacant for years, and was in poor condition. The project re-used materials and finishes from local businesses, and relied on local suppliers for materials. The new design includes extensive landscaping at the rear of the building. As a motorcycle and scooter dealer, the store has attracted enthusiasts from the tri-state area, and contributed to the revitalization of the village's main street. It maintains the rural character of the streetscape while adding a unique focal point to the community.

The award for **Outstanding Planning Project** went to "**Design Guidelines for Clinton Twp.**" Submitted by the Clinton Twp. Planning Board, the Guidelines feature three sections: a visual assessment of the township, design guidelines for Campus Character and Highway Character districts, and a short description of the design guidelines implementation process. The visual assessment details the character of rural, village, suburban, campus and highway zones using photos and single-paragraph captions. The design guidelines include plans, street cross-sections, diagrams and conceptual sketches. The Township's edited land use ordinance details new design standards for the districts along Routes 31, 78 and 22. The captions and photos provide a sophisticated analysis of current development patterns, which address both positive and negative design attributes associated with each.

The **Pittstown Inn** and owner Albert Disposti received the **Donald B. Jones Award**. Nominated by the mayor of Alexandria Township, the newly renovated Inn is an historic landmark that has acted as a community focal point for over 200 years.

Originally constructed in the 1700's, the stone structure has survived extensive fire damage and numerous renovations. The owner used old photographs to reconstruct the building to its original design, including a 2-story front porch. The Inn restores both form and function to the original structure, housing a restaurant on the street level, and lodging on the upper floors.

A second **Donald B. Jones Award** was given to the **Raritan Township Local Historians Committee** for "*A Man and His Land.*" The historians digitized an 8 mm film produced by Agway in 1941, adding a soundtrack, introduction and closing. Set in Raritan Township, Flemington, and an experimental agricultural farm, this project captures a unique moment in time and promotes awareness and appreciation of our agricultural heritage by featuring both the people and land of Hunterdon County.

The recipient of the award for **Green Development and Projects** was **Basil Bandwagon Natural Market**. Showcasing 25 years of experience in the energy conservation and alternative energy fields, owners Alice and Ralph Celebre renovated a commercial space along Highway 202 in Raritan Township. The plan incorporated 2 main green design elements: energy conservation and recycled materials. Since 1993, owners Alice and Ralph Celebre have used the market as a platform for sharing free energy conservation information with community groups throughout NJ. They view the store as a learning tool, both through the green products it sells, and the green development techniques it showcases.

COUNTY SOLICITS INPUT ON SOUTHWEST BIKEWAY CONCEPT



In 2001, with the passage of the "*Hunterdon County Bicycle and Pedestrian Element*" the Hunterdon County Planning Board embarked on a planning effort that would make bicycling more appealing to county residents. Through a grant from the North Jersey Transportation Planning Authority, Inc., the County is preparing a refined study of conceptual routes identified in the original master plan element. The refined study investigates the difficulties that would be encountered in realizing a route in the southwest portion of the county.

As proposed, the **Southwest Loop** traces County roads, except for a short stretch in the Borough of Stockton, where SR29 is used as the connection from CR 523 to CR 519. The conceptual route goes through or touches Raritan Township, Delaware Township, Stockton Borough, Kingwood Township, Alexandria Township, and Franklin Township.

Because the time frame between funding application notices and submission deadlines is often very short, the objective is to have a plan in place which will coordinate bikeway planning with affected municipalities, since they may not have a full-time planner on staff. It should be noted that municipal approval would be required before applications can be submitted or applications filed.

Planning Board staff is now attending meetings of the governing bodies of affected municipalities to disseminate information, so elected officials can provide input before the final version of the route map and narrative is prepared. Comments can be sent directly to Les Varga, Principal Planner, at (908) 788-1496, or lvarga@co.hunterdon.nj.us.

Cross-Acceptance Kicks Into High Gear

In June 2004, Hunterdon County held its first Cross-Acceptance meeting during this third round of Cross-Acceptance. During the Cross-Acceptance process, government officials and the public review the State Plan and convey their comments to the State Planning Commission. Counties across New Jersey coordinate Cross-Acceptance within their respective jurisdictions. This means that they solicit comments and suggestions for changes to State Plan policies as well as to the State Plan Policy Map. Counties prepare Cross-Acceptance reports documenting comments, issues and recommended changes. These become the basis for negotiating changes to the State Plan with the State Planning Commission.

At its June and August meetings, the County worked with municipally-appointed Cross-Acceptance Committees, other local officials and interested members of the public to review the State Plan Policy Map and begin to identify possible changes to it. These regions will remain intact throughout the Cross-Acceptance process, in order to facilitate small group discussions.

Thus far, meeting attendance has far exceeded initial expectations, based on participation in the last round of Cross-Acceptance. This is not surprising, given the increasing influence that the State Plan has on local planning. Here are a few examples of its impact:

1. The sections of the Highlands Regional Master Plan addressing the Highlands Planning Area will be submitted to the State Planning Commission for "Plan Endorsement," official recognition by the State Planning Commission that a local, county or regional plan is consistent with the State Plan.
2. COAH has proposed new rules governing municipal provision of affordable housing. The rules require municipalities that receive Substantive Certification from COAH to obtain Plan Endorsement from the State Planning Commission. Plan Endorsement is a voluntary process according to the State Planning Commission's rules. However, if a municipality chooses not to submit its plan for Endorsement, it runs the risk of losing Substantive Certification.
3. Plan Endorsement brings with it other benefits to municipalities, including financial benefits and regulatory benefits.
4. Municipalities in the Highlands Planning Area have expressed concern that they may witness an overwhelming amount of growth in the future if development from the Highlands Preservation Area is transferred into the Highlands Planning Area. The Highlands Water Protection and Planning Council will consider locations within the Planning Area such as designated Centers that are identified in Endorsed Plans and on the State Plan Policy Map as possible recipients of this growth.
5. The "fast-track" legislation that was recently enacted is applicable in designated Centers and in Planning Area 2. This creates a permit-streamlining process for developments that require certain environmental permits and other state agency permits.

For more information about the State Plan and Cross-Acceptance, including meeting minutes and select materials distributed at the County's Cross-Acceptance meetings, visit Hunterdon County's website at :
www.co.hunterdon.nj.us/smartgrowth.htm.

Jargon You Should Know

Plan Endorsement – process by which a municipality, county or regional agency, counties and municipalities or any group thereof petitions the State Planning Commission for a determination of consistency of the submitted plan with the State Plan.

Center Designation – a Center that is officially recognized as such by the State Planning Commission either through a prior process established for this purpose, or through the Plan Endorsement Process that now replaces the former Center Designation Process.

State Plan Planning Areas – an area greater than one square mile that shares a common set of conditions such as population density, infrastructure, level of development or environmental sensitivity. The State Plan establishes policies guiding growth in the context of seven different Planning Areas.

Highlands Preservation Area – the geographic area designated in the Highlands Water Protection and Planning Act that is subject to a host of strict environmental regulations and limits.

Highlands Planning Area – The portion of the Highlands Region that is located outside of the Preservation Area. The Planning Area encompasses the remainder of any municipality that falls within the Preservation Area. This is not to be confused with the Planning Areas as defined in the State Plan.

Substantive Certification – A determination by the Council on Affordable Housing (COAH) approving a municipality's Housing Element and Fair Share Plan in accordance with Fair Housing Act and COAH's rules.

Mark Your Calendars



Tuesday, September 28, 2004

Hunterdon County Cross-Acceptance Meeting

Focus: State Plan Policies – Agree? Disagree? What needs to change?

6:00 – 9:00 pm

Friday, October 1, 2004

Hunterdon County Breakfast Talk

Focus: Stormwater Management – Preparing Municipal Plans and Ordinances

7:30 – 9:00 am

Thursday, October 28, 2004

Hunterdon County Cross-Acceptance Meeting

Focus: Projected growth; Relative consistency of local plans to State Plan; Revised State Plan Policy Map – a snapshot

6:00 – 9:00 pm

All meetings will be held in the Assembly Room, Building #1, Route 12 County Complex, Raritan Township.

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www.co.hunterdon.nj.us/planning.htm

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