



TOWNSHIP OF HARDING  
Morris County, New Jersey

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**Harding Township Committee Special Meeting  
Kirby Hall, Blue Mill Road, Harding Township  
January 17, 2008  
7:30 PM**

**QUESTIONS FOR THE HIGHLANDS COUNCIL**

**Public Comment Process**

1. We wrote a letter to the Highlands Council as the elected representatives of Harding Township's citizens about the initial draft Highlands Regional Master Plan ("Highlands Plan" or "RMP"). Why was this prior letter not at least acknowledged, and not answered at all?
2. Has the US Department of the Interior been asked to comment upon the zone designations for the Great Swamp national Wildlife Refuge? If so, what were their comments? If not, why were they not asked?
3. What does the Highlands Council expect to receive in terms of the contents of any letter commenting on the new plan, and when is a response expected?

**Effect of the "Planning Area"  
Designation on Harding**

4. What effect does the RMP have on future planning and development for Harding, which is located wholly within the Planning Area?
5. What do the new zone designations mean for Harding's future planning and its citizens, and for future development within the various zones?
6. How is "smart growth" defined and what criteria are used to determine if a plan or development proposal represents smart growth?

**Effect of Compliance/Noncompliance  
with the Highlands Plan ("Opting in")**

7. What are the advantages to "opting in" to (i.e. seeking Plan Conformance with) the RMP? Please provide specific examples/details and quantify any technical or financial assistance.
8. What exactly does *conformance* mean? What land use density or intensity limitations apply to a community choosing to see Plan Conformance? Are we required to amend our already low zoning density and land use regulations?

9. If a community “opts in” and seeks Plan Conformance, is there any guarantee that the rules applied will not become stricter in the future?
10. If a community “opts in” and Plan Conformance is approved, will all development applications have to be reviewed and approved by the Highlands Council?
11. What is the process for seeking Plan Conformance? How long will it take?
12. May a petition for Plan Conformance be filed at any time?
13. Has a Plan Conformance manual been prepared? When will it be available to municipalities? Will it be subject to a public comment period before adoption by the Highlands Council?
14. The RMP indicates that Plan Conformance will last for 6 years (or until the next local master plan reexamination deadline if less than 6 years). Is this correct? Is there a streamlined process for re-approval? If re-approval is not sought, are the benefits offered/received (if any) for previous plan conformance automatically lost?
15. If a Planning Area municipality decides not to seek Plan Conformance, will the municipality suffer any type of penalty or detriment, either directly or indirectly, other than not having the benefits of Plan Conformance?
16. If a Planning Area municipality decides not to seek Plan Conformance, do the various zone and sub-zone designations have any practical significance to, or impact on, the municipality?
17. Will other state agencies use the zone designations of the Highlands Master Plan for regulatory or other oversight of Harding's own planning processes?
18. Will the State Planning Commission and/or COAH require compliance with the RMP?

**Basis for Highlands Zone Designations in Harding**

19. In our letter commenting on the first draft RMP, we asked why two areas were designated as “Planned Community” zones when they have no public water and sewer infrastructure to support them. How and why were these zones established? What was the scientific basis for designating these zones?
20. In the new Land Use Capability (LUC) map, the "boundaries" of two “Existing Community” zones (the former Planned Community zoned areas referenced above) are somewhat different, perhaps enlarged. On what basis were the changes to the zones made? Was our letter asking about these zones referenced when the changes were made?
21. On the new LUC map there are now several additional new zones and additional areas designated in the Existing Community Zone. On what planning and scientific basis were these zone designations made?
22. The first draft of the RMP appeared to indicate that much of the Harding area had a water deficit, while the new draft plan seems to indicate there may be a surplus. Is this correct, and if so, how was this change reconciled?

**Great Swamp National Wildlife Refuge**

23. The Great Swamp National Wildlife Refuge occupies the southern third of Harding. How did the existence of the Great Swamp enter into decisions on the new zone overlays?

24. On the prior LUC map the Great Swamp was totally in the Protection Zone. Why does the Great Swamp now have more than one zone overlay?
25. What are the implications of the non-Protection Zone overlays for the Great Swamp?

**Consistency with the State  
Development & Redevelopment Plan**

26. Harding has been designated entirely within the Environmentally Sensitive Planning Area (PA-5) by the State Planning Commission. What relationship do PA-5 areas have with respect to the Highland's Planning Area and the establishment of multiple zone overlays in the Highlands RMP?
27. Are Highland zones (such as Existing Community zones) consistent with PA-5 areas in the State Plan? Are the other new zones consistent with the PA-5 designation?

**Process for Changing the Highlands Map Zone  
Designations (the Land Use Capability or "LUC" Map)**

28. Is there a distinction between the terms *Map Adjustment* and *Map Amendment* in the RMP?
29. May a municipality file a request to correct the LUC map at any time or must such a request be made by a certain date?
30. Must we seek Plan Conformance in order to seek a correction (adjustment or amendment) of the zone designations?
31. What is the process for correcting the zone designations on the LUC map? How long will it take?
32. If a mapping correction or adjustment is denied, is there an appeal process?

**Land Acquisition in the Highlands**

33. Land Acquisition in the Protection Zone is a high priority according to the RMP. What funding is available?
34. How much land is in the Protection Zone and how much has already been purchased?