

State's drinking water which is 5.4 million residents. The Highlands Water Protection and Planning Act required the Regional Master Plan be based on a resource assessment which means determining the amount and type of development that can be accommodated while sustaining the overall values of the Highlands.

The Highlands Act required the Council to prepare a Land Use Capability Map. The following are the maps involved: Land Use Capability Zone, Land Use Capability Water Availability, Land Use Capability Public Community Water Systems, Land Use Capability Domestic Sewerage Facilities and Land Use Capability Septic System Yield. There are three Primary Zones: The Protection Zone which consists of high resource value lands with land acquisition a priority in the Protection Zone with development being extremely limited. The Conservation Zone consists of areas with significant agricultural use lands including woodlands and environmental features and the Existing Community Zone consists of areas with regionally significant concentrated development with existing communities. There are four sub-zones which consists of a) Conservation Zone, b) Existing Community Zone, both of these zones are Environmental Constrained sub-zones, c) Lake Community Sub-Zone and d) Wildlife Management Sub-Zone.

Lebanon Township Planning Board

June 2, 2009

Page 2

Attorney Borden reviewed Plan Conformance and what it consists of. Conformance is mandatory for lands in the Preservation Area and voluntary for lands in the Planning Area. The Master Plan and the regulations for the Preservation Area have until December 8, 2009 to conform to the Regional Master Plan. Municipalities that are in the Planning Area can opt into the Conformance at any time. Seventy-four of the eighty-eight municipalities in the Highlands have approved a Notice of Intent. Attorney Borden went on to say that conforming municipalities have the following benefits: Planning Grants, Legal Shield, State Plan Endorsement, TDR's (Transfer Development Rights), Impact fees and enhanced Planning Grants, Priority Open Space Acquisition Funding and Tax Stabilization Funding. The Highlands Council has more than \$21 million in grant funding availability to municipalities.

At this point, Attorney Borden directed his presentation on Lebanon Township. The Township has 20,264 acres in the Preservation Area with only 7 acres in the Planning Area. The 7 acres is located on Route 31. Lebanon Township has filed a Notice of Intent to conform to the Regional Master Plan and received an extension from COAH to submit its Fair Share Housing Plan. The Township has been awarded two grants for the work that needs to be accomplished for compliance. Attorney Borden reviewed the grants that are available to municipalities. There are also modules involved with the grants. The Governor issued an Executive Order on September 5, 2008 which supports the reauthorization of the Garden State Preservation Trust and the extension of the appraisal process for Green Acres and SADC. 10 million has been earmarked for seed money for the Highlands Development Credit Bank, directed the Highlands Council and COAH to enter into a memorandum of understanding to adjust the third round growth share projections consistent with the RMP for municipalities that conform and provide reasonable extensions of deadlines, directed the DEP to not approve water quality management plans and to not grant water allocation permits in the Highlands with the exception of the Community Zone.

Attorney Borden reviewed the Equity Provisions in the Act that address concerns including: 1) 17 Exemptions including those for construction of a single family home on a lot in existence on or before August 10, 2004, or expansion of a single family dwelling already in existence on or before August 10th, 2) Waivers for public health and safety, development in Brownfield sites and areas with at least 70% impervious surface to avoid a takings, 3) Dual Appraisal Method to be used by either Green Acres or SADC for willing landowners using pre-Highlands Act value, 4) for TDR's program, development credits also use pre-Highlands Act value. In conclusion, the final version of the RMP was approved at the 74th public meeting of the Highlands Water Protection and Planning Council. On the website are the Highlands Interactive Map and the Property Search Tool to enable users to see how the RMP will affect development in their communities also there are audio recordings and minutes from each meeting, technical documents and supporting materials used to create the Regional Master Plan.

At the conclusion of the power point presentation, Chairman MacQueen opened the meeting to the board and public for questions. There were a lot of well thought out questions by the board and the public. At the conclusion of the questions, Chairman MacQueen and the board thanked Attorney Borden for his Highlands presentation.

ITEMS FOR DISCUSSION:

- a. Alternative Energy Ordinance
 - a. Website information on Skylands
 - b. Ltr from NJ Clean Energy

Chairman MacQueen asked if there was anything new on this ordinance. Planner Bolan said no and wanted to know if the subcommittee was going to meet again. It was decided the subcommittee did not need to meet again. Ms. Glashoff said that since Mr. Dixson was unavailable for tonight's meeting she will invite him to attend the next meeting.

- b. Amend Home Occupation Ordinance
- c. Minor Site Plan Ordinance – distributed at May 5th meeting

Planner Bolan said he wanted to discuss the Minor Site Plan standards because the Home Occupation amendment depends on the standards for the Minor Site Plan. The Home Occupation amendments have a three tier approach. The first tier was equivalent to the Exempt Home Occupation Ordinance that's in effect now, the second tier would be a zoning permit but no site plan approval and the third tier was ones that needed site plan approval. Planner Bolan stated we do not have a minor site plan provision in the zoning ordinances currently. Mr. Rich said we have waived those items in the past. Planner Bolan noted the time and fees. Planner Bolan said the main thing that a minor site plan does is that it doesn't have to be prepared by a professional. Everything else has to be prepared by a professional. Planner Bolan said that he can work with Ms. Glashoff regarding the checklist items and fees and come back to the board with a proposal for the board's consideration. Chairman MacQueen said that the purpose of this was to make it easier but to have everything we need. Planner Bolan went over some of the items that will be needed on the application and checklist. Chairman MacQueen asked to have this ready for the next meeting. Planner Bolan noted that this will also apply to any commercial use. Also once the fees are established then we will need to amend the Fee Schedule. Ms. Glashoff said at present the site plan fees are based a flat fee then on land and square footage of the building. These figures can be condensed with a minor site. Ms. Glashoff stated she and Planner Bolan can put together a proposal to present to the board for the next meeting.

Lebanon Township Planning Board

June 2, 2009

Page 3

At this point, the board discussed up coming meeting dates. During the discussion, Ms. Glashoff said she will be taking some vacation time the first week in July and asked if the board wanted to hold the July meeting on the 3rd Tuesday. Mr. Gerlich suggested cancelling the July 7th meeting and having the meeting on the 3rd Tuesday and cancelling the August 4th meeting. The board agreed. The next meeting will be July 21st with the following meeting on September 1st.

PRESENTATION OF BILLS & REPORT:

- a. John Gallina, Esq. \$1,155.00

Motion by Mr. Gerlich and seconded by Mr. Rich to approve the bills as presented. Unanimously approved.

CORRESPONDENCE:

Being no further business to come before the board, nor comments from the public, motion by Ms. Bleck and seconded by Ms. Schriver to adjourn the meeting at 9:15 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK