



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

**State of New Jersey**  
Highlands Water Protection and Planning Council  
100 North Road (Route 513)  
Chester, New Jersey 07930-2322  
(908) 879-6737  
(908) 879-4205 (fax)  
[www.nj.gov/njhighlands](http://www.nj.gov/njhighlands)



JIM RILEE  
Chairman

MARGARET NORDSTROM  
Executive Director

## MEMORANDUM

**To:** RMP Amendment Committee

**From:** Margaret Nordstrom, Executive Director

**Subject:** RMP Amendment Committee Meeting of October 4, 2017

**Date:** October 11, 2017

The RMP Amendment Committee met on Wednesday, October 4, 2017 at the Highlands Council office in Chester. This meeting was publicly noticed and opened to the public to attend.

RMP Amendment Committee Members present: Council Chair Rilee (via phone), Committee Chair Alstede, Members Vohden and Holtaway (via phone).

Highlands Council Staff Members present: Margaret Nordstrom, John Maher, James Humphries, Kim Ball Kaiser, Carole Ann Diction

Also, present via phone: Nicholas Kant, Assistant Counsel, Governor's Authorities Unit

Public present: Ed Wengryn, Robert J. Bracken, Charles Urban, Alan Hunt, Wilma Frey, George Stafford, Canny MacGonagle, Bill Kibler, Julia Somers, David Peifer, R. Sparling, George Cassa.

*Committee Chair Alstede called the meeting to order at 4:02pm.*

Final Draft - Monitoring Program Recommendation Report (MPRR) & Pending Amendment:  
Addendum 2017-1 – Draft Procedures for Considering Proposals to Amend the Highlands Regional  
Master Plan (Procedure)

Mr. Humphries gave an overview via a PowerPoint presentation on the process for the MPRR and Procedure documents. Mr. Humphries noted that the MPRR is a six-year work plan that provides recommendations, guidance and rationale for future amendments to the RMP. Mr. Humphries emphasized that the MPRR is not an amendment and does not change anything in the RMP, whereas the Procedure document details the process by which amendments to the RMP may be made and as such went through a 5+1 public hearing process.

Mr. Humphries then highlighted areas of the MPRR that had the most significant comments and changes. These comments/changes were outlined in Council staff's memorandum to Council dated October 3, 2017:

- Forestry Best Management Practices
- Disturbance areas adjacent to streams
- Climate Change
- Implementation and Outreach

At this time, Committee Chair Alstede asked if members had any comments/questions regarding the MPRR document. Since there were none, Committee Chair Alstede asked for a motion to move the Final MPRR document to Council.

*Member Vobden made a motion to move the Final MPRR document to Council. Member Holtaway seconded it. All were in favor.*

Ms. Nordstrom noted that Council staff notified by email all commenters (who gave testimony at public hearings or submitted comments on the Procedure and MPRR documents) to alert them when the Public Comment Response documents were posted to Council's website. Ms. Nordstrom also noted that although some comments had to be categorized as unresponsive as they did not pertain to the document at hand, Council staff heard and recorded all comments, and will take them into account as potential action items.

### Procedure Document

At this time, John Maher, Chief Council, gave a brief history regarding the Procedure document for amending the RMP:

- January 19, 2017 – Council authorization to use the Draft Procedure document
- August 17, 2017 – Council authorization for staff to conduct 5+1 public hearings on the Procedure document
- September 14-26, 2017 – Six public hearings were conducted on the Procedure document

Mr. Maher reviewed the significant comments received and the Council staff's responses. Based on public testimony/comments submitted regarding the Procedure document, Mr. Maher stated that staff recommends the following changes to the draft Procedure as set forth in the comment response document:

- Add the following sentence to page 4 of the draft Procedure:

*A copy of the proposed RMP amendment(s) that the Committee is expected to take action on will be available to the public at the time that the Council provides public notice of the RMP Amendment Committee meeting.*

- Revise the sentence on page 4 of the draft Procedure as follows:

*The Council will provide not less than a 10-day public notice of the dates, times and locations of the public hearings, and shall also invite the submission of written comments within not less than 30, **nor more than 90**, days of the date of the public notice. **The Council will determine, on a case-by-case basis, the length of the***

***public comment period at the time it authorizes public hearings on the proposed amendment(s).***

- Add the following sentence to footnote 2 on page 1 of the draft Procedure:

*Even though it would not be the norm, a RMP amendment could be considered and adopted outside of the six-year reexamination process, utilizing the procedure provided herein. In that case, the Highlands Council, by a vote of at least 8 members, would refer the recommendation to the RMP Amendment Committee for its review; Council staff would send the RMP Amendment Committee a report, setting forth staff's response to the recommendation; after evaluating the proposal, the Committee would send its report and recommendation to the Council; and the Highlands Council would take action on the recommendation as it deemed appropriate. If the Council decided to move the proposal forward, it would proceed with the public hearings required before final adoption. Alternatively, the RMP Amendment Committee could recommend that the Highlands Council defer the proposal until the next six-year reexamination process.*

Ms. Nordstrom highlighted a particular commenter who alluded that Council staff had 27 amendments for the RMP. Ms. Nordstrom stated that Council staff does not have 27 amendments to move forward to Council. The only amendments Council staff currently has ready for Council to review and potentially adopt as addendums to the RMP are two guidance documents.

- Highlands Redevelopment Area Designations
- Plan Conformance Guidelines (to include Center Designations)

At this time, Committee Chair Alstede asked if members had any comments/questions regarding the recommended revisions to the Procedure document. Since there were none, Committee Chair Alstede asked for a motion to move the Procedure document, as revised, to Council.

*Member Vohden made a motion to move the Procedure document, as revised, to Council. Member Holtaway seconded it. All were in favor.*

*The RMP Amendment Committee adjourned at 4:31pm.*