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# 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



CHRIS CHRISTIE  
Governor

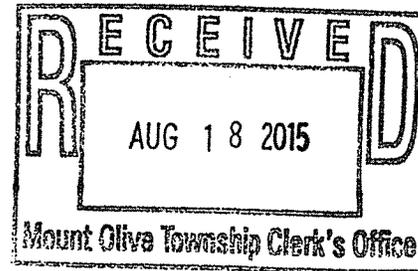
JIM RILEE  
Chairman

KIM GUADAGNO  
Lt. Governor

MARGARET NORDSTROM  
Executive Director

August 14, 2015

The Honorable Mayor Rob Greenbaum  
Mount Olive Township  
204 Flanders-Drakestown Rd.  
Budd Lake, NJ 07828



Subject: Township of Mount Olive  
Scope of Work for Updates to Plan Conformance Grants Modules 2, 3 and 7  
Amended Plan Conformance Grant #-033-011-1427

Dear Mayor Greenbaum:

The Highlands Water Protection and Planning Council (Highlands Council), at their July 16, 2015 meeting, adopted Resolution 2015-16 approving an updated Plan Conformance Grant Program to assist in meeting the requirements of the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) and the March 10, 2015 NJ Supreme Court's decision (In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J.). Specifically, in furtherance of Regional Master Plan policies, the Highlands Council is providing this Plan Conformance Grant Program to provide updates to the Module 2: Municipal Build-Out Analysis and Report, the Module 3: Housing Element and Fair Share Plan, and the Module 7: Highlands Implementation Plan and Schedule.

In accordance with the enclosed Plan Conformance Grant Program guidelines ([http://www.nj.gov/njhighlands/grantprograms/plan\\_conformance/mod2\\_3\\_7\\_updates\\_aug2015.pdf](http://www.nj.gov/njhighlands/grantprograms/plan_conformance/mod2_3_7_updates_aug2015.pdf)), the Highlands Council may provide funding in an amount not to exceed \$25,000 to municipalities that have an approved Petition for Plan Conformance that requires adoption of a Housing Element and Fair Share Plan, based on the availability of funds, and the determination of municipal need. An estimated funding breakdown is provided in the enclosed guidelines; however, the municipality may distribute the funding according to its own requirements for these tasks, provided it does not exceed the \$25,000 total. All funding will be based upon an approved scope of work by the Highlands Council in accordance with the municipalities' approved Plan Conformance Petition.

Prior to any funding being provided under the grant, a scope of work must be approved by the Highlands Council. The scope of work must set forth the timing and amount of funds proposed for each task as well as identify a distinct deliverable. The Highlands Council recognizes that adjustments to the grant program may be necessary on a case by case basis. Where modifications from the deadlines or the funding amounts listed are proposed, the scope of work must provide support for such modifications. Funding shall be only for work conducted after the approval of the scope of work. Funding under this grant program may not be utilized for the preparation and submission of any declaratory judgement action, litigation costs, or other legal fees.

When preparing the scope of work the municipality should take into consideration the following issues:

Module 2: Municipal Build-Out Analysis

- All conforming municipalities must update the Municipal Build-Out Analysis for the Preservation Area.
- Municipalities conforming only for the Preservation Area may optionally update the Build-Out for the Planning Area.
- Municipalities that are fully conforming for both the Planning and the Preservation Area must update the Build-Out Analysis for the entire municipality.
- The Update to the Build-Out Analysis will involve updates to developed lands, utility service areas and capacity conditions and a review of preserved lands (regarding the differing definitions found in prior round COAH Rules).
- The Module 2 Update Output document will not include local zoning as a limiting factor and will no longer provide an output of residential units and jobs. Rather, the output will provide both developable lands based on the RMP restrictions and available water and waste capacities.

Module 3: Housing Element and Fair Share Plan

- Using any previously approved Housing Element and Fair Share Plan, the municipality shall update the plans to comply with current court guidance.
- Municipalities may analyze the use of the Module 2 Municipal Build-Out Analysis to inform any vacant land or durational adjustments, as they may determine is appropriate.
- Where the RMP is being used as a limiting factor for the municipality, the updated Module 7 Implementation Plan and Schedule will need to be incorporated into the Fair Share Plan.

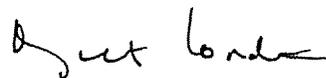
Module 7: Implementation Plan and Schedule

- A template will be provided to allow municipalities to update the project completion dates of the previously approved Implementation Plan and Schedule.

The Housing Element and Fair Share Plan documents must be provided to the Highlands Council for review as a condition of the municipality's Plan Conformance Petition to ensure consistency with the RMP. The Highlands Council will conduct a review of any modifications to Module 3: Housing Element and Fair Share Plan in accordance with the conditions of the municipality's Plan Conformance Petition approval. Please note that a review of the status and completion of tasks identified in the Highlands Implementation Plan and Schedule, that was approved with each municipality's Plan Conformance Petition, is a required component.

Should you have any questions regarding this letter, please feel free to contact your municipal liaison, James Humphries, at 908-879-6737 or [james.humphries@highlands.nj.gov](mailto:james.humphries@highlands.nj.gov). You should also feel free to contact me at extension 101 or [margaret.nordstrom@highlands.nj.gov](mailto:margaret.nordstrom@highlands.nj.gov) with any additional questions pertaining to the Highlands. We look forward to continued collaboration with you in this important effort to protect and preserve the special characteristics of the Highlands Region.

Sincerely,



Margaret Nordstrom  
Executive Director

Enclosure: Plan Conformance Module 2, 3 and 7 Update document

c: Service List

Sean Canning  
Administrator  
204 Flanders-Drakestown Rd.  
P.O. Box 450  
Budd Lake, NJ 07828

Fred Semrau  
Attorney  
Dorsey & Semrau  
714 Main Street  
P.O. Box 228  
Boonton, NJ 07005

Rob Greenbaum  
Mayor  
204 Flanders-Drakestown Rd.  
P.O. Box 450  
Budd Lake, NJ 07828

✓ Lisa Lashway  
Municipal Clerk  
204 Flanders-Drakestown Rd.  
P.O. Box 450  
Budd Lake, NJ 07828

Edward Buzak, Esq.  
Planning Board Attorney  
The Buzak Law Group, LLC  
150 River Road  
Suite N-4  
Montville, NJ 07045

Howie Weiss  
Planning Board Chair  
204 Flanders-Drakestown Rd.  
P.O. Box 450  
Budd Lake, NJ 07828

Gene Buczynski  
Engineer/Exemption Designee  
Van Cleef Engineering Associates  
1128 Route 31  
Lebanon, NJ 08833

Chuck McGroarty  
Planner/Exemption Designee  
Banisch Associates, Inc.  
111 Main Street  
Flemington, NJ 08822

Catherine Natafalusy  
Planning Administrator/Exemption Designee  
204 Flanders-Drakestown Rd.  
P.O. Box 450  
Budd Lake, NJ 07828