

**TOWNSHIP OF WEST MILFORD
PLANNING BOARD
VERBATIM MINUTES
**DRAFT HIGHLANDS ELEMENT FOR
MUNICIPAL MASTER PLANS**
Public Meeting # 1
AUGUST 27, 2009**

The following is an excerpt of the Regular Meeting of the West Milford Planning Board, held on August 27, 2009, at which time the first of several public meetings were held to discuss the Draft Highlands Element for Municipal Master Plans with regard to the Township of West Milford. This portion of the meeting began at 7:43 p.m.

Present: *Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Douglas Ott, Chris Rosica, Clinton Smith, Geoffrey Syme, Councilman Philip Weisbecker, Alternates Michael Siesta and Kerry Goceljak, Chairman Andrew Gargano, Board Attorney Thomas Germinario, Board Planner Charles McGroarty, Board Engineer John Hansen for Paul Ferriero.*

Absent: *None.*

Chairman Andrew Gargano: “We’re up to the Draft Highlands Master Plan Element Discussion. I’ll have our Planner, Mr. Chuck McGroarty, to start us off on that.”

Chuck McGroarty, Township and Planning Board Planner, addressing the Planning Board: “Good Evening. What we are looking at tonight is more of our ongoing efforts to comply and bring the Township’s Master Plan and Land Use Regulations into conformance with the Highlands Regional Master Plan. What I’d like to do tonight is give you a brief overview of the document that’s been passed out. You have a couple of other memos that go with it. Certainly you are not going to have an opportunity tonight to discuss this in depth, and for that, I take responsibility. I should actually have gotten this document to you before hand. But, the good news is that there’s more time. Give me a moment, if I may, just to sort of tell you what we are doing with this and what the context is. What we are looking at tonight is this document known as the Model Highlands Element for Municipal Master Plans. This was given to us by the Highlands Council. The staff, the professional staff, created this document. What municipalities are asked to do is review it, make changes to it (and there are limits as to what can be changed) and also submit additions to it for supplemental information. And that is what we’re doing here. Now, we started the process this evening – we’ve noticed, or Tonya has noticed, for this evening’s meeting; it is a public meeting. But, what it is not, it is not an official hearing for a Master Plan. You will not be asked to adopt this document tonight, or any time this year. The process now, as it unfolds with Highlands, including model ordinances that are now out, and we’ll discuss those some time in the future, but the emphasis this year is to have discussion on these various documents, to get input from the public, from the Board and municipality, and submit them back to Highlands Council. And some time next year, we’ll get into actually refining all of these documents and go through the adoption process.”

“Why are we doing it? We are doing it to satisfy the Plan Conformance requirements, or what is now known as Basic Plan Conformance. A little show and tell: you all have seen this, this is the Highlands Regional Master Plan, and we are charged with the responsibility of making sure that we, by December 8th of this year, can show that West Milford can

satisfy what is known as Basic Plan Conformance. What we are doing tonight is part of that. Another announcement that you may have already known, or heard about, has to do with COAH, Council on Affordable Housing, your affordable housing obligation, because its very closely linked to this. The first two tasks that we did with Highlands was known as a "build out analysis," and that's been done; those are the first 2 modules. If you recall, there are 7 modules total. So the build out analysis is done, and that demonstrates what West Milford would look like when it's under the Highlands Regional Master Plan regulatory regime, which, of course, is going to be very restrictive. That build out analysis was to set the stage to give us growth projections to figure out what the housing element and the fair share plan would be, or what your future affordable housing obligation would be. You may recall that I had told you that there was a deadline of December 8th for that as well, that we had to get that to COAH by December 8th, the same day that we have to satisfy plan conformance. Well, that has been extended six months, and that's a good thing. The Council on Affordable Housing, on August 12th, in cooperation with the Highlands Council, agreed that there should be another six-month extension for many, many reasons. You can appreciate just seeing all the stuff, how complicated and interrelated that it all is. And so, it's a good thing that they've extended that deadline. So, we will continue to work on the Housing Element, of course, because West Milford is not going to be faced with a choice that many other municipalities have, which is the question of "opting in." Since West Milford is entirely in the preservation area, that build out analysis, subject to some modifications, will be the one that we will use. And we'll continue to work and get that housing element and fair share plan put together, but you're not in any hurry to have public hearings."

"So back to this Highlands Master Plan. What is it? I gave you a memo, or actually you just got it this evening, I believe Tonya was helpful to distribute this for me, and again, this is for... you can look at it at your leisure after this evening. Mr. Chairman, maybe some extras for the public, or I can make them available if you like, but really, what I'm doing is a 3-page memo, dated August 26th. I just took some of the excerpts from a 12- page instructional manual that guides us as to what we're doing with this. The reason I did that, and I won't take your time now to go through it, but just to point out first, to describe what is this element, and secondly, to point out, using their own words, and I've had numerous conversations to confirm this, you are not expected to adopt it, now or this year. I want to emphasize that, repeatedly. We do have a deadline. And the deadline is next Tuesday, to submit this to the Highlands Council, actually in electronic form. And, that may sound somewhat ridiculous, that we're discussing it this evening and yet we're asked to submit a draft next Tuesday. Well, in fact, many municipalities are not even having a "hearing" first; they're just going through, marking this up to a certain extent, assuming that they comply with the September 1st deadline, and then will supplement that with comments and observations and so on, as the months go on. So, again, the Highlands Council is operating on deadlines that they've established, some of which are imposed upon them by the act itself, the Highlands Act itself, and, as I've said, they want a draft of this, it's their draft that they gave to us, we've made some changes which I'll talk about in a moment, and they're asking for that back next Tuesday. So, that is what I would like to do, before I lose that thought, I just want to see if there are any objections to, subject to any other comments that come out this evening, submitting to them, the draft that you have in front of you this evening. There will be a letter with it making it perfectly clear that it's a draft, repeating

the obvious, and saying, of course, that West Milford will certainly be continuing to analyze this, and in the future, we'll be submitting a very detailed analysis and comment."

Chairman Gargano: "Mr. McGroarty, this is essentially... this is a boiler plate that was given to every township?"

McGroarty: "Right."

Chairman Gargano: "Within the boiler plate, you... its sort of a menu of items that you choose from, whether or not you want to incorporate, or so forth, and that's what you've done here. Is that correct?"

McGroarty: "That's correct, Mr. Chairman. What I've done, thus far, which you have in front of you tonight, has...we use track changes because they've asked us to do so, so they can see what we've deleted and what we would add. So far, with the document you have, I didn't make any policy decisions, or anything of that sort. I just deleted everything that had to do with the Planning area, first of all. That was very easy for a town that is entirely in the preservation area. If I've missed anything, we will catch it later, but any of the policies that have to do with the planning area automatically come out. Ultimately, this document will replace, or supplement your master plan. And when I say ultimately, I mean sometime in the future next year. And, again, the ultimate goal of this master plan, like any master plan, is to set the foundation for development regulations that will implement the policies and objectives of the regional master plan. And that's going to be tough, I mean, there are, as you probably know, I'm sure from discussion and exposure to this stuff, there's over 300 policies and over 300 objectives, separately, in this regional master plan, and there are some 60 overall goals. So to try and summarize it is, at least beyond my abilities, to do that in a concise fashion like this that wouldn't put me and everyone else to sleep! But, I think that, what we're going to do is try to approach it a little at a time, and I think that is the only way we can try and absorb what's going on. And to that end, what I also distributed this evening is another memo, again, for you to take and read and you can use this for future discussions. This is my take on what's important in this regional master plan element for West Milford. And obviously, everyone is going to have a very different, particular perspective; so this by no means do I suggest is the final word on it. Let me say one thing. It's odd, in a way, that they're calling this an element, because I've been doing planning now 21 years, and master plans in New Jersey consist of numerous elements: the land use plan element, the housing element, and so on. For whatever reason, they're calling it an element, but it actually has within it twelve separate components, or elements, sub-elements. But, that's fine. It's like a mini master plan, actually. And perhaps by design it's supposed to, at least for those municipalities that are split between planning and preservation. This will duplicate, or perhaps create a mirror set of regulations for just the preservation area, and it includes everything from land use, to housing, to circulation, to historic districts, and so on... you can see the list that's on here. So, what, again, this is a very long memo, and my intention is not to go through it in any detail, unless you wish to Mr. Chairman and members of the Board. But, just to tell you what I did, I took excerpts from this document and then I highlighted what I thought were things that you really might want to call attention to. You can take your time and go through the entire master plan document, but there are certain sections in here that I think that are very critical, and the question will come up, 'What can we change? What can we

change, what can we add?' I will tell you that I asked that question, I thought it was such a good question, I asked it myself. I asked that just this past Monday, we were at Highlands Council. Eileen Swann and her staff had an informational session, as they have been conducting regularly, to go over the model ordinance, which follows this. But because they're so related, I said, "Well, what can we change?" You'll see in this other memo that I talk about tonight, they tell us you can change some things, but what you cannot change in here, you cannot delete or alter any of the policies or any of the regulations that would flow from the act itself, and figuring out what that encompasses is going to be a bit of a challenge. So, when I asked what we can change in the model ordinance, and concurrently, what can we go back into the master plan and change, its not entirely clear. If I could tell you the ground rules right now, I'd be pleased to do so, but I can't. But I can tell you just one example of what I would like to change, and I would argue with Highlands that we should change, and it may not mean anything, particularly in West Milford, but, I get into the section that deals with the intensities and densities, because those will be established, to a large extent, as a result of all the protection or policies that go with the various zones that apply in the Township. And on the map, you can see that, this is the map of West Milford, of course, these are the overlay zones. You're entirely in the preservation. And as you can see, almost the entire municipality is green, which means you are in the protection zone, and that is the most restrictive of the three; it's designed to preclude most new development. The yellow areas are what are known as the existing community zone, and those reflect, actually, the existing developed patterns of a certain level of intensity. Obviously, as you know, your own town, it's not covering every residential neighborhood in the entire Township, but those are the areas where future growth would be encouraged, if you want future growth. And then the blue areas are like management areas, so around the lakes themselves will be a three-tiered set of regulations. I don't want to oversimplify it by just saying that its something that we'll deal with later. But its something to look at, and again I cite for that reason, and because West Milford is such a... one of the ... obviously the dominant characteristics are the lakes in town, I repeat, the entire lake district regulations in here and the highlights of things, you might want to look at. I'm sure your Health Department, soon, will want to look at some of the language in here regarding the lake districts and will want to look at some of the model ordinances, particularly on septic maintenance. So, I think I should stop there, because... let me just, I said I wanted to point out one thing, and let me do that and then I will stop, and then if there's questions. Floor area ratio (FAR) – I realize what a riveting subject that is to most of us, when we really want to unwind and talk about what floor area ratio involves. But, all joking aside, it is an important issue because floor area ratio is the non-residential way of controlling intensity of development. You don't have to have it in your ordinance, but under Highlands, there will be standards for floor area ratio. The problem that I have is, they have introduced a new concept called *net floor area ratio*, and as Tom [Germinario] will appreciate, you really don't fool around with the definitions from the Municipal Land Use Law. There is floor area ratio and there is density, and those are based on gross acreage. Well they created a new system based on, so it's sort of like a two-tiered kind of approach to things, and there will be this net floor area ratio that involves calculations that we would never use before. For example, surface parking, disturbed land, and the like, and we raised a bit of a ruckus about that, or I did on Monday, that this doesn't make sense, and others shared that opinion, and I think they'll be going back and making some changes to the way that whole process works. But they spent a lot of time in this regional master plan dealing with

intensity of development, and they do so in this ordinance as well. So, I call attention to it just so that I think we'll come back to that again. And why would it be important? You might say, well, West Milford is all preservation, why would we care too much about floor area ratio or intensity of development? Probably more than even other towns, because you're entirely preservation, new development opportunities are going to be largely confined to what are called re-development areas. Again, I highlight it in here, and there's more discussion here, but it's not re-development in the way that we have all come to learn it in New Jersey under the re-development housing law. Did I get that right? Re-development housing law? I can never remember, housing and re-development or re-development housing..."

Tom Germinario, Planning Board Attorney: "I can tell you it is one of the two."

McGroarty: "Thank you, Tom. Always got my back there. I appreciate it, thanks. *[Board laughs]* That was an unfair question, to put you on the spot like that. But, it does not involve eminent domain, what we're talking about here. This, in fact, the Mayor, myself, Paul's office, I mean we've already met with Eileen Swann and her staff, Mr. Borden, legal counsel and some of the staff, and we've talked about what the process would be for identifying re-development areas here in West Milford, for a new library, or for a municipal site, something... there are any number of possibilities. So, re-development will become very important as an option here in West Milford, in order to get some relief from the very restrictive policies that would apply. And, again, it's a big subject, and I could probably talk longer than this, but I should probably stop. Mr. Chairman, as a way of introduction I would offer that. I would say, unless the Board objects, I would like to submit the draft with the marked up changes that I've made to date, to the Highlands Council on Tuesday, or actually I want to do it on Monday. I will speak with Tonya later, because we'll need to provide the notice of this meeting, which was done 10 days prior, and transcript of this meeting, electronically would be fine, and I'm sure the Planning Board would want to have future meetings to go into this in some depth."

Chairman Gargano: "Yeah, what I think we can do is, if anyone has any questions, now, for Mr. McGroarty, then you can ask them, then we'll have a minimal discussion on it. And we did invite the public, so if anyone from the public wants to address us, I think that would be fair, and after all that, I think it would be wise to have a discussion on 'do we send this to the Highlands Council on Tuesday?' Alright, is that a good way to do that? Mayor?"

Mayor Bettina Bieri: "I was just going to say that, basically, that's our deadline, right?"

McGroarty: "Right. If you miss the deadline... well, that's a good question, and I'm glad you asked that question."

Mayor Bieri: "And the next is... it's actually two-part, isn't Tuesday our deadline, and, well three-part... what would be the consequences of not meeting that deadline, and number three would be, if we do submit it, since obviously we haven't really reviewed it in depth, I know you said its draft, how long do we have to continue to submit changes?"

McGroarty: “The first part, what happens if you don’t make the deadline? Nothing, quite frankly. It’s not...when I say nothing, so, why meet the deadline? Well, because we have met every deadline, thus far, for West Milford. And there are towns, we’ve heard at these sessions, that something on the order of maybe, I don’t know if it’s a third or even half of the municipalities have not satisfied all of the deadlines, to date. And that’s primarily the build out analysis and the environmental resource inventory. I think it’s critically important for a couple of reasons: 1. it keeps your credibility and your integrity in place in terms of making sure you’re following the process; and 2. very importantly, you are going to get reimbursed for all the work that we do; we are charging the grant. There’s a \$50,000. performance grant for this work, and we can go over that. If we go over that, there is additional funding. I don’t expect that will happen. But, the reimbursement turn around for municipalities is much... you’re not going to get paid until the deliverables are finished. So, it’s critical, I think, from the municipality’s point of view, to get paid. But I think, apart from all that, it keeps us moving on schedule. We didn’t set the deadlines, and, in some cases, I appreciate the Highlands Council didn’t either. So, it’s not that we’re penalized if we miss the deadline, Mayor, but this way we continue to move on. Now, to the third part, and the important question, how much longer do we have? Well, I think we have, at least, until the end of the year, and then beyond, because, again, it’s emphasized throughout this process, we are only submitting drafts. You are not taking any official action. So, I have had informal conversations with folks at Highlands, including Ms. Swann and Tom Borden, and I’ve come away with no doubt in my mind that municipalities... not only can you continue to submit comments, I would expect we are encouraged to do so. Because when they see municipalities continually to come back and say, ‘You know what, now we’re going to take apart this master plan, we’re going to look at certain key elements like management, or something else, or we’re going to look at the model ordinance and comment on how it relates to this master plan and our thoughts about that, that only helps them as this process evolves. So, I’m not, if I were worried that... like a COAH deadline, that has serious consequences when you miss it. This, to me is, we meet the deadline, but we have the opportunity to supplement it with more information.”

Chairman Gargano: “Wouldn’t it be wise, Mr. McGroarty, to perhaps make copies and distribute them to say, the Environmental Commission, the Town Council, I mean do... how many can we bring into this to get as many opinions as possible.”

Mayor Bieri: “You can put it on line.”

Chairman Gargano: “This on line? Can we put this on line?”

McGroarty: “I think it... You can, you’re encouraged to, if it’s not already, you certainly can. If Tonya doesn’t... I can work that out with Tonya in getting the... if I haven’t already, I will send up the electronic version of this. Now the one thing, on line, that’s going to be tough, is the maps. There are some 30 maps that go with this. The quality... I guess I would apologize for, but we didn’t create the maps. We clipped them from other documents. These are all Highlands maps. in fact, I asked the question last Monday too. Ultimately we would want to do our own maps, because the quality would be...”

Chairman Gargano: “Well, could we make these PDF. color maps?”

McGroarty: “You can, but it’s going to be a monster file, I could put a zip file on it, but, if you have....”

Chairman Gargano: “Well, the other suggestion might be if anyone wants a map, we can provide a CD to them.”

McGroarty: “Absolutely. I mean, we can give you whatever... multiple hard copies, we’ll certainly give you electronic copies, we’ll give you a CD. You put it on your website. the more you distribute it and solicit comments, the better, certainly.”

Chris Rosica, Planning Board Member: “Mr. Chairman, I have a question for Mr. McGroarty. Chuck, you said that this is a draft. So, if we do meet the deadline, Tuesday’s deadline, and then, I’m reiterating, I believe this is where you were headed with this...and just correct me if I’m wrong... that if we do have a change to our master plan document, the final document, we can make changes after we submit this draft on Tuesday. It’s not set in stone, is that correct?”

McGroarty: “Absolutely. That is absolutely correct.”

Chairman Gargano: “Well, we’re going to be submitting it with the cross outs, or without?”

McGroarty: “Well, we’ll submit it with...I’ll check the instructions again, they may want a clean copy, too, which is fine, but we’ll initially submit it with the cross outs, and ...”

Mayor Bieri: “You mentioned that they wanted to keep track of changes, so that would make sense to me, they want the cross outs...”

Rosica: “We can do both, we can meet the deadline and we can get additional input from the Environmental Commission, and any other...”

Mayor Bieri: “And we can get our funding quicker.”

Chairman Gargano: “Well, actually everyone.”

McGroarty: “That’s right. And bear in mind, that ultimately you are not even adopting this until next year, some version of this. Or something, who knows, maybe very different. Some of the core elements have to stay in place that flow from the Act and the regional master plan, but that’s not to stop... I mean, you’ll see just the element on redevelopment, you may want to spend time going into that - Historic district. There’s another element in here on transfer of development rights. So, again, you can see that any number of these can take a lot of time to discuss. Now, would a municipality that’s 100 per cent preservation be interested in transfer of development rights? I actually checked with Highlands and, yes, you might be. I mean you are not going to have a receiving district, as such, here, probably. But you might want to be part of that whole

program. So that's another thing you may want to look at and discuss in some detail. So, yes, you would certainly have time beyond Tuesday. And there's no way they would ask for a deadline...see when we got this document, it came out, and then they revised it, and we had to redo it, and use a more updated version, and when they said we would like municipalities to have their meetings before you submit this, we said, well, that's just not practical. Number one, you're giving it to us in the summer, and that's always a tough time for meetings, and secondly, this is not a simple thing here. So, it's understood, and what a number of municipalities will be doing is having their hearings later in September, and in fact, one of them that I am working in, has postponed a hearing until October. But, they agreed let's get the document in by the September 1st deadline and keep moving forward."

Councilman Philip Weisbecker, Planning Board Council Member: "Mr. Chairman, question?"

Chairman Gargano: "Yes, Councilman?"

Councilman Weisbecker: "Chuck, would it be, I guess, a good idea, to suggest that the Planning Board have a couple of meetings set aside, because there are the Lakes Committee, you've got the E.C., you've got people in private lake communities that are probably going to want to participate in this. Especially when you start talking FAR, and you know, different things, as far as what the master plan is going to be showing. And the Council's going to have all kinds of questions, I'm sure, too. Would that not be a good idea to have multiple meetings and should the Planning Board be scheduling something like that?"

McGroarty: "I think it would be a very good idea. Of course, I realize your time is limited and there's competing demands for it. But, the more you have the opportunity to talk about it, look at it, critique it, tear it apart, I think the better. I think the Highlands Council will genuinely appreciate that, and I think you'll get a better feel for it and... I mean, I've been working with this for a while now, and I'm only now... I can't possibly claim to understand this entire regional master plan. So, you know, I have to keep going back into it, and if I focus on a particular issue, then I get a better understanding of it, and I think it will be the same with this. And as you do it, we'll be looking now at these model ordinances that have come out, and you'll feel like, well this is all well and good, but what's it going to look like when they actually start codifying this stuff, and we're going to be regulated by it. And you'll get to see what that looks like right away."

Steven Castronova, Planning Board Member: "Do we have another six months total, or...what's the next deadline?"

McGroarty: "The deadline, the extension on the deadline that I mentioned, until June of next year, that's for the Council on Affordable Housing. That's the housing element. You'll notice that there's a blank sheet in here, Housing Element and Fair Share Plan, that's identified as... to be developed separately. And so..."

Castronova: "You said that was right about the same time, right?"

McGroarty: “Originally, you’re right, there’s a... going on parallel tracks, we had to do the Housing Element and Fair Share Plan. That’s your COAH obligation. And all of this plan conformance. Both of them came due December 8th, this year. Now, it’s changed. The Council on Affordable Housing Obligation, that is the Fair Share Plan and Housing Element, they got pushed back to June of next year. And by December 8th of this year, we’ll be doing what’s now known as Basic Plan Conformance. So, you won’t be adopting any of these things, you won’t be passing any ordinances yet. You’ll just be doing what we’ve been doing tonight, going through this review process and staying... There’s a few more things to come which we’ll talk about at another time. But we’re following that 7-module conformance process and we’re staying on schedule with it. So that come December 8th, West Milford doesn’t have to say, ‘Well, we missed... We didn’t do this.’ Or you’ll probably still be tearing all this stuff apart and working on it. But you would have submitted to the Highlands Council, the documents, on schedule.”

Geoffrey Syme, Vice Chairman, Planning Board: “I just want to make a point that the Master Plan Subcommittee saw this document, probably about a month ago, is that correct, Chuck?”

McGroarty: “Yes, at the previous meeting.”

Syme: “Right. So I just want to make it... make the point that the Master Plan Subcommittee has seen this and that we were aware of the deadline, and that we made the decision to have the meeting tonight, rather than in September, just so ... for what Chuck said, to give the public and the Board the opportunity to see it before it’s submitted. But I don’t want anyone to have the impression that we’re kind of playing catch up tonight. That this is... we planned this a month ago.”

Chairman Gargano: “We’re way ahead of schedule as far as we can see.”

Syme: “Correct. Right.”

McGroarty: “That’s a good point. No, you’re not, this is not last minute panic...’let’s have a meeting and get it in on time’ kind of thing. No one, that I am aware of, other people that are doing this work, and in the towns that I’m doing it for, which are 5 municipalities, no one is doing anything like a comprehensive review and edit on this before next Tuesday. It’s simply not... not practical.”

Councilman Weisbecker: “Mr. Chairman, one other thing. I guess this is more or less for us. I’m sorry, I’m drawing a blank. In ’02 we did that study, remember that, Andy? When the Council did that big, huge study?”

Chairman Gargano: “What study?”

Councilman Weisbecker: “Yeah, we ran all over town, we did the build out, we did all...”

Chairman Gargano: “Oh, Smart Growth.”

Councilman Weisbecker: “Smart Growth. Thank you. We did that Smart Growth study, and during... in order to do that...when we did do that, a group of people, a couple of Council members, people from the Planning Board, and some other people, traveled...remember they went, we went, to different parts of the Township. So therefore, we got everybody’s input.”

Chairman Gargano: “Oh, meaning the traveling meetings?”

Councilman Weisbecker: “No. It was just for the Smart Growth.”

Chairman Gargano: “Right. That meeting traveled to different parts of town.”

Councilman Weisbecker: “Yeah. They got the consideration of people from the different parts of the municipality. On the other side of the watershed as well as on this side. And it was very good. It gave us a lot of insight. I mean it’s something that, maybe, might play well as far as getting the information, and doing something like that might even make the Highlands Council even more...”

McGroarty: “Absolutely. I think that they encourage... I mean, this is supposed to be as transparent as possible, and trying to distill a lot of this information down to a point where we can use it is encouraged. So, putting it on your website, having additional meetings, absolutely. The idea of having one meeting is really just to meet sort of a very elementary standard. I mean... so the more that you discuss it, the better. You’ll see as you go through it, you might want to spend time just focused on one part of it and come back to the other stuff at another time.”

Chairman Gargano: “Anyone else? Anyone from the public have anything that they’d like to say in regard to this, tonight? Okay.”

Mayor Bieri: “Motion to close the public portion.”

Michael Siesta, Planning Board Member: “Just a question before we go on, are there any definitions for some of the terms?”

McGroarty: “Yes. Yes, in the...”

Siesta: “I haven’t read the whole thing, obviously. I just glanced at it.”

McGroarty: “Yeah. There are definitions... actually no, in the master plan... I was thinking the model ordinance, there are definitions. They don’t provide, in the master plan element, definitions.”

Siesta: “If I would Google this, or whatever, would I come up with the definitions?”

Mayor Bieri: “It might be on the Highlands website.”

Siesta: “I looked at the chart, and I said, okay, net water availability, what the heck does that mean? I don’t mean to be disrespectful.”

McGroarty: “You know, I’m glad you asked. The Highlands Regional Master Plan... all of this stuff... to find this stuff... I shouldn’t say ‘stuff’. But to find all the reports and material, and a slew of other technical reports and the like that go with it, you certainly may want to go on the Highlands website and work your way through that. But, to your question about definitions, I would suspect that’ll be... the definitions, there are definitions in the regional master plan, in the back. Net water availability, and the like, would be defined in here, I’m sure. The ones that we all sort of know, like the one I mentioned before, floor area ratio and the like. That’s a standard definition from the land use law. But those other ones would... probably the best definitions, the place to find it would be in the regional master plan. There are technical reports, there’s dozens of them, that go with each of these subjects. So, some of that may, you might have to find you way...”

Siesta: “There’s thirty something exhibits here, and I just took a glance through it, and said, well, okay, what does it mean? I can look at it, its color-coded.”

McGroarty: “Yeah. It’s not a... you know I can give you an answer, but its not a simple answer. Net water availability, and that’s the very heart of this whole issue, too, I mean, you get into... the municipality is divided into these sub watersheds, the Hub 14’s, and 9 of the 14 of them, if my memory is correct, show water deficit. And that will translate into policies that, and I cite some of those... and I took, again, I highlighted some of those in this one memo so that if you are going through it, you may want to look at that and say, ‘Oh, I think maybe we should take a look at that section of the regional master plan.’ And at some point, perhaps, look, or I can provide to you a more detailed review from the regional master plan itself, as to what’s involved with that. Because, when you... this is not easy stuff, I mean... water availability is a key issue, and all municipalities are going to have to have this water conservation and management plan. All Highlands municipalities will have to have it. But, they’ve only started... in fact West Milford is one of the towns that have been asked to join a pilot program. And I know Paul’s [Ferriero] office is starting to do that. But, that’s two years away, and so, in the meantime, without that plan, each application that comes in front of a Board, all kinds of development proposals, will be viewed on a case-by-case basis. That’s why, again, I cited some of that in the memo.”

Siesta: “Well, I was just looking for...okay, so if I’m going to look at this thing and try to...”

McGroarty: “A simple and question and I gave you a long answer.”

Siesta: “No, no. That’s all right. I’m just going to ... I just picked one as an example, you know. I’m looking through the exhibits and, okay, if I’m going to try and meet a high level of what’s going on and what’s important, I’m obviously going to need at least a high level understanding of what the terms mean. And it looks to me that they’re not here.”

McGroarty: “Well, you know what I’m going to do, because I think you raised an important point. One, I should point out, the maps, I gave you, as I said, we collect them from various places and just attached them. We didn’t take the time, or go through the

expense of, trying to clean them up. So you'll notice that, in the... when you get a chance, you'll look at the Regional Master... the Highlands Master Plan Element, identifies their maps throughout the text as exhibits. And it'll be Exhibit A, and it runs through, in West Milford's case, I think, HH, or something like that. And they're in the back. But we did not go in and put a proper title block on it, so, if some of them say figures, or some of them say something else... But the map is correct. The title block on some of these maps may, because we took them from environmental resource inventory or someplace else... so, be patient with that if you will. The map is correct. The figure identification may be wrong. But, what I think I should do, we'll do, I'll go through those maps and I'll provide a summary definition of what they... wellhead protection you know, but some of these other things are more obscure. And so, I hadn't thought of that, I think it would be a great idea, that you raised, to give a little, sort of a primer to go with this and say what those things are."

Siesta: Yeah. Nothing elaborate. Just highlights so I could say, okay, I understand that means."

McGroarty: "I think it's a great suggestion. I will do that, and I will get that to Tonya and Tonya can distribute that to the Board. Thank you."

Chairman Gargano: "Any one else? Okay, how do we want to adopt this, to send this down to the Highlands people."

Mayor Bieri: "Tom, do we need a formal motion, or..."

Tom Germinario: "Yeah, I think a motion of resolution be that the Board endorses Mr. McGroarty submitting it to the Highlands Council."

Mayor Bieri: "I'd like to make that motion."

Rosica: "Second."

Chairman Gargano: "We'll do it by roll call."

Germinario: "Yes."

Tonya Cubby, Planning Board Secretary:

Roll Call: Yes - Mayor Bettina Bieri, Steven Castronova, Richard McFadden, Douglas Ott, Chris Rosica, Clinton Smith, Geoffrey Syme, Councilman Philip Weisbecker and Chairman Andrew Gargano.

No -None.

Chairman Gargano: "Now, we will be continuing discussions at next week's Planning Board meeting. Just to let the public know, that they're welcome to have input on this. I'm going to try and get what we have on line, and... You know what, Mr. McGroarty, if it

wouldn't be too much, if we can get these copies. I'd like every Councilmember and every Environmental Commissioner to have one of these, if that's okay."

McGroarty: "Absolutely, its okay. After the meeting I'll just find out how many more copies I need. One thing we can do on the maps, I can have them group them together into one file so that it makes it a little easier. I can send those off to them and they can see those."

Chairman Gargano: "Yeah. I think its worth it to have, because their input is kind of critical, as well."

Councilman Weisbecker: "Mr. Chairman. I'd like to have at least 4 made up for the Lakes Committee, too. Or 6."

Chairman Gargano: "Oh, how many. Just give me... if you need more... You know what, we'll give them 10."

Councilman Weisbecker: "Beautiful!"

Councilman Gargano: "And 10 on top of that – its coming out of the grant. I don't have a problem with it, and I really want as much input as possible before we set it in stone, so to speak."

Clinton Smith, Planning Board: "How about a couple for the library, that people can check out?"

Chairman Gargano: "Yeah. We'll have a lot. We'll talk about it later, though."

The first public meeting for the Draft Highlands Element for Municipal Master Plans ended at 8:23 p.m., followed by the regular meeting of the West Milford Planning Board.