

Resolution No. 2019-14

**BOROUGH OF FRANKLIN, COUNTY OF SUSSEX,  
INTENTION TO REVISE MASTER PLAN AND  
DEVELOPMENT REGULATIONS FOR PLAN CONFORMANCE  
FOR LAND IN THE PLANNING AREA**

**WHEREAS**, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources; and

**WHEREAS**, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

**WHEREAS**, Section 13:20-15.a, of the Highlands Act states that for any municipality located wholly in the Planning Area or for the portion of a municipality lying within the Planning Area, the municipality may, by ordinance, petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance), and

**WHEREAS**, Borough of Franklin is located in the Highlands Region with lands lying within the Planning Area, as defined by Section 7 of the Highlands Act; and

**WHEREAS**, the Highlands Council prepared and distributed to the Highlands municipalities Plan Conformance Guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance which includes a comprehensive package of planning and implementation documents that meet the requirements of the Highlands Act, the Regional Master Plan and the Highlands Plan Conformance Guidelines; and

**WHEREAS**, Plan Conformance by the municipality is strictly voluntary for lands in the Planning Area, and Borough of Franklin may at any time voluntarily revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them to the Regional Master Plan; and

**WHEREAS**, at any time during the Plan Conformance process, Borough of Franklin may withdraw from the Plan Conformance process and any approvals, rejections or conditions of revised municipal master plan or development regulations recommended by the Highlands Council during the Plan Conformance process, will not be binding on Borough of Franklin; and Borough of Franklin may choose not to obtain conformance with the Regional Master Plan for the lands lying within the Planning Area; and

**WHEREAS**, should Borough of Franklin make the determination that Borough of Franklin shall petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan and Plan Conformance Guidelines, Borough of Franklin shall enact an ordinance setting forth such intention, as required by the Highlands Act; and

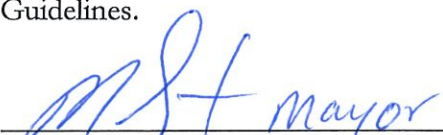
**WHEREAS**, upon application of Borough of Franklin, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to Borough of Franklin for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, as applicable to the development and use of land in the Planning Area, which are designed to bring those plans and regulations into conformance with the Regional Master Plan and the Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and may also provide grant funds for the

discretionary aspects of Plan Conformance as determined by the Highlands Council; and

**WHEREAS**, should Borough of Franklin formally withdraw from the Plan Conformance process, grant funding awarded to Borough of Franklin up to the date of withdrawal that has been appropriately utilized in accordance with the Plan Conformance Grant Program and applicable grant agreement shall not be reimbursable to the Highlands Council;

**NOW, THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Franklin hereby submits this resolution of intention to revise its master plan and development regulations for Plan Conformance to the Highlands Council for that portion of our jurisdiction lying within the Planning Area in accordance with the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines.

Dated: 1/8/2019

  
Nicholas Giordano, Mayor

**CERTIFICATION**

I, Darlene Tremont, Acting Municipal Clerk of the Borough of Franklin, in the County of Sussex, State of New Jersey do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Governing Body of the Borough of Franklin, County of Sussex, State of New Jersey at a meeting of said Governing Body held on January 8, 2019.

  
Darlene J. Tremont, Municipal Clerk

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT
JOSEPH LIMON	X			
JOHN POSTAS	X			
STEPHEN SKELLENGER	X			
GILBERT SNYDER	X			
STEPHAN ZYDON JR.		X		
MAYOR GIORDANO (Tie Only)				