



Roxbury Register

NJ Highlands Council: Development rights transfers moving ahead

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By BOB THOMAS Staff Writer

The transfer of development rights for municipalities in the Highlands should get a boost on Thursday, Oct. 17, when the Highlands Council is expected to approve a trio of consulting firms and consider an application from a municipality in the Preservation Area.

A grant that will allow Vernon Township in Sussex County to study the possibility of becoming a receiving district for the Transfer Development Rights (TDR) program is also expected to win approval.

Highlands officials hope to begin a trend to encourage development outside the environmentally sensitive 880,000 acre region through its under-utilized program.

Under the TDR program, specific development credits can be purchased from a municipality in the seven-county Highlands region for established fees.

The funds from such transfers are then available to protect environmentally sensitive areas from further build out.

“The receiving area program has to start somewhere,” said Julia Somers, executive director of the New Jersey Highlands Coalition, which represents more than 50 environmental groups in northern New Jersey.

“The fiscal analysis of the potential for municipalities offers potential, we think,” Somers said.

No Designations

No receiving areas have yet been designated by the Highlands Council, despite numerous grants to municipalities inside and outside the area.

Somers said the coalition is encouraged by the news that a community from southern New Jersey may be interested in taking credits from the Highlands.

The TDR program has utilized much of its original \$10 million in seed money to compensate land owners who applied for compensation after the passage of the 2004 Highlands Act, which restricted development of those properties.

However, the program hasn't made any significant reduction in the nearly \$2 billion in lost land value estimated by opponents of the act.

Highlands officials have also been disappointed by the apparent reluctance of municipalities within the region to absorb some of the TDR credits.

To encourage more TDR participation, the council will make available up to \$25,000 in grants for each municipality that elects to study the financial impact of receiving development credits.

A trio of firms is expected to be authorized on Thursday as vendors for the execution of the TDR study grants, which will also look at the designations of redevelopment areas and Highlands Centers.

Under the Highlands Regional Master Plan, incentives in any of those three designated areas include lessened environmental constrictions and possible further grant assistance.

“They see the program as having the potential to encourage towns to take the next step,” Somers said.

She said the Highlands Council has avoided the directive of the 2004 Highlands Act, which authorized the council to mandate receiving areas.

Somers said it was the coalition’s understanding that some communities have used the grant money and determined not to apply as a receiving area.

A spokesperson for the Highlands Council said 14 communities have received grants to date to study the possibility of becoming a TDR receiving zone.

They include Chester Borough, Tewksbury, Clifton, Pohatcong, Long Hill Township and the city of Passaic.

Three preservation grants offered to property owners who applied for compensation have yet to be resolved.

The Highlands Council must reserve \$1 million of the initial seed money for debt service, the spokesperson said.

Three planning firms are expected to be named to run the TDR program. They include Clarke Caton Hintz of Trenton who has been associated with such redevelopment projects as the Trenton Waterfront and a new rugby facility for Princeton University.

Also, Mercer Planning Associates of Jersey City is headed by Courtenay D. Mercer. She is former planning director for the New Jersey Office of Smart Growth.

The third, Urban Partners, of Philadelphia, has been involved in the downtown revitalization of Montclair and has also provided real estate market analysis to municipalities throughout New Jersey seeking to participate in the state’s transfer credit program.

The three planning firms will also be used by the Highlands Council itself as direct technical support. The council is expected to set a \$150,000 limit on the aggregate support to its staff.

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