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Highlands law foes named to council, drawing fire from environmental groups

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Richard Vohden, a Green Township resident who will become a Sussex County freeholder on Jan. 1, will also soon put on another new hat, that of commissioner on the state's Highlands Council.

Vohden and six other people were nominated for the council, formally known as the Highlands Water Protection and Planning Council, on Monday by Gov. Chris Christie. The nominations immediately drew protests from several environmental groups across the state.

The appointments were called "outrageous" by Jeff Tittel, director of the New Jersey Sierra Club, who said naming people who have come out against the council and the legislation that created it was the governor's way of repealing the act.

Vohden is a charter member of the Highlands Conservation Association that was formed to fight the Highlands Act and says its mission "is to restore and protect the constitutional rights of citizens to own and use private property in the New Jersey Highlands Area and to prevent the loss of these rights from actions of government."

Contacted Wednesday, Vohden said he is referring all questions to the governor's press office, even those about his own feelings about the council.

"I have only been nominated," he said. "I might have something to say once the confirmation process is completed."

Although he is an elected official, Vohden was nominated to fill a seat as a public member of the board, along with Samuel Race of Belvidere, Warren County, and Michael Sebetich and Michael Tfrank, both of Passaic County.

Nominated as a county official was Robert Walton of Hunterdon County. James Rilee and Timothy Dougherty, both of Morris County, were nominated as municipal officials.

The council is made up of 11 members, and Christie's list constitutes a majority of the board.

The Highlands Act was passed by the state Legislature with the aim of controlling growth and development in an area of nearly 860,000 acres that covers the northwestern part of the state except for the western halves of Sussex and Warren counties. An estimated 5.5 million people in

the most populated parts of the state rely on the area for their drinking water. The area contains several reservoirs that feed water to the urban areas, in addition to being a recharge area for aquifers.

"The appointments seem to favor one segment of the Highlands community while excluding wider representation of all public interests on the council," said Sandy Batty, president of the Association of New Jersey Environmental Commissions.

Race, another public member named by the governor, supported the Warren County freeholders, who went to court to challenge the constitutionality of the act. The U.S. Supreme Court dismissed the action.

Environmental groups noted that Tfrank, who was also named as a public member, is former chair of the West Milford Planning Board, which approved several developments within the Highlands area. Some of those developments, the groups claim, have since exceeded water well capacities.

Rilee is mayor in Roxbury and won his seat in 2005 on an anti-Highlands platform and has continued to question the science behind the regional master plan adopted by the council in 2008.

Julia Somers, executive director of the New Jersey Highlands Coalition, said the Highlands resources "belong to the residents of the entire state and we are all heavily invested in their successful protection."

Most of those who oppose the Highlands Act, and the master plan that resulted, object to the severe restrictions on what can be done with private property in the area. Some focus on restrictions that limit private residence density to one-per-88 acres. Others claim land values have plummeted within the 88 municipalities that fall within the Highlands boundaries.

In addition to Vohden, Michael Francis, a councilman from Hopatcong, is also on the council.

Glen Vetrano, former Sussex County freeholder, continued on the council as a member although his term expired in 2009. Members serve until a successor is named.