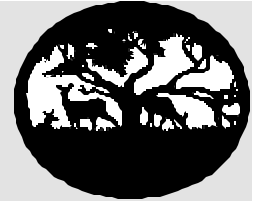




Preserve Local Resources With a Conservation Plan



2004

Guiding Principles for Resource Conservation

New Jersey recognizes 15 purposes for planning and zoning in the Municipal Land Use Law. Many of these purposes provide legal support for local efforts to preserve natural and cultural resources. These purposes can be incorporated into Conservation Plans and preservation strategies.

- Protect public health, safety, and general welfare.
- Provide security from fire, floods or other disasters.
- Provide adequate light, air and adequate space for agriculture, recreation and open space.
- Ensure compatible land uses, densities, and aesthetic designs.
- Conserve historic, cultural and natural resources, and energy.
- Prevent sprawl and degradation of the environment.

C. 40:55D-2



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The Importance of a Conservation Plan

A woodland, meadow or farm that you enjoy today can be readily developed tomorrow into housing, commercial space or cleared for a traffic intersection. Yet these important landscapes refresh our air, replenish our water, shelter critical wildlife, satisfy our recreational needs, and *are vital to our quality of life*. As the most densely populated state in the nation, New Jersey continues to lose 50 acres a day and 1,500 acres of wetlands each year to development. Bountiful farmlands, scenic streams and diverse woodlands will continue to disappear unless *local conservation strategies are instituted!*

Land use planning and resources conservation actions should be a concerted effort. Environmental constraints should be utilized in determining appropriate zoning and land use decisions. Important tools in this battle to maintain and minimize impacts to your cultural and natural resources include a well written Master Plan, Conservation Plan and Environmental Ordinances.

A Detailed Conservation Plan can:

1. Increase understanding of natural systems and their limitations, and identify critical areas for conservation, and direct growth in an appropriate manner;
2. Provide a rational and factual basis to support long term resource management planning, environmental protection, and land use planning;
3. Analyze land capabilities to determine appropriate development intensity, and provide a basis to amend a municipal Master Plan and zoning regulations;
4. Guide the review of proposed site development plans;
5. Satisfy certain grant eligibility needs, such as Green Acres and Farmland Planning Incentive Grants;
6. Serve as a blueprint for the municipal Environmental Commission or Board of Health to prioritize their actions; and
7. Provide an educational tool for residents to learn about their community and its environment; and to promote resource protection with public input.

Quality of life issues continue to be a major reason why families and businesses choose to locate in specific communities. Clean air and water, and access to parks and open space are desirable assets. A Conservation Plan can help your community identify and protect these resources.

This guide was created in partnership with several land use planning professionals and municipal leaders. We wish to acknowledge and thank them for their valuable contributions, including: Caroline Armstrong, Hunterdon County; Michael Bolan and Frank Banisch, Banisch Associates; Cindy Coppola, Coppola and Coppola Associates; Michele Donato, Donato Associates; Carl Hintz, Clarke, Caton and Hintz; Mark Gallagher, Princeton Hydro LLC; Paul Gleitz, Heyer, Gruel & Associates; and Louise Wilson, Mayor of Montgomery Township.

This guide is presented for general information purposes only and is not to be considered legal advice.

Integrate a Conservation Plan into the Municipal Master Plan

The New Jersey Municipal Land Use Law (MLUL - NJSA 40:55D) provides broad powers to municipal governments to protect public health, safety and welfare through local planning and ordinances. A municipality must adopt four basic elements of a Master Plan in order to enact zoning ordinances, including: a Statement of Purposes, the Land Use Element, the Housing Plan Element, and a Consistency Analysis with other Regional Plans.

The Conservation Plan is an optional element of the Master Plan. The Master Plan should reflect the overall vision for future of your community and the Conservation Plan can provide the structure for the protection of the environmental and cultural resources.

The MLUL defines a Conservation Plan as “providing for the preservation, conservation, and utilization of natural resources, including, to the extent appropriate, energy, open space, water supply, forests, soil, marshes, wetlands, harbors, rivers and other waters, fisheries, endangered or threatened species wildlife and other resources, and which systemically analyzes the impact of each other component and element of the master plan on the present and future preservation, conservation and utilization of those resources.” (MLUL NJSA 40:55D-28)

Create or Amend the Conservation Plan

A comprehensive Conservation Plan can: 1) establish your goals and objectives for natural resources; 2) describe local resources and highlight their important value to the community; 3) address potential impacts and key development pressures on resources; and 4) outline preferred management strategies to protect the resource.

Organize a committee to identify the tasks, responsibilities, and a timeframe to implement these actions. The committee may include members of the Planning Board, Town Committee, Zoning Board, Environmental Commission, Board of Health, and citizens.

- 1. Establish Goals and Objectives** – Review and reference the goals and objectives outlined in the MLUL and the Purpose Statement of the town Master Plan. These “purposes” provide the authority to preserve resources and can help you set goals and objectives for local conservation measures. In fact nearly half of these purposes refer to the provision of a clean and healthy environment. Some planning goals may include: promoting compatible land uses and designs, protecting, and enhancing natural and cultural resources and community character, ensuring traffic safety, providing public facilities and services, providing for housing and economic growth.
- 2. Describe Resources and Highlight Their Value to the Community**
In order to protect local resources – you first need to understand what features are present in your community. You should not only describe the resources, but also highlight their important value to the community. Some of this data and mapping may already be incorporated into the Land Use Element of the Master Plan, within an Environmental Resource Inventory (ERI), or in an existing Conservation Plan.

The ERI is an objective inventory and mapping of local resources, which can include text, maps, photos, or graphs that describe and compare information and trends of natural resource characteristics. The Conservation Plan can rely on the ERI as its backbone, but it is augmented with goals and objectives, interpretation of the data, and strategies to protect these resources.

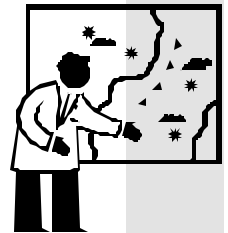
Elements of a Conservation Plan

GIS Mapping is a powerful tool to complete the ERI and Conservation Plan. This technology can be readily obtain from planning or engineering consultants who can prepare reports; provide enlarged maps to carefully review datalayers on specific sites; and maintain updates to this community database. The GIS Center at the Stony Brook-Millstone Watershed Association can also provided these services.

The Conservation Plan may also include the following resource data: geology, topography, slopes, aquifer recharge areas, wellhead protection areas, soils, prime agricultural areas, forests, meadows, wetlands and vernal pools, water supply areas, hydrology, stream corridors, flood hazard areas, wildlife habitats, preserved open space, farmlands and greenway or pedestrian trails, air quality, noise data, known contaminated sites, historic and cultural features, infrastructure, and references to other regional plans such as the state planning area designations, etc.

3. Address Potential Impacts to Local Resources

There are numerous impacts that harm resources including: clearing forests, filling wetlands, eroding slopes, polluting waterways, reducing ground water recharge. The Conservation Plan should describe these local concerns and the existing problems. Certain resources may have greater environmental value and can be highlighted on a ***Critical Areas Map to readily identify areas that may be more critical for preservation.***



A Critical Areas Map is created by overlapping a variety of GIS maps, such as steep slopes, wetlands, stream corridors, wildlife habitats, groundwater recharge areas, or prime agricultural soils, etc. This Critical Areas Map can serve as an essential tool to determine potential impacts to significant local resources as development proposals are reviewed.

4. Develop and Recommend Resource Protection Strategies

The Conservation Plan should outline strategies for resource protection to ensure that your goals are implemented, such as:

- Developing complementary plans that address preserving farmland, open space, recreational needs, pedestrian trails, appropriate zoning, and traffic circulations plans.
- Creating and adopting ordinances that may protect stream corridors, ground water supplies and wellhead areas, woodland conservation, and steep slopes, etc.
- Completing detailed studies such as a Hydrological Study, a Community Forestry Plan, a Wildlife Inventory, or a Historic District Study.
- Prioritizing local efforts to address or improve existing problems such as impairments to open space or parklands, areas frequently flooded, erosion areas, polluted waterways, or impacts to historic landmarks.

In summary, a Conservation Plan can: provide better local knowledge of resources and concerns; minimize impacts to local resources; implement conservation strategies systematically; balance growth and preservation decisions; and defend land use ordinances and decisions.

The Conservation Plan can serve as a great educational tool for the public and the municipal staff. The town clerk, engineer, planning staff, and volunteer board members should all be aware of these resource inventories, plans, and maps in order to be familiar with local land use priorities and objectives. It is also essential to provide easy access to this material to the public and to potential development applicants.



Promoting A Conservation Plan For Your Town



Municipal Planning Resources

American Planning Association:
New Jersey Chapter
www.njapa.org/index.shtml

**Association of New Jersey
Environmental Commissions:**
www.anjec.org

Coalition for Smarter Growth
www.smartergrowth.net

EPA Smart Growth Policy
www.epa.gov/smartgrowth/

GIS Center
www.giscenter.org

**Local Government
Commission-** building livable
communities
www.lgc.org

**National Trust for Historic
Preservation**
[www.nationaltrust.org/issues/
smartgrowth/toolkit/index.html](http://www.nationaltrust.org/issues/smartgrowth/toolkit/index.html)

**New Jersey Department of
Community Affairs**
www.state.nj.us/dca/

**New Jersey Department of
Environmental Protection GIS**
www.state.nj.us/dep/gis

New Jersey Future
www.njfuture.org

**New Jersey League of
Municipalities**
www.njslom.com/

New Jersey Planning Officials
www.njpo.org/index.html

New Jersey State Plan On line
www.state.nj.us/osp/plan2/main.htm

Smart Growth Online
www.smartgrowth.org

**Stony Brook-Millstone
Watershed Association**
www.thewatershed.org

**Sustainable Communities
Network** www.sustainable.org

Updates and Amendments

In accordance with the state law (MLUL – NJSA 40:55D-89), a Master Plan and its various components are required to be re-examined every six years. This update should include both the Conservation Plan and the ERI to maximize the use of new data, new mapping technology, and more protective policies that support conservation objectives.

For example, the NJDEP Landscape Project database and mapping that identifies areas of critical wildlife habitat was only made available since 2002, and may not be referenced by town plans. This information can radically alter where preservation or development should occur in a community, and it should be incorporated into local planning documents.

This re-examination process should identify land use changes and problems with development in the municipality, as well as changes in the assumptions, policies, regulations, and objectives that have been relied upon to make land use decisions.

Get the Public Involved

It is important to cultivate a sense of community identity and pride, so residents know where they live and why it is special. Educate the community through news articles, special hikes, and workshops to energize their interest and input on local issues. Foster a sense of identity and promote interest and participation in township boards and programs. Increased understanding of your community resources will promote more responsible use.

Support Committee Efforts

Investments of time and money are critical to gather data, create maps, and conduct studies to support sound planning that can stand the test of time. Only with community support can this be accomplished.

- Towns can provide significant authority to boards and subcommittees to assist in this effort. However, these committees need sufficient resources and assistance from the municipal officials, staff and professionals to accomplish this work.
- Constant communication and record keeping between officials, staff, volunteer boards and committees, and citizens is key to implement the work.
- By involving residents and the business community in public meetings you learn about local concerns and priorities, identify potential solutions and help move the process forward.

"It is always gratifying to get good things done, and to see real improvements for the community during your tenure. Moving forward to develop an ERI or a Conservation Plan to safeguard natural resources is a deed worth doing. The benefits are immediate and continue to accrue over generations."

Mayor Louise Wilson, Montgomery Township 2004