

## NOTICE

### **Highlands Water Protection and Planning Act**

#### **Information Sheet for Potential Applicants before the West Milford Planning Board or Board of Adjustment**

On August 10, 2004, the State of New Jersey enacted the Highlands Water Protection and Planning Act (Act). The Act places certain restrictions on development for which you must make application to the NJDEP. More information is available at <http://www.nj.gov/dep/highlands>. The purpose of this notice is to provide you with procedural assistance in your effort to obtain approval from the Act.

Any improvement or addition including sheds, pools, etc., to a house (verified as occupied) existing on August 10, 2004 will receive a local exemption from the Act.

For those who do not qualify for a local exemption, the following application procedure alternatives are available. It may be advisable to first seek a Highlands Consistency Determination from the State NJDEP before filing with the Municipal Board. The three options are as follows:

1. File for and receive a Consistency Determination from NJDEP before filing with the Township Planning Board or Board of Adjustment, thereby resolving any issue that might arise in the course of a NJDEP Highlands review and avoiding the possibility of having to resubmit the application for further municipal review (recommended option).
2. File first for Township Planning Board or Board of Adjustment approval. Be aware that no work can begin on the subject site until a Consistency Determination is received from NJDEP.
3. File both applications simultaneously, but the Consistency Determination must be received before any work begins on site.

*Notice #3*