

TOWNSHIP OF PARSIPPANY-TROY HILLS
HIGHLANDS WATER PROTECTION AND PLANNING ACT EXEMPTION FORM

Applicant's Name: _____

Application #: _____ Date Received: _____

The purpose of this application is to determine whether or not a proposed project is subject to the provisions of the Highlands Water Protection and Planning Act, and if subject to the Act, whether or not the application is exempt.

This application will be evaluated by the municipality to determine whether a proposed activity, improvement or development project involving lands within the Highlands Region is subject to and/or exempt from the provisions of the Highlands Water Protection and Planning Act (N.J.S.A. 13:20-1 et seq., "Highlands Act"). Any proposal that is exempt from the Highlands Act is also exempt from the Highlands Water Protection and Planning Act Rules ("Highlands Rules," N.J.A.C. 7:38-1 et seq.) and from any Highlands Area land use ordinance adopted by the municipality pursuant to approval of its Petition for Plan Conformance by the Highlands Water Protection and Planning Council ("Highlands Council"). The municipality has been authorized and certified by the Highlands Council to issue Highlands Exemption Determinations, pursuant to a July 19, 2012, Memorandum of Understanding (MOU) between the Highlands Council and the New Jersey Department of Environmental Protection (NJDEP). The local ordinance effectuating this delegation of authority is Ordinance #2021-06, "Township of Parsippany-Troy Hills Highlands Area Exemption Ordinance," adopted April 20, 2021.

Please note that all references to professional preparers indicated in this application shall be construed to include any and all qualified individuals licensed, certified, or otherwise eligible and authorized to complete such work, in accordance with the applicable laws and legal requirements of the State of New Jersey including but not limited to the MLUL (N.J.S.A. 40:55D-1 et seq) and Title 13 of the New Jersey Administrative Code, Law and Public Safety.

Please note that this application only addresses whether or not your project is subject to and/or exempt from Highlands regulations (as listed above). Certification that a project is exempt from the Highlands Act does not relieve one from other regulatory requirements that may apply, including the need to apply for any other permits, whether under municipal, state or other jurisdictional authority. Please also note that in accordance with the MOU, Ordinance #2021-06 requires that the municipal Exemption Designee retain Highlands Council certification to exercise the authority to issue Municipal Exemption Determinations. In the event of personnel changes or other extenuating circumstances that leave the municipality without the services of a certified municipal Exemption Designee, applicants seeking a Highlands Act Exemption Determination may apply to the Highlands Council.

INSTRUCTIONS:

1. Complete page 2 with general project information.

2. Review the exemptions eligible for municipal determinations (see pages 3-4) to determine which may be applicable to the proposed project. Applicants need only qualify for one of the exemptions, although more than one may apply. Below each exemption is a list of information required to be submitted to determine whether the exemption applies.

PROJECT INFORMATION:

Property Information		
Street Address:		
Block(s) & Lot(s):		
Existing Uses:		
Property Owner Information		
Owner's Name:		
<input type="checkbox"/> Same as Applicant		
Owner's Address:		
<input type="checkbox"/> Same as Applicant		
Applicant Information		
Applicant Address:		
Phone #:	Fax #:	Email:
Engineer, Attorney, or Other Principal Contact Information		
Name:		
Address:		
Phone #:	Fax #:	Email:
Project Information		
Brief Project Description (attach additional as necessary)		
Proposed Square Footage:		
Proposed Residential Units:		
For non-residential projects, will the project:	<input type="checkbox"/> Result in the ultimate disturbance of one acre or more of land; <input type="checkbox"/> Produce a cumulative impervious surface area of a quarter-acre or more; or <input type="checkbox"/> Introduce or expand on any of the following land uses/facilities: <ul style="list-style-type: none"> ▪ Landfills; ▪ Permanent storage or disposal of hazardous wastes, industrial or municipal sludge or radioactive materials, including solid waste landfills; ▪ Collection and transfer facilities for hazardous wastes, solid wastes that contain hazardous materials, and radioactive materials; ▪ Industrial treatment facility lagoons; or ▪ Any major or minor potential contaminant source (as identified in Appendix A and Appendix B, respectively, of Chapter 205 of the Township of Parsippany-Troy Hills Code) on lands located within 200 feet of the wellhead of any public community well or public non-community well, as defined in Chapter 205. 	

EXEMPTION DETERMINATION:

<p>A. Exemption 4: For the reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surfaces* on the site, provided that the reconstruction does not increase the lawfully existing impervious surface by 1/4 acre or more.</p> <p><i>*The date of lawfully existing impervious surface is 4/21/21 in Parsippany-Troy Hills.</i></p> <ul style="list-style-type: none"><input type="checkbox"/> A parcel plan certified by a qualified Licensed New Jersey Professional showing all existing property improvements, including all structures, grading, clearing, impervious surfaces and limits of disturbance, existing on the site as of 4/21/2021 for the Planning Area; and all proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading. Also include supporting calculated values for existing and proposed impervious surfaces for the project/activity.<input type="checkbox"/> A copy of any official documentation indicating the original date of construction of the existing buildings and/or structures, or otherwise establishing the lawfulness of their existence, inclusive of that of existing impervious surfaces.
<p>B. Exemption 6: For any improvement, for non-residential purposes, to a place of worship owned by a non-profit entity, society or association, or association organized primarily for religious purposes, or a public or private school, or a hospital, in existence on August 10, 2004, including, but not limited to new structures, an addition to an existing building or structure, a site improvement, or a sanitary facility.</p> <ul style="list-style-type: none"><input type="checkbox"/> A copy of any official documentation indicating that the place of worship, public or private school or hospital was in existence on August 10, 2004.<input type="checkbox"/> For improvements to a place of worship, documentation showing that the entity, society or association, or association organized primarily for religious purposes has non-profit status.<input type="checkbox"/> A site plan certified by a qualified Licensed New Jersey Professional showing all existing property improvements, including all structures, grading, clearing, impervious surface and limits of disturbance, existing on the site on August 10, 2004; and all proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading.
<p>C. Exemption 7: For any activity conducted by a landowner in accordance with an approved woodland management plan issued pursuant to Section 3 of the Farmland Assessment Act, N.J.S.A. 54:4- 23.3 or the normal harvesting of forest products in accordance with a forest management plan approved by the State Forester.</p> <ul style="list-style-type: none"><input type="checkbox"/> A brief description of the total area of woodlands that is the subject of the approved woodland management plan and indication of the length of time that the area has been in woodland management (may be submitted in this form).<input type="checkbox"/> A brief description of the activities for which the exemption is claimed (may be submitted in this form). <p>For a private landowner with an approved woodlot management plan:</p> <ul style="list-style-type: none"><input type="checkbox"/> A copy of the applicant's tax bill showing that the site has farmland assessment tax status under the New Jersey Farmland Assessment Act, N.J.S.A. 54:4-23.1 et seq. if applicable.<input type="checkbox"/> A copy of the approved woodland management plan. <p>For a forest management plan approved by the State Forester:</p> <ul style="list-style-type: none"><input type="checkbox"/> A copy of the forest management plan approved by the State Forester.

- D. Exemption 8: For the construction or extension of trails with non-impervious surfaces on publicly owned lands or on privately owned lands where a conservation or recreational use easement has been established.
- A site plan certified by the appropriate qualified Licensed New Jersey Professional showing the proposed trail construction with details including the location and width of existing and proposed trails and those off-site trails to which they connect, if any.
 - A written description of the non-impervious materials to be used.
 - For privately owned property, a copy of a deed for the property, including the language establishing the conservation or recreational use easement on the property.

I, the undersigned, hereby certify that the information given herein is correct to the best of my knowledge.

Applicant Signature:	
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Date:	
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I, the undersigned, hereby grant permission for the submission of this application for the property reference herein.

Owner Signature:	
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Date:	
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