

**BYRAM TOWNSHIP**  
**Sussex County, New Jersey**

**A RESOLUTION OF THE BYRAM TOWNSHIP COUNCIL OPPOSING THE  
VILLAGE GRANDE DEVELOPMENT IN HOPATCONG BOROUGH**

**WHEREAS**, Hopatcong Adult, L.L.C./D. R. Horton, Inc. New Jersey have an application pending before the Hopatcong Borough Planning Board to develop some 305 acres along Stanhope-Sparta Road at the Borough's boundaries with Byram Township and Stanhope Borough ("the Tract"); and

**WHEREAS**, the project is known as "Village Grande" and as currently proposed would include 662 dwelling units for individuals 55 years of age or older, consisting of 331 single family houses, 234 "manor homes"/garden apartments (3 stories), and 97 townhouses; and

**WHEREAS**, development of the Tract would have adverse environmental, land use, traffic, economic and other impacts beyond its boundaries and beyond the boundaries of the Borough of Hopatcong; and

**WHEREAS**, it is essential for the public health, safety and welfare to take into account the potential effects on neighboring municipalities of approving development proposals in general, and the Village Grande proposal in particular.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Byram that it is opposed to development of the Tract for reasons set forth below, among others:

- I. **New Jersey Highlands:** The New Jersey Highlands has long been recognized as a vital area that is an essential source of drinking water and contains other exceptional natural resources such as clean air, contiguous forest lands, wetlands, pristine watersheds, and habitat for fauna and flora. In 2004 the Legislature concluded that the existing land use and environmental regulation system could not protect the water and natural resources of the New Jersey Highlands against the impacts of sprawl development. Legislation was enacted to protect the approximate 145,000 acres of the 395,000 acres in the preservation area not already developed or environmentally protected. At the request of the Hopatcong

Borough Mayor the Tract was  
area so that it could be developed.

removed from the designated preservation

*unintentionally + in compliance with the Legislature*

**II. Water Quality of Lake Hopatcong and Sewage Allocation:** In 1999 the New Jersey Department of Environmental dictated that the Borough of Hopatcong construct sanitary sewers to alleviate the poor water quality of Lake Hopatcong due to inadequate septic systems. The Borough is in the midst of a construction project that is supposed to result in up to 1900 residences being connected to a new sewer system. The Musconetcong Sewerage Authority ("MSA") treatment plant is being expanded by 500,000 gallons per day in order for 580,000 gallons per day of sewage allocation to be available for the current project in Hopatcong. A further 1.3 million gallon per day expansion of the MSA plant will be needed to accommodate the needs of Hopatcong Borough and Jefferson Township that surround Lake Hopatcong. Some 160,000 gallons per day of allocation would be needed for the Village Grande project. In order to advance the cause, Hopatcong Borough proposes to assist in the acquisition of 100,000, and up to 122,000 gallons per day of sewage allocation from Stanhope Borough. All available sewage allocation must go to existing development surrounding Lake Hopatcong. It is inappropriate to acquire sewage allocation to develop this Tract that should be in the Highlands preservation area.

**III. Other Objections:**

- A. Environmental Constraints – Village Grande would include disturbance of more than 50 acres of steep slopes (25% grade) and more than 30 acres of critical slopes (15%-25%). Both the Sussex County Strategic Growth Plan and Hopatcong's ordinances note the prevalence of environmental constraints, in particular steep slopes, that should discourage residential development.
- B. Freshwater Wetlands – The Tract consists of a significant amount of freshwater wetlands and also contains vernal ponds critical to the balance of nature.
- C. Lubber's Run – A tributary stream runs through the Tract, as does Lubber's Run that continues into Byram Township. The entire northern

portion of the Tract drains toward Lubber's Run, a tributary to the Musconetcong River. Byram Township has made considerable efforts to protect Lubber's Run and preserve it .

- D. Deforestation – Except for wetlands and environmental areas that must be preserved, much of the remainder of the Tract would be “clear cut” for development. This includes the “common area” surrounding the residences and clubhouse complex.
- E. Development of Ridgeline – The construction at Village Grande would be at the Tract's highest elevation. The central portion of the Tract, where residential construction would be concentrated, is slightly less than 1200 feet high and the elevations go down 200-300 feet around it.
- F. Displacement of endangered species – The Tract is a reported habitat for numerous endangered species, including red shouldered hawk, barred owl, wood turtle, and bobcat.
- G. Traffic – Village Grande would be constructed at the Hopatcong border and much of the burden of increased vehicle traffic would fall on adjoining municipalities. In addition, Byram Township has long opposed the extension of Acorn Street through the Township, which is being offered as a possible measure to address traffic associated with Village Grande.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that a true copy of this Resolution be sent to the Borough of Hopatcong, the Borough of Stanhope, the Sussex County Board of Chosen Freeholders, the Musconetcong Sewerage Authority, the Sussex County Planning Board, Department of Environmental Protection Commissioner Bradley M. Campbell, Senator Robert E. Littell, Assemblyman Guy R. Gregg, Assemblywoman Alison Littell McHose, and Kenneth Klipstein, Chief, Northwest Region, NJDEP Division of Watershed Management.

**TOWNSHIP OF BYRAM**

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Mary Johnson, RMC

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Eskil S. Danielson, Mayor