

NOT FOR PUBLICATION WITHOUT THE
APPROVAL OF THE APPELLATE DIVISION

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-1046-08T1

BOCINA HOMES CORPORATION,

Appellant,

v.

JON CORZINE, GOVERNOR OF
THE STATE OF NEW JERSEY,
and THE NEW JERSEY HIGHLANDS
WATER PROTECTION & PLANNING
COUNCIL,

Respondents.

Submitted April 12, 2011 - Decided August 15, 2011

Before Judges Yannotti, Skillman and Roe.

On appeal from the Highlands Water
Protection and Planning Council.

Greenbaum, Rowe, Smith & Davis, attorneys
for appellant (Dean A. Gaver, of counsel;
Steven Firkser, on the briefs).

Paula T. Dow, Attorney General, attorney for
respondents (Nancy Kaplen, Assistant
Attorney General, of counsel; Barbara L.
Conklin, Deputy Attorney General, on the
brief).


PER CURIAM

Appellant Bocina Homes, the developer of a 12.34-acre parcel in Far Hills Borough, which is located in the planning area of the Highlands Region, filed this appeal challenging the validity of Executive Order 114 issued by former Governor Corzine and the Regional Master Plan (RMP) issued by the Highlands Water Protection and Planning Council under the authority of the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 to -35. Appellant's arguments are similar to arguments presented in In re Highlands Master Plan, Executive Order 114, Memorandum of Understanding Between the Highlands Council and the Council on Affordable Housing, November 12, 2008 Resolution Extending Deadlines for 88 Municipalities, August 12, 2009 Resolution Extending Deadlines, and Adoption of Guidance for Highlands Municipalities that Conform to the Highlands Regional Master Plan, Docket No. A-1026-08T1 and Toll Brothers, Inc. v. Corzine, Docket No. A-0923-08T1, in which we are filing opinions simultaneously with the filing of this opinion. Appellant's arguments do not warrant any discussion in addition to the discussion contained in those opinions. R. 2:11-3(e)(1)(E).

For the reasons set forth in our opinion in Toll Brothers, we dismiss as premature the part of the appeal challenging the

designation of appellant's property as being located in the
"Existing Community Zone -- Environmentally Constrained Sub-
Zone." We affirm in all other respects.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION