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MARGARET NORDSTROM
Executive Director

MEMORANDUM

To: Plan Conformance Committee
From: Margaret Nordstrom, Executive Director
Subject: Committee Meeting Minutes– May 23, 2017
Date: June 2, 2017

A Plan Conformance Committee meeting was held on Tuesday, May 23, 2017 at the Highlands Council office in Chester. Council Chairman Rilee (via phone) and Committee Members Dressler, Vohden; and Members Richko and Tfanck (via phone) were in attendance.

Staff Members present: Margaret Nordstrom, John Maher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, and Annette Tagliareni.

Also present: Lisa LeBoeuf, Assistant Counsel, Governor's Authorities Unit; and Daren Eppley, Deputy Attorney General

Highlands Redevelopment Area Designation – Bloomsbury

Ms. Nordstrom reported that additional information has been provided by the applicant in support of its petition for the Bloomsbury Redevelopment Area Designation which Council considered at its February 16, 2017 meeting. Guliet D. Hirsch, Esq., attorney for the applicant, and Gregory Ploussas, P.E., P.P., C.M.E., engineer for the project, will appear before the Committee to present the additional information in support of the petition. Committee members received this new information in their packets.

Mr. Humphries gave an overview of the process leading to a Redevelopment Area Designation:

- Council approves Highlands Redevelopment Area Designation
- Applicant applies to NJDEP for a Highlands Preservation Area Approval with Redevelopment Waiver (HPAA)
- Highlands staff comments on HPAA

- Applicant applies at the local level
- Highlands staff has additional opportunity to comment on local application
- If deemed necessary, Highlands Council has a 15-day call-up for additional review after local approval.

Mr. Humphries also gave an overview regarding the three Highlands Resource concerns brought up by Council at its February 16, 2017 meeting:

1. Carbonate rock area
2. Existing on-site septic system
3. Prime Ground Water Recharge Area

Mr. Vohden asked if the property is farmland assessed. Mr. Humphries responded “no,” as it has a gas station on it.

At this time, Guliet D. Hirsch, Esq. and Gregory Ploussas were invited to join the meeting.

Mr. Humphries reiterated the three outstanding issues as noted above and Ms. Hirsch agreed that these were the three issues identified by Council members at the February Council meeting.

Ms. Hirsch gave an overview of the additional information gathered since February:

- Applicant hired Geo-Technology Associates, Inc. for a preliminary geotechnical report – consistent with Hunterdon County Soil Survey and no signs of karst conditions
- Applicant hired Gregory Ploussas, P.E., P.P., C.M.E. for a preliminary septic system evaluation – working satisfactorily and is regularly pumped and maintained
- The applicant, Stem Brothers, Inc., provided a letter stating its long ownership and use of the site and no observable issues with the carbonate rock area – no evidence of any type of land subsidence or sinkholes on the gas station/convenience store site, as well as the undeveloped farming properties (Lot 1.01 and Lot 1).

Mr. Humphries noted that the Council had concerns with granting a waiver from the prime groundwater recharge policy, as 1) have never done a waiver before; and 2) this is the reason Staff recommended a condition requiring mitigation for enhanced recharge.

Committee Member Dressler commented that mitigation should take place and he now has information he needs to make a decision.

Ms. Hirsch noted that her client would be doing additional Phase 2 and site plan work as the proposed development progresses through permitting with the New Jersey Department of Environmental Protection (NJDEP) and local zoning. Ms. Hirsch requested that staff provide to Council her correspondence dated March 8, 2017. Mr. Humphries responded that all materials will be provided to Council, including her March 8th letter.

At this time, Ms. Hirsch and Mr. Ploussas left the meeting.

Bellemead Development Corp.

Ms. Nordstrom reported that the Appellate Division in a May 1, 2017 decision directed the NJDEP to consult with the Highlands Council regarding the discharge permit issued to Bellemead Development Corp. Highlands staff prepared a Consistency Determination (CD) which states that the permit is inconsistent with the RMP. Committee members received a copy of the CD letter in their packets. After today's committee meeting, the CD letter will be sent to NJDEP. This matter will be brought to Council's attention at its next meeting. It was also noted that regardless of what action is taken on the discharge permit, if the project moves forward it will likely be subject to denial under the Tewksbury Township Highlands Ordinance since they are a conforming municipality.

Denville Township – Water Use & Conservation Management Plan (WUCMP) & Wastewater Management Plan (WMP)

Mr. Humphries updated the committee on a request from Denville Township regarding their Water Use and Conservation Management Plan and how the Council can assist their needs. Highlands staff would like to recommend to the Budget & Finance Committee to fund Denville Township, as well as some other Highlands municipalities for their WUCMP amounting to \$725,000. The funding would vary for each town (approx. \$65,000-\$70,000/municipality). This funding would be part of the 2018 budget.

Regarding Wasterwater Management Plans (WMPs), Highlands staff would like to recommend to the Budget & Finance Committee to fund approximately \$120,000 for 24 municipalities in the Highlands (\$5,000/municipality).

Member Dressler asked if it is unusual to do this funding now. Mr. Humphries responded that the same was done for the Stormwater Management Program.

A Budget & Finance Committee will be scheduled prior to the July meeting.

The meeting was adjourned at 2:45pm.