



## State of New Jersey

Highlands Water Protection and Planning Council  
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**CHRIS CHRISTIE**  
*Governor*

**JIM RILEE**  
*Chairman*

**KIM GUADAGNO**  
*Lt. Governor*

**GENE F. FEYL**  
*Executive Director*

December 6, 2012

Mr. Rick Reilly  
Division of Land Use Regulation  
New Jersey Department of Environmental Protection  
P.O. Box 439  
401 E. State Street  
Trenton, NJ 08625-0439

Re: Highlands Redevelopment Area Designation  
700 Bartley Chester Road, L.L.C  
Block 6800 Lot 10  
Mount Olive Township, Morris County

Dear Mr. Reilly:

On behalf of the Highlands Water Protection and Planning Council (Highlands Council), I am pleased to provide, in accordance with N.J.A.C. 7:38-6.7, the following materials regarding the above-referenced Highlands Redevelopment Area Designation:

- Highlands Council Resolution #2012-29
- Final Consistency Determination (CD)
- Final Staff Recommendation Report
- Project Figures
- Public Comments Summary and Responses
- Highlands Preservation Area Approval Application Checklist Items (Summary Matrix)

These documents are based upon our review of the project file as provided to us by the applicant, Highlands Council data and analysis, and public comment relative to the standards and policies set forth in the Regional Master Plan (RMP). The Highlands Council, by resolution on October 18, 2012, approved the designation and authorized the Executive Director to provide these materials to the New Jersey Department of Environmental Protection (NJDEP) on behalf of the Highlands Council.

As part of the Highlands Council staff review of the Highlands Redevelopment Area designation, we prepared a matrix regarding the Bartley Chester Road Property, Block 6800 Lot 10, which provides advisory information to both the applicant and the NJDEP regarding Highlands Preservation Area

Approval (HPAA) with Redevelopment Waiver submittal requirements. The matrix notes those items that the Highlands Council feels have already been addressed during our review, and those remaining items that need to be provided to the NJDEP by the applicant.

As indicated in the matrix, it is important to note that there needs to be a coordinated review of this HPAA with Redevelopment Waiver application between the staff of the Highlands Council and the NJDEP to ensure that the conditions of the Highlands Council's Final Staff recommendation (report enclosed) are met as follows:

1. A waiver from NJDEP will be required for the project regarding the Preservation Area rules (N.J.A.C. 7:-38) regarding the maximum 3% impervious surface;
2. The Letter of Interpretation (LOI) from the NJDEP during the HPAA permitting process confirms the wetland boundaries identified by the applicant (LOIs are not issued by the NJDEP in the Highlands Region until the time of the HPAA permitting process);
3. The stormwater regulations must be followed in the project design upon HPAA with redevelopment permitting, as part of the NJDEP permitting process. There shall be a coordinated review between the staff of the Highlands Council and the NJDEP such that under the NJDEP waiver, the applicant shall supply a stormwater management plan that incorporates low impact development techniques including a bioretention basin and a construction implementation plan that minimizes disturbance during and after construction; and
4. The applicant must conduct a geotechnical investigation to confirm that no karst features exist in the area of the proposed project.

The Highlands Council approved the Highlands Redevelopment Area Designation with conditions as set forth in the Final Staff Recommendation Report. Please be advised that in accordance with the Highlands Act, the Highlands Council's resolution of this matter has had no force and effect until the end of the Governor's ten day review period of the Council's meeting minutes (which was November 28, 2012). If you have any questions or comments regarding this matter, please feel free to contact me at (908) 879-6737.

Sincerely,



Gene F. Feyl  
Executive Director

Enclosures:

- Highlands Council Resolution #2012-29
- Final Consistency Determination
- Final Staff Recommendation Report
- Project Figures
- Public Comments Response Summary
- HPAA Application Checklist Items (Summary Matrix)