

New Jersey Highlands Water Protection and Planning Council
 Highlands Project Review Tracking Sheet
 April 9, 2012

Project Name	Municipality/County	Project Type	Project Description Summary	Date Deemed Administratively Complete by Highlands Council	Decision	Letter Recipient and Date
Pending Project Reviews						
None at this time						
Council Approved <u>Highlands Redevelopment Area Designations</u> – Authorized to Apply for NJDEP Highlands Preservation Area Approval (HPAA) with Redevelopment Waiver						
Route 46 (Mt Olive - Debeck) 8200 Lot 5	Mount Olive (Morris)	Highlands Council Highlands Redevelopment Area Designation	70% impervious surface basis. Proposed redevelopment project is the construction of an automobile dealership consisting of a commercial building of 13,000 sq ft and attendant parking.	11/17/11	On January 19, 2012 Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Rick Reilly (NJDEP Division of Land Use Regulation) 1/27/12 *HPAA application to be filed
Former Fenimore Sanitary Landfill	Roxbury (Morris)	Highlands Council Highlands Redevelopment Area Designation	Brownfield basis. Following the proper closing of the landfill, the proposal is to redevelop the landfill by placing non-penetrating photovoltaic panels on top of the constructed landfill cap.	9/6/11	On October 13, 2011 Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Rick Reilly (NJDEP Division of Land Use Regulation) 10/17/11 *awaiting HPAA. Application under review.

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Givaudan Fragrances Corporation	Mount Olive (Morris)	Highlands Council Highlands Redevelopment Area Designation	The proposed Highlands Redevelopment Area is within Block 402 Lot 5 in Mount Olive Township (on Waterloo Valley Road within the Foreign Trade Zone.) Proposed expansion of an existing building in two locations – along the western edge of the existing building (16,900 square feet for warehouse), and along the southern edge of the building where there is currently a cut-out of the building (4,430 square feet, also for warehouse.)	6/8/11	On August 3, 2011 Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Rick Reilly (NJDEP Division of Land Use Regulation) 8/15/11 *awaiting HPAA
Sand Shore Road Highlands Redevelopment Area, Mount Olive	Mount Olive (Morris)	Highlands Council Highlands Redevelopment Area Designation	The Township is seeking approval of a Highlands Redevelopment Area consisting of seven parcels zoned as Light Industrial, six of which are extensively developed with a commercial building on each lot. The seventh, Lot 5.01, is largely an open field with some surface disturbance. The owner of Lot 5.01 has local approval to construct a 4,296 sq ft one-story religious building, associated parking area, drainage, and a new septic system and to deed restrict approximately 1.65-acres. Approval of the Highlands Redevelopment Area Designation will allow for application to NJDEP for a HPAA with redevelopment waiver.	4/6/11	On May 19, 2011 Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Rick Reilly (NJDEP Division of Land Use Regulation) 6/14/11 *HPAA application to be filed

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Goldmine Partners, L.L.C. Proposed Redevelopment Area Designation	Mount Olive (Morris)	Highlands Council Highlands Redevelopment Area Designation	Construct a 12,240 sq ft two-story building for use as a construction office and equipment repair facility. The property formerly functioned as a stone quarry for many years, and much of the site features pavement, former quarry facility sites, bare rock and gravel, with weeds and grass growing through cracks and gravel.	4/21/10	On August 19, 2010 Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP. Consistency Determination also recommends NJDEP consideration of Exemption #4 applicability.	Tom Micai (NJDEP Division of Land Use Regulation) 8/26/10 Based on extensive interaction with Highlands Council staff and multiple site visits, NJDEP issued a Stipulation of Settlement (on 8/11/11) that reverses the prior NJDEP finding of "not exempt." NJDEP will issue Exemption #4.
Heath Village Retirement Community	Washington (Morris)	Highlands Council Highlands Redevelopment Area Designation	Raze eight existing residential structures that contain 37 senior housing units and replace them with four new buildings containing 90 senior housing units, and construct four new one-story attached units to replace an existing single-family home.	11/24/09	On April 15, 2010 , Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Tom Micai (NJDEP Division of Land Use Regulation) 5/5/10 *awaiting HPAA. Application under review.

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Borealis Compounds, L.L.C	Mansfield (Warren)	Highlands Council Highlands Redevelopment Area Designation	Construct a 27,200 square foot sea-land container staging area facility (including stormwater management) to increase materials storage and handling capability at the site.	9/1/09	On March 4, 2010 , Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Tom Micai (NJDEP Division of Land Use Regulation) 3/8/10 *HPAA application to be filed
West Milford Municipal Complex and Public Library	West Milford (Passaic)	Highlands Council Highlands Redevelopment Area Designation	Construct a 25,500-square foot three story public library, associated parking areas, and a new septic disposal system. Another element of the proposed project is the removal of the small retail building and its garage.	2/1/10	On March 4, 2010 , Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Tom Micai (NJDEP Division of Land Use Regulation) 3/8/10 NJDEP issued HPAA with Redevelopment Waiver on 8/16/11
Oak Ridge Road Associates, L.L.C.	West Milford (Passaic)	Highlands Council Highlands Redevelopment Area Designation	Construct an approximately 20,000-square foot parking lot as the current parking is considered inadequate for the size of the existing buildings and has resulted in the loss of tenants for this reason.	2/7/09	On June 25, 2009 , Highlands Council approved Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorized the Executive Director to prepare a document so informing the NJDEP.	Tom Micai (NJDEP Division of Land Use Regulation) NJDEP issued HPAA with Redevelopment Waiver on 8/4/11

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Other Staff Reviews						
Vliet Farm Road Proposed Solar Energy (Block 19 Lot2)	Bethlehem Township (Hunterdon)	Highlands Council Consistency Determination HPAA	The property is approximately 18 acres, currently utilized for agricultural purpose (cultivated corn field). The proposed project entails construction of a 5.75-acre solar energy farm and access drive.	2/28/12	The Highlands Council staff provided comments to NJDEP regarding the identification of potential inconsistencies with the goals, policies and objectives of the Highlands Regional Master Plan.	Susan Michniewski (NJDEP Division of Land Use Regulation) 3/23/12
ShopRite of Oakland - Renewed septic system	Oakland (Bergen)	Exemption Determination (#4 under NJDEP jurisdiction)	Proposed renewed septic system for an existing ShopRite within the Preservation Area. The proposed system will utilize a typical drainage field encompassing approximately one-half acre.	2/10/12	Advised applicant to apply to the NJDEP for a Highlands Applicability Determination for Exemption #4.	Elizabeth Stagg (Principal, STAGG Associates, LLC) 2/23/12

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Tennessee Gas Amendment to 300 Line/ Northeast Upgrade Project	Vernon, West Milford, and Mahwah Townships, and Ringwood Borough (Sussex, Passaic, and Bergen Counties)	Highlands Council Consistency Determination Exemption #11	Amendment to the existing Highlands Applicability Determination (from NJDEP) and Highlands exemption determination (from the Highlands Council) for the 300 Line Project (the Highlands Council previously approved applicability of Exemption #11 on November 12, 2009 for the Planning Area portion). Includes modifications made to the 300 Line Project since the Highlands Exemption was originally approved as well as the proposed Northeast Upgrade project, which involves the construction of approximately 7.6 miles of new 30-inch diameter underground natural gas pipeline (the first 1.29 mile long segment previously reviewed plus 6.3 additional line segment extending into Mahwah.)	8/30/11 Applicant submitted revised Comprehensive Mitigation Plans on 11/10/11	Highlands Council resolved to advise NJDEP that the 300 Line Project and Northeast Upgrade Project (with regard to the Preservation Area) were consistent with the goals and purposes of the Highlands Act (Exemption #11) with conditions and that the 300 Line Project (as amended) remained exempt with regard to the Planning Area, with conditions. Resolution # 2012-7 and #2012-8, respectively. Resolutions shall have no force or effect until the completion of the Governor’s review of the Highlands Council minutes.	Letters to NJDEP and Applicant following completion of the Governor’s review of the Highlands Council minutes (March 16, 2012)
Oxford Wastewater Treatment Plant Upgrade	Oxford (Warren)	Highlands Council Consistency Determination Exemption #11	Application for Exemption #11 in Planning Area by Warren County (Pequest River) Municipal Utilities Authority for plant upgrade.	12/6/11	Deemed exempt (Exemption #11) with conditions.	Patricia Kaspereen (Warren County (Pequest River) Municipal Utilities Authority) 12/28/11

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Algonquin Gas - Mahwah M&R Station Expansion	Mahwah (Bergen)	Highlands Council Consistency Determination Exemption #11	Algonquin Gas (also known as Spectra) proposes to expand the metering station in Mahwah.	N/A	Staff determined that the proposed project, with the executed agreement for development and implementation of an approved Comprehensive Mitigation Plan is “consistent with the goals and purposes” of the Highlands Act.	Tom Micai (NJDEP Division of Land Use Regulation) 8/24/11 (see related letter to applicant below – 3/2/11)
Township of Vernon Resolution – Block 240, Lot 4	Vernon Township (Sussex)	Highlands Council Request for Highlands Council Review	Applicant submitted to Highlands Council an adopted Township resolution which approved use variances permitting construction of a commercial recreational facility and two solar arrays on the subject property. A stated condition of approval was “approval by the New Jersey Highlands Council”. Applicant inquired as to what the next step would be with respect to this condition.	N/A	Staff advised that the subject parcel is located in the Preservation Area and that NJDEP is responsible for all State permitting of major development within the Highlands Preservation Area. Staff advised that unless applicant can demonstrate to NJDEP that the project may be modified to qualify for one of the 17 Highlands Act exemptions, the proposed project must seek a HPAA from NJDEP.	Michael Stengart (applicant) 8/17/11
Proposed Photovoltaic System – Mount Olive Block 301 Lot 4	Mount Olive (Morris)	Highlands Council Request for Highlands Council Review	Applicant proposing to construct a photovoltaic system in the Planning Area portion of Mount Olive.	N/A	Staff advised that the Highlands Council does not have jurisdictional authority regarding a formal review of this project, as it does not involve water allocation permits or wastewater management planning.	Richard Pelizzoni (consultant to applicant) 8/17/11

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White Deer Plaza Wastewater Treatment Plant Conversion	Sparta (Sussex)	Highlands Council Consistency Determination Exemption #11 (Planning Area only)	Sparta Township is proposing converting facility to a pump station to the Sussex County Municipal Utilities Authority's Upper Wallkill Wastewater treatment plant.	N/A	In response to Township inquiry, Staff advised that approval of Exemption #11 should be feasible conditioned upon a plan for mitigation of impacts on water availability, with implementation over a multi-year period. Guidance provided.	David Troast (Sparta Township Manager) 5/13/11
Meredith Court Water Tank	Jefferson (Morris)	Highlands Council Consistency Determination Exemption #11	Construction of Township water storage tank to serve existing development along Meredith Court (public health and safety – fire protection.)	N/A	Staff determined that the proposed project, with agreed upon conditions (provision of deed restriction on remainder of parcel and on an additional parcel to serve as mitigation, as well as implementation of a Comprehensive Management Plan), is consistent with the goals of the Act.	Elizabeth Semple (NJDEP Land Use Planning and WQMP) 4/26/11
Mine Brook Road Subdivision Wetland Sewage Treatment System	Bernards (Somerset)	Highlands Council Consistency Determination	A modified wetland wastewater treatment system is proposed to serve the subdivision identified as Mine Brook Road, Bernards (previously approved with septic systems). Somerset County requested a consistency review from the Highlands Council.	N/A	Staff found the proposal conditionally consistent with the RMP (the proposed project must address RMP requirements regarding the maintenance of community on-site wastewater systems), and an improvement over the use of septic systems.	Robert Bzik (Somerset County Planning Division) 3/22/11
Township of Rockaway Water Allocation Permit (WAP	Rockaway Township (Morris County)	Highlands Council Consistency Determination - Water Allocation	Rockaway Township has submitted an application for a major modification to their water allocation permit, related to the Pondview development. The	N/A	Staff issued a letter to NJDEP finding that the proposed permit modification is inconsistent with the RMP. Guidance was provided on	Fred Sickels (NJDEP Division of Water Supply)

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Program I.D. 5248) Major Modification		Permit	application seeks to add two new wells and to increase their permitted monthly and annual allocation limits.		potential alternative approaches.	3/10/11
Algonquin Gas - Mahwah M&R Station Expansion	Mahwah (Bergen)	Highlands Council Consistency Determination Exemption #11	Algonquin Gas (also known as Spectra) proposes to expand the metering station in Mahwah.	N/A	Staff provided guidance regarding the application process. Letter was <u>not</u> a determination of consistency.	George McLachlan (Algonquin Gas) 3/2/11
Hackettstown MUA Claremont Well 1R and Proposed Heath Well #9 (WAP 5145 and 5249)	Washington Township (Morris County) Mansfield Township (Warren County)	Highlands Council Consistency Determination - Water Allocation Permit – <i>submitted to Council re: Exemption #11</i>	The Hackettstown MUA is applying to the NJDEP Bureau of Water Allocation for the addition of Heath Well #9 and increase in permitted withdrawals from Claremont Well 1R, with closure of two small reservoirs.	N/A	Staff issued a letter to NJDEP finding that the Preservation Area portion of the project “is consistent with the goals and purposes” of the Highlands Act, and therefore the Highlands Council did not object to an Exemption 11. Staff also approved an Exemption 11 for the Planning Area portion of the project.	Elizabeth Semple (NJDEP Land Use Planning and WQMP) 2/2/11
Aqua New Jersey – Phillipsburg Water Allocation Permit (WAP 600001), Major Modification	Greenwich Township (Warren County)	Highlands Council Consistency Determination - Water Allocation Permit	Aqua New Jersey Water Company – Phillipsburg is requesting the addition of a new ground water source (Well 1) to their existing water allocation permit (serving Phillipsburg, Lopatcong, Pohatcong, and Greenwich) to improve pumping distribution for a proposed development in Greenwich Twp. The existing water allocation permit includes four wells. The new diversion requires a major modification, but does not involve an increase in total monthly or annual diversion limits.	N/A	Staff found the proposed permit modification inconsistent with the goals, policies and objectives of the RMP (significant possibility exists that the net water availability in the HUC14 subwatershed would be exceeded.) Guidance was provided on potential alternative approaches.	Jan Gheen (NJDEP Division of Water Supply) 1/27/11

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Hackettstown Municipal Utilities Authority Water (HMUA) Pollution Control Plant Solar Array	Washington (Morris)	Highlands Council Consistency Determination Exemption #11	Development of a solar array comprised of 210 solar modules supported on a metal racking structure. The total surface of the footings in aggregate will be less than 100 square feet. The footprint of the array itself will be 4,000 square feet. The solar array will provide electricity to the HMUA directly.	N/A	Project is consistent with the RMP policies regarding renewable energy, energy efficiency, and greenhouse gas reductions. Project location is disturbed (maintained lawn) and no sensitive resources would be affected. NJDEP was advised that the proposed project “is consistent with the goals and purposes” of the Highlands Act, and thus, the Council does not object to the NJDEP’s issuance of an Exemption (No. 11) for this project.	Elizabeth Semple (NJDEP Land Use Planning and WQMP) 1/4/11
Hackettstown Congregation of Jehovah’s Witnesses	Mount Olive (Morris)	Highlands Council Consistency Determination HPAA	Proposed construction of a one story building (Kingdom Hall) and related improvement (parking, drainage, septic system, etc.) on a vacant lot. (See also Sand Shore Road Highlands Redevelopment Area, above.)	N/A	Highlands Council staff provided comments to NJDEP regarding Highlands resources not already addressed by the Preservation Area Rules at N.J.A.C. 7:38, that may be affected by the proposed project. This included Highlands Riparian Areas. Letter noted that Highlands Council staff may discuss with the Township of Mount Olive potential applicability of a municipally sponsored Highlands Redevelopment Area designation.	Susan Michniewski (NJDEP Division of Land Use Regulation) 10/29/10
Spectra Energy Transmission NJ-NY Expansion.	Pipeline route NOT in Highlands Region, but a project element	Highlands Council Consistency Determination	Proposed replacement of 4.5 miles of line from Linden to Staten Island and proposed 15.5 miles of new pipeline from	N/A	Letter to applicant explaining Highlands Council staff review authority in the Preservation Area,	George McLachlan (Spectra Energy)

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(FERC Docket # PF10-17)	located in Mahwah (Bergen County)	Exemption #11	Staten Island through Bayonne and Jersey City to NYC (not in Highlands Region). A new facility to be built at the existing Hanover Compressor Station in Morris County (in Florham Park - not in Highlands), and a new facility to be built at an existing Metering and Regulating (M&R) station in Mahwah.		procedures regarding applying for Exemption 11, and the results of staff preliminary analysis.	10/14/10
National Park Service Review of PSE&G Susquehanna-Roseland 500-kv Alternative Transmission Line Routes.	Multiple	Highlands Council providing comments to Federal agency	The National Park Service is seeking comments regarding conceptual alternative routes to the existing route, for the purpose of reducing impacts on three National Park Service units. Upon selection of alternative routes, the National Park Service will conduct and prepare an Environmental Impact Statement, which Highlands Council staff will review.	N/A	Council staff provided comments on each of the alternative routes highlighting potential conflicts with Highlands resources.	National Park Service (DEWA PPL EIS Planning Team) 9/9/10
Proposed Redevelopment Area Designation of Mt Olive Bl 5300 Lot 16	Mount Olive (Morris)	Highlands Council Highlands Redevelopment Area Designation	Construct a 7,500 sq ft two-story office building.	N/A	The July 23, 2010 application was deemed administratively incomplete. Letter advising applicant was sent on Aug. 9, 2010. Meeting between Highlands Council staff and applicant on Sept. 15, 2010 .	Letter to applicant 8/9/10
JCP&L 230-kv Wire Replacement	Alexandria, Bethlehem, Holland, Lebanon, and Union (Hunterdon)	Exemption #11	Replace three existing 230-kv electric wires between Holland Township and Lebanon Township.	N/A	Council staff advised applicant via July 6, 2010 letter that a consistency review of the proposed project will be conducted by Highlands Council staff. Staff encouraged applicant to	Letter to applicant 7/6/10

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					submit any additional information that may assist in the review, particularly the specific locations of temporary disturbance and a more precise analysis of the amount of temporary disturbance.	
Constellation Energy Solar Array	Mount Olive (Morris)	Highlands Council Consistency Determination – HPAA	Construct a 450-kilowatt ground based solar array which will produce clean electricity for the Benjamin Moore facility in Mount Olive.	N/A	Consistent – no Highlands resources would be affected by the proposed project and it is an appropriate use of the site.	Tom Micai (NJDEP Division of Land Use Regulation) 6/29/10
JCP&L Califon Substation	Tewksbury (Hunterdon)	Highlands Council Consistency Determination – NJDEP Condition to HAD #11	Installation of new, BPU-approved electrical substation in historic district. Review of consistency with Highlands Act regarding historic resources specifically.	N/A	Based on the review of this project and in consideration of comments received and the standards for Exemption #11 review, the Highlands Council finds that the Landscape Plan submitted by JCP&L will not adequately "screen the substation from adjacent homes and roadways and complement the character of the existing historic district" as required by NJDEP's conditional HAD and also is not consistent with the goals and purposes of the Highlands Act. Accordingly, the Highlands Council does not approve the submitted Landscape Plan. It is the recommendation of the Highlands Council that the submitted	Terry Pilawski (NJDEP Division of Watershed Management) 6/8/10

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					Landscape Plan be found not to satisfy the condition of the NJDEP Exemption #11 and that the proposal is not consistent with the goals and purposes of the Highlands Act.	
Town of Clinton Water Department – Modifications to Existing Water Allocation Permit	Town of Clinton (Hunterdon)	Highlands Council Consistency Determination - Water Allocation Permit	Proposed major modification to their water allocation permit, adding a new well to their permitted ground water sources to replace failing wells and increase firm capacity to meet existing demands, without further approvals of expansions. The NJDEP approved an aquifer test for the proposed well in July 2006.	N/A	Consistent (with conditions)	Michele Putnam (NJDEP Division of Water Supply) 2/19/10
Elizabethtown Gas Company Utility Right-of-Way Improvements	Hackettstown, Andover, Independence, Allamuchy, Green, Andover (Warren and Sussex)	Exemption #11	Installation of a proposed gas pipeline to connect with an existing main	N/A	Provides advisory opinion that the proposed project would be exempt. Notes that this is advisory only and does not constitute a formal determination	John Miller (Suburban Consulting) 2/19/10
Lackawanna Cut-Off Rail Services Restoration (Minimum Operable Segment 1) Project	Hopatcong, Stanhope, Byram, Andover (Sussex)	Exemption #12	Reactivation of rail lines/rail beds	N/A	Recommends that NJDEP issue an exemption	Nicholas Valente (NJ TRANSIT) 2/17/10
Harkers Hollow Water	Harmony (Warren)	Highlands Council Consistency	Install interim chlorination in the Harkers Hollow system for the protection of public	N/A	Consistent, and addresses a public health hazard. Council has no	Michele Putnam (NJDEP Division of

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Distribution System		Determination - Safe Drinking Water Emergency Authorization	health		objection to NJDEP granting an emergency permit	Water Supply) 1/7/10
Goldmine System Water Supply Improvements	Mount Olive (Morris)	Highlands Council Consistency Determination – HPAA with Public Health & Safety Waiver	Improvements to the Goldmine, Tine Farm, and Lynnwood water systems serving portions of Mount Olive Township for protection of public health and safety	N/A	Consistent (with conditions)	Susan Michniewski (NJDEP Division of Land Use Regulation) 11/23/09