

PUBLIC HEARING NOTICE

AMENDED APPLICATION FOR DIVERSION AND RELEASE OF CONSERVATION RESTRICTION BY TOWNSHIP OF STAFFORD

TAKE NOTICE that the **TOWNSHIP OF STAFFORD**, a municipal corporation of the State of New Jersey (“Township”), has been directed by the State of New Jersey, Department of Environmental Protection (“Department”) and the State House Commission (“Commission”) to modify the compensation that had previously been approved in connection with the Department’s and Commission’s approval of the Township’s application to divert Green Acres encumbered land for the purpose of the development of facilities that produce electrical energy from solar technologies. The original diverted area is approximately 47 acres and is located along Haywood Road within the Stafford Business Park, between New Jersey State Highway Route 72 and the Garden State Parkway, more particularly known as part of Block 25, Lot 39 (and formerly known, as Block 25, Lot 93; and Block 13, Lots 22.01 & 68) as shown on the Official Tax Map of the Township of Stafford, Ocean County, New Jersey (the “Landfill Lot”).

The Landfill Lot is also subject to a conservation restriction dated December 7, 2006, and recorded on December 11, 2006, at Deed Book 13446, Page 0118, with the Office of the Ocean County Clerk (the “Conservation Restriction”), by, and between, the Township of Stafford and the New Jersey Pinelands Commission.

The diversion and partial release of the Conservation Restriction were originally approved by the Department on November 7, 2010 and by the State House Commission on December 9, 2010. The Department’s and Commission’s approvals were appealed to the Superior Court, Appellate Division by various parties challenging the project (the “Appeal”). Based on issues raised by the appellants, the Department asked the court to remand this matter to the Department for reconsideration of the appropriate compensation for the approved diversion and release of conservation restriction. The Appeal is currently subject to an Order of Remand that requires the Department to conclude any remand proceedings by January 4, 2014. In order to comply with the court’s order, the Department and Commission issued an Order on Remand directing the Township to amend the diversion application to bring it into compliance with the applicable statutory standards.

The amended application submitted by the Township to the Department differs from the original application in the following material respects:

- The area proposed for diversion (and the release of the conservation easement) has been reduced from approximately 47 acres to approximately 34 acres.
- The Township proposes to offer as replacement land two parcels totaling approximately 41 acres (designated for tax purposes as Block 54, Lots 21.02 and 26).
- In order to comply with a previous Appellate Division Order, the amended application includes supplemental information pertaining to endangered and threatened species habitat on the Landfill Lot.

- The Township has proposed to revise the financial terms of the lease between the Township and Walters Development Group (the entity responsible for the construction of the solar project.)

As directed by the Department's and Commission's Order on Remand, the Township will conduct a public hearing on the amended application.

The hearing will take place on February 10, 2014 at 6:00 p.m., at the following location:

Stafford Township Municipal Building
260 E. Bay Avenue
Stafford Township, New Jersey 08050

Any interested person may be heard at the public hearing and present any comments regarding this proposal orally or in writing. In the alternative, written comments may be submitted to the following:

Jim Moran, Administrator
Stafford Township Municipal Building
260 E. Bay Avenue
Stafford Township, New Jersey 08050

with a copy to:

Department of Environmental Protection
Green Acres Program
Bureau of Legal Services and Stewardship
Mail Code 501-01
P.O. Box 420
Trenton, New Jersey 08625-0420
Attn: Kevin Appelget

Written comments will be accepted until February 14, 2014.

The amended application is available for review at the Township Municipal Building and the Department's Green Acres Program offices at the addresses listed above.