

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

PRESENT

CARL J. RICHKO) CHAIR
KURT ALSTED) VICE CHAIR
MICHAEL R. DRESSLER) COUNCIL MEMBERS
ROBERT HOLTAWAY)
MICHAEL FRANCIS)
BRUCE JAMES)
JAMES VISIOLI)
RICHARD VOHDEN)

ABSENT

TIMOTHY DOUGHERTY)
MICHAEL SEBETICH)
DAN VAN ABS)

CALL TO ORDER 190TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:00pm at the Highlands Council Offices in Chester, NJ.

ROLL CALL

Roll call was taken. Members Dougherty, Sebetich, and Van Abs were absent. Members Alstede, Holtaway, Dressler were present via teleconference. All other Council Members were present in-person. *The following staff members were present: Lisa J. Plevin, Gabrielle Gallagher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, Corey Piasecki, Neda Hartman, Annette Tagliareni, Carole Ann Dicton, and Tom Tagliareni. Also present from the Deputy Attorney General's (DAG's) office: Jason Kane. The following DAG staff members attended via teleconference: Jordan Viana, DAG, Sri Balijepalle and Charlotte Raty. Jeffrey Nielsen, Associate Counsel, Governor's Authorities Unit was present via teleconference.*

OPEN PUBLIC MEETINGS ACT was recited.

PLEDGE OF ALLEGIANCE was recited.

CHAIRMAN'S REPORT

Chair Richko welcomed everyone back to in-person Council meetings. Chair Richko also announced that Lisa J. Plevin will be retiring in August. Chair Richko noted that the Personnel Committee is in the process of hiring an Executive Director (ED), a meeting was held today and the Committee will be interviewing candidates soon. Chair Richko noted that we are hopeful that a recommendation for a new ED will be considered at Council's July meeting.

EXECUTIVE DIRECTOR'S REPORT

Ms. Plevin noted that she will save her goodbyes for the July meeting. Ms. Plevin then highlighted the following updates and staff activities:

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

Plan Conformance Updates

Council will consider an Amended Petition for Center Designation in Clinton Township, Hunterdon County. In addition, the Council will consider two resolutions regarding plan conformance grant funding for Allamuchy Township and Somerset County.

Highlands Region Interactive Environmental Resource Inventory (ERI)

Ms. Plevin reported that staff received an overwhelming response to training sessions offered for the newly launched Highlands Region Interactive ERI tool. Over 70 individuals attended. A follow-up survey was conducted, and feedback is currently being analyzed.

Outreach efforts

Ms. Plevin also reported that with in-person meetings resuming, we have re-energized our in-person outreach efforts to municipalities and counties. Council staff gave a presentation on the Highlands Council and plan conformance to Montville Township Council in May and Mountain Lakes Borough Council on June 13. Ms. Plevin added that a virtual meeting with the Administrator for Bedminster was held on June 9 and on June 15 Council staff also met with Mount Olive's Economic Development Committee.

Earlier in the week, Council staff attended an interesting Environmental Justice (EJ) community engagement session in Phillipsburg, organized by the DEP and EPA. As part of a statewide series of meetings, this session was specifically targeted to towns in the Highlands Region with overburdened communities. Ms. Plevin noted that there are 29 such communities in the Highlands. Some of the EJ key issues raised by residents include warehouse siting, traffic and air pollution, public access to the Delaware River, and flooding.

Forest Task Force Meetings

Council staff from the science team are participating in the New Jersey Forest Task Force's workgroups on climate change and ecological health. The workgroups will be meeting over the coming months to research and review scientific literature and hopefully come to consensus on forest management strategies for New Jersey's public forests.

Additionally, Ms. Plevin reported that the New Jersey Planning and Redevelopment Conference wrapped up today and the Highlands Council was well-represented with a session organized by Highlands Staff entitled: "You Can Have It All – A Vibrant Economy AND Protected Natural Resources!" This session talked about our recently released Economic Sustainability Plan and the implementation actions being undertaken by our constituent municipalities and counties to facilitate a strong, sustainable economy while protecting our valuable environmental resources. Highlands Staff also moderated a panel on the new Sustainable Jersey Action on Creating Age-Friendly Communities.

State Planning Commission

Ms. Plevin then reported that the issue of warehouse siting has become an important topic not only in the Highlands but statewide. Highlands municipalities have approved a number of warehouse facilities in the last 1-2 years, some of which have already been built or are currently under construction. The demand for warehousing and distribution centers has multiplied across the state and is expected to continue for years to come. The State Planning Commission has released for public comment a draft guidance document on locating and planning for warehouses. Our agency participated in development

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

of this document and provided a section pertinent to the Highlands Region. At this time, the guidance is not being suggested as proposed state policy. Rather, it provides a multi-faceted list of suggestions for municipalities, counties, and regional planning authorities to study the key issues (e.g., traffic and roadways, highway access points, air pollution impacts), modify master plans and development regulations, and consider working together in task forces that include transportation authorities and others to help guide local decision making and ultimately to review development applications for warehouse facilities. The Highlands Council can provide funding to municipalities to conduct zoning and master plan reviews to determine if their current land use and transportation plans are appropriate and consistent with the Regional Master Plan (RMP).

Municipally Issued Exemptions

Since the prior report, the Highlands Council has been notified of the following municipally issued exemptions.

- Washington Township, Morris County: one exemption #5
- Hardyston Township, Sussex County: one exemption #5

Project Review Updates

Planning Area Exemption Reviews

- In Rockaway Township, Morris County - American Water Military Services Group is seeking an exemption #16 for the installation of a water main along an approximate 3,500-foot portion of Parker Road at Picatinny Arsenal. The subject property is in the Highlands Planning Area and is part of the United States Army's Picatinny Arsenal facility. There will be no increase in impervious surface and the proposed disturbance area will be within previously disturbed areas. Highlands Council staff finding is that the project is Exempt.

Planning Area Consistency Reviews

- In Pohatcong Township, Warren County - Larken Associates is proposing construction of four (4) apartment buildings and associated site improvements. Highlands Council staff finding: Consistent with Conditions.

Water Quality Management Plan (WQMP) Amendment Review

- In Sparta Township, Sussex County, Diamond Chip Realty, LLC is seeking a site-specific amendment to the Sussex County WQMP related to the proposed development of Diamond Chip Logistics Park which will have an 834,680 square-foot warehouse and 45,000 square-foot office space. The project will have a proposed wastewater generation of approximately 10,000 gpd that will be treated by an on-site wastewater treatment facility. Highlands Council staff review on this project is pending.

Personnel Update

The Council is currently interviewing to fill the vacant GIS Manager position and the vacant Environmental Scientist position.

The next Council Meeting is scheduled for July 21, 2022.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF APRIL 21, 2022

Chairman Richko asked for a motion on the Council Minutes of April 21, 2022

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

Member James made a motion to approve the Highlands Council Minutes of April 21, 2022. Member Visioli seconded it.

A roll call vote was taken. The Highlands Council Minutes of April 21, 2022 were APPROVED 8-0.

APPROVAL OF HIGHLANDS DEVELOPMENT CREDIT (HDC) BANK MINUTES OF MAY 5, 2022

Chairman Richko asked for a motion on the HDC Bank Minutes of May 5, 2022.

Member Holtaway made a motion to approve the HDC Bank Minutes of May 5, 2022. Member Visioli seconded it.

A roll call vote was taken. The HDC Bank Minutes of May 5, 2022 were APPROVED 8-0.

BUDGET & FINANCE COMMITTEE

Resolution – Approval of Plan Conformance Grant Funding for Open Space and Recreation Plan for Allamuchy Township, Warren County

Committee Chair Holtaway reported that the Budget & Finance Committee met on June 10, 2022 to review two grant funding requests and the Committee approved to bring them to the full Council. The first grant is for an Open Space and Recreation Plan in the amount of \$17,000 for Allamuchy Township.

At this time, Ms. Plevin noted that Allamuchy Township is conforming for the Preservation Area and after several years the Township reached out to the Highlands Council to re-engage and to discuss their current top priorities. Council staff met with the Township's Mayor and representatives from their Environmental Commission in March to discuss their priorities and interests. The topic of Plan Conformance for their Planning Area was discussed, and we are optimistic that this will be considered for the future.

Corey Piasecki, Principal Planner, then gave an overview of the grant request. Mr. Piasecki reported that the two priorities for the Township are their Master Plan Reexamination Report, for which Council staff previously approved their scope of work, and their Open Space & Recreation Plan (OSRP) which is before Council. The completion of the OSRP update will bring their now 18-year-old plan into conformance not only with the RMP, but also with the guidelines set forth by Green Acres, which make them eligible for funding.

Chairman Richko asked for a motion on the resolution.

Member Holtaway moved the resolution. Member James seconded it.

Council Comment

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

There was no Council comment.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 8-0.

Resolution – Approval of Plan Conformance Grant Funding for Somerset County Park Foundation Watershed Management Program

Committee Chair Holtaway reported that the second grant is for Somerset County Park Foundation for a Watershed Management Program in the amount of \$59,150.

At this time, Ms. Plevin reported that Somerset County is currently conforming for the Preservation Area. Council staff recently spoke with County Planning Director, Walter Lane about conformance in the Planning Area. Mr. Lane indicated that he would raise the issue with County Commissioners. Council staff is currently developing a work plan to present to the county regarding next steps for Planning Area conformance. Ms. Plevin noted that Carrie Springer was in the audience for any questions regarding the proposed Watershed Management Program.

Kelley Curran, Science Manager, reported that Somerset County Park Foundation submitted a scope of work, prepared by Princeton Hydro, LLC, for a Proposed Somerset County Parks Watershed Management Program. The project proposes to conduct assessments of the watersheds of the lakes in Lord Stirling Park in Bernards Township and the Leonard J. Buck Garden in Far Hills Borough. These heavily used lakes have experienced recent harmful algal blooms (HABs), potentially impacting their recreational use. Tasks identified in the scope include historical data review, bathymetric surveys, watershed modeling, hydrologic and pollutant loading, water quality monitoring, trophic state assessment and a general assessment report. The final report will identify the watershed management measures needed to address general causes of water quality impairments, relative costs of the measures, and a schedule for implementation. Lake management plans are a required part of plan conformance (RMP Policy 1L6). The project will be completed in approximately 17 months.

Chairman Richko asked for a motion on the resolution.

Member Holtaway moved the resolution. Member James seconded it.

Council Comment

Member James asked if that timeline is normal. Ms. Curran responded that the timeline is typical.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp asked a question about the nature of the project. Ms. Curran responded that this is for a study to improve the water quality.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

Carrie Springer, Manager, Environmental Science at Somerset County Park Commission – Ms. Springer added that the purpose of the project is to conduct a survey to help determine the source(s) of the water quality problems so it can then be addressed. The timeline is due to the fact that HABs frequently occur in the Spring and Summer and related work will be carried over into next year.

Chairman Richko emphasized that the grant funding is for the study.

There were no further comments from the Council.

A roll call vote was taken. The resolution was APPROVED 8-0.

PLAN CONFORMANCE COMMITTEE

Resolution – Amended Petition for Plan Conformance for Designation of the Clinton Township Highlands Centers, Clinton Township, Hunterdon County

Committee Chair Dressler reported that the Plan Conformance Committee met a couple months ago and reviewed Clinton Township's Amended Petition.

At this time, Ms. Plevin reported that a public comment period on this Petition ended on May 5th with only one technical comment from Clinton Township. Highlands Council staff also coordinated this process with the State Planning Commission, which voiced strong support. Additionally, the RMP recognizes the need for the designation of Highlands Centers in the Planning Area so that further permissible growth can be directed into appropriate areas.

Highlands Council Principal Planner Corey Piasecki gave a presentation. The presentation may be found on the Council's website:

https://www.nj.gov/njhighlands/about/calend/2022/jun16/preso_June2022.pdf

Chair Richko asked if the former Mayor of Clinton Township would like to comment.

John Higgins, former Mayor of Clinton Township – Mayor Higgins commented that he has been very pleased with his interaction with the Highlands Council and appreciates the Council's support and flexibility. He explained that the two centers are important to the town for many reasons, including providing for areas appropriate for development, in particular areas with access to transportation, access to public utilities, and adjacency to a four-lane highway.

Chairman Richko asked for a motion on the resolution.

Member James made a motion. Member Francis seconded it.

Council Comment

There was no Council comment.

Public Comment

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

Julia Somers, New Jersey Highlands Coalition – Ms. Somers supports this application and commends the Council and the Township. This has been a very deliberative and steady process of the Township and Council working together. Ms. Somers recognizes that this process might not have been popular, but it is a smart move and by completing this process, Clinton Township is showing other towns how to go through the conformance process, and that it can be in a better place when working with the Highlands Council.

There was no further public or Council comments.

A roll call vote was taken. The resolution was APPROVED 8-0.

OLD/NEW BUSINESS:

Member Francis commended Somerset County for their efforts regarding lake management. Member Francis added that lake management is important on ponds as well as the larger lakes. With climate change, density of population and development it all comes down to our lakes and ponds. Paying attention to lake management is critically important. Member Francis also commented about PFOS and urged all to pay attention to it.

Member James commented that Member Francis is a champion on lakes and appreciates him speaking out on it.

Chairman Richko opened the meeting to the public for any other comments.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp suggests that Council staff explain why Integra's original HDC Credit amount (\$96K) was discounted (\$16K). Mr. Klumpp noted that Senator Smith is now working on forestry, but not landowner compensation lost due to the Highlands Act.

Julia Somers, New Jersey Highlands Coalition – Ms. Somers wished Ms. Plevin a wonderful retirement. Ms. Somers enjoyed working with Ms. Plevin and wished her all the best.

Former Mayor Higgins - Clinton Township – Mr. Higgins echoed Ms. Somers sentiments and commented that Ms. Plevin has been a joy to work with.

Chair Richko asked for a motion to adjourn the meeting.

Member James made a motion to adjourn the meeting. Member Vohden seconded it. All were in favor. The meeting was adjourned at 4:49pm.

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JUNE 16, 2022

CERTIFICATION

I hereby certify that the foregoing is a true copy of the minutes of the meeting of the Highlands Water Protection and Planning Council.

Date: 7/21/2022

Name: Annette Tagliareni

Annette Tagliareni, Executive Assistant

Vote on the Approval of Minutes	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty			√			
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway			√			
Councilmember James		√	√			
Councilmember Sebetich						√
Councilmember Van Abs			√			
Councilmember Visioli	√		√			
Councilmember Vohden			√			
Chairman Richko			√			