

**Public Comments Received on the Highlands Water Protection and Planning Council Draft
Consistency Determination and Staff Recommendation Report for the Proposed Highlands
Redevelopment Area Designation Bloomsbury Redevelopment Block 32, Lot 1.01**

(Comment Period of January 26 – February 10, 2017)

Highlands Redevelopment Area Designation Bloomsbury Redevelopment Block 32, Lot 1.01 were accepted
Comments were provided by the following individuals/entities:

1. Martha J. Tersigni, Mayor, Borough of Bloomsbury

Comment: The Bloomsbury Council fully supports the petition for the proposed Highlands Redevelopment Area.

Response: The Highlands Council acknowledges the support for the Highlands Redevelopment Area Designation.

2. Tom Buchinski

Comment: Opposes construction of the 3,000 square foot fast food restaurant due to traffic concerns. The commenter stated that the existing area is already a traffic nightmare and is currently the site of illegal truck parking.

Response: The Highlands Council acknowledges the comment; however, regulation of site specific traffic is outside the jurisdiction of the Highlands Council's review of a proposed Highlands Redevelopment Area designation. The applicant will still be required to obtain all state, county and local approvals during which the commenter will have the opportunity to make clear his concerns regarding traffic.

3. Wilma Frey, Senior Policy Manager, New Jersey Conservation Foundation

Comment: The project proposal is inconsistent with RMP Objective 1K4b, which requires that applications for site plan or subdivision approval include "a multi-phased geotechnical investigation (e.g., test borings, test pits) to locate any potential karst features and potential hazards to public health and safety, structures and ground water quality." The current redevelopment area application does not include information from such a test. As a result, potential impacts to Highlands water quality and water supply are unknown. Believes that it is therefore inappropriate to grant approval of this Highlands Redevelopment Area Designation at this time.

Response: The Highlands Council acknowledges the comment. A condition of approval of the proposed Highlands Redevelopment Area Designation by the Highlands Council would require the applicant to conduct a multi-phased geotechnical investigation. It is required that the geotechnical report include a detailed evaluation and recommendations regarding development and construction measures. The municipal engineer's review and approval of these measures prior to any construction being performed will be a condition of any Highlands Council approval. It is important to note that Bloomsbury Borough has adopted the Highlands Referral Ordinance that will require the municipal application for development for this project to be submitted to the Highlands Council for a consistency determination. At that time, Highlands Council staff will review the project to confirm the consistency of the application with the RMP and this redevelopment designation.

Comment: The commenter notes that the applicant plans to use an existing on-site well, as well as an existing on-site septic system, whose conditions are not described in the documents. With respect to both Water

Resources Availability and Quantity, the commenter notes that the Consistency Determination and Staff Recommendation Report states that “it is recognized that concentrated infiltration of water on site that are underlain by karst geology is challenging because infiltrated water may erode the limestone and create more karst conditions...” The commenter states that without knowledge of the actual karst conditions on the site, it is not possible to determine whether or not any of the proposed mitigation measures will, in fact, function as intended.

Response: It is important to note that the Highlands Redevelopment Area Designation is a two-step process. First, the Highlands Council makes the determination if the proposed area is a suitable area for redevelopment. Second, the applicant applies to the NJDEP for a Highlands Preservation Area Approval (HPAA) with Redevelopment Waiver. The HPAA process requires the applicant to prepare detailed site plans and to provide extensive data and other application materials for careful review by the NJDEP (in coordination with Highlands Council staff) regarding project components such as stormwater management and recharge. Further, as described above, the Highlands Referral Ordinance adopted by Bloomsbury Borough will require the municipal application for development for this project to be submitted to the Highlands Council for a consistency determination. At that time, Highlands Council staff will review the project to confirm the consistency of the application with the RMP and this redevelopment designation.