

## Highlands Redevelopment Area Designation Pre-Application Meeting - **FINAL**

Date: December 1, 2020  
Time: 10:00 am  
Location: Teams Video Conference Call  
Re: Application for Highlands Redevelopment Area Designation  
Cibao Meats  
Rockaway Township, Morris County, Block 22103 Lot 16

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### Attendees:

Highlands Council Staff	NJDEP Division of Land Resource Protection Staff	Applicant Representatives
James Humphries Keri Green Christina Petagna	Patrick Ryan Stephen Dench	Ericka Naklicki Kenneth Smith Michael Thomas Jason Rittie Heinz Vieluf Jr.

### Introduction

The subject property, known as Cibao Meats, which encompasses approximately 8.88 acres, is currently developed with a warehouse and parking lot. The Applicant is proposing to add 0.46 acres of impervious surface coverage to expand an existing parking lot which fronts on Green Pond Road in Rockaway Township. This additional impervious coverage, proposed for a property in the Preservation Area, constitutes a Major Highlands Development and requires a Highlands Preservation Area Approval (HPAA), with waiver from the NJDEP. The first step in this process is to seek a Highlands Redevelopment Area Designation from the Highlands Council, which will allow the Applicant to qualify for a redevelopment waiver from the NJDEP in accordance with the Highlands Water Protection and Planning Act and N.J.A.C. 7:38 (NJDEP Highlands Rules).

On November 11, 2020, the Applicant submitted application materials for the requisite Highlands Redevelopment Area Designation Pre-Application meeting. A Pre-Application meeting date was mutually agreed upon for December 1, 2020 via Teams Video Conference.

### Summary of Meeting

Via Teams Video Conference, Highlands Council and NJDEP staff met with representatives for the Applicant to discuss the proposed redevelopment area. The Applicant presented the concept site plan and briefly described the proposed project followed by the Highlands staff using the Highlands Interactive Mapping tool to present the project location on-screen and assess Highlands resources. The following topics were discussed:

- Project Summary: Cibao Meats has increased its number of employees and therefore needs to increase its parking lot with an additional 53 parking spaces. The increase will add 0.46 acres of impervious surface coverage to the existing 3.57 acres of impervious surface coverage. The

project includes a proposed solar car port, porous pavement, and stormwater facilities. The improvements made on the site will not discharge stormwater directly into the Category One Beaver Brook waterway east of the site. The temporary disturbance noted on the plans is related to grading in the redevelopment area. Any groundwater recharge through stormwater management will be dependent on the soils on the site.

- Approval Process:

Council Approval of Redevelopment Waiver: In accordance with the Highlands Council adopted Redevelopment Area Designation Procedures (Council RMP Addendum 2019-1), once a complete application is submitted, Highlands staff will draft a recommendation report and consistency determination (CD) which will be posted on the Highlands Council website for a 30-day public comment period. Highlands staff then drafts a response to the public comment and prepares all materials to be presented at a regularly scheduled and noticed public Highlands Council meeting (either February 18, 2021 or March 18, 2021). Before the project is presented to the entire Council for a public hearing, Highlands staff will discuss it with the Council's Plan Conformance sub-committee. The Applicant will be invited to present the project at the Council hearing.

NJDEP approval of HPAA with Redevelopment Waiver: The NJDEP cannot issue a HPAA with waiver until the redevelopment area has been designated by the Highlands Council. The Applicant has expressed interest in an expedited process. It was therefore recommended that they submit the HPAA application concurrent with the Highlands Council redevelopment application. NJDEP staff will be copied on all correspondence regarding information about the redevelopment application and review. NJDEP recommends submitting a footprint of disturbance Highlands Resource Area Determination (HRAD) at the same time as submitting the materials for HPAA approval.

Municipal Referral consistency determination (CD): As applicable, and concurrent to staff review of the Redevelopment Area Designation application, Highlands staff will also review materials submitted for an eventual Rockaway Township Planning Board Site Plan Application. This is in accordance with the Rockaway Township Municipal Referral Ordinance #13-22 which states that any development application must be referred to the Highlands Council for a Consistency Determination (CD) before being found complete. Upon issuance of the HPAA with waiver the Applicant will be able proceed with their site plan application at the Township, but the Council review of the site plan application materials will already have been conducted.

- Materials needed for the Highlands Council Redevelopment Area Designation Application: Site photos are still needed for the application. Highlands staff requests a narrative addressing consistency with the Regional Master Plan (RMP) and how the Applicant avoided, minimized, or mitigated impacts to Highlands resources. A fully engineered stormwater plan is not needed for the redevelopment application, but a narrative of anticipated stormwater management is

requested. Most of the application materials can be electronic submissions; however, a signed hard copy of the letter/application should be provided.

- Materials needed for NJDEP HPPA approval: In addition to discussing typical NJDEP resources that may be disturbed, the NJDEP would also like information about slopes, forest area, threatened or endangered species, and any areas of historical significance (resources that must be presented already in the Highlands Redevelopment application). The NJDEP review should only consider the footprint of disturbance when reviewing what resources are being disturbed.

A restoration plan is required as part of the HPAA application. In addition, the restoration area as well as any of the remaining Highlands resources onsite shall be placed under conservation restriction following the Department's review of the HPAA.

The application portal at NJDEP cannot be used for HPAA's but a full electronic copy of the application should be emailed. The Applicant should confirm required NJDEP fees, using the fee tables in N.J.A.C. 7:38-10.

- Materials needed for Municipal Referral Consistency Determination (CD): Unlike the redevelopment application, the Municipal Referral submittal needs to include all the items which would be submitted for site plan approval. This includes stormwater management plans, landscape plans, the Low-Impact Development checklist for stormwater, and an Operations and Maintenance manual (or whatever is standard for the Township).
- Timeline:
  - Submit complete Redevelopment Area Designation application (Highlands staff recommends no later than Dec 15 for a February 2021 Council meeting).
  - A site visit will be performed by Highlands staff.
  - Highlands staff will draft their review for the redevelopment application once the application materials are complete.
  - Redevelopment application, staff report and consistency determination will be posted on the Highlands Council website for a 30-day public comment period.
  - Highlands staff will respond to public comments received.
  - Application will be discussed with Plan Conformance sub-committee.
  - All materials will be presented to Highlands Council for approval at a public hearing (either February 18<sup>th</sup> or March 18<sup>th</sup>).
  - NJDEP will review the HPAA with waiver once the Highlands Council approves the redevelopment area.
  - If not already submitted, Applicant can submit site plans to Highlands staff for a municipal referral CD after Council approval of Redevelopment Area. Highlands staff will be able, at a minimum, to send written notice to the Township that the Redevelopment Area was approved by the Council so that site plan approval can progress.