



State of New Jersey
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FINAL

HIGHLANDS RMP CONSISTENCY DETERMINATION REVIEW

PROJECT INFORMATION	
Project Name: Cibao Meats Redevelopment Area	Date: March 5, 2021
Name of Applicant: Cibao Meats	
Municipality: Rockaway Township	County: Morris
Lot and Block, if applicable: B 22103 L 16	
Project Review Type: Redevelopment (70% IS)	
<p>Description of Project: The Applicant is proposing to construct a new parking lot and solar car port in a previously disturbed portion of the parcel, along Green Pond Road, in the Preservation Area. The facility processes and packages meat and is in an industrial zone of Rockaway Township (Morris County). Currently, the facility has parking for approximately 75 employees however, the workforce is expanding, and the new parking lot will accommodate 53 additional spaces. A portion of an existing turf grass area with streetscape trees will be removed to accommodate construction of the parking lot. The solar car port will complement an existing roof mounted solar facility. Together these systems will offset 36% of the energy consumption of the meat processing and packaging operations. Signage, landscaping, new sidewalk, and stormwater management improvements will be included in the proposed Highlands Redevelopment Area. The parcel is approximately 9.26 acres in size, with approximately 3.57 acres of pre-existing impervious coverage. The entire proposed Highlands Redevelopment Area is 4.32 acres and the area to be developed is 0.75 acres.</p>	
PRESERVATION AND PLANNING AREAS AND LAND USE CAPABILITY ZONES	
Project Area located in which Highlands Act Area? (Check all that apply):	
Preservation Area <input checked="" type="checkbox"/>	Planning Area <input type="checkbox"/>
Project Area within which Land Use Capability Zone or Sub-Zone? (check all that apply):	
Protection Zone <input type="checkbox"/> Conservation Zone <input type="checkbox"/> Existing Community Zone <input checked="" type="checkbox"/> Conservation – Environmentally Constrained Sub-Zone <input type="checkbox"/> Existing Community – Environmentally Constrained Sub-Zone <input checked="" type="checkbox"/> Lake Community Sub-Zone <input type="checkbox"/> Wildlife Management Sub-Zone <input type="checkbox"/>	
<p>The review below is organized by Regional Master Plan Goals, Policies and Objectives for each resource and smart growth category; C stands for Consistent, I for Inconsistent, and N/A means the goal, policy, or objective is not applicable. Project specific reviews are based on the application of these Policies and Objectives to the project site, and do not require the adoption of municipal ordinances. Documents reviewed for this analysis include all appropriate documents submitted to the NJDEP, Highlands Council GIS data and technical reports, and documents related to the State Planning Commission Plan Endorsement process where applicable.</p>	
<p>*Please note that the asterisked GPOs have been modified from the original RMP text to facilitate ease of review and clarification.</p>	
PART 1 NATURAL RESOURCES	
SUBPART A FOREST RESOURCES	
Project Area within Forest Resource Area? No	
If yes to above, is there Encroachment into a Forest within Forest Resource Area? No	
Comments: No forest area or Forest Resource Area are within the proposed Highlands Redevelopment Area.	

SUBPART B HIGHLANDS OPEN WATERS AND RIPARIAN AREAS		
Project Area includes Highlands Open Water Protection Area? Yes		
Highlands Open Waters Affected: Streams <input type="checkbox"/> Lakes & Ponds <input type="checkbox"/> Wetlands <input type="checkbox"/>		
Highlands Open Waters in Preservation Area: No		
Comments: A Highlands Open Water, a Category 1 stream known as Beaver Brook, forms the eastern boundary of the parcel, but is not part of the proposed Highlands Redevelopment Area. A very small portion of the Highlands Open Water Protection Area and Riparian Area associated with the Beaver Brook are present in the proposed Highlands Redevelopment Area but in the previously developed areas. The proposed project would not impact Highlands Open Waters, Riparian Areas or Highlands Open Water Protection Areas.		
SUBPART C STEEP SLOPES		
Comments: There are no Steep Slope Protection Areas within the proposed Highlands Redevelopment Area.		
SUBPART D CRITICAL HABITAT		
Project Area includes:		
Critical Wildlife Habitat? No	Significant Natural Area(s)? No	Vernal Pool(s) +1,000 ft? No
Comments: There is no Critical Habitat in the proposed Highlands Redevelopment Area.		
SUBPART E LAND PRESERVATION AND STEWARDSHIP		
Project Area within Conservation Priority Area? No If yes, percentage? 0%		
Project Area within Special Environmental Zone? No If yes, identify properties (B/L):		
Project Area includes preserved land? No If yes, identify properties (B/L):		
Comments: The proposed Highlands Redevelopment Area does not lie within a Conservation Priority Area or Special Environmental Zone, nor does it include preserved land.		
SUBPART F CARBONATE ROCK (KARST) TOPOGRAPHY		
Project Area within or contributing to Carbonate Rock Area? No		
Comments: No Carbonate Rock Area is in the vicinity of the proposed Highlands Redevelopment Area.		
SUBPART G LAKE MANAGEMENT		
Project Area within Lake Management Area? No <i>If No, disregard remainder of Lake Management checklist.</i>		
Comments: The proposed Highlands Redevelopment Area does not lie within a Lake Management Area.		
PART 2 WATER RESOURCES AND WATER UTILITIES		
SUBPART A WATER RESOURCES AVAILABILITY		
Proposed Water Use (GPD): No new water use is proposed.		
SUBPART B PROTECTION OF WATER RESOURCES QUANTITY		
Project Area includes Prime Ground Water Recharge Area? No		
SUBPART C WATER QUALITY		
Is the Project Area a designated Brownfield or listed on the NJDEP Known Contaminated Sites List? No		
Project Area within Wellhead Protection Area (WHPA)? Yes		
If yes to above, check all that apply: Tier 1 <input type="checkbox"/> Tier 2 <input type="checkbox"/> Tier 3 <input checked="" type="checkbox"/>		
Name of Nearest Waterway(s) (1000 feet of Project Area): Beaver Brook		
Comments: The proposed Highlands Redevelopment Area lies within a Tier 3 Wellhead Protection Area (WHPA). However, the proposed parking lot and solar car port does not pose a risk of potential discharge of contaminants to groundwater or to the land surface. The applicant proposes to install two underground detention basins designed by StormTrap to manage stormwater. Stormwater will sheet flow from a high point in the parking lot area to porous pavement parking spaces. Porous pavement is a recognized green infrastructure practice. The stormwater will infiltrate the porous pavement to an underdrain that ties into an inlet, which conveys the stormwater to the underground basin areas. The porous pavement will provide initial water quality treatment (TSS removal). The downstream basin outlet will discharge to a second water quality BMP (Bayfilter MTD) to provide the required treatment prior to discharging		

through the outlet control structure into the existing municipal conveyance system. The applicant states that the project is exempt from groundwater recharge requirements due to the nature of site operations (industrial manufacturing facility).

SUBPART D SUSTAINABLE DEVELOPMENT AND WATER RESOURCES

WATER UTILITY

Comments: The facility is served by public water, the Rockaway Township Water Company. No expansion of the water service is proposed.

WASTEWATER UTILITY

Comments: The Applicant's facility is already connected to the Rockaway Valley Regional Sewer Authority. No expansion of the existing service area is proposed.

PART 3 HISTORIC, CULTURAL, ARCHAEOLOGICAL, AND SCENIC RESOURCES

Presence of Resources: No **Highlands Historic District Polygons** Absence

Highlands Historic Properties Polygons Absence **Highlands Historic Property Points** Absence

Archaeological Grids Absence **Highlands Scenic Resource Inventory** Absence

Comments: Review of the Highlands GIS data indicates that the proposed Highlands Redevelopment Area does not feature any historic, cultural, archaeological, or scenic resources.

PART 5 TRANSPORTATION

Project supports local transportation/transit infrastructure? NA

Comments: The proposed Highlands Redevelopment Area does not include or require any road improvements.

PART 6 FUTURE LAND USE

SUBPART A LAND USE CAPABILITY ZONES

Comments: The proposed Highlands Redevelopment Area is within the Existing Community Zone and the Existing Community – Environmentally Constrained Subzone. The construction of the proposed development would not adversely affect natural resources, as the area is already disturbed.

SUBPART C REGIONAL GUIDANCE FOR DEVELOPMENT AND REDEVELOPMENT

Regional Master Plan Goals, Policies, and Objectives:	C	I	N/A
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Policy 6H9: To incorporate smart growth principles and green building design and technology in development and redevelopment initiatives.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comments: The project has been designed to incorporate low-impact development techniques wherever possible, including stormwater management techniques. Any disturbance and construction activities within the proposed Highlands Redevelopment Area will be managed to minimize impacts to the surrounding environment. By reusing and redeveloping previously disturbed areas, economic investment, and community development within the framework of smart growth is assured. The project promotes smart growth policies by maintaining land use patterns, balancing economic development with resource protection, and providing an equitable distribution of the costs and benefits of redevelopment. The installation of the solar car port will enhance the existing solar project on the roof and offset 36% of the energy needs of the facility.

SUBPART D REDEVELOPMENT

Locally Designated Redevelopment Area? No **If yes, name of site(s):**

Highlands Contaminated Site Inventory Tier 1 or Tier 2 Site(s)? No **If yes, name of site(s):**

Regional Master Plan Goals, Policies, and Objectives:	C	I	N/A
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Policy 6J1: To encourage Preservation Area redevelopment of sites with 70% or greater impervious surfaces or a brownfield in areas designated by the Highlands Council as Highlands Redevelopment Areas in accordance with N.J.A.C 7:38-6.6 and 6.7.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comments: The project has been designed to incorporate low-impact development techniques wherever possible, including stormwater management techniques. Any disturbance and construction activities within the proposed Highlands Redevelopment Area will be managed to minimize impacts to the surrounding environment.

SUBPART E SMART GROWTH			
Is the municipality involved in the State Planning Commission Plan Endorsement (PE) process? No			
Does the project area include a State Planning Commission designated or expired center? No			
Regional Master Plan Goals, Policies, and Objectives:	C	I	N/A
Objective 6N2a: Implementation of on-site stormwater management features that maintain, restore and enhance the pre-existing natural drainage patterns of the site.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Objective 6N2b: Limitations on the amount of impervious cover allowed on a site as a means to protect and increase stormwater infiltration and reduce stormwater runoff.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Objective 6N2c: Minimum requirements for site-specific hydrologic studies during local development review and Highlands Project Review which identify the velocity, volume and pattern of water flow into, through, and off of the parcel proposed for development.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Objective 6N2d: Minimum requirements that stormwater management systems employ a “design with nature” approach.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Objective 6N2e: Minimum requirements for use of grass channels, dry swales, wet swales, infiltration basins, bio-swales and water gardens, green roofs, and other low-impact approaches to attenuate and control stormwater and provide multiple environmental benefits.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: Management of stormwater is being accomplished through the use of porous asphalt in the new parking spaces, which infiltrates to two underground detention basin areas. Porous pavement is a recognized green infrastructure practice. The stormwater management plan demonstrates the implementation of low-impact development techniques as addressed in the Low-Impact Development Program of the RMP. The proposed project has been designed to incorporate low impact development stormwater management techniques to control runoff. Construction activities within the proposed Highlands Redevelopment Area will be managed to minimize impacts to the surrounding environment. In addition, the applicant is proposing to prepare a conservation deed restriction for the forested habitats that remain onsite.			
SUBPART F HOUSING AND COMMUNITY FACILITIES			
Does the project area include an affordable housing site? NA			
PART 8 SUSTAINABLE ECONOMIC DEVELOPMENT			
Regional Master Plan Goals, Policies, and Objectives:	C	I	N/A
Policy 8A1: To maintain and expand the existing job and economic base by promoting appropriate, sustainable, and environmentally compatible economic development throughout the Highlands Region.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: The proposed Highlands Redevelopment Area is consistent with the RMP regarding smart growth and sustainable economic development. By reusing an already developed parcel, economic investment and environmental resource protection is achieved. The expansion of the workforce in the facility will be accommodated with the additional parking.			
CONCLUSION			
<p>The proposed Highlands Redevelopment Area does <u>not</u> encroach upon, and would not affect, Forests, Highlands Open Waters and Buffers, Riparian Areas, Steep Slopes, Critical Habitat, Lake Management Areas, and Historic and Scenic Resources. It is the Highlands Council staff's draft recommendation that the Highlands Council approve the proposed Highlands Redevelopment Area with the following conditions:</p> <ol style="list-style-type: none"> 1. Stormwater Management: The Stormwater Management Report (prepared by T&M Associates dated October 30, 2020) shall be revised to include groundwater infiltration to the extent possible. Additional green infrastructure such as rain gardens, bioswales etc., would enhance the low impact development measures already proposed. Provide updated stormwater plans to include such features, as feasible, to the Highlands Council for review and approval. The Stormwater Operations and Maintenance Report (prepared by T&M Associates dated August 7, 2020) requires revisions as outlined in email correspondence dated December 17, 2020. A revised O&M Report shall be submitted to the Highlands Council for review and approval. In this revised O&M Report please provide additional detail on the maintenance and upkeep of the porous pavement surface. 			

2. **N.J.A.C. 7:38 Rules - Three Percent Impervious Surface:** The site already has greater than 3 percent impervious surface. A NJDEP HPAA with redevelopment waiver will be required for impervious surface, based on approval of this Highlands Redevelopment Area.
3. **Conservation Restriction:** The remainder of the undeveloped portion of the property (Block 22103 Lot 16) outside of the proposed Highlands Redevelopment Area shall be protected through a conservation restriction, specifically authorizing ecological restoration and maintenance, with recognition of any existing utility structures that may periodically need maintenance or replacement. This conservation restriction shall be provided during the NJDEP HPAA with waiver process.
4. **Highlands Referral Ordinance:** Notwithstanding the HPAA with Redevelopment Waiver to be issued by the NJDEP, Rockaway Township 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. Highlands Council staff will provide a CD to Rockaway Township upon a Highlands Council resolution approving the Redevelopment Area.
5. **N.J.S.A. 13:20-17 (Review by council of regional applications for development.)** In accordance with Section 17 of the Highlands Act, the Applicant shall provide the Highlands Council with notice within 15 days after final local government unit approval of the application for development. The Highlands Council retains review authority under Section 17 to determine that said final approval meets the requirements and conditions found herein.