McGurk, Colleen

From: Gail Zalfa <gailforcez2@gmail.com>
Sent: Thursday, July 13, 2017 6:51 PM
To: McGurk, Colleen; osg@sos.nj.gov
Subject: Eagles Nest Airport - NODE

Ms. McGurk

I am a very concerned resident of West Creek and I was at the meeting of 6/28/17 regarding the State possible approval of the Heavy Industry Transportation Utility Node change.

I am sure you are aware by the response at the meeting of the residents that we are not in favor of this change and want the State to realize that it will not improve this airport and could possibly be even more problematic in the future.

The homes built in my neighborhood should be on 3 Acre lots and have been grandfathered in or slipped in by the township to allow 1 Acre lots. This airport is not safe nor properly managed and to give the owner ANY support from the State of NJ under the guise that it will improve regional benefits is absurd.

Please give the Eagleswood Twp. residents time to get the Mayor and Committee to rescind the Resolution or just do not approve this at the State level.

Thank you.

Sincerely,

Sam & Gail Zalfa
168 Cox's Crossing Road
West Creek NJ 08092

McGurk, Colleen

From:	johnmoore104 <johnmoore104@comcast.net>
Sent:	Friday, July 28, 2017 3:58 PM
To:	McGurk, Colleen
Cc:	osg_e@sos.nj.gov
Subject:	Proposed creation of a "heavy industrial transportation node" (PA4)w/ transportation node Eagles Nest Airport

We are writing this to inform you of our opposition the above proposed change.

CAFRA rules have already been ignored by the owner and a non porous taxiway has already been built which will result in runoff to the Westchunk Creek and in turn to the Barnegat Bay.

The State Appeals Court has already decided one suit brought by residents in the mid 1990's on the whole industrial tract adjacent to the airport when a businessman tried to turn it into a heavy industrial tract. Instead it was turned into a "Light Business" area.

Please don't let the blatant disregard for residents, their property values, the Eco system and CAFRA law business as usual.

The owner of Eagles Nest has been saying for some years he wants to be a good neighbor but keeps putting his concern for profit before anything else.

Sincerely,

Barbara & John Moore

104 Tanglewood Drive

West Creek, NJ 08092

Patrick Filardi
112 Tanglewood Dr.
West Creek, NJ 08092

State of NJ
Office for Planning Advocacy
PO Box 820
Trenton, NJ 08625-0820

To Whom It May Concern,

This letter is being written in opposition to the proposed creation of a "heavy industrial transportation node" at Eagles Nest Airport in Eagleswood Township.

At a hearing in Eagleswood on June 28, 2017, your representative, Colleen McGurk, stated that certain CAFRA regulations would be modified by the "node" designation. The most egregious of these pertains to impervious coverage. It has been noted that the greatest cause of pollution of our bays and waterways is "non- point source pollution". This is a result of increasing amounts of impervious coverage from parking lots to rooftops causing toxic runoff. The CAFRA regulations were put into place to protect our coastal region, and by extension, the residents and their property. Increasing the impervious coverage amount of the airport from 30% to 80% will send runoff into the pristine Westecunk Creek which feeds directly into lower Barnegat Bay. It is unconscionable the the state would even consider this action.

Eagles Nest Airport has had several accidents resulting in the loss of three lives. In the last three months there were two non-fatal crashes associated with the airport. The improvements made to the airport will create more business which is the stated goal of your proposal. The unassailable fact is that more business for the airport means more take-offs and landings.

You must be aware that our township elementary school is located directly in the path of the runway to the east. This increase in business , while benefitting the airport owner, will further compromise the safety of our school age children as well as all Eagleswood residents.

Property values which have already been depressed by the success of the airport will fall even further with increased air traffic.

It is my hope that you will reconsider your proposal to create a "heavy industrial transportation node" at Eagles Nest Airport given the aforementioned serious concerns.

Sincerely,
Patrick Filardi

McGurk, Colleen

From: DOS osg_ed
Sent: Monday, August 21, 2017 9:56 AM
To: McVicker, Wendy; McGurk, Colleen; Scharfenberger, Gerard; Ableman, Barry
Subject: FW: Eagles Nest Landing Strip- This too...

From: M J [mailto:sylviaj1910@yahoo.com]
Sent: Friday, July 28, 2017 12:20 PM
To: DOS osg_ed
Subject: Eagles Nest Landing Strip

SIERRA CLUB

Ocean County Group
c/o 114 Division

Street
Founded in 1892
08092

West Creek, N.J.

Tel.: 609-296-4367

July 28, 2017

Director Gerry Scharfenberger, PhD.
Office of Planning Advocacy
New Jersey Department of State
Office for Planning Advocacy
33 West State Street
P.O. Box 820
Trenton, N.J. 08625-0820

RE: Additions to the Eagles Nest Landing Strip

Dear Mr. Scharfenberger,

In my capacity as the Chair of the Sierra Club, Ocean County Group, I submit the following comments opposing the CAFRA designation of ***"Heavy Industry Transportation Utility Node"*** for our little landing strip.

Your Department is considering changing West Creek's landing strip into a multi-faceted heavy industry airport by way of a CAFRA change. According to your definition: "*. . . Heavy-Industry-Transportation-Utility-Node " means heavy industry (i.e. airports, seaports and rural yards), or utility facilities and activities that meet a regional need and that as a result of their vast scale or given the nature of their activities, cannot meet acceptable performance standards for locating in Centers . . .*" – Perhaps you should give attention to the fact,

that West Creek, the location of Eagles Nest Landing Strip, is only connected to the Garden State Parkway and US Rte. 9 (a 2-lane highway which cannot be widened!)

Therefore, to even consider such a move to a "Heavy-Industry-Transportation-Utility-Node" is ludicrous! The village of West Creek has roughly 620 households, and there is basically no industry; this had always been a "bedroom" community. The same is true for neighboring Little Egg Harbor and Stafford Townships, as well as Tuckerton where senior citizens make up a large number of residents. These people came from northern New Jersey to spend the last years of their lives in peace and quiet. The Eagles Nest Landing Strip is within the ***Pinelands Regional Growth Area*** of the Pinelands National Reserve, which is under the control of the Pinelands Commission. And the region towards Barnegat Bay is mostly wetlands and therefore is part of the Barnegat Bay Estuary. As a matter of fact, the area which the owner wants to absorb for enlargement and paving purposes is near the Westecunk Creek and it's wetlands. There are also cranberry bogs in the area that require clean water. The surrounding region of this air strip is mostly classified by CAFRA as "Rural P4." Neither the Pinelands National Reserve (i.e. Pinelands Regional Growth Area) nor the Barnegat Bay Estuary allow disturbances. Further impervious covers at the Landing Strip would add to run-offs into the wetlands, down into Westecunk Creek where residents have waited for over 10 years for dredging because they cannot get their boats out into the Barnegat Bay!

Although the Pinelands Regional Growth Area allows development, but only at the outskirts of the Pinelands; it is not allowed if it would harm critical habitats of any threatened or endangered species. Similarly, all development is supposed to be designed so it will not contaminate streams, wetlands or aquifers. As one now knows, large or small planes cause *airplane pollution* which disrupts the climate and endangers human welfare.

I - <u>Freshwater Wetlands – N.J.S.A. 13-98</u>

According to the New Jersey Freshwater Wetlands Protection Act N.J.S.A. 13-9B, the law also protects transition areas or "buffers" around freshwater wetlands.

The Department of Environmental Protection (DEP) Division of Land Use Regulations states . . . *"Freshwater Wetlands Protection Act required DEP to regulated virtually all activities proposed in the wetland, including cutting of vegetation, dredging, excavation or removal of soil, drainage or disturbance of the water level, filling or discharge of any materials, driving of pilings, and placing of obstruction."*

II – <u>Pinelands National Reserve – N.J.A.C. 7:50-6.6</u>

The Pinelands Comprehensive Management Plan (CMP) N.J.A.C. 7:50-6.6 provides that most development within 300 feet of wetlands is prohibited under circumstances where *". . . a significant adverse impact is deemed to exist where it is determined that one or more of the following modification of the wetlands will have an irreversible adverse impact on the ecological integrity of the wetland and its biotic components including, but not limited to threatened or endangered species of plants or animals":*

a. an increase in surface water runoff discharging into a wetland,
b. a change in the normal seasonal flow patterns in the wetland,
c. an alteration of the water table in the wetland,
d. an increase in erosion resulting in increased sedimentation in the wetland,
e. a change in the natural chemistry of the ground or surface water in the wetland,
f. a loss of wetland habitat,

g. *a reduction in wetland habitat diversity,*
h. *a change in wetland species composition or*
i. *a significant disturbance of areas used by indigenous and migratory wildlife for breeding, nesting, or feeding."*

N.J.A.C. 7:50-6.27 is of particular interest because it states that *". . . no development shall be carried out by any person unless it is designed to void irreversible adverse impacts on the survival of any local populations of threatened and endangered plants."*

And the health of the human population must also be taken into account!

Respectfully,

Signed . . . Margit Meissner-Jackson
Sierra Club Chair, Ocean County

SAVE BARNEGAT BAY

Executive Director
Britta Wenzel

President
William deCamp Jr.

Vice President
Dr. Louise Wootton

Treasurer
Andy Bess

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Charles W. Gobel
Nancy Heidt
Lois Lang
Ann Morgante
Robert Post
Bernard Reilly
Richard Sameth
Lynn MacIntosh
Peter J. Wright

New Jersey Department of State
Director of the Office for Planning Advocacy
33 West State Street, 4th Floor
P.O. Box 820
Trenton, NJ 08625-0820

AUG 7 2017 RCVD

July 28, 2017

By email to Osg_ed@sos.nj.gov on Friday, July 28, 2017

And by hard copy via U.S. Postal Service

Re: **Comments for the record pursuant to the June 28, 2107 hearing on the proposed Eagles Nest Airport Expansion.**

Dear Director,

Please enter these comments into the record pursuant to the June 28, 2017 hearing on the proposed Eagles Nest Airport Expansion in Eagleswood Township and into all other files pertaining thereto.

I am writing on behalf of Save Barnegat Bay, a 501 (c) (3) not-for-profit organization supported by approximately 3,500 families and businesses annually. Our mission is to protect and restore the Barnegat Bay ecosystem.

We object to the proposed expansion of the Eagles Nest Airport in Eagleswood Township and to the Office for Planning Advocacy's process in evaluating it.

The document given the public for review in this matter is wholly inadequate by any reasonable reading. We ask that the matter be commenced anew and that the document be fully redrafted. We further ask that a second public hearing be held so that the public may give testimony with regard to a new document that is adequate to the process.

Our Executive Director Britta Wenzel attended and testified at the hearing on June 28, 2017 where she obtained the document distributed by the Office for Planning Advocacy. After careful review, we find this document almost completely incomprehensible.

It is difficult to know where to begin in listing the inadequacies of the document distributed by the Office of Planning Advocacy at the June 28 hearing:

- There is no file number, no title, no statement of jurisdictional authority (beyond the use of Office for Planning Advocacy stationery), and no statement as to the purpose of the document.

- The very first sentence of the very first paragraph, under the initial subhead "Proposed Map Amendment", is without logical meaning and cannot be rationally understood.

- A separate Public Notice entitled "Eagleswood Township, Ocean County" indicates that a report—which may or may not be a copy of the document distributed at the June 28 hearing—is available at http://nj.gov/state/planning-spc-regional-coordination-map-amendments.html. This link results in "404 – Error – Page Not Found."

- The document distributed by the Office for Planning Advocacy seems to state that one of the questions being evaluated is whether the proposed airport expansion meets the State Plan's definition of the word "node", *yet neither the state's definition of "node" nor a citation as to where one might look up that definition is giv*

Save Barn and has paid
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It is not a simple task to write a coherent evaluation of an incoherent document, but we wish to make a few limited observations.

Barnegat Bay, into which the nearby pinelands stream Westecunk Creek flows, is a Category 1 water body, which should make locations proximate to it inappropriate for "heavy development".

The document states:

> "While it is unlikely that the pine snake would have any habitat in proximity to an airport but would instead be in the forested area north of the airport, which is adjacent to the gravel pit, I defer to the DEP's Endangered and Threatened Species Division, for their expert opinion."

From the standpoint of process, this statement is unacceptable in its ambiguity. Earlier portions of the document seem to imply that the Office for Planning Advocacy is recommending some kind of approval by the State Planning Commission. *Why is a recommendation to the Commission being made if the status of endangered species is unresolved?* Moreover, in point of fact, airports proximate to gravel pits and forests would, as a general expectation, be quite likely to be snake habitat.

In a similar vein, we find no logic in the following words from the untitled document:

> "The following information was considered by staff prior to making this recommendation:

1. Pursuant to Coastal Zone Management (CMZ) rules, any map amendments need to be independently evaluated and found by the DEP to be consistent with the goals of the Coastal Area Management Program, the CMZ rules and CAFRA.

3. The Municipality and County have been made aware of this proposed amendment and both support the proposed node.

4. DOT and specifically the Aeronautical Division have provided their input."

This putative information listed above is for the most part non-information. Regarding Point 1, *we object to the State Planning Commission approving a development or designation prior to the DEP's evaluation, which should be fundamental to the planning process where the land is within or proximate to pinelands and estuarine ecosystems.* Also regarding point 1, *would any "independent evaluation" be prior to or subsequent to any action by the Commission?* Regarding point 2, *is there a point 2, and if so what is it? Or was there simply a numbering error?* Regarding point 3, *our conversations with regional officials do not permit of a representation of their blanket approval of this project.* And regarding point 4, *what was the specific input of the DOT?*

In justification of the proposal, the document states or implies several rationales without any substantiation.

It is stated that the area was used by the National Guard during Sandy, *but there is no substantiated evidence that the National Guard found the existing facility in any way inadequate.*

It is stated that in the past the New Jersey Department of Transportation has provided funding for this airport *but there is no substantiation that the DOT finds the airport in any way inadequate at present.*

It is stated that "the FAA also plans to use the airport for drone training." *Even if this claim is true, there is nothing about this facility or region that make them uniquely necessary as a training area for drones.*

It is stated as a justification that Goal 5 (of an unnamed document, which is presumably the State Plan) is to "Maintain and rehabilitate highly developed and expensive infrastructure networks." *In fact, approval of this project would <u>not</u> maintain a highly developed infrastructure project. It would instead <u>create</u> one out of what is at present referred to even in this document as "small".*

The document in one place describes this facility as existing in Planning Area (PA) 4 and in another as existing in PA 5.

The overall impression given by this extraordinary document is that the fix is in for the purpose of enabling some additional contemplated but unstated regional purpose.

A further impression given by this document is that little scrutiny exists of the work of the Office for Planning Advocacy.

The people of New Jersey deserve to know what the other, unstated regional use intended for this area might be prior to the Office for Planning or the State Planning Commission acting on this inchoate proposal.

We ask that the Office for Planning Advocacy return to square one, redraft their findings, write a proper document, and hold a hearing at which the public may testify in full knowledge of all that is proposed and in full knowledge of the process.

We believe that if the above steps are taken, the inappropriateness of the proposal will become clear to all parties, including yourselves.

Sincerely,

William deCamp Jr.
President

Britta Wenzel
Executive Director

cc:
Michael J. Pasternak, Mayor Eagleswood Township
David J. McKeon, Planning Director Ocean County
Michele R. Donato, Esq.
Carleton Montgomery, Executive Director Pinelands Preservation Alliance
Dr. Emile DeVito, Manager of Science & Stewardship, New Jersey Conservation Foundation

State of New Jersey
DEPARTMENT OF STATE
BUSINESS ACTION CENTER
OFFICE FOR PLANNING ADVOCACY
PO BOX 820
TRENTON, NJ 08625-0820

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

GERRY SCHARFENBERGER, PH.D.
Director

April 6, 2017

Proposed Map Amendment

The Office for Planning Advocacy has determined that it is appropriate to forward the Eagles Nest Airport map amendment application to the State Planning Commission (SPC) for their determination as to whether this criteria meets the State goals for the creation of a new transportation node. This node would be located at the Eagles Nest Airport in Eagleswood Township. The map amendment would result in the creation of a transportation node on approximately 111.29 acres. The area would consist of Block 34 Lot 1.01, Block 35 Lot 3, Block 36 Lot 13.02, Block 37 Lots 1-3 and 2.02 and 2.03 (formerly 2.01), Block 38 Lots 7 and 9.

Background

The proposed node is made up of multiple parcels with various property owners including Eagleswood Township. The existing use is that of a privately owned public airport which has been in use since 1966. The sole owner of the facility is Peter Weidhorn. The airport property is zoned LB for light business which permits the airport use. All of the properties are located within a CAFRA area. The area being considered for expansion currently contains SGS Environmental Drilling Company and Stafford Forge Business Park LLC along with additional vacant lots, with a portion of which are disturbed. The surrounding properties consist of residential and commercial properties but the majority of the area is undeveloped. The Garden State Parkway is directly to the west of the airport. The proposed node is located in the LB overlay zone and also the R/R-OS zone (Resort/Recreation – Open Space) which also permits the airport use.

The 2007 Land Use Land Cover shows that the Eagles Nest Airport proposed node covers 111.29 and the amount of disturbed land consists of 107 acres. There are currently two

airport hangers and a runway associated with this airport. The proposed expansion will not extend beyond the existing footprint of disturbed land.

Current NJDEP landscape data indicates that the entire property could have a threatened species, the northern pine snake. While it is unlikely that the pine snake would have any habitat in close proximity to an airport but would instead be in the forested area north of the airport which is adjacent to the existing gravel pit, I defer to the DEP's Endangered and Threatened Species Division, for their expert opinion.

The proposed change is located in an area that is already developed and much of the surrounding land has been disturbed. Therefore, it appears that the environmental sensitivity of this area has already been reduced. The airport is also an established economic entity within Eagleswood.

The SPC should be aware that the CAFRA regulations are restricting the expansion of an existing regional employer with infrastructure within a PA 4. The enhancement of this existing airport as a transportation node is consistent with Goal 3 of the New Jersey State Development and Redevelopment Plan (NJDRP), to promote "beneficial economic growth, development and renewal for all residents of New Jersey." Enabling the expansion of this concentrated economic driver will benefit the region and the State. According to the applicant the airport provides economic benefits not just in the revenues it produces but also to help support several businesses on the property. The indirect support it also provides throughout Eagleswood and the surrounding areas amounts to over 17 million dollars yearly.

The following information was considered by staff prior to making this recommendation:

1. Pursuant to Coastal Zone Management (CMZ) rules, any map amendment needs to be independently evaluated and found by the DEP to be consistent with the goals of the Coastal Area Management Program, the CMZ rules and CAFRA.
3. The Municipality and County have been made aware of this proposed amendment and both support the proposed node.
4. DOT and specifically the Aeronautical Division have provided their input.

Justification

Existing designation - CAFRA zone and PA4
New designation – Heavy Industry Transportation Utility Node

The purpose of the proposed node would be to further the NJDRP with regards to Goal 5, which is to provide adequate public facilities and services at a reasonable cost. As stated on page 72 of the NJDRP, the goal is to "Maintain and rehabilitate extremely highly developed and expensive infrastructure networks. The most urbanized state in the United States requires a higher level of public facilities and services to serve its population and visitors and "Our location as a corridor state puts additional strain on our road, rail, sea and airport facilities." A significant amount of funding has been allotted to the Eagles Nest airport by the DOT over the years in order to maintain and upgrade the facility. "The state awarded the grants because the Eagle's Nest Airport serves as an important regional hub said State Department of Transportation spokesman
Rick Remington.(http://archives.californiaaviation.org/ganews/msg10385.html).

The airport helps serve the needs of the community especially in times of emergency such as Superstorm Sandy when it was used as a National Guard Command Center. The Department of the Air Force utilizes the airport for training purposes and the Atlantic City Coast Guard utilizes the airport routinely for its flight training exercises. The FAA also plans to use the airport for drone training.

The NJDRP recognizes that not all development has taken place in concentrated, mixed-use forms. The existing development within the area subject to this proposed map amendment, as per the NJDRP and the State Planning Rules, is best defined as a "node" and not a "center." A Node which can exist within "concentrations of employment and economic activity that are not organized in compact, mixed-use forms. These may be Commercial-Manufacturing Nodes or Heavy Industry-Transportation-Utility Nodes" (Page 9).

The applicant has also stated that the airport expansion is necessary to its economic viability. CAFRA regulations prohibit any further expansion of the airport which is located in the PA5 planning area. The enhancement of this airport and the creation of the Node is consistent with Goal 3 of the NJDRP, to promote "beneficial economic growth, development and renewal for all residents of New Jersey". While the airport is small it is a public airport that is used for emergency purposes and training purposes by various government entities. The airport has also received significant government funding over the years to make necessary improvements and currently employs 70 people.

A resolution was adopted by Eagleswood Township in 2016 supporting this petition for a node at the Eagles Nest airport.

Exhibit A Petition documents from Eagles Nest Airport owner, Mr. Peter Weidhorn
Exhibit B Map of Current and proposed State Plan Policy Map by Geller, Give and Company
Exhibit C Resolution from Eagleswood Township in support of map change
Exhibit D Planning area map by Steve Karp, OPA
Exhibit E Site view and aerial photo
Exhibit F Letter from Department of the Air Force

State of New Jersey
DEPARTMENT OF STATE
BUSINESS ACTION CENTER
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PO BOX 820
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

GERRY SCHARFENBERGER, PH.D.
Director

August 9, 2017

Dear Mr. deCamp, Jr and Ms. Wenzel,

I am in receipt of your letter regarding the proposed map amendment for the Eagles Nest Airport located in Eagleswood, NJ. Unfortunately, the document you refer to is not the document I presented at the June 28, 2017 town hall meeting, therefore, it would not explain much of the rational and justifications for the map amendment. The report you refer to was provided in addition to the power point presentation merely for transparency and was specifically for the State Planning Commission whom would not require much of the background information and definitions etc. that I presented to the residents and other interested parties at the public meeting. It would also not contain comments from DEP and DOT representatives since they were in attendance at the SPC meeting held on April 19, 2017, which is why I deferred to the DEP. The report presented at the SPC meeting was in exactly the same format as previous reports. As I stated, it was not for the public meeting in Eagleswood. At both the SPC meeting and the Eagleswood meeting there were power point presentations which outlined the process and the State Plan. Also, both DEP and DOT were contacted prior to both meetings and provided their input. DEP did not have any concerns regarding the pine snake and felt that the airport was not a suitable or likely habitat. After collaborating with DEP, the proposed node boundary was reduced significantly due to the presence of a tributary to Westecunk Creek on the property. This can be seen in both power point presentations. Please keep in mind even if this node were to be approved there will be an in-depth examination of the property during the CAFRA permitting process. And finally, a representative from DOT was in attendance at the June 28, 2017 meeting and could have easily interjected if she felt anything was unclear or being misrepresented. She did not.

The public meeting in Eagleswood was specifically for the Office for Planning Advocacy to gather public comment and then present those comments to the State Planning Commission. A very clear and informative presentation was given at which the public was able to ask questions and be given all of the information necessary in order to understand the process. Many members of the public spoke and asked questions and had no issue with the information that was presented. While many members of the public have issues with the existing airport, they clearly understood what was presented and in fact stated so at the meeting which lasted a full 90 minutes. The power point presentation provided a definition of a heavy-industry-transportation utility-node and the

DEP's determination of the lack of any evidence of the pine snake existing at the airport and clearly outlined the logic of granting the node and drew a concise correlation between the current airport use and the State's goals.

As far as your assertion that the link on the SPC website did not work, I verified that it is currently working. Please try the link again at your convenience but I am also happy to attach my presentation to the residents of Eagleswood Township which is not on the website. Hopefully this will clear up some of your misconceptions.

You also state that "the fix is in" which is of course untrue. We, at the State, have no reason to be anything other than transparent. There is also very little in the way of what you term "expansion". I deliberately did not use that term and clearly explained at the June 28th meeting that what is currently there will remain. The property in its current state has already been developed and has little area to expand further. The Township gave zoning and building permits to the current owner to install several buildings on the property and to build a taxiway. Most of which has already been built. The owner did not seek a CAFRA permit prior to construction and has now exceeded the allowable impervious coverage. If the transportation node is approved it will simply mean that the owner can keep the property as it is with some additional potential for a pole barn or an additional building. The owner contends that no additional runway is planned nor could it be built on this property due to lack of land and constraints such as wetlands, setbacks and FAA regulations. A taxiway is currently being constructed and was given funding by DOT in order to make the airport safer. There is no "additional contemplated but unstated regional purpose". A small private but publically utilized airport has been deemed worthy of DOT funding and deemed a benefit for the area.

Justification for a node does not require that the property have some type of unique value, you may be confusing this with a "C" or "D" Variance at a township level under the MLUL. It is also not necessary that the DOT find the property inadequate for its purposes. The DOT has provided $2,669,000 of development grants to this airport over the years and most recently in 2014 and therefore finds value in it. It is a simple statement of fact. I refer you to the Redevelopment and Development Plan on our website if you would like more information on the State guidelines. http://www.nj.gov/state/planning/docs/stateplan030101.pdf Please refer to section 5:85-8.4 for the specific map amendment procedures.

After reading through the proper documentation that was presented at the meeting, you will see that the public was sufficiently informed.

Sincerely,

Colleen McGurk, PP/AICP
Government Representative
Office for Planning Advocacy

Cc: Michael J. Pasternak, Mayor of Eagelswood Township
David McKeon, Planning Director of Ocean County
Michele R. Donato, Esq.
Carleton Montgomery, Executive Director of Pinelands Preservation Alliance
Dr. Emile DeVito, Manager of Science & Stewardship, New Jersey Conservation Foundation

Testimony April 24, 2019 NJ State Planning Commission
NODE application Eagles Nest Airport

Good morning and thank you for reviewing this application. I understand that this is new to you and today is my opportunity and the opportunity for your staff to update you on an application that has been in process for almost 4 years.

In fact, this Board, with different members, had taken the initial steps to approve the application and authorized a public hearing which was held in Eagleswood in June of 2017. A public notice was both mailed to the neighbors and published in the newspapers. In addition, the public comment period and responses were received and processed by the Commission.

A final vote was scheduled for September 2017, but deferred, after two airplane incidents in June 2017 caused the Town to rethink its position.

Let me begin by stating that NJDOT is in support of this application and 2 members are here today. NJDEP is also in support of the application. In fact, the NJDOT has provided grant infrastructure funding of more than 3 million dollars and I have invested almost 5 million into the airport which is a privately owned Public Airport, utilized by general aviation, charter aviation, and on site businesses including a tandem parachute business, three banner towers, 2 maintenance shops, and a scenic island tour operator. In addition, the helicopter that operates off the steel pier in Atlantic City is based at Eagles Nest. The airport is also available at no cost for cultural, educational and community events.

The application is specific in its limited intent. Technically the airport is in violation of the 3% impervious coverage restriction imposed by CAFRA on commercial properties. The regulations when originally drafted, did not provide for an airport and accordingly a carve out does not exist. The current impervious coverage is approximately 18% and the application seeks to increase that amount.

Without the NODE, DEP and DOT cannot resolve their respective challenges and the facility could not be developed further. Let me define the word develop by first stating that there will **never** be additional runways or an expansion of the existing runways. The airport is bounded by the garden state parkway to the west and residential developments to the east. On the south side, there are additional residential developments, commercial businesses and Stafford Forge Road. To the north is an extensive open sand pit mine which is licensed to operate for at least 100 years. Even if economically viable, additional land is not available. Accordingly, development, if any, would take place on the existing parcel and would be in the form of a maintenance pole barn and possibly some additional hangars, if demand exists, many years down the road.

In fact, in the original master plan, the town had approved 2 additional buildings which could house 24 T hangars. Today, economics and demand don't exist and no such plans are on the horizon.

It is important to note though, that even with the NODE, any future development is subject to both the Town planning board and NJDEP review and approval.

Let me take a minute to address the challenge which the Town faces. The town supports the airport as evidenced by its master plan of over 60 years which designates the parcel as an airport. And the airport pays $50,000 a year in real estate taxes. But, like all communities that have an airport, the residents living alongside the airport or its flight path don't enjoy the increased noise factor or benefit from the airport economics. The town has taken the political position that the State effectively controls all aspects of the airport operation and development and that DEP and DOT ultimately make the final decision, so why not take the high road and tell the residents it's out of their control. Effectively then, if this body or the DEP or DOT doesn't proceed, progress stops and the airport remains frozen in place.

I will conclude with;

Innovation is in our DNA and Todays Infrastructure will enable tomorrow's technology. Opposition to an airport doesn't just rob local citizens of the existing benefits associated with airports, and yes highways, waterways, rails and other public facilities which the State must provide to keep updated and innovative for future generations, it prevents people from utilizing an emerging efficient mode of transportation that will transform our economy and how we get places. Eagles Nest provides aviation and access to emergency services in a region where 3 airports, Manahawkin, Bader field in Atlantic City and Smithville were closed for development and Atlantic City international is not general aviation friendly.

Change and innovations are constants in aviation. Drones, electric airplanes, short takeoff and landing aircraft, air taxi service and package deliveries are all in the future and will benefit the residents of our state with efficient and quiet technology. This application helps insure that NJ and Southern Ocean County and especially the Long Beach Island economy will be sustained and provided with the most updated technology, emergency services and infrastructure. Like roadways, mass transportation and waterways, the state must provide for the future and this application is just that.

Thank you for your consideration.