

**WARREN COUNTY PLANNING DEPARTMENT
WAYNE DUMONT, JR. ADMINISTRATION BUILDING
165 COUNTY ROAD 519, SOUTH
BELVIDERE, NEW JERSEY 07823-1949**

DAVID K. DECH
PLANNING DIRECTOR



Telephone: (908) 475-6532
Fax: (908) 475-6537
planningdept@co.warren.nj.us

**WARREN COUNTY PLANNING BOARD
AGENDA
Monday, June 27, 2022
7:00 p.m.**

**In-Person
and Via Electronic Communication for Public Viewing/Listening only**

CALL TO ORDER

INTRODUCTORY STATEMENT:

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act by forwarding a notice of the date, time and location of the meeting to THE STAR-LEDGER, THE DAILY RECORD and the Warren County Clerk and by posting a copy thereof on the bulletin board of the Warren County Courthouse and Administration Building. The meetings will be conducted in person. The public may attend the meeting in person or view the meeting virtually through electronic communications equipment to preserve the health, safety and welfare of the public in conformance with N.J.S.A. 10:4-6, et seq. [the Open Public Meetings Act]. Public comments may be made in person at the time of the meeting or submitted in advance by email or written letter. Formal action will be taken.

**SELECTED SUBDIVISION AND SITE PLAN MAPS TO BE ACTED ON AT THIS
MONTH'S MEETING MAY BE VIEWED AT**

<https://experience.arcgis.com/experience/f05ecd4320cf44618854c6cf51b5e4cd/>

The public is invited to attend this meeting by calling:

1-877-309-3457 (toll free) or 1-404-397-1516

When prompted for Meeting Number (access code) press 2344 158 4462 and the # sign.

When prompted for Attendee Number press the # sign.

OR

JOIN WEBEX

<https://warrencountynj.webex.com/warrencountynj/j.php?MTID=m8d7d89e71a1ff8da0d33f33783599bdf>

Meeting number (access code): 2344 158 4462

Meeting password: gQisnmHY334

ROLL CALL

SALUTE TO THE FLAG

APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

- May 23, 2022

PUBLIC COMMENTS

SUBDIVISION & SITE PLAN REPORT

Subdivisions

None

Site Plans

18-006-SP	Harmony	LMR Disposal, LLC	Waiver Request/Time Extension
22-014-SP	Washington Twp.	Washington Storage Group	

CORRESPONDENCE:

- Agriculture Development Board – Minutes of April 21, 2022
- Musconetcong Wild and Scenic River Segment C Expansion
- NJDEP Extension of Public Comment Period and Notice of Public Hearing
- NJ Future- State Guidance for Locating Warehouses

DIRECTOR'S REPORT

Warren County Planning Dept. Project Report June 2022

COMMITTEE REPORTS

LIAISON REPORTS

OLD BUSINESS

NEW BUSINESS

OTHER BUSINESS

PUBLIC COMMENTS

ADJOURNMENT

**Members Who Do Not Plan To Attend the Meeting
Please Notify the Planning Department**



STEINHARDT
CAPPELLI
TIPTON &
TAYLOR LLC

235 Broubalow Way
Phillipsburg, NJ 08865

o 908.454.8300
F 908.454.5827

Donald E. Souders, Jr., Esq. | Partner

610.691.7900 x 1026
dsouders@floriolaw.com

RECEIVED

June 9, 2022

JUN - 9 2022
18-006-SP
WARREN COUNTY
PLANNING BOARD

VIA HAND DELIVERY AND EMAIL

David K. Dech, Planning Director
Warren County Planning Board
Wayne Dumont, Jr.
Administration Building
165 County Route 519 South
Belvidere, NJ 07823-1949

RE: LMR Disposal, LLC: Request for an Extension to Satisfy Conditions for Approval of Site Plan Application; File No. 18-006-SP

Dear Mr. Dech:

As you are aware, this Firm represents LMR Disposal, LLC ("LMR"). On September 24, 2019, LMR's preliminary/final application for site plan (the "Application"), File No. 18-006-SP, Block 4, Lot 3.02, located on Roxburg Station Road (CR 622) and South Foul Rift Road (the "Property") was reviewed and approved by the Warren County Planning Board (the "Board") by way of letter, with certain conditions ("Conditional Approval"). Most recently, LMR received Board approval of its April 8, 2022 request for extension of time on the Conditional Approval of its site plan application, which extended the deadline for application resubmission to June 24, 2022. LMR now submits this letter as a request for a waiver of the one remaining condition to full approval of LMR's Application. In the alternative, LMR requests to further extend its resubmission deadline by sixty (60) days, or until August 23, 2022.

As of the date of this letter, approval of LMR's site plan application is conditioned upon the satisfaction of one remaining requirement, which is the provision of an agreement/easement between Block 4, Lots 3.01 and 3.02 related to stormwater management (the "Drainage Easement") to the County for review. As the Board is aware, LMR is the owner of neither Block 4, Lot 3.01 nor Block 4, Lot 3.02. Instead, LMR leases Lot 3.02 from RMK Associates LLC ("RMK"), the owner of both Lots 3.01 and 3.02. Therefore, LMR's ability to provide the Board with the Drainage Easement is contingent upon RMK's review, approval and execution of the same. My Firm prepared a draft easement for RMK's consideration in April 2021 and, despite repeated inquiries to RMK's Counsel regarding the status of the document, RMK has refused to execute, or even discuss, the easement with LMR.

As recently as March 2022, a representative for RMK stated that it, in conjunction with counsel, RMK would be drafting its own version of the required Drainage Easement. Counsel for RMK has failed to respond to my office's follow up requests for a copy of the new Drainage Easement. RMK's non-responsiveness to LMR's requests for the executed Drainage Easement likely stems from LMR's ongoing lawsuit against RMK for specific performance related to its exercise of an option to purchase Block 4, Lot 3.02 and 3.03 from RMK.

LMR requests that the Planning Board waive the Drainage Easement requirement and unconditionally approve its Application because, despite its good faith efforts to get RMK to execute the easement, LMR is without any means to ensure completion of this off-site improvement. In fact, courts in this State have held that planning boards may not condition development approval on the acquisition of off-site land or easement. See Tennis Club Associations v. Planning Board of the Township of Teaneck, 262 N.J. Super. 422 (App. Div. 1993) (holding that, under the Municipal Land Use Law that planning board could not require site plan applicant to acquire ownership interest in off-tract property as a condition of approval because it was unreasonable and therefore unenforceable); see also Builders League of South Jersey, Inc. v. Burlington County Planning Bd., 353 N.J. Super. 4, fn. 4 (App. Div. 2002) (noting that the Law Division judge had found such requirement to be "contrary to the County Planning Act, ultra vires, and invalid," but that the County had not appealed that particular ruling). While LMR's Application is subject to the County Planning Act, rather than the Municipal Land Use Law, LMR asserts that Tennis Club, *supra*, is instructive here where the acquisition of a possessory interest in off-site land is an unreasonable requirement, given the circumstances, and should be waived.

Should the Planning Board deny LMR's request for a waiver of the Drainage Easement, LMR requests an additional sixty (60) days from its current resubmission deadline to fulfill the remaining condition for final site plan approval. LMR has used best efforts to acquire the Drainage Easement from RMK, but, ultimately, it cannot force a third party to approve and execute an agreement. For these reasons, apart from a waiver of the requirement, LMR asserts that another extension of its deadline is the only fair and equitable alternative.

Please do not hesitate to contact me with any questions.

Very truly yours,



Donald E. Souders, Jr., Esquire

DES/skp

Sent via Hand Delivery and Email: ddech@co.warren.nj.us & planningdept@co.warren.nj.us

cc: Ryan Conklin PP, AICP, GISP (by email: rconklin@co.warren.nj.us)

Courtney Morrow, Deputy Registrar (Sent via email: harmonyoffice@ptd.net)

WARREN COUNTY AGRICULTURE DEVELOPMENT BOARD

Department of Land Preservation

P.O. Box 179

500 Mt. Pisgah Avenue

Oxford, NJ 07863

Meeting Minutes

April 21, 2022

The regular monthly meeting was held at the Department of Land Preservation offices. The meeting was called to order by Chairman Schnetzer at 7:32 p.m. An announcement was read as required by the Open Public Meetings Act, N.J.S.A. 10:4-6-21.

Members present: Bradley Burke, Matthew Hood, Rene Mathez, Jason Menegus, Joel Schnetzer, Melissa Watters

Members absent: Tim Bodine

Others present: T. Kaminski, Staff; Aaron Culton, Substitute County Counsel; Timothy Willmott, SADC.

Minutes of the meeting held on March 17, 2022 were approved on a motion by Mr. Mathez and seconded by Mr. Menegus. Motion carries.

Correspondence: None

Public Input (Non-agenda Items):

Old Business:

Deed of Easement Compliance

- **Plainview Growers Update**
Mr. Culton & Ms. Kaminski stated that there was no update on this.
- **Kero Update**
Ms. Kaminski stated that there were no update on this.

Update to Target List

Ms. Kaminski stated that data is still being gathered.

Krouse vs. Skoog RTF Complaint – White Township - Withdrawn

Mr. Culton stated that the Krouse vs. Skoog complaint has been withdrawn because the complaint has been addressed by the White Township Zoning Board so the issue is now moot. Mr. Culton stated that a decision now by the CADB wouldn't hold any weight and the farmer is not pursuing a RTF hearing so this can be dismissed from the Board at this time. Mr. Burke made a motion to have Mr. Culton write a letter to both parties regarding the dismissal by the Board which was seconded by Mr. Mathez.

Roll Call: Mr. Schnetzer – yes; Mr. Mathez – yes; Mr. Burke – yes; Mr. Hood – yes; Mrs. Watters – yes;
Mr. Menegus – abstain. Motion carries.

Montalvo

Mr. Culton let the Board know that Mr. Montalvo has retained a new attorney to handle his application for Certification of Commercial Farm. The new attorney reached out to Mr. Culton regarding coming to the Board again for Certification as they were denied by the board for Certification of Commercial Farm in August 2021. The landowner appealed this decision to the SADC which went to the AOL and Mr. Culton had a conference with the AOL and the landowner's attorney. Mr. Culton stated that the appeal can be held in abeyance if denied again by the Board. After much discussion by the Board and Mr. Culton, Mr. Mathez made a motion that the Board would entertain a reapplication of Certification for Commercial Farm by the landowner no earlier than August 2022. This was seconded by Mr. Hood.

Roll Call: Mr. Schnetzer – yes; Mr. Mathez – yes; Mr. Burke – yes; Mr. Hood – yes; Mrs. Watters – yes;
Mr. Menegus – abstain. Motion carries.

New Business:**CPIG Application Approval**➤ **Waters, Darla Mae, BL 21 L 42, 81.98 acres, Harmony Township**

This farm was submitted for application to staff on April 5, 2022. This was a previous MUNI PIG application where the landowner declined the CMV offer. There are 61.5 tillable acres of hay and soybeans, 14.48 acres of permanent pasture, 6 acres of woodland, 32.09 acres of prime soil and 7.05 acres of statewide soil. There are no structures on the premises to be preserved, no ag labor housing and a one non-severable exception of 3.7 acres for future single family residence. There is an access easement to the landlocked property. This application is in the West Project Area and the Highlands Preservation Area. Mr. Menegus made a motion for the Board to approve this application for preservation and to send it to the SADC for Green Light Review. Mrs. Waters seconded the motion.

Roll Call: Mr. Schnetzer – yes; Mr. Mathez – yes; Mr. Burke – yes; Mr. Hood – yes; Mrs. Watters – yes;
Mr. Menegus – yes. Motion carries.

Resolutions➤ **Plainview Growers SSAMP Resolution #22-04, BL 105 L 8, 11 & 12, Allamuchy Township**

Mr. Mathez made a motion to approve this resolution contingent upon deed of easement compliance with notification to the Board from the SADC in written correspondence which was seconded by Mr. Burke.

Roll Call: Mr. Schnetzer – yes; Mr. Mathez – yes; Mr. Burke – yes; Mr. Hood – yes; Mrs. Watters – yes;
Mr. Menegus – yes. Motion carries.

Administrator's Report: Ms. Kaminski stated that Haydu recently closed.

New Applications:*County Applications*

- **Waters** – Harmony Township (Approx. 78.28 acres)
- **Brunkhorst Land Donation** - Mansfield (Approx. 49.83 acres)

Total Applications: 2 Total Acres: 128.11

Awaiting Green Light Approval:

Total Applications: 0 Total Acres: 0

Received Green Light Approval:*County Applications*

Total Applications: 0 Total Acres: 0

Municipal Applications

- **Hoh** – Knowlton (Approx. 31 acres) Received Green Light Review Letter.
- **Rick Smith Farm** – White (Approx. 25 acres)

Total Applications: 2 Total Acres: 56

Non-profit applications

- **Shotwell Family Partnership, LP** – Blairstown Township (Approx. 154.5 acres)
- **Silver Pine Farm, LLC** – Frelinghuysen Township (Approx. 33.23 acres)
- **Watercress** – Frelinghuysen Township (Approx. 117 acres)

Total Applications: 3 Total Acres: 304.73

Received CMV & Offer Made:*County Applications*

- **McEvoy #1** – White Township (Approx. 102 acres) CMV received, waiting to receive offer letter.

Total Applications: 1 Total Acres: 102

SADC applications

Total Applications: 0 Total Acres: 0

Non-profit applications

- **Giordano** – Frelinghuysen Township (Approx. 33.98 acres) CMV \$4,000. Received contract.
- **Mt. View Farms** – Franklin Township (Approx. 55.30 acres) \$4,250 CMV.
- **Santini Home Farm** – Franklin Township (Approx. 39.905 acres) \$4,750 CMV.
- **Stecker** – Harmony Township (Approx. 18.988 acres) \$5,175 CMV

Total Applications: 4 Total Acres: 148.173

Under Contract (Title Search & Survey):*County Applications*

- **Anema, Ralph** – Washington Township (Approx. 123 acres) Landowner proceeding with Township to subdivide 6 acres severable exception. Received signed contract. Survey underway. Landowner did not apply for subdivision yet.
- **Ferri** – Washington Township (Approx. 65 acres) \$4,200 CMV. Under contract. On SADC May meeting for final funding approval. Ordering title and RFP's out for surveyor.
- **McEvoy #2** – White Township (Approx. 20 acres) \$5,200 CMV. Received SADC final approval on 12/2. SADC staff requested another confirmation from landowner regarding exception area being located in wetlands buffer area. Haven't heard back from landowner.

Total Applications: 3 Total Acres: 208

Municipal Applications

- **Gugel** – Hope Township (Approx. 48.5 acres) CMV \$4,000.
- **Vass** – Knowlton Twp. (Approx. 100 ac.) CMV \$4,700. Landowner confirmed location of exception area to 3.3 acres. Received contract. Surveyor working on reaching Engineering compliance on survey.

Total Applications: 2 Total Acres: 148.5

Non-Profit Applications

- **Campgaw Farm** – Hope/Blairstown Townships (Approx. 135.54 acres) Received title work.
- **Kimball** – White Twp. (Approx. 45 ac.) CMV \$4,200. TLC-NJ has signed contract, draft survey and title. Sent draft survey and title to Engineering for their review. Waiting to receive from surveyor Engineering's requested revisions.
- **Promised Land (M. Santini)** – Franklin Twp. (Approx. 58 ac.) CMV \$4,650. Received title and survey.

Total Applications: 3 Total Acres: 238.54

SADC applications

- **Moyer** – Pohatcong Township (Approx. 128.3 acres)

Total Applications: 1 Total Acres: 128.3

Waiting to Close (Final Legal Review):*County Applications*

- **Beatty South** – Greenwich Twp. (Approx. 57 ac.) CMV \$9,500. Mrs. Beatty has died, estate being settled.
- **Beatty North** – Greenwich Twp. (Approx. 86 ac.) CMV \$8,800. Mrs. Beatty has died, estate being settled.
- **Dykstra** – Mansfield Twp. (Approx. 209 ac.) CMV \$3,900. Received completed survey revisions and sent to SADC.
- **Haydu** – Harmony Twp. (Approx. 46 ac.) CMV \$4,900. Waiting to close.
- **Khan (7 Old Orchard Road)** – Hardwick Twp. (Approx. 75 ac.) CMV \$3,400. Hardwick Township to cost-share at \$600/acre.

Total Applications: 5 Total Acres: 473

Municipal Applications

- **McLain** – Harmony Twp. (Approx. 140 ac.) CMV \$5,700. On hold pending resolution of erosion issue with SADC.

Total Applications: 1 Total Acres: 140

SADC applications

- **Gardner** – Franklin Township (Approx. 91.5 acres)
- **Shen** – Mansfield Township (Approx. 222 acres) Coordinating with SADC, County Engineering, and County Counsel to facilitate drainage easements requested by Engineering.

Total Applications: 2 Total Acres: 313.5

Pohatcong Contamination Area Projects:

Seeking Highlands Council Open Space Funding cost-share

- **Pear Tree Realty** – Franklin Township (Approx. 62 ac.) Changed title agency. BoCC approved 100% County funding.
- **Pereira** – Franklin Township (Approx. 30 ac.) Changed title agency. BOCC approved 100% County funding.
- **Myers/Toretta #1**– Franklin Township (Approx. 38 acres) Waiting for update to title to move forward to close. BCC approved 100% County funding.
- **Noel** – Franklin Township (Approx. 44 ac.) Changed title agency. BOCC approved 100% County funding.
- **Oberly** – Franklin/Greenwich (Approx. 96 ac.) CADB recommended 100% County funding. Accepted offer letter. Contract sent out. On BOCC Agenda for 100% cost-share.
- **Santini (O'Dowd South)** – Franklin & Greenwich Township – (Approx. 132 ac.) CADB Recommended 100% County funding. Still waiting for applicant to sign application and other documents for updated appraisals to determine development easement value.

Total Applications: 6 Total Acres: 402

2022 Closings YTD: 2 farms totaling 74.371 acres

Program Totals: 315 farms totaling 27,352.0654 acres

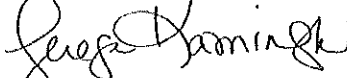
Public Comment – none

SADC Update

Mr. Willmott stated that next week's meeting will be in person at the new building and that there will be no call in option, but you can listen by audio or watch by livestream. Mr. Willmott stated that the Soil Protection standards is finalized. The SADC will discuss soil disturbance on farmland at their meeting.

Adjournment: A motion for adjournment was made by Mr. Mathez and seconded by Mr. Burke. Motion carries. Chairman Schnetzer adjourned the meeting at 8:22 pm.

Respectfully submitted,



Teresa Kaminski

7, Monticello, Utah 84535, via email with the subject line "BENM MAC" to blm_ut_mt_mail@blm.gov, or by calling the Monticello Field Office at (435) 587-1500. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States. Please contact us for reasonable accommodations to participate.

SUPPLEMENTARY INFORMATION: Presidential Proclamation 9558 and Presidential Proclamation 10285 established the Bears Ears National Monument Advisory Committee to provide advice and information to the Secretary of the Interior through the Director of the BLM, and to the Secretary of the U.S. Department of Agriculture (USDA) through the Chief of the USDA Forest Service, to consider for managing the Bears Ears National Monument. The 15-member committee represents a wide range of interests including local and state government, paleontological and archaeological expertise, the conservation community, livestock grazing permittees, Tribal members, developed and dispersed recreation interests, private landowners, local business owners, and the public at large.

Planned agenda items for the June meeting include administrative business; resource conditions and trends, uses, activities, and preliminary alternative management strategies for the Bears Ears National Monument; and an overview of the planning process. Planned agenda items for the September meeting include Monument planning updates, an overview of the scoping process, and identification and discussion of potential issues to consider in the planning process. Planned agenda items for the December meeting include a discussion on the draft environmental impact statement and potential alternatives for the Resource Management Plan.

A public comment period will be offered during these meetings.

Depending on the number of people wishing to comment and the time available, the time for individual comments may be limited. Written comments may also be sent to the Monticello Field Office at the address listed in the **FOR FURTHER INFORMATION CONTACT** section of this notice. All comments received prior to the meeting will be provided to the Bears Ears National Monument Advisory Committee.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Detailed minutes for the Bears Ears National Monument Advisory Committee meeting will be maintained in the Canyon Country District Office and will be available for public inspection and reproduction during regular business hours within 90 days following the meeting. Minutes will also be posted to the Bears Ears National Monument Advisory Committee web page.

Authority: 43 CFR 1784.4-2.

Gregory Sheehan,
State Director.

[FR Doc. 2022-11980 Filed 6-2-22; 8:45 am]
BILLING CODE 4310-DQ-P

DEPARTMENT OF THE INTERIOR

National Park Service

[NPS-IR1-NEO-32342;
PPNENERON3.PPMPSPD1Y.S00000]

National Wild and Scenic Rivers System; Musconetcong Wild and Scenic River; Notice of Additional Segment Designation

AGENCY: National Park Service, Interior.
ACTION: Notice.

SUMMARY: The Assistant Secretary for Fish and Wildlife and Parks, exercising

the delegated authority of the Secretary of the Interior, finds that the conditions for designation of the 4.3-mile segment C of the Musconetcong River within Pohatcong Township, Warren County, New Jersey under the National Wild and Scenic Rivers Act have been met. Accordingly, the Assistant Secretary hereby provides notice of her designation of this segment as a recreational segment, segment C of the Musconetcong Wild and Scenic River.

ADDRESSES: Musconetcong Wild and Scenic River information, including the river's management plan and designation legislation, are available online at www.rivers.gov, or www.musconetcong.org.

FOR FURTHER INFORMATION CONTACT: Jamie Fosburgh, Partnership Wild and Scenic Rivers, Interior Region 1, National Park Service; email: jamie_fosburgh@nps.gov, telephone: (617) 314-2810.

SUPPLEMENTARY INFORMATION: On July 18, 2018, The Pohatcong Township Council voted unanimously by resolution to demonstrate its support for adding segment C to the Musconetcong Wild and Scenic River designation (16 U.S.C. 1274(a)). The resolution satisfies the local support suitability requirement pursuant to Public Law 109-452, Section 5(d), which authorizes the Secretary of the Interior to add the additional segment upon a finding that there is adequate local support for designating the additional river segment and upon publication of notice in the **Federal Register**. Designating river segment C will add 4.3 miles to the river's designation, for a total of 28.5 miles. The Musconetcong River was designated into the National Wild and Scenic Rivers System on December 22, 2006. The segment will be managed as a recreational river, consistent with the *Musconetcong River Management Plan* and the provisions of Public Law 109-452.

Shannon Estenoz,
Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 2022-11978 Filed 6-2-22; 8:45 am]
BILLING CODE 4312-52-P



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF WATERSHED PROTECTION & RESTORATION

Bureau of NJPDES Stormwater Permitting & Water Quality Management

P.O. Box 420, 501 East State Street

Mail Code 501-02A

Trenton, New Jersey 08625-0420

Tel. (609) 633-7021 • Fax (609) 984-6505

<https://www.nj.gov/dep/wqmp>

SHAWN M. LATOURETTE

Commissioner

PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

Email Only

June 10, 2022

Paul Ferriero
Ferriero Engineering Inc.
P.O. Box 571
180 Main Street
Chester Borough, New Jersey 07930

Re: White - 519 Commerce Centers (AKA - Jaindl Land Company)
Block 7, Lots 3, 4, 5, 11, 14, & 16, White Township, Warren County
Proposed Amendment to Upper Delaware Water Quality Management Plan (WQM) Plan
Warren County (Pequest River) Municipal Utilities Authority Wastewater Management Plan (WMP)
Application Received: June 21, 2021
Program Interest No. 435437, Activity No. AMD210001
Extension of Public Comment Period and Scheduling of Public Hearing

Dear Mr. Ferriero:

The above referenced Water Quality Management Plan amendment proposal was published in the New Jersey Register on May 2, 2022, at 54 N.J.R. 787(a). The New Jersey Department of Environmental Protection (Department) has received numerous public comments on the proposed amendment, requests for a public meeting and extension of the public comment period. The Department has determined that due to the significant interest, as well as the number of comments received, a public hearing on the proposed amendment is warranted pursuant to N.J.A.C. 7:15-3.5(g)8 and N.J.A.C. 7:1D-5.2. The public comment period will be extended until 15 days after the public hearing.

The Department will be publishing a notice in the New Jersey Register regarding the public hearing and the public comment period extension. We anticipate that the notice will be published in the New Jersey Register on July 5th, 2022. If we are unable to publish on that day, we will notify you. A copy of the public notice is enclosed with this letter.

It is the applicant's responsibility to secure the services of a court transcriptionist to record the public hearing to take place as a virtual Microsoft Teams web meeting only. Should you have any questions or concerns regarding the Department's decision on this issue, please contact me at (609) 633-7021.

For all other information regarding hearing logistics and planning, please contact Paul DeMuro at the above phone number or paul.demuro@dep.nj.gov. Please include the program interest and activity numbers provided above on all written correspondence to the Department regarding this amendment.

Sincerely,



Gabriel Mahon, Bureau Chief
Bureau of NJPDES Stormwater Permitting and Water Quality Management
New Jersey Department of Environmental Protection

Enclosure: Notice of Extension of Public Comment Period

c: Honorable Mayor Jeff Herb, White Township
David K. Dech, Warren County Planning Director
Donald Niece, Chair, WC (PR) MUA
Steven P. Gruenberg, Attorney at Law
Anthony J. Sposaro, Attorney at Law
David Glass, CLB Partners
Lisa J. Plevin, Executive Director, New Jersey Highlands Council
Brian Sage, Environmental Specialist 3, Bureau of Nonpoint Pollution Control

c: List of Commenters to date:

Caroline Wittke	Paul Rosetti
Bob Tomkins	Jason Menegus
Gayle F. Howard	Betsy Peterson
Harold/Butch VanSeters	Tom Bodolsky
John G. Webb	Fred Stine
Donna Marie	Geoffrey M. Goll, PE
Elliott Ruga	Steven P. Gruenberg, Attorney at Law
Adele Starrs	
Frank DiSalvo	
Jacquelynn Brodt-Suggs	
Linda VanSeters	
Margo Biblin	
Sarah Hare	
Scott Siegmeister	
Thomas Bodolsky	
Doneley Meris	
Hal Bromm	
Bob McNinch	
Pete Peterson	
Dennis J. Melillo	

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Proposed Amendment to the Upper Delaware Water Quality Management Plan

Public Notice

Take notice that the New Jersey Department of Environmental Protection (Department) is holding a public hearing and extending the public comment period for a proposed Water Quality Management (WQM) Plan amendment to the Upper Delaware WQM Plan, in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. A public notice of the proposed amendment was previously published in the May 2, 2022 New Jersey Register at 54 N.J.R. 787(a). Additionally, notice was made available on the WQM Planning Program, Public Notices webpage at <https://www.nj.gov/dep/wqmp/wmpnotices.html> and through a Listserv announcement.

In accordance with N.J.A.C. 7:15-3.5(g)8 and N.J.A.C. 7:1D-5.2, a virtual public hearing will be held by the Department on the proposed amendment at which time all interested persons may appear and shall be given an opportunity to be heard. The public hearing will take place on August 5th, 2022, at 10:00 AM as a virtual Microsoft Teams web meeting only. The hearing will conclude at 12:00 PM or the conclusion of all public testimony, whichever is earlier. Details on how to access the hearing will be made available at <https://www.nj.gov/dep/wqmp/wmpnotices.html> one day before the public hearing. For those

without access to web meetings, the hearing will also be accessible by phone for audio only. The phone number and access code for joining the web meeting via phone can be obtained by calling (609) 633-7021 or emailing wqmp@publiccomments@dep.nj.gov. Commenters that anticipate providing verbal testimony are encouraged to notify the Department in advance by calling (609) 633-7021 or emailing wqmp.publiccomments@dep.nj.gov to ensure a timely and streamlined public hearing process. The Department will record the meeting as part of the public record.

This notice is to inform the public that a plan amendment has been proposed for the Upper Delaware WQM Plan. All information related to this plan and the proposed amendment is located at:

New Jersey Department of Environmental Protection
Division of Watershed Protection and Restoration
Bureau of NJPDES Stormwater Permitting and Water Quality Management
Water Quality Management Planning Program
PO Box 420, Mail Code 501-02A
501 East State Street
Trenton, New Jersey 08625-0420

The Department's file is available for inspection between 9:00 A.M. and 4:00 P.M., Monday through Friday, upon request. An appointment to inspect the file must be arranged by calling the Bureau of NJPDES Stormwater Permitting and Water Quality Management at (609) 633-7021.

Interested persons may submit written comments on the proposed amendment to the Department at the address cited above or at the email: wqmp.publiccomments@dep.nj.gov.

Comments should reference Program Interest Program Interest No. 435437, Activity No. AMD210001 and must be submitted within 15 days after the public hearing.

All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment.

Sewer service is not guaranteed should this amendment be adopted since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the sewer service area as a result of the approval of this amendment does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, county or municipal review agency with jurisdiction over this project/activity.

6/2/2022

Date



Gabriel Mahon, Bureau Chief

Bureau of NJPDES Stormwater Permitting and Water Quality Management
Division of Watershed Protection and Restoration
NJ Department of Environmental Protection

Dave Dech

From: New Jersey Future <njfuture@njfuture.ccsend.com> on behalf of New Jersey Future <comms+njfuture.org@ccsend.com>
Sent: Monday, June 13, 2022 10:10 AM
To: Dave Dech
Subject: State Guidance for Locating Warehouses is Here

UPDATE



njfuture.org

June 13, 2022

State Guidance for Locating Warehouses is Here



Photo Credit: Canva

The Office of Planning Advocacy, the staff for the State Planning Commission, has issued first-of-its-kind guidance on where and how warehouses should be located in New Jersey. The guidance will be useful for municipalities looking to direct warehouse development to optimum sites and away from sites that are not appropriate for the community; for community members looking to protect their quality of life while still benefiting from development; for developers looking to meet the growing demand to build warehouses; for counties looking to support good municipal planning; and for state agencies and decision makers

looking to further the sustainable, equitable, and practical siting of warehouses through new laws, regulations, and investment decisions.

In recent years, New Jersey has seen an increase in warehouse development. This increase is putting pressure on communities that are already overburdened with pollution, communities soon to be negatively affected by new truck traffic that did not exist before, and on our state's remaining open spaces. It is critical that the **state plan for this new demand** in its logistics sector. Critical to this planning is the inclusion of community voices from our urban communities that have been **fighting for better air quality** and less truck traffic for years.

The new state warehouse guidance can be found at the **Office of Planning Advocacy's website** (under Reference Materials section). The office will be accepting public comments by **email**. The guidance will then go to the State Planning Commission to be adopted. Once adopted, we expect that government agencies and decision makers will put in place the rules, regulations, and investment planning necessary to effectively implement the guidance.

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Warren County Planning Dept. Project Report June 2022

1. Development Applications Submitted 5/6/2022 to 6/10/2022 (Board Meeting Cut-Off)

Application #	Applicant	Municipality	Road	Use
21-045-SP	PMG New Jersey, LLC	Knowlton	Route 46 & Walnut Street	Commercial
21-014	Hope Road Property, LLC	Liberty	Hope Road	Residential
19-019-SP	I-78 Logistics Park Phillipsburg Urban Renewal, LLC	Phillipsburg	Route 22, Roseberry, Center & Green Streets	Industrial
21-026-SP	Skoog Holdings, LLC	White	Upper Sarepta Road	Commercial/ Industrial
22-014-SP	Washington Storage Group, LLC	Washington Twp.	Route 31 North	Commercial/ Industrial
21-032-SP	Above Grid Solar Carport 2020, LLC	Hackettstown	Willow Grove Street	Solar
21-015-SP	1 Washington Ave, LLC - Tim Jebara	Washington Boro	NJSH Route 57	Commercial
22-016-SP	Veolia Water New Jersey, Inc.	Independence	Springdale Road	Industrial
22-002	Ralph & Dianna Anema	Washington Twp.	Rymon Road	Agricultural
17-011-SP	White Town Realty	White	South Bridgeville Road	Agricultural
22-012-SP	Peron Development, LLC - Rob De Beer	Phillipsburg	Howard Street	Industrial
22-013-SP	PBXDEV 2, LLC	Phillipsburg	Memorial Parkway/Elder Avenue	Commercial

Application #	Applicant	Municipality	Road	Use
21-016-SP	PN Restaurants Inc. c/o Phillipsburg Dev, LLC (Arby's & Popeyes restaurants)	Phillipsburg	Memorial Pkwy NJSH Route 22	COmmercial
22-017-SP	Plainview Growers, Inc.	Allamuchy	Gibbs Road	Agricultural
21-040-SP (F)	Asbury Farms Urban Renewal Area 2	Washington Twp.	Route 31, Ryman Road & Asbury- Anderson Road	Residential
21-003-SP (P)	Asbury Farms Urban Renewal Area 2	Washington Twp.	Route 31, Ryman Road & Asbury- Anderson Road	Residential
21-001 (P)	Asbury Farms Urban Renewal Area 2	Washington Twp.	Route 31, Ryman Road & Asbury- Anderson Road	Residential
21-013 (F)	Asbury Farms Urban Renewal Area 2	Washington Twp.	Route 31, Ryman Road & Asbury- Anderson Road	Residential
22-007-SP	Larken Associates, LLC	Pohatcong	High Street	Residential
21-013-SP	Bloomsbury Warehouse Project	Franklin	Bloomsbury Road	Industrial
22-006-SP	PR Bridge I-78 Phase II Owner Urban Renewal, LLC	Phillipsburg	Route 22, Roseberry, Center & Green Streets	Industrial
22-018-SP	Frederick and Laura Corio	Allamuchy	Maple Lane	Residential
22-019-SP	Avantor Performance	Phillipsburg	N. Broad Street & 5th Street	Industrial
18-006-SP	LMR Disposal, LLC	Harmony	Roxburg Station Road (CR 622) & South Foul Rift Road	Industrial
22-001	Dale & Pamela Crouse	Harmony	Harmony Station Road	Residential

2. Municipal Ordinance Review & Update Report

5/26/22 Alpha Borough, Notice of Hearing , Amendment to the Highlands Master Plan Element of the Borough of Alpha Master Plan. Hearing scheduled for June 15, 2022.

6/1/22 Hope Twp. Ordinance 2022-05 An Ordinance to Amend and Supplement Section 20-3 Entitled Definitions, and Section 20-14-3, Conditional Permitted Uses, and delete and replace Section 20-22.11, Automobile Service Stations of the Zoning Ordinance of Hope Township. Introduced May 26, 2022, Final Adoption Scheduled for July 13, 2022.

6/13/22 Alpha Borough, Notice of Hearing , Amendment to the Highlands Master Plan Element of the Borough of Alpha Master Plan. Hearing scheduled for June 29, 2022.

Stormwater Control Ordinances and Stormwater Plans - The County is responsible for reviewing and approving municipal stormwater control ordinances (SCO) as they are updated pursuant to NJDEP revised rules. One (1) municipality has not submitted an ordinance. On April 27, 2022, updated draft Stormwater Management Plans were received for Franklin, Harmony, Independence, and Oxford Townships.

3. Development Review Online Applications – June 2022 development applications are in process of being uploaded into the story map. Story map is being phased out and ArcGIS Experience Builder will be used to show case Development Review applications. The new link is <https://experience.arcgis.com/experience/f05ecd4320cf44618854c6cf51b5e4cd/>

4. Public Information Requests – Addressed/processed eleven requests from May 14 through June 17.

5. Demographics/US. Census –The New Jersey 2020 Census data is on the NJ Data Center web page at https://nj.gov/labor/lpa/census/2020/2020census_index.html . The Board of County Commissioners approved a resolution requesting the Office of Management and Budget to classify Warren County in the New York-Newark Metropolitan Statistical Area instead of the Allentown-Bethlehem-Easton MSA. The OMB replied and said that by current definition Warren County is a central county in the ABE Urban Area and that it would be classified in the ABE MSA. The OMB stated that it will be revising the MSA classifications in 2023 based on the 2020 Census Data. Subsequently, we were contacted by Senator Corey Booker’s office to schedule a meeting to discuss the County MSA resolution and how his office may help. A meeting was held on June 8. Senator Booker’s office asked for additional information and will be following up with the Census Bureau and OMB.

6. Open Space and Trails – The GIS “Trails” layer is being updated to GPS and fill in missing segments of trails. The goal is to prepare a countywide comprehensive trails map. The yellow trail at Marble Hill, the Morris Canal trails at Lock Street, Strykers Road, Richline Road, Bilby Road and Waterloo Road were GPS’d and mapped. Other trails GPS’d were the trails in Allamuchy State Park that connects with the Morris Canal trail at Waterloo Road, and the Oxford Mountain trails. These two areas are part of the larger Warren Highlands Trail system.

7. Warren Highlands Trail- A spur of the trail is being blazed through Harmony Township. Signage is being considered on CR 519 in Harmony Twp where the trail will cross.

8. Morris Canal – French and Parrello was contracted for engineering services for the design for construction of trails on six segments of the Morris Canal owned by the County. The virtual public information meeting was held on April 6, 6pm to 7pm. The presentation can be viewed here. [PowerPoint Presentation \(warrencountynj.gov\)](#) As of this writing the Phase II Archeological investigation is still ongoing. Application for NJDEP and Soil Erosion Permits have been made. The NJDOT will then issue its Categorical Exclusion document.

It is undetermined when the project will go out for bid and construction. Spring of 2023 is now the projected date for start of construction.

The NJTPA's Morris Canal Working Group held its meeting virtually on May 18. Updates were given on efforts to preserve and rehabilitate portions of the canal across northern New Jersey. The group is made up of stakeholders in the development of the Morris Canal Trail from Warren County to Hudson County.

9. Warren Heritage Scenic Byway – At its March 29 meeting, Alpha Borough endorsed the extension that begins at the intersection of CR 519 and NJ 122 and follows CR 519 through Alpha Borough to CR 627 to Riegelsville. Then it will continue north on River Road to Snyders Road to Oberly Road to Carpentersville Road to NJ 122 at Greens Bridge. The County Commissioners approved a resolution to endorse the southern loop through Alpha and Pohatcong at its May 11 meeting. The northern and southern extension nomination applications are being drafted now. Next meeting of the Byway Committee is scheduled for July 11.

10. Rt 57/CR 519 -A letter was emailed to NJDOT requesting a status update meeting on a number of roadways under NJDOT jurisdiction affecting Warren County. Projects of interest are; Rt 22/CR 519, Rt 57/CR 519, Rt 46/CR 519, the I-80 Interchange in Columbia, the Rockfall and Fix the S Curve projects, and NJDOT funding for local projects. Despite follow up requests, no meeting has been set up yet.

11. I-80 Rockfall Project/S Turns - The current schedule projects construction to start in 2025 and complete 2029. NJDOT needed to amend the Transportation Improvement Program to advance funding into preliminary engineering to fix the retaining wall that holds up I-80 eastbound in the rockfall project area. Total PE, Design, and construction costs are estimated to be \$56.5 million.

12. Pilot Freight Concept Development Program- Drainage Culvert Replacement Project in Hackettstown –

12a. Freight Rail Grade Crossing Assessment Study - Planning Staff participated on the Technical Advisory Committee for the NJTPA's [Freight Rail Grade Crossing Assessment Study](#). The first study was completed in 2008 to address the impacts of increased freight rail traffic along the region's major freight rail lines. This traffic creates increased delays at grade crossings and raises issues of safety and quality of life in those communities where these crossings are located. The conditions have changed since the completion of the original study. The purpose of this study is to update the original study to document the current conditions and to develop recommendations for addressing issues at the top 10 grade crossings in need of improvement. Since the study is focusing on only the main lines that serve the region, the Lehigh Line, which is the Norfolk Southern Main Line, is the only line that will be studied in Warren County. The only grade crossing on this line in Warren County is at Springtown Road in Pohatcong Twp. The study is scheduled for completion by June 2023.

13. Transportation Plan – The County Planning Board held a public hearing on May 23, 2022 meeting and adopted the Plan.

14. County Transportation Advisory Council-

15- NJTPA - Attended the June 13 RTAC meeting and heard a presentation on the Passaic County Bicycle Plan. Also attended the June 21 Project Prioritization/Planning Committee and the Freight Committee meetings. The Rt 57 bridge over Mill Brook was added for funding for Preliminary Engineering in FY 2023, and Right of Way in FY 2025, and Construction in FY 2027.

16 EV Vehicles - Working with NJTPA to locate more Electric Vehicle chargers throughout the county. We are assisting the County's Public Works Director is exploring the possibilities of converting the County motor pool to EV and identify locations throughout the county where charging stations may be installed for county and for public use. Ideally they should be installed in locations throughout the county to ensure adequate coverage and reliability.

17. Lackawanna Cutoff- NJTRANSIT announced that funding has been allocated for the continued expansion of the project Rehabilitation of the Roseville Tunnel should have begun in June.

18. Raritan Valley Line-

19. Transportation Improvement Program -

20. CR 519/521 Weight Restriction – Under review by NJDOT.

21. Economic Development Council – Attended the June 9, 2022 meeting. Reviewed EDC Public Opinion Survey and discussed how it would be distributed. The logistics and coordination of the EDC's presence at Farmers Fair was discussed.

22. Musconetcong River Management Council – Next meeting will be June 21, 2022.

23. Solid Waste and Recycling - Weekly education advertisements about recycling continue to run in the Express Times and/or Warren Reporter. Solid Waste Advisory Council met on June 2. The SWAC recommended revisions to its bylaws.

The REA Grant Application was submitted in SAGE on March 31. The NJDEP has not approved the grant application yet. Final and Interim reports were submitted for previous grant and the current grant.

Paper shredding event was held on June 11, 255 vehicles made deliveries and 9,380 pounds or 4.69 tons were collected. Last year was the record year when 12,529 pounds of confidential paper were collected.

24. County Road Map- The narrative and photos were added to the backside of the map. Narrative was added.

25. Park Locator App and Parks Story Map- The app is still a work in progress and will be able to deploy from any mobile device. The link for "Warren Parks Locator and Story Map is

<https://warrencountynj.maps.arcgis.com/apps/Shortlist/index.html?appid=493ae0539bc84ede9dcedab2e0ac8b84>.

26. North Jersey Resource Conservation and Development – Next Council meetings are scheduled for June 22 and August 30, 2022. <https://www.northjerseyrcd.org/>

27. Assisting other Departments–Land Preservation requested map for farmland preservation application for Ullman Block 5 Lot 16 in Knowlton Township.

28. GIS –.

29. County Planners Association –

30. Hazard Mitigation Plan – The Hazard Mitigation Plan update has been prepared through the WC Public Safety Department and is now approved by the Board of County Commissioners.

31. Highlands Sustainable Economic Plan –The Plan is available at:
<https://www.nj.gov/njhighlands/master/economic-sustainability/>

32. Regional Planning Meetings -

33. Highlands Plan Conformance -

34. County Website Update- Working on adding GIS portal to website.

35. Bylaws -

36. Other Seminars, Workshops, meetings- Ryan attended NJAPA conference June 14-16th