

Adopted May 31, 2013

CMP POLICY & IMPLEMENTATION COMMITTEE MEETING

15 Springfield Road
New Lisbon, NJ
April 26, 2013 – 9:30 a.m.

MINUTES

MEMBERS IN ATTENDANCE: Chairman Mark Lohbauer, Leslie Ficcaglia, Robert Jackson, Richard Prickett and Candace Ashmun (1st Alternate)

MEMBERS ABSENT: Paul E. Galletta

STAFF PRESENT: Executive Director Nancy Wittenberg, Larry Liggett, Susan Grogan, Stacey Roth, Paul Leakan, Robyn Jeney and Betsy Piner. Also present via telephone was Ms. Amy Herbold, with the Governor's Authorities Unit.

Chairperson Lohbauer called the meeting to order at 9:40 a.m.

1. Adoption of minutes from the March 22, 2013 CMP Policy and Implementation Committee meeting

Commissioner Ficcaglia moved the adoption of the minutes of the March 22, 2013 CMP Policy and Implementation Committee meeting (open and closed sessions). Commissioner Jackson seconded the motion and all voted in favor.

In response to Commissioner Ashmun's question if she, as an alternate to this Committee, were allowed to vote today, Ms. Roth responded that she could vote as there was not a quorum of the full Commission present today.

2. Garden State Parkway Interchange 44

Mr. Liggett made a PowerPoint Presentation regarding the development of a full interchange at Exit #44 of the Garden State Parkway and the need to prevent secondary impacts (*See Attachment A-Open Session Minutes*). He described the Garden State Parkway (GSP) Overlay District, as established by a CMP amendment in 2006 and noted that there are limited permitted uses within the boundary of the Parkway right-of-way and an obligation to prevent any changes in the "location, pattern, or intensity of land use which would be inconsistent with the Pinelands land use program". He said that, as the lands adjacent to the interchange are in a Rural Development Area, there was concern that the expansion of this interchange could lead to political pressure to promote more intensive development through sewerage than was permitted currently. Past proposals have included large projects which, under RDA zoning, would require hundreds of acres to meet nitrate dilution standards but far less if on a sewerage property. The current zoning must be maintained in perpetuity to keep development intensities appropriately low, whether through the acquisition of the lands for open space or through "freezing" the zoning.

Mr. Liggett said that some years ago when the GSP applied for full interchanges at Exit Nos. 69 (within Preservation Area District [PAD] and Forest Area [FA]) and 58 (within PAD), the Delaware

Valley Regional Planning Commission (DVRPC) had done an analysis and determined that the secondary impacts would be most evident within a 1.5 mile radius from the interchange. Through an MOU with the NJ Turnpike Authority (NJTA), the expansion of these two interchanges obligated the Authority to prevent secondary impacts and they chose to do so by purchasing lands within the Pinelands portion of that radius. For this interchange, Exit #44, no analysis was done as staff knew from experience that there would be far more pressure on this RDA (transitional area) than on the most restricted conservation areas adjacent to Exits 58 and 69.

Ms. Roth said that, as had been discussed with the Committee last Fall, Atlantic County, acting as the agent of the NJ Transit Authority has agreed to purchase lands or otherwise “freeze” the zoning to what it is today. The regulations do not require the County to purchase lands; it is the choice of the applicant. However, it is difficult to place a value on an easement based on what might happen in the future, so fee acquisition might be required. She said that, in order for the Committee to continue further discussion of land acquisition and easements, it was necessary to conduct the meeting in closed session.

Commissioner Ashmun moved that the Committee meet in closed session to discuss acquisition matters. Commissioner Ficcaglia seconded the motion and all voted in agreement. Ms. Roth announced that staff had asked that the Atlantic County officials present today remain in the room. Members of the public left the room.

The Committee met in closed session.

The Committee returned to open session at 10:25 a.m.

Ms. Roth noted, for the benefit of the members of the Committee and the public, that the comment period was closed for the Public Development application for Garden State Parkway Exit #44 and was not subject to discussion at this meeting.

Chairman Lohbauer stated that, in closed session, the Committee had reviewed a proposal to obviate secondary impacts from the expansion of Exit #44 of the Garden State Parkway to a full interchange. No formal action had been taken by the Committee.

3. Public comment

No one from the public offered comment.

4. Other Items of Interest

There being no other items of interest, the meeting adjourned at 10:27 a.m. (moved by Commissioner Ficcaglia and seconded by Commissioner Jackson).

Certified as true and correct:

Betsy Piner, Principal, Principal Planning Assistant

Date: May 6, 2013

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