

Resolution

Resolution Opposing the Application for Major Site Plan and Subdivision Approval on Premises Located on Bloomsbury Road in Franklin Township, Warren County, New Jersey, Block 61, Lots 5 & 6, by F. Greek Development Co.

*WHEREAS*, F. Greek Development Co., located at 33 Cotters Lane, East Brunswick, New Jersey, 08816, has applied to the Franklin Township Lane Use Board in connection with the Proposed Development of a massive industrial development on approximately 191.765 acres located on Bloomsbury Road in Franklin Township, Warren County, New Jersey and shown on the Franklin Township Tax Maps as Block 61, Lots 5 & 6 (hereinafter the “Premises”), near the junction of Greenwich Twp. (Warren County), Bethlehem Twp. (Hunterdon County), and Bloomsbury Borough (Hunterdon County); and

*WHEREAS*, The Franklin Township Land Use Board met on Jan 6, 2010 and voted to begin the formal review process for F. Greek Development's development application (hereinafter the “Proposed Development”), which would include development of warehouses and ancillary office space, and associated loading bays, automobile and tractor trailer parking, stormwater management facilities, and related site amenities on premises; and

*WHEREAS*, The Proposed Development will have a devastating impact on the natural resources, public safety and general welfare of Bethlehem Township and other neighboring municipalities; and

*WHEREAS*, The Proposed Development conflicts with Section 90-2 of the Land Use and Development Ordinance of the Township of Franklin which states that it is the intent of the Township to exercise the authority delegated under the Municipal Land Use Law (P.L. 1975, c. 291) to guide development in a manner that will promote the public health, safety, morals and general welfare and ensure that the development of the municipality does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole; and

*WHEREAS*, Upon information and belief, the Proposed Development and required offsite improvements will be located within the 300 feet buffer of the Musconetcong River and its tributaries and intermittent streams in direct conflict with New Jersey Department of Environmental Protection (hereinafter the “NJDEP”) regulations pursuant to the Special Water Resource Protection Act (hereinafter “SWRPA”); and

*WHEREAS*, The Proposed Development would significantly increase the risk of contamination of the Musconetcong River, which was recognized in 2006 as a National Wild and Scenic River at the request of eighteen (18) municipalities along the river and is one of the finest trout fishing streams in New Jersey; and

*WHEREAS*, Contaminated runoff from the Proposed Development and roads leading to the development which are within feet of the Musconetcong River may negate federal, state and municipal efforts to restore and protect the water quality of the Musconetcong River at a cost of

millions of tax payer dollars and may exacerbate NJDEP Stream Water Quality Standard violations; and

*WHEREAS*, Upon information and belief, the Proposed Development may have an adverse impact on several threatened and endangered species present within one (1) quarter mile of the Premises and identified as such by the NJDEP Natural Heritage Database; and

*WHEREAS*, Upon information and belief, the Proposed Development is inconsistent with the Regional Master Plan (RMP) issued pursuant to the New Jersey Highlands Act (hereinafter the “Highlands Act”), which identifies the property within the Conservation and Protection Zones of the Planning Area and establishes open space preservation and conservation of agricultural lands as the appropriate land use for this area; and

*WHEREAS*, The Proposed Development will require water allocation permits and may require NJPDES permits and other approvals from the NJDEP; however, N.J.A.C. 7:38-1.1(h) prohibits the NJDEP from issuing any approvals, authorizations or permits for activities which are inconsistent with the resource protection goals established by the RMP for the planning area.; and

*WHEREAS*, Upon information and belief, the Proposed Development conflicts with the State Development and Redevelopment Plan developed pursuant to the State Planning Act N.J.S.A. 52:18A-196 to -207, which identifies the Premises as located within Planning Area 4B, Rural Environmentally Sensitive which are lands designated for open space and farmland preservation; and

*WHEREAS*, The Proposed Development conflicts with the Regional Transportation Plan for Northern New Jersey adopted by the North Jersey Transportation Planning Authority which recommends and encourages the location of large trucking facilities near the ports to minimize traffic and environmental impacts; and

*WHEREAS*, The proposed design for erosion control standards submitted for the Proposed Development fails to provide stabilization to a point downstream of the discharge points of the proposed basins and calculations for downstream stability at any other points of discharge, as per the basic soil erosion design criteria set by the Soil Conservation District requirements; and

*WHEREAS*, The Proposed Development would negatively impact the community by wholly obstructing views of the New Jersey Skylands along the Musconetcong Valley, substantially increasing noise pollution, light pollution, infrastructure overload, congestion and , and causing a fundamental transformation of the quality of life in Franklin Township and the surrounding municipalities; and

*WHEREAS*, The Proposed Development will increase safety risks to motorists and pedestrians traveling on local roads, as well as traffic congestion and road maintenance issues

relating to the estimated influx of more than 250,000 trucks per year, as per the developer's own estimates; and

*WHEREAS*, The proposed truck routes for the Premises will create circulation and turning difficulties for trucks, as trucks will be unable to reach Bloomsbury Road via the Route 173 intersection without crossing existing center lines, or requiring costly intersection improvements at that location; and

*WHEREAS*, The Proposed Development requires numerous variances to reduce set back distances and increase impervious coverage over what is allowed under the Land Use and Development Ordinance of the Township of Franklin. These variances will enable the construction of a much larger development than is typically allowed by ordinance to the benefit of the developer and detriment of local residents and the environment; and

*WHEREAS*, The Proposed Development will be a source of concentrated diesel vehicle emissions in close proximity to Heritage Park and Huscko Fields which are commonly used by hundreds of children a day. According to the USEPA acute exposure to diesel exhaust can cause respiratory and neurological effects and exacerbate asthma; the environmental impact statement for the Proposed Development does not address health effects; and

*NOW, THEREFORE, BE IT RESOLVED* That the Township of Bethlehem opposes the development application submitted by F. Greek Development Co., filed with the Franklin Township Land Use Board in connection with the Proposed Development, as the impacts of the Proposed Development are deleterious to the health, safety, public welfare, environment, and quality of life of the citizens of the Township of Bethlehem so as to cause irreparable harm;

*BE IT FURTHER RESOLVED*, That the Township of Bethlehem urges the Franklin Township Land Use Board **to not approve** the Proposed Development;

*BE IT FURTHER RESOLVED*, That the Township Committee of the Township of Bethlehem strongly urge Governor Christie and the State Legislature, NJDEP and NJ Highlands Council to take any action necessary to prevent and prohibit Franklin Township from approving the Proposed Development.

*BE IT FURTHER RESOLVED*, That the Municipal Clerk of the Township of Bethlehem shall send a copy of this resolution to Governor Christie of the State of New Jersey; Commissioner of New Jersey Department of Environmental Protection; Senator Michael J. Doherty; Assemblyman John Di Maio; Assemblyman Erik C. Peterson; Director of the Hunterdon County Board of Chosen Freeholders; Director of the Warren County Board of Chosen Freeholders; Governing Body of Bloomsbury Borough, Hunterdon County; Governing Body of Townships of Union and Clinton, Hunterdon County; Governing Body of Town of Clinton, Hunterdon County; Governing Body and LandUse Board of the Township of Franklin, Warren County; Governing Body of the Townships of Greenwich, and Pohatcong, Warren County; Governing Body of the Borough of Alpha, Warren County; Governing Body of the

Township of Phillipsburg, Warren County; Musconetcong Watershed Association; North Jersey Transportation Planning Authority; National Park Service; Region II Regional Administrator USEPA; Sierra Club; Executive Director of Highlands Council; and Director of Skylands Preservation Alliance.

Vote: aye - Graefe  
aye - McClurg  
aye - Jimenez  
aye - Meehan  
aye - Glazar

I, Diane Pflugfelder, R.M.C/C.M.C, Municipal Clerk of the Township of Bethlehem, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the governing body at a meeting held on 4 February 2010.

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Diane Pflugfelder, R.M.C/C.M.C.  
Municipal Clerk