

**BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY**

**RESOLUTION NO. 2016-115**

**RESOLUTION SUPPORTING NEW JERSEY DEPARTMENT OF TRANSPORTATION**

**INTERCHANGE IMPROVEMENT**

**WHEREAS**, Route 287/78 I-287/202/206 interchange is a complex of four major highways in Bedminster Township providing major north-south and east-west transportation connections; and,

**WHEREAS**, the I-78 Eastbound to I-287 Northbound is a left side entry producing downstream weave conditions and vehicle conflicts and driver decisions on I-287 Northbound through the I-78 Interchange; and,

**WHEREAS**, a new flyover ramp from I-78 Eastbound will connect with a right side entry to I-287 Northbound by means of a new loop ramp with a larger radius than the old Ramp H (the existing presently closed loop ramp); and,

**WHEREAS**, this new ramp will eliminate the present Ramp H along with its left side entry to I 287 Northbound; and,

**WHEREAS**, Ramp E (I-287 Northbound to I-78 Eastbound) will be shifted further to the south to provide room for the new loop ramp; and,

**WHEREAS**, the Project will require the acquisition of land from Block 71.01 Lot 1; and,

**WHEREAS**, the property in question is subject to a conservation easement granted by the land owner to Bedminster Township as a condition of prior commercial site development approvals under the Municipal Land Use Law; and,

**WHEREAS**, the Project will require approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26 for the removal of Green Acres restrictions on 2.2 acres of land owned by AT & T and on which Bedminster Township possess an interest in a Conservation Easement;

**WHEREAS**, the Township of Bedminster wishes to apply for approval for the removal of Green Acres restrictions on 2.2 acres of land owned by AT & T and on which Bedminster Township possess an interest in a Conservation Easement; as a major disposal or diversion of parkland under N.J.A.C. 7:36-26; and

**WHEREAS**, as required by N.J.A.C. 7:36-26.8, the Township of Bedminster held a scoping hearing on May 2, 2016 to solicit public comment on the diversion of 2.2 acres of land owned by AT & T and on which Bedminster Township possess an interest in a Conservation Easement in connection with the Route 287/78 I-287/202/206 interchange improvement project; and

**WHEREAS**, the next step in the application process for approval of a major disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7:36-26.9; and

**WHEREAS**, in accordance with N.J.A.C. 7:36-26.9(d)11, it is necessary for the Township of Bedminster to submit as part of the pre-application a Resolution endorsing the application to divert or dispose of parkland;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Bedminster in the County of Somerset, State of New Jersey as follows:

1. Bedminster Township endorses the filing of a pre-application to the New Jersey Department of Environmental Protection Green Acres Program for the diversion of 2.2 acres; and,
2. Bedminster Township supports the New Jersey Department of Transportation's proposed Project to provide safety and operational improvements to better facilitate traffic flow at the interchange location in order to enhance safety and mobility for the travelling public; and,
3. Bedminster Township hereby finds that the New Jersey Department of Transportation has taken appropriate steps to minimize encroachment within the 14.083 acres of land subject to the conservation easement; and,

4. Bedminster Township hereby finds that the remaining land subject to the conservation easement will not be impaired as a result of the New Jersey Department of Transportation Project; and,
5. Bedminster Township understands that the New Jersey Department of Transportation will be required to provide replacement parkland to comply with the requirements of N.J.A.C 7:36-26.5; and,
6. Bedminster Township hereby finds that the primary purpose of the land subject to the conservation easement is not as a park, recreation area, wildlife and/or waterfowl refuge; and,
7. Bedminster Township hereby finds that the primary function of the land subject to the conservation easement is not as a park, recreation area, wildlife and/or waterfowl refuge; and,
8. Bedminster Township hereby finds that the land subject to the conservation easement is not intended to be managed as a park, recreation area, wildlife and/or waterfowl refuge; and,
9. Bedminster Township hereby finds that the remaining land subject to the conservation easement will not intended to be managed as a park, recreation area, wildlife and/or waterfowl refuge ; and,
10. Bedminster Township hereby finds that the land subject to the conservation easement is not a significant public park, recreation area, wildlife and/or waterfowl refuge; and
11. Bedminster Township acknowledges that in order to obtain the approval of the diversion of 2.2 acres of land owned by AT & T and on which Bedminster Township possess an interest in a Conservation Easement, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.10.
12. Bedminster Township hereby finds the replacement land located between Route 202 and River Road in Bedminster Township and is bisected by the North Branch Raritan River to be acceptable compensation. The land is owned by the NJDOT and is shown on the attached maps as Block 54 Lot 1 (3.18 acres) and Block 53 Lot 2.01 (3.62 acres). The replacement parcels total 6.80 acres with the appraised Highest and Best Use value of \$124,200.
13. Bedminster Township hereby finds the following tree preservation and planting to be acceptable compensation for the tree clearing on the diversion parcel. A total of 6,633 trees with a dbh of 6" or greater exist on the compensation parcels. These trees will be protected under a conservation easement. The NJDOT will plant the riparian zone planting plans for the Hike/Bikeway Southwest Connector, sheet 9 of 13, dated 04/08/2015 revised 05/27/2015.

ATTEST:

BEDMINSTER TOWNSHIP  
COMMITTEE:

By: \_\_\_\_\_  
Judith Sullivan, RMC  
Township Clerk

By: \_\_\_\_\_  
Steven E. Parker, Mayor

**CERTIFICATION**

I, Judith Sullivan, Township Clerk of Bedminster, County of Somerset, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee at a Regular Meeting held on October 17, 2016.

\_\_\_\_\_  
Judith Sullivan, Township Clerk

Introduced	Seconded	Township Committee	Aye	Nay	Abstain	Absent
		<b>Steven E. Parker, Mayor</b>				
		<b>Bernie Pane</b>				
		<b>Lawrence F. Jacobs</b>				
		<b>Staci Santucci</b>				
		<b>Kenneth Olsen</b>				