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STATE OF NEW JERSEY
WATERSHED PROPERTY REVIEW BOARD

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Department of Community
Affairs

IN THE MATTER OF THE REQUEST FOR AN)
EXEMPTION FROM THE WATERSHED PROTECTION)
AND MORATORIUM ACT BY NEW JERSEY AMERICAN)
WATER COMPANY ON BEHALF OF WOODMONT)
PROPERTIES, LLC, PROPOSED SUBDIVISION AND)
DEED OF CONVEYANCE TRANSFER OF 8+/- ACRES OF)
LAND AND IMPROVEMENTS LOCATED IN A PORTION)
OF BLOCK 5302, LOT 5 IN THE TOWNSHIP OF)
MILLBURN, COUNTY OF ESSEX AND THE TRANSFER)
OF CERTAIN EASEMENTS IN CONNECTION THERETO)

ORDER

GRANTING
EXEMPTION

(SERVICE LIST ATTACHED)

BY THE WATERSHED PROPERTY REVIEW BOARD:

BACKGROUND/PROCEDURAL HISTORY

On December 2, 2022, New Jersey American Water Company, Inc. ("NJAW"), on behalf of Woodmont Properties, LLC ("Woodmont"), filed an application with the Watershed Property Review Board ("Board" or "WPRB") for an exemption from the Watershed Protection and Moratorium Act, P.L.1988, c. 163, as amended by P.L. 1990, c. 19 ("Act"). Specifically, NJAW seeks to convey, in fee, approximately eight acres of land in the Township of Millburn, Essex County. Without the exemption, the conveyance of any property interest is prohibited by the Act. This order adopts Board Staff's recommendation to grant the requested exemption under the conditions outlined below.

Block 5302, Lot 5 (approximately 558 acres), located in the Township of Millburn, Essex County, is owned and operated by NJAW as the Canoe Brook Water Treatment Plant ("Canoe Brook WTP"). This parcel fronts John F. Kennedy Parkway (Essex County Route 649) and is generally located across John F. Kennedy Parkway from the Mall at Short Hills. This property is utilized for the treatment and distribution of drinking water to NJAW's regional customers. The Canoe Brook WTP serves the following municipalities in Essex County: Irvington Township, Livingston Township, Maplewood Township, Millburn Township, City of Orange, South Orange Village and West Orange Township and in Union County: Hillside Township, Springfield Township, Summit City and Union Township.

The Canoe Brook WTP property is located within the Upper Passaic, Whippany and Rockaway Watershed Management Area and the Canoe Brook Sub-Watershed. Canoe Brook WTP's principal sources of water supply are the surface water intakes on the Passaic River (FW2-NT¹) and the Canoe Brook (FW2-NT) and a series of groundwater wells located on the property. The Passaic River flows in a southeasterly direction from its headwaters in Morris County through Essex County into Newark Bay. The Canoe Brook is a tributary to the Passaic River and is located between two surface water reservoirs onsite: Reservoir No. 1 and Reservoir No. 2. These reservoirs have large berms and are located at higher elevations than the surrounding wetland complex. In addition to the water supply facilities onsite, this property is also the location of NJAW's administrative offices. An aerial map of the Canoe Brook WTP property is attached as Exhibit 1.

In 2004, Board Staff issued a jurisdictional determination to NJAW regarding the Canoe Brook WTP property indicating that the entire property was subject to the Act because it was utilized for the purpose of protecting a public water supply. Therefore, NJAW was advised that an exemption to the Act would be necessary for a conveyance of any portion of this property. This determination was reiterated in a second jurisdictional determination letter sent to NJAW by Board Staff in 2018.

PROPOSAL

NJAW proposes to subdivide approximately eight acres ("Woodmont Parcel") from the Canoe Brook WTP property and transfer this area to Woodmont. The purpose of the proposed conveyance is to allow Woodmont to construct "The Residences at Short Hills," a 156-market rate unit and 39-affordable housing unit project including related landscaping, parking and stormwater management facilities onsite. An aerial map of the Woodmont Parcel in relation to the overall Canoe Brook WTP property is attached as Exhibit 1.

The Woodmont Parcel is currently undeveloped and comprised of relatively flat upland

¹ According to the New Jersey Surface Water Quality Standards at N.J.A.C. 7:9B, the Passaic River and Canoe Brook are classified as a FW2-NT streams. FW2 is a classification given to fresh waters that are not designated as FW1 or Pinelands Waters. NT means non trout production waters.

forest and scrub-shrub areas as well as emergent wetlands which slope to the north towards Reservoir No. 2. There is an existing 50-foot easement containing a JCP&L overhead electric line located onsite. The Woodmont Parcel is located approximately 1,200 feet above the Passaic River intake for Reservoir No. 2. The Woodmont Parcel was originally part of Reservoir No. 2 until the mid-1980s when the limits of the reservoir were modified and decreased to its current location. There are approximately 24 acres of wetlands between the Woodmont Parcel and the Passaic River surface water intake.

The site plan for "The Residences at Short Hills" development depicts a single four-story building, including three residential floors above a structured parking area with 303 parking spaces on the ground floor. The site plan also includes 31 surface parking spaces in a parking area with a pervious surface. While Woodmont has stated that the site plan may be amended to reflect engineering details required by various permitting agencies, the general building footprint is not expected to be altered. The proposed "The Residences at Short Hills" facility is depicted in Exhibit 2.

The proposed development includes stormwater management measures that have been designed to mimic existing drainage patterns, which currently consist of site runoff flowing overland to adjacent wetlands to the north. Best management practices include two pervious pavement systems, four bioretention systems and three green roof systems to treat stormwater runoff before discharging into ground water recharge areas which are designed to capture stormwater for reabsorption into the ground. Stormwater will also be collected and directed to one of three stormwater outfall pipes with conduit outlet protection to reduce erosion. These stormwater outfalls will discharge into adjacent wetland areas and are located at an elevation nine feet lower than Reservoir No. 2. The treated stormwater discharges will not flow towards the Canoe Brook but through a series of scrub shrub wetland areas towards the Passaic River.

While development is proposed in the area of the existing JCP&L 50-foot utility easement (including replacing an existing fence, minimal grading, installation of a 12-foot-wide access drive, signage and parking), no new vertical structures are proposed in this area so there will be no need for utility pole relocation or a change to the existing easement area.

NJAW has a 24-inch diameter water main fronting the Woodmont Parcel. Woodmont will need to request a water main extension from the NJAW existing main to provide water service to the proposed development. The water consumption for "The Residences at Short Hills" development is estimated to be 24,885 gallons per day. Millburn Township owns and maintains its own sewer collection system and discharges to the Joint Meeting of Essex and Union Counties ("JMEUC") for treatment. A new sewer service connection will be required for the "The Residences at Short Hills" development and it is estimated that development will generate 39,450 gallons per day for treatment.

The development will require the removal of approximately 246 trees onsite, 65 of which are over 18" in diameter at breast height ("DBH"). This stand of trees, located in the western portion of the Woodmont Parcel, has been identified as summer maternity habitat

for the Indiana bat (*Myotis sodalist*), a federally listed endangered species. To prevent adverse impacts to the Indiana bat, a tree clearing timing restriction from April 1st through September 30th is required for all trees 3" DBH or greater. This requirement would be imposed by the New Jersey Department of Environmental Protection ("NJDEP") in any permits issued by its Division of Land Resource Protection ("DLRP").

In addition, while there is a bald eagle (*Haliaeetus leucocephalus*) nest associated with the Canoe Brook WTP property, the Woodmont Parcel falls outside the nest buffer. The property does not provide any suitable habitat for bald eagle foraging, because of its distance from open water and association with nearby development.

To mitigate for any adverse environmental impact (including tree removal) which would result from receiving an exemption to the Act for this proposal, NJAW and Woodmont propose a mitigation plan which includes placing conservation restrictions on nearby lands as well as extensive onsite tree planting.

Under the mitigation plan, Woodmont proposes to convey a conservation easement to NJAW on approximately 2.76 acres of the Woodmont Parcel which will remain undeveloped. The 2.76 acres to be preserved consists primarily of emergent wetlands. This permanent restriction will provide further assurance that watershed buffers will be retained next to the proposed development and the water supply will be protected. Woodmont proposes to replace an existing fence to create a border between the developed and undeveloped areas of the Woodmont Parcel. "Conservation Area – No Trespassing" signage will also be posted along the rear and side of the proposed development to further limit impacts to the wetland area. A rendering of the conservation easement area in relation to the Woodmont Parcel is attached as Exhibit 3.

In addition, NJAW proposes to further restrict watershed land it owns across JFK Parkway from the Canoe Brook WTP at Block 5303, Lot 2 in the Township of Millburn. This 19.24-acre parcel is forested and includes a tributary to the Canoe Brook which is upstream of the Canoe Brook WTP Reservoir No. 1 surface water intake. While this property is already subject to the Act, NJAW proposes to further restrict the activities that may take place on this parcel to only utility operations, including rehabilitating existing wells, installing new wells, repairing and replacing mains and allowing for accessory support structures, if required, in furtherance of its franchise obligations. This parcel consists primarily of wooded uplands and is contiguous with a 36-acre park owned by the Township of Millburn.

Woodmont further proposes to reforest the 2.76-acre conservation easement area mentioned above. The proposed tree planting plan (attached as Exhibit 3) calls for a mix of 437 trees to be planted throughout the easement area in two wetland planting areas and one upland planting area. Thirty additional trees will be planted throughout the developed portions of the Woodmont Parcel. The replacement tree species, spacing and sizes were proposed utilizing the NJDEP Mitigation Technical Manual and the proposal meets the Millburn Township Tree Replacement code. The water tolerant plantings will enhance native species habitat as well the natural buffer to the Passaic River and the

Canoe Brook WTP Reservoir No. 2 surface water intake. Monitoring and survival requirements shall meet the NJDEP Mitigation Technical Manual.

The Agreement of Sale between NJAW and Woodmont conditions the transfer of the Woodmont Parcel on Woodmont obtaining all final non-appealable governmental approvals, including but not limited to NJDEP Treatment Works Approval, NJDEP, DRLP Freshwater Wetlands Protection Act and Flood Hazard Area Control Act approvals, and NJDEP Water Quality Management Plan Amendment approval as well as various local approvals including Preliminary & Final Site Plan Approvals and Hudson Essex Passaic Soil Conservation District approval.

NJAW will also need to request approval from the New Jersey Board of Public Utilities ("NJBPU") to sell a utility property claimed to be no longer used or useful for utility purposes pursuant to N.J.S.A. 48:3-7. Pursuant to N.J.A.C. 14:1-5.6(b), NJAW is required to advertise the property for bid. Furthermore, NJBPU, in reviewing the sale of utility property under the authority given to it by N.J.S.A. 48:3-7(a), must consider the three factors of Erie-Lackawanna², specifically:

- a. The property must no longer be used or useful, presently or prospectively, for utility purposes.
- b. The sale and conveyance of the property under the terms proposed will not adversely affect the ability of the utility to render safe, adequate and proper service.
- c. The proposed sale price is the best price obtainable and represents fair market value for the property.

PUBLIC COMMENT

Shortly after NJAW submitted the exemption request to the Board, Board Staff started receiving adverse public comment, including six individually written objections via email and notice that a Change.org petition was started to oppose the sale of the Woodmont Parcel. To date, there are 1,763 signatures on the petition. The written objections indicated that the sale would impact avian species using the site and the property's ability to absorb heavy rain events, leading to increased flooding of the area. In general, the public opposition expressed that granting the requested exemption would be inconsistent with the purposes of the Act, which are to protect water quality and encourage open space preservation to provide a buffer to public water supplies.

A 30-day written public comment period on the exemption request was held from May 1, 2023 to May 31, 2023. Board Staff received four additional written comments during this period: two adverse comments from concerned citizens/residents, a letter of opposition from the Passaic River Coalition ("PRC") and a letter of support from Hill Wallack, LLP on behalf of Woodmont. The citizen/resident comments questioned whether the Woodmont Parcel is an appropriate location for affordable housing in Millburn and whether alternative

² In re Erie-Lackawanna RY. Co., 75 P.U.R. 3d 246 (N.J. Bd. Of Pub. Util. 1968) ("Erie-Lackawanna")

locations could be identified. The comments also expressed concern for the long-term impacts of developing the Woodmont Parcel, which they assert currently acts as natural drainage for a flood prone area. The commenters also questioned whether the sale and development of the Woodmont Parcel could impact NJAW's ability to respond to climate change and future demand on NJAW's water supplies, both of which could require an expansion of the reservoir.

PRC submitted a letter expressing its concerns with the proposed sale of watershed land and asking the Board to have NJDEP conduct a comprehensive environmental impact review of the proposed exemption. PRC questioned whether affordable housing is a compelling public need if it compromises the greater public need of protecting drinking water, providing natural water filtration and inland flood storage, and providing breeding habitat for the Indiana bat, a federally listed endangered species. PRC reiterated residents' comments that there are other suitable locations in Millburn for this type of development.

Hill Wallack, LLP's letter, on behalf of Woodmont, indicates that the Millburn community has fought every aspect of the New Jersey affordable housing mandates for decades and has questioned nearly every site identified in the fair share housing plan. The letter states that Millburn refused to take several actions it had agreed to in the 2021 Settlement Agreement (as detailed below) and the Fair Share Housing Center ("FSHC") was recently compelled to seek judicial intervention to enforce the Agreement.

On June 28, 2023, NJAW sent a letter to Board Staff responding to the public comment Staff received from PRC. NJAW highlighted that an environmental impact statement ("EIS") was contained within NJAW's exemption request and concluded that there were no potential detrimental effects to the environment from the proposed project. NJAW also mentioned that the wetlands onsite will be planted with native tree species and deed restricted under the current proposal and that the stormwater management system was designed to comply with all NJDEP stormwater regulations.

DISCUSSION

The Act prohibits any "municipality, municipal utility authority, or public utility" from conveying "any land utilized for the purpose of the protection of a public water supply." Section 1 of P.L. 1988, c. 163. In other words, the Act places a moratorium on all conveyances of watershed property. The Act authorizes the Board to grant exemptions to the Act's moratorium if the applicant demonstrates "that there is a compelling public need for the conveyance of the property, that the denial of the exemption would result in extraordinary hardship, or that the sale or development of the watershed property is otherwise consistent with the purposes of [the] Act." P.L. 1988, c. 163 2a. The requirements for demonstrating the need for an exemption are listed in the disjunctive, and an applicant need only demonstrate one of the three enumerated reasons to obtain an exemption to the Act. The Act further requires that an applicant proposes mitigation of any adverse environmental impact which would result from an exemption granted by the Board. P.L. 1988, c. 163 2a.

NJAW is seeking an exemption which would allow it to convey the Woodmont Parcel to Woodmont in fee. As discussed above, Board Staff determined in 2004 and again in 2018 that the Canoe Brook WTP property is held for the purpose of protecting a public water supply. Hence, the Act's moratorium is applicable and prohibits NJAW from conveying any interest in the Canoe Brook WTP property to Woodmont unless the Board finds one of the three types of exemptions applies. NJAW asserts that all three exemptions apply to the proposed conveyance. The exemption request, however, did not sufficiently make a case for the extraordinary hardship exemption or the "otherwise consistent with the purposes of the Act" exemption. Therefore, the discussion below will focus entirely on the compelling public need exemption.

In Southern Burlington County NAACP v. Tp. of Mount Laurel, 92 N.J. 158 (1983) ("Mount Laurel II"), the New Jersey Supreme Court ruled that NJ municipalities have an obligation under the New Jersey Constitution to fully satisfy their fair share of the regional need for low- and moderate-income housing. Since that time, the Supreme Court has consistently recognized and affirmed that obligation and it has issued further rulings confirming the importance of that obligation (i.e., In re Adoption of N.J.A.C. 5:96 & 5:97 ex rel. New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV")). Therefore, affordable housing has been determined by the NJ Supreme Court to be a compelling public need. However, this line of cases makes no specific mention of the Act, does not explicitly state that the inclusion of affordable housing in an application to the Board satisfies the compelling public need exemption and does not directly require that the Board grant an application merely because it includes an affordable housing component.

Woodmont conducted a market study through which the demographic information reported in the study demonstrated the significant need for affordable apartments in the Millburn area, portions of which are in an overburdened community³. The New Jersey Superior Court has held that the 39 affordable housing units, 20% of the total units proposed in "The Residences at Short Hills" development, provide a material contribution to Millburn's affordable housing obligations. Towards that end, by Settlement Agreement dated July 30, 2021, Millburn and FSHC agreed to place these units on the Woodmont Parcel. On November 9, 2021, Millburn passed Ordinance No. 2585-21 in furtherance of the conditions of the Settlement Agreement, which would place an overlay inclusionary zoning on the Woodmont Parcel to allow for residential housing and support applications filed with other government agencies to further the proposed development of these units. Since the Woodmont Parcel was specifically identified in the Settlement Agreement, Millburn will not achieve satisfaction of its affordable housing obligations if the development is not completed. The Settlement Agreement noted the need for an exemption from the Board and stated that the Mount Laurel doctrine is a compelling public need justifying an exemption. The Settlement Agreement was approved by the Superior Court via Order dated March 1, 2022, in which the Court retained jurisdiction only for the

³ An overburdened community in New Jersey is a census block group that has 1) at least 35% low-income households; 2) at least 40% of the residents identify as minority or as members of a State recognized tribal community; or 3) at least 40% of the households have limited English proficiency.

purpose of enforcing the Settlement Agreement. An Order of Judgment of Compliance and Repose was later entered on May 23, 2023, which specifically directed Millburn to address its affordable housing obligation pursuant to the terms of the Settlement Agreement, including as to Block 5302, Lot 5, which includes the Woodmont Parcel.

NJAW contends that "The Residences at Short Hills" development is a responsible repurposing of the Woodmont Parcel and will include the use of green infrastructure to meet NJDEP stormwater management regulations for storm water quality (total suspended solids removal), quantity reductions, operation and maintenance, together with responsible soil erosion and sediment control practices. NJAW is satisfied that there will be no impact on the susceptibility ratings mentioned in the 2004 Source Water Assessment Report since significant development has occurred around the Canoe Brook WTP property, after the report was issued, with no impact on water supply or treatment, and the water at this location is already being treated to the highest contaminant category. Board Staff further notes that the development of adjacent parcels, not subject to the Act, pre-exists and restricts the corridor stormwater may travel between the Woodmont Parcel and public water supply intake. In addition, Woodmont and NJAW will have an ongoing obligation to maintain the proposed conservation easement area for watershed purposes.

As to PRC's public comment asserting that NJDEP should conduct a comprehensive environmental impact review of the proposed exemption, Board staff discussed this application with NJDEP staff from the Watershed & Land Management Program as well as Water Resource Management and understands that this comprehensive impact review will be addressed through the permit approval process with both programs. As to public comment regarding the exemption's impact on NJAW's ability to meet future water demand, Board Staff believes this matter will be addressed during the NJBPU approval process.

CONCLUSION

The Board is aware of the findings of its Staff that there is a compelling public need for the sale of property to allow Woodmont to construct a 156-market rate unit and 39-affordable housing unit project including related landscaping, parking and stormwater management facilities onsite and agrees with the need to provide affordable housing and that such facilities are a value to communities since they serve the public good and promote the general welfare. These findings are the result of the thorough and complete review of the record in this proceeding and are limited to the facts and circumstances of this unique Project. Further, these findings shall not be construed as a determination by this WPRB regarding any other conveyance of properties for which a future application may now be pending or may be brought in the future. As with all determinations by this WPRB, any future determination will be made on a case-by-case basis giving due regard to the information presented within each such application.

Based on the August 8, 2019 site visit, review of the extensive record and the information obtained through the public comment period, Board Staff concurs that there is a compelling public need for the sale of the Woodmont Parcel, given the constitutional

obligations to provide for affordable housing in New Jersey. In addition, on the same basis, including consultation with DEP, Board Staff is satisfied that the conservation easement restrictions to be placed on the 2.76 acres of undeveloped land within the Woodmont Parcel and 19.24 acres of additional watershed property owned by NJAW, as well as the proposed tree planting plan, are protective of the watershed and that granting of the exemption will not pose a threat to the water supply. On this basis, Board Staff recommends that this Board approve the request for an exemption subject to the following conditions:

1. Woodmont and NJAW must obtain any and all federal, state and local permits and approvals, including but limited to: NJDEP Treatment Works Approval, NJDEP Land Resource Protection Freshwater Wetlands Protection Act and Flood Hazard Area Control Act approvals, NJDEP Water Quality Management Plan Amendment approval and NJBPU approvals under N.J.S.A. 48:3-7. Woodmont and NJAW must adhere to any and all tree clearing timing restrictions required by federal and state approvals in order to prevent adverse impacts to the Indiana bat.
2. Woodmont must provide NJAW with notice prior to any construction activity on the Woodmont Parcel.
3. Woodmont shall convey a conservation easement to NJAW, which shall be recorded, to permanently restrict development on approximately 2.76 acres of the Woodmont Parcel which will remain undeveloped as part of the development plan. Board Staff shall approve the conservation easement language prior to execution and a copy of the recorded conservation easement shall be provided to Board Staff. This conservation easement will be subject to the Act and remain under the jurisdiction of the Board.
4. NJAW shall further deed restrict Block 5303, Lot 2. Board Staff shall approve the deed restriction language prior to execution and a copy of the recorded deed restriction shall be provided to Board Staff. This property will continue to be subject to the Act and remain under the jurisdiction of the Board.
5. The Board supports the current tree mitigation and planting plan which includes the planting of 437 trees on the 2.76-acre conservation easement area as well as 30 additional trees throughout the developed portions of the Woodmont Parcel. Woodmont commits to consult with NJAW with respect to ensuring survival of the tree plantings. Monitoring and survival requirements shall meet the NJDEP Mitigation Technical Manual.
6. Any and all discharge from the proposed stormwater outfall structures must meet the requirements of the NJDEP Stormwater Management rules at *N.J.A.C. 7:8*.
7. NJAW has an obligation to protect the public water supply and to monitor and assure compliance with the NJDEP Stormwater Management rules at *N.J.A.C. 7:8*.

8. This Board approval is based on the current proposal to transfer the Woodmont Parcel to Woodmont in accordance with the Settlement Agreement with Millburn which includes 39 affordable housing units. If the sale to Woodmont is terminated or the Settlement Agreement or project is amended to reduce the number of affordable housing units, this exemption approval will expire and NJAW will need to obtain Board approval for any future sale proposals. However, if the Woodmont project is built as proposed, the Board does not retain jurisdiction over any subsequent transfer of the property by Woodmont, as long as the conservation easement discussed herein remains in place and NJAW/Woodmont comply with the other terms and conditions of the exemption approval.

After consideration of the entire application, including the Permit and Plans, the WPRB **HEREBY GRANTS** an exemption under the Act from the moratorium of conveying watershed property, limited to the purposes set forth in this application. As stated above, the WPRB **FINDS** that there is a compelling public need for this Project. Nonetheless, the Board's grant of this particular exemption and its finding of compelling public need in this case does not stand for the proposition that any application to the WPRB that includes an affordable housing component justifies the grant of an exemption under the Act. As stated above, all applications to the WPRB must be, and are, reviewed on a case-by-case basis.

The application, permits, plans and the Supplemental Submissions contained in the documents submitted by NJAWC are significant and the WPRB **RELIES** upon the conditions and protections contained therein in considering this application. The WPRB **HEREBY FINDS** that these protections, plus the additional conditions of this Order provide sufficient mitigation of any potential water quality impacts. Therefore, the WPRB **HEREBY ORDERS** that the conditions agreed to and incorporated in the Conservation Easement and Deed Restriction documents shall become part of this Order.

The WPRB **FURTHER ORDERS** that NJAWC work in good faith with Woodmont to determine the most beneficial on-going maintenance plan for the Stormwater Management rules and to limit the impact upon water supply. The WPRB **FURTHER ORDERS** that NJAWC shall have the opportunity to have its representative present to observe and object to any actions taken by Woodmont on NJAWC's property.

Therefore, the WPRB **HEREBY ORDERS** that the application for an exemption, pursuant to Section 2(a) of P.L. 1988, c. 163, as amended, shall be and hereby is **APPROVED** subject to the conditions recited above.

This Order addresses consideration of an exemption from the Act and does not relieve NJAWC and Woodmont of any other obligations that may be required pursuant to any statute or regulation.

This Order confirms the vote on this matter taken at the duly noticed open public meeting of the Watershed Property Review Board on March 26, 2024.

DATED: 3/26/24

WATERSHED PROPERTY REVIEW BOARD

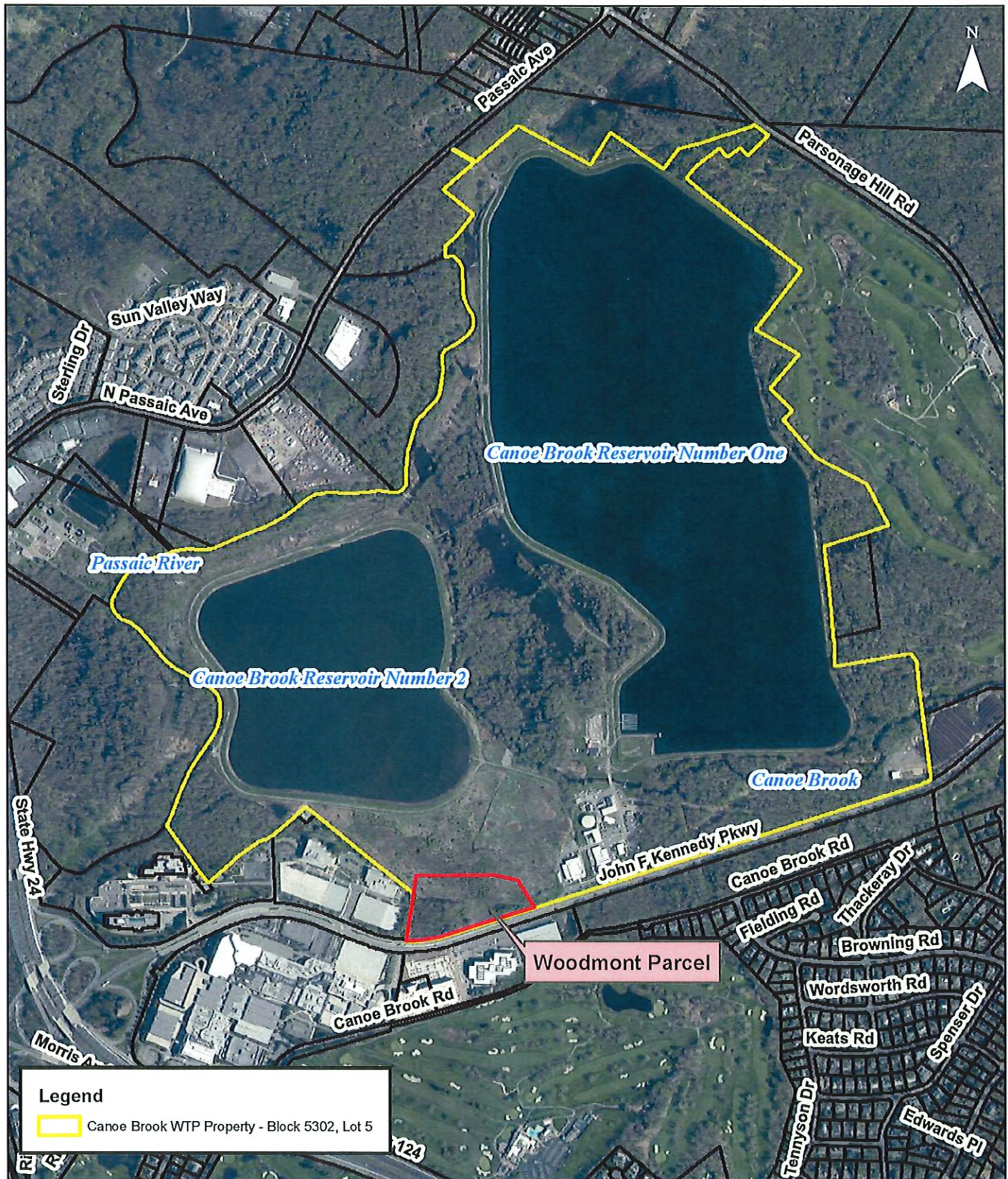
BY:


CHRISTINE GUHL-SADOVY
President
Board of Public Utilities


JUDITH YEANY
Assistant Director, Office of Transactions and Public Land Administration
Department of Environmental Protection
Pursuant to delegation order dated February 5, 2024


DONALD PALOMBI
Chief Regulatory Officer
Department of Community Affairs
Pursuant to delegation order dated March 18, 2024

Exhibit 1: Aerial Map of Canoe Brook WTP Property & Woodmont Parcel, Township of Millburn, Essex County



3/26/24

IN THE MATTER OF THE REQUEST FOR AN EXEMPTION FROM THE WATERSHED PROTECTION AND
MORATORIUM ACT BY NEW JERSEY AMERICAN WATER COMPANY ON BEHALF OF WOODMONT
PROPERTIES, LLC, PROPOSED SUBDIVISION AND DEED OF CONVEYANCE TRANSFER OF 8+/-
ACRES OF LAND AND IMPROVEMENTS LOCATED IN A PORTION OF BLOCK 5302, LOT 5 IN THE
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CONNECTION THERETO

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