I. Water Quality Planning Activities

A. Middlesex County Wastewater Management Plan (WMP)

The build-out analysis that the county undertook for Plainsboro Township, does not match the flow numbers of the build out analysis that Plainsboro Township developed, using a different methodology. Before the coronavirus emerged, the county and Plainsboro were in discussions over methodology. The county is in the process of resuming discussions with Plainsboro.

B. Site-Specific Sewer Service Area (SSA) Amendments to Lower Raritan-Middlesex County Water Quality Management Plan

- Scotto Site Specific SSA Amendment Application -- Block 37, Lot 12.14, Township of South Brunswick, 6 house subdivision, was approved by the WRA and the Planning Board in November. The Board of Chosen Freeholder public hearing was scheduled for March 18, 2020 but had to be officially cancelled due to the corona virus rules that sent nonessential workers home and did not permit the public to enter the Middlesex County Administration Building. The county is talking to the NJDEP to get approval to hold the public hearing virtually.

- South Ridge Estates Site Specific SSA Amendment Application– Section 2C -- a residential development on Block 85, Lot 17.014 in the Township of South Brunswick, Middlesex County, NJ. The development is situated at the intersection of Major Road and Northumberland Way. The property contains 14.3 acres and is presently wooded with no existing structures. The developer proposes to construct four apartment buildings (72 units, 11 affordable) with associated parking areas and underground utilities. South Brunswick is vehemently opposed to the project. This project has been taken over by the Superior Court through a Builder’s Remedy Lawsuit. South Brunswick is required by the Superior Court to produce a Resolution from the Governing Body approving of the property being placed in the sewer service area by March 31, 2020. South Brunswick’s Planning Director confirmed that South Brunswick received a 90-day extension to the March 31st, 2020 deadline due to the corona virus. The new deadline for the Resolution of the Governing Body granting approval for the project to be placed in the sewer service area is June 30th, 2020.

- Northwood Manor Site Specific SSA Amendment Application – Block 8005, Lot 4.11, Old Bridge, NJ, deemed incomplete. The property is a 6.22-acre site currently outside of an approved sewer service area. The application proposes to expand the sewer service area of the Middlesex County Utilities Authority (MCUA) treatment plant. The site is proposed for residential development consisting of 25 townhouses and 6 apartments. The 6 apartments, which represent 20 percent of the housing proposed, are designated to be affordable units.

- Bridgepoint South Plainfield, LLC Site Specific SSA Amendment Application – 602 New Market Avenue, Block 284, Lot 18. Applicant proposes to construct an approximate 189,059 square foot warehouse building on a 21-acre site, situated along New Market Avenue, west of Lakeview Avenue and east of South Clinton, in the central portion of the Borough of South
I. **Water Quality Planning Activities (continued)**

A. **Site-Specific Sewer Service Area (SSA) Amendments to Lower Raritan-Middlesex County Water Quality Management Plan (continued)**

South Plainfield. Approximately 57,850 square feet of the proposed building – or 30 percent of the total site – extends beyond the sewer service area boundary of the Middlesex County Utilities Authority. Application deemed complete. The application was presented at the May 11, 2020 WRA meeting and approved by the membership. The next day, May 12th, 2020, the application was presented and approved by the County Planning Board.

- SUEZ Water Princeton Meadows (SWPM) Wastewater Treatment Plant (WWTP) Amendment Seeking Permission to Expand the Design Capacity at the SWPM Plant from 1.64 million gallons per day (MGD) to 1.70 MGD to address future flow from infill and residences on septic. The plant is located on Block 1801, Lot 117, 31 Maple Avenue, on a 36.5-acre site in Plainsboro Township. No expansion of the sewer service area is proposed. The increased flow is to serve properties within the existing sewer service area, such as infill properties and existing homes on septic systems, as detailed on a buildout analysis that was submitted to the County and to NJDEP. The application was deemed complete. The application was presented at the May 11, 2020 WRA meeting and approved by the membership. The next day, May 12th, 2020, the application was presented and approved by the County Planning Board.

B. **Lower Raritan-Middlesex County Water Resources Association (WRA)**

The WRA met on May 11th, virtually, as a result of the COVID-19 virus. The two applications above were heard by the association, Bridgepoint South Plainfield and SUEZ Water Princeton Meadows (SWPM). The dates for another year of meetings were voted on and approved. The membership did a round robin to present activities since the last meeting.

C. **Resilient NJ Grant Program - Raritan River and Bay Resilience Action Plan (aka Middlesex County)**

Since the scope of work, schedule, and budget for the project proposal were submitted before COVID19 emerged as a problem, NJDEP continues re-negotiation for adjustments to the scope of work with the consultant team begun in May. NJDEP’s newest goal is to hold a project kick-off (virtually) in the first week of July, pushed back from earlier start-up plans to begin in June.

D. **CRS/MS4 ASSIST Users Group Country Assistance for Municipalities**

In May, MCOP continued engagement with the CRS/MS4 User Group by forwarding information on new federal and state regulations and free webinars that provide the educational credits required for MS4 permits to all our municipalities.

Due to COVID19 public health emergency, all planned “in-person” meetings are on hold. We hope to have an alternate strategy for CRS/MS4 ASSIST outreach and assistance for the latter half of 2020.

E. **2020-2025 Middlesex County Multi-Hazard Mitigation Plan**

Preparations for the pending 2020-2025 Middlesex County Multi-Hazard Mitigation Plan (the Plan) were coordinated with the MC Office of Emergency Management and the selected consultant team from the Rutgers University Team associated with the New Jersey Climate Institute. Deputy Planning Director, Vijayant Rajvanshi and Principal Planner, Nicholas Tufaro will participate in the first official meeting of the project team on Friday, June 5, 2020 at 3:00 P.M.
I. Water Quality Planning Activities (continued)

E. 2020-2025 Middlesex County Multi-Hazard Mitigation Plan (continued)

With the Middlesex County Office of Emergency Management, staff is coordinating the development of an Information Sharing Access Agreement (ISAA) to allow more detailed information from FEMA to be utilized in the Plan to inform future planning for flood risk areas.

II. County Agriculture Development Board

A. County PIG Applications

The County currently has two open PIG applications for farmland preservation (with additional/potential applications in the pipeline*). A detailed summary sheet of the current farmland application is attached, and summarized as follows:

- **Estate of Ernest Bergfelder, East Brunswick Twp.:** The Board of Chosen Freeholders previously approved a Resolution at the 4/16/2020 Board of Chosen Freeholder meeting, authorizing the proposals of the two (2) selected appraisers for this project. The two appraisers were issued their Notices to Proceed on 4/20/20, providing 45 days to complete their appraisal reports and get them to the Review Appraiser. The Board of Chosen Freeholders approved a Resolution at the 5/21/2020 Board of Chosen Freeholder meeting, authorizing the Appraisal Review proposal submitted by the selected Appraisal Reviewer. The two Appraisers currently under contract should have their appraisal reports completed on or about 6/4/20 and the Reviewer will then have 15 days to complete the appraisal review. A CADB meeting date will be scheduled thereafter for the appraisal review presentation to take place.

- **Estate of Anthony Zimbicki, Sr., Monroe:** Closing document review and necessary revisions are currently underway on all necessary closing documents. Draft of Quit Claim Deed prepared by Counsel for Co-executors was previously provided to SADC on 4/16/20 and is under review. Title work and Preliminary Survey drawing and property descriptions have gone through several rounds of edits, with the most recent version of Survey documents being resubmitted to County and SADC on 4/27. CADB Counsel further discussed Draft Quit Claim Deed with Counsel for Sellers/Co-executors and advised on 5/7/20 that Counsel for Sellers is of the opinion that the proposed Quit Claim Deed will sufficiently address the termination of tenancy required by the terms of the Estate’s associated Will. CADB Counsel also discussed this with the Title company, who is in agreement and provided further guidance in obtaining the clarifications SADC is seeking. Other legal documents currently being prepared include Deed of Easement and Affidavit of Title. Additional edits and documentation processing will be needed before finalizing the closing file.

B. Right to Farm

There are currently three (3) Right to Farm cases before the MCADB pursuant to mulching activities on farmland in Monroe Township, that were transferred to the MCADB by way of a Court Order of Middlesex County Superior Court Judge Natali dated 8/21/17.

[Lark Nurseries SSAMP Application was submitted on 12/5/18; Smentkowski Brothers and Brothers Investment LLC SSAMP Applications were submitted on 12/6/18].
II. **County Agriculture Development Board (continued)**

**B. Right to Farm (continued)**

All three (3) of these affected property owners have submitted the second part of their Right to Farm Applications (Site Specific Agricultural Management Practice “SSAMP” Applications) to the County during December 2018, and since that time, CADB Counsel/Administrator have been reviewing/following up as necessary throughout application process. CADB Administrator and CADB Counsel met on 2/10/20 to discuss issues with the SSAMP applications with the intention of issuing a final notice to all parties that if no action is taken, the applications will be dismissed without prejudice again at an upcoming CADB meeting. CADB Counsel received a letter dated 2/13/20 from one of three attorneys, advising that a case management conference was recently held with Judge LeBlon, and the three attorneys/applicants will be obtaining their joint report from their expert with the intention forward toward scheduling a CADB Public Hearing.

*Update: CADB Counsel, CADB Administrator, and Counsel for the three (3) applicants held a working meeting on 3/14/20 to address remaining issues with the submitted SSAMP applications that must be addressed or updated before moving forward with the process, including a discussion of the adopted AMP for On-Farm Compost Operations on Commercial Farms that commercial farmers engaged in mulching activities must comply with. In addition, Counsel for applicants were also advised of updated financial documentation that is necessary to resubmit to support the “commercial farm designation” status previously awarded to these three applicants during a different tax year. To date, no new supporting information or application revisions have been received by the County. Applicant(s) attorneys have not submitted supplemental information. Applicants were to provide expert report. Matter may be placed on an upcoming MCADB meeting for dismissal if applicants are not proceeding,*

A fourth (4th) Right to Farm Application was submitted to the MCADB staff on 4/8/19 for a horse auction site in Cranbury Township alleged to be operating horse rodeo events, CADB Counsel and staff reviewed the SSAMP Application for completeness and held a meeting with the rodeo operator and his attorney on 6/3/19 in order to discuss the missing items from the Application and to address questions with the Application and general activity prior to scheduling a CADB Public Hearing. To date, the County has not received follow-up information from the rodeo operator’s attorney to address the missing information in the SSAMP application as discussed in the meeting; CADB Counsel will be following up accordingly. Matter may be placed on an upcoming MCADB meeting for dismissal if applicant is not proceeding.

**C. County Agriculture Development Board Meeting**

Next MCADB Meeting Date is **TBD**
<table>
<thead>
<tr>
<th>Applicant’s Farm Location</th>
<th>Gross Acres</th>
<th>Exception(s)</th>
<th>Net Acres</th>
<th>Cost per Acre</th>
<th>Status</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>Estate of Anthony Zimbicki, Sr. (c/o Joseph Zimbicki &amp; Kathleen Cook, Co-executors) 146 Federal Rd. Monroe Township Bl. 20; Lots 12.3 &amp; 14.3</td>
<td>36.8</td>
<td>none</td>
<td>36.8</td>
<td>$27,000</td>
<td>Closing document review and necessary revisions are currently underway on all necessary closing documents, following SADC’s initial review and request for edits that began in February 2020. Draft of Quit Claim Deed prepared by Counsel for Co-executors was previously provided to SADC on 4/16/20 and is under review. Title work and Preliminary Survey drawing and property descriptions have gone through several rounds of edits, with the most recent version of Survey documents being resubmitted to County and SADC on 4/27 for review. CADB Counsel further discussed Draft Quit Claim Deed with Counsel for the Sellers/Co-executors and advised on 5/7/20 that Counsel for Sellers is of the opinion that the proposed Quit Claim Deed will sufficiently address the termination of tenancy required by the Estate’s associated Will. CADB Counsel also discussed this with the Title company, who is in agreement and provided further guidance in obtaining the clarifications SADC is seeking. Other legal documents currently being prepared include Deed of Easement and Affidavit of Title. Additional edits and documentation processing will be needed before finalizing the closing file.</td>
<td><em>SADC staff has advised that the outstanding legal issues/concerns regarding the lifetime rights associated with the six-acre piece containing the house and barns must be resolved following the appraisal phase/prior to closing.</em> <em>Counsel for Co-executors is proposing to resolve matter of lifetime rights/reverter interest via a Quitclaim Deed</em></td>
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Updated 6/01/20
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<tr>
<td>Estate of Ernest Bergfelder (c/o Erna Diem &amp; Mabel Sigle, Co-executors) 117 Fresh Ponds Road East Brunswick Township Block 316.01, Lot 22.06</td>
<td>29.6</td>
<td>2.0 acre Non-Severable Exception Area *Amended Exception Area Acreage</td>
<td>27.6</td>
<td></td>
<td>The Middlesex County Board of Chosen Freeholders previously approved a Due Diligence Resolution at the 2/6/20 Board of Chosen Freeholders meeting (authorizing the due diligence services of Appraisals, Title work and Survey for this application). The Board of Chosen Freeholders previously approved a Resolution at the 4/16/2020 Board of Chosen Freeholder meeting, authorizing the proposals of the two (2) selected appraisers for this project. The two appraisers were then issued their Notices to Proceed on 4/20/20, providing 45 days to complete their appraisal reports and get them to the Review Appraiser. *The Board of Chosen Freeholders approved a Resolution at the 5/21/2020 Board of Chosen Freeholder meeting, authorizing the Appraisal Review proposal submitted by the selected Appraisal Reviewer. The two Appraisers currently under contract should have their appraisal reports completed on or about 6/4/20 and the Reviewer will then have 15 days to complete the appraisal review. A CADB meeting date will be scheduled thereafter for the appraisal review presentation to take place. On 12/12, the co-executors revised the exception area in their Application to become a 2.0-acre non-severable exception area (eliminating the need for the access easement), and this 2.0 acre non-severable exception area will be restricted to one (1) future housing opportunity. On 1/8, the SADC officially granted “Green Light Approval” to County PIG Application for this property based on the *new configuration and provided the full Green Light Approval Packet and Revised Appraisal Order Checklist to CADB staff (staff to make sure Appraisers receive most current information on exception area configuration).</td>
<td></td>
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