

## 12/9/2018 UPDATE RE RIDGE HELISTOP APPLICATION

**1. Deadline for Public Comment.** On November 28, 2018, the Township received a letter from the NJ DOT informing us that the Ridge's helistop application was complete. We previously posted that letter on the Township website.

The letter was dated November 26th, which means the 60-day period for the Township to comment on the Ridge's helistop application began on November 26<sup>th</sup> (or perhaps November 28<sup>th</sup>) and will end on or around January 24, 2019.

After receiving the letter from the NJ DOT, I began checking the Hunterdon County Democrat for a notice by the Ridge regarding the helistop application. Under the relevant law, once the NJ DOT notifies the Ridge that its helistop application is complete, the Ridge is required to publish a notice in the Hunterdon County Democrat informing the public of its helistop application. The publication of that notice by the Ridge starts a 30-day period during which the public can comment on the application.

Not having seen the notice by early this week, I searched the Hunterdon County Democrat website, and discovered that the Ridge had published the notice on November 8, or three weeks before the Township received the letter from the NJ DOT informing us that the Ridge's application was complete.

I immediately contacted the engineer at the NJ DOT who is handling the Ridge's application, and told him that the Ridge jumped the gun on publishing its notice. That is, the Ridge published its notice before the NJ DOT determined that the Ridge's application was complete.

The engineer told me that, for purposes of publishing a notice in the Hunterdon County Democrat, the NJ DOT deemed the Ridge's application complete in late October, but for purposes of starting the 60-day period for comments by the Township, the NJ DOT did not deem the Ridge's application complete until after the NJ DOT received verification from the Ridge that it published a notice in the Hunterdon County Democrat. (If your head is spinning on this one, don't feel bad. Mine did too.)

I asked the engineer how would the public know to look for the notice prior to the date the Township was notified that the NJ DOT determined that the Ridge's application was complete. His response was that the public should always be on the lookout for notices in the paper that could impact their town. Needless to say, I was taken aback by that response.

After some going back and forth, the engineer agreed that he would accept public comments up to the date the Township submits its comment letter to the NJ DOT. The engineer said comments should be sent to:

Bureau of Aeronautics  
New Jersey Department of Transportation  
1035 Parkway Avenue, PO Box 600  
Trenton, NJ 08625-0600  
Attn: Gerald Leipfinger

You should state in your comment letters that they pertain to the application for a Restricted Use Helistop by the Ridge at Back Brook LLC.

**2. Potential Hearing on Ridge's Application.** In the course of my discussion with the NJ DOT engineer regarding the 30-day comment period, I asked him whether, if East Amwell in its comment letter raises issues of significant concern, such as the impact of the helistop on wildlife or on those riding the horse trails, would the NJ DOT hold a hearing on the Ridge's application. The engineer told me that the decision regarding whether or not to hold a hearing is made by a Deputy Attorney General, but in the 18 years he's been involved with these types of applications, he does not recall ever having a hearing. I find that quite disappointing. (It is clear under the relevant case law, we do not have the right to demand a hearing.)

My strong impression based on my discussions with the engineer is that the NJ DOT (i) generally rubber stamps these types of applications, (ii) pays very little, if any, attention to public comments, and (iii) may pay some attention to the Township's comments but only if we raise significant issues that are supported by "hard" evidence.

**3. Status of Township's Comment Letter.** To have any chance of stopping the helistop, either administratively or judicially, we're going to need "hard" proof that helicopters landing at and taking off from the Ridge will have material adverse consequences to the area in and around the Ridge.

In this regard, as I said in my last update, we're focusing on three areas: (i) the impact on wildlife; (ii) the impact on the Back Brook and the surrounding water bodies, and (iii) the impact on those who ride the horse riding trail surrounding the golf course.

We're working with the Sourland Conservancy on obtaining expert reports on the wildlife and Back Brook/waterbodies aspects. Additional several residents have sent me useful information, which I forwarded to the Sourland Conservancy.

We're working with the Amwell Trail Association and certain residents to obtain information, studies, etc., regarding the impact of helicopters on horses and those riding horses. If you have any personal experience in this regard, or know some who does, please let me know.

The goal is to have all of our experts reports complete, and gather all additional information, by the end of December, so we have adequate time to incorporate these reports and information into the Township's comment letter.

Additionally, I'm reviewing many pages of documents regarding the original approval by the Township of the Ridge's golf course, to determine whether the helistop would violate any agreement the Ridge made with East Amwell as part of that approval process.

4. **Letter Writing Campaign.** While it appears that letters from the public will not have much impact at the NJ DOT, I suspect those letters, if many in number, may have an impact in other quarters, such as our state senator and assembly person. Shortly, we're going to post on the Township website the addresses of several suggested recipients of the letters.

I believe the residents might also want to share their feelings with the Ridge. As a business operating within our Township, I would think that the Ridge would want to know the views of the residents of the community in which it operates.

Two residents suggested doing an on-line petition. I'm not adverse to that suggestion, but I believe that writing letters/emails will have a greater impact than simply putting one's name on a petition.

Other residents have asked about press coverage of this matter. We reached out to the Hunterdon County Democrat in connection with our special Township Committee meeting on the helistop issue, and received no reply. If any of you have any contacts in the local media, please let me know. The helistop application is a very important issue in East Amwell, and we would like the media to assist us in informing our residents of this issue.

5. **Township Committee Meeting.** There will be a regularly scheduled Township Committee meeting this Thursday, at 7:30pm. At that meeting, I will provide an update of the Ridge helistop matter, along the lines of what is in this update, and will answer any questions.

At that meeting there will also be a public hearing on an ordinance pertaining to another important issue in East Amwell -- placing commercial solar fields on our farms. We propose to enact an ordinance that would prevent solar companies from installing large commercial solar fields, like you see along Route 202, on our farms in East Amwell. If you have a view on this matter, please attend the Township Committee meeting and express it.

\* \* \*

If you have any questions or comments regarding this update, please feel free to email or call me.

Rick Wolfe (908.377.0560)