

PINELANDS DEVELOPMENT CREDIT BANK

20 West State Street
Trenton, NJ

Minutes

December 4, 2008
Special Teleconference Meeting

Meeting Location: 20 West State Street, Room 527 (Small Conference), Trenton, NJ

Members Present: Terry K. McEwen, Commissioner's Chair Designee
Guillermo Vivas, Executive Director, Pinelands Development
Credit Bank
Assistant Attorney General Lawrence O'Reilly, Designee
Brian Smith, Esq., Alternate Department of Agriculture Designee
Candace McKee Ashmun, Pinelands Commission (Alternate)
Designee
Robert C. Shinn, At Large Member

Members Absent: Fawn McGee, NJDEP Commissioner's Designee
Edward J. McGlinchey, At Large Member

Others Present: William Schnurr, Deputy Attorney General, Department of Law
and Public Safety (Board Counsel)
Helene Chudzik, Deputy Attorney General, Department of Law and
Public Safety

This meeting was held to continue discussions about the request from Burlington County to modify a recorded deed restriction on Katona Farms that would be impacted by the proposed road widening of South Pemberton Road (CR 530). At the November 12, 2008 meeting, the Board lost its quorum when one of the members had to leave, and thus there could be no decision made or action taken. Those members not physically present were participating via telephone conference call.

Chairman Terry McEwen called the meeting to order at 9:32 a.m. and read the Statement of Compliance with the NJ Open Public Meetings Act. R. Thomas Jaggard, Burlington County Engineer, was also on the conference call.

- **Burlington County Board of Chosen Freeholders:
South Pemberton Rd (CR 530) Improvement Project**

Ms. Ashmun had not been present at the November meeting and Chairman McEwen asked Mr. Jaggard to give a brief overview of the project.

The project runs 3.2 miles from Route 206 in Southampton Twp. to Magnolia Rd. in Pemberton Borough. This is the second highest volume road in Burlington County (22,000 vehicles/day) and has a high accident rate. There have been 10 fatalities in the last 10 years. A high percentage of the accidents are caused by left turns in and

out of driveways due to the lack of a left-turn lane. The existing cart way is 44-ft. wide and has no shoulders. They feel that the solution is to add a center left turn lane and shoulders. The proposed improvement calls for 4 12-ft lanes, a 14-ft center left turn lane and a 6-ft. shoulder on each side (72-ft total cart way). They are able to obtain the extra land they need for the road widening all along the southerly side of the proposed improvement, but Katona Farms severed its PDCs (PDC Certificate #103, issued in 1988) and there is an existing deed restriction on the land. Katona Farms has 3,171 ft. of frontage on CR 530. Burlington County needs to obtain 4.4 acres from Katona Farms for this road widening.

The Board members asked Mr. Jaggard to go over the four alternatives being considered: I- Widening on the South side only [current design]; II- All widening on the northerly side; III- on the northerly side but with a center barrier; and IV- Only one travel lane in each direction.

There was lengthy discussion about what other alternatives may exist, including the storm water management impact of all the four options presented. Ms. Chudzik also raised the question about who owns the conservation easement now. It appears possible that the DEP acquired all those easements from Burlington County some years ago. Although the PDC Bank acquired the 8.25 Pinelands Credits associated with this property, the original severance involved 29.75 PDCs, including other land tracts.

At that point, the Board wished to continue discussion in closed, executive session with their legal counsel and Mr. Jaggard removed himself from the conference call.

Mr. Smith moved to go into closed, executive session and was seconded by Ms. Ashmun; motion carried.

Adjournment: After returning into open session again, the meeting was adjourned at 10:45 a.m. on a motion by Mr. O'Reilly, seconded by Mr. Smith, and a unanimous affirmative vote.

Respectfully submitted,

Guillermo Vivas
Executive Director