



State of New Jersey
DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
PO Box 820
TRENTON NJ 08625-0820

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

GERRY SCHARFENBERGER, Ph.D.
Director

MEMORANDUM

To: State Planning Commission
From: Dan Kennedy, PP/AICP, Deputy Director, OPA
Date: August 21, 2013
Re: Request for the SPC to Consider a Map Amendment
Bass River Township, Burlington County

The State Planning Rules at N.J.A.C. 5:85-8.3 allow the State Planning Commission to initiate the State Plan Policy Map based on new information related to the goals, strategies and policies and delineation criteria of the State Plan provided that the new information alters the assumptions that were the basis for adopting the State Plan Policy Map for a particular area or areas.

The State Planning Commission has decided to initiate a map amendment to create a node in Bass River Township, Burlington County. This change is based on new information that *alters the assumptions* that were the basis for adopting the Policy Map. **The map amendment would result in the creation of a manufacturing node on 65 acres, including part of Block 26, Lots 2, 2A, 2B, 2C, 7 and 8.**

As you know, the Draft Final State Strategic Plan (SSP) calls for a transition away from the State Plan Policy Map (PM) and amendments contemplated through cross acceptance would not be made. OPA is recommending that the SPC amend the State Plan Policy Map consistent with the process outlined in the State Planning Rules. The report and associated appendices provide additional detail and are attached. **The attached report has been updated with a summary of the public comments received.**



State of New Jersey
DEPARTMENT OF STATE
OFFICE FOR PLANNING ADVOCACY
P.O. Box 820
TRENTON NJ 08625-0820

CHRIS CHRISTIE
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KIM GUADAGNO
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GERRY SCHARFENBERGER, PH.D.
Director

**FINAL JUSTIFICATION
FOR STATE PLANNING COMMISSION INITIATED
MAP AMENDMENT**

Proposed Map Amendment

The State Planning Commission decided to initiate a map amendment to create a node in Bass River Township, Burlington County. This change is based on new information that *alters the assumptions* that were the basis for adopting the Policy Map. **The map amendment would result in the creation of a manufacturing node on 65 acres, including part of Block 26, Lots 2, 2A, 2B, 2C, 7 and 8.**

Background Information & Existing Conditions

In 2008 the Permit Extension Act of 2008 was approved. Government approvals are defined in the Act to include center designations pursuant to CAFRA. The recent amendments to the Permit Extension Act do not result in previously lapsed coastal centers in CAFRA areas being reinstated. Section 4 of the Act, as amended, excludes DEP coastal centers designated pursuant to CAFRA unless they are in municipalities that submitted an application for plan endorsement to the Commission by March 15, 2007 and were in compliance with the Coastal Zone Management (CMZ) Rules at N.J.A.C. 7:7E-5B.6. See N.J.S.A. 40:55D-136.4. The proposed map amendment includes a portion of the expired Bass River Coastal Center.

The proposed change is located in a critical automotive and recreation corridor where Route 9 crosses underneath the Garden State Parkway. Currently the Viking Yacht Center is home to 250 deep-water slips and recreation facilities that support summertime recreation and boating activities. Adjacent to the slips and recreation, Viking Yachts offers support for boats and produces vessels. The Viking Yacht facility has been an established maritime center for more than 50 years. To support the reinvigorated market demand for sportfishing vessels, Viking Yachts needs to expand their manufacturing facility by reconfiguring existing buildings and constructing five new buildings with approximately a total of 145,000 square feet and create an additional 450 jobs. The site is in Bass River's Highway Commercial Zone which specifically permits boat building and repair.

The majority of this area has been included in Burlington County's Water Quality Management Plan as a "Future Wastewater Service Area by treatment plant." The map indicates that the treatment plant discharges to ground water. There are several lots that are not included in the County's Future Wastewater Service Area by treatment plant. However, these lots are docks whose use is related to the proximal boat manufacturing facility.

The 2007 Land Use Land Cover shows that the Viking Yacht Center covers approximately 52 acres of disturbed land. There are nine structures currently built on this land. The proposed expansion will not extend beyond the existing footprint of disturbed land.

Current NJDEP landscape data indicates that approximately 47 acres have no signs of habitat. The other 18 acres with signs of habitat are broken down accordingly

- Rank 1 – 12 Acres
- Rank 3 – 6 Acres

The State Development and Redevelopment Plan adopted on March 1, 2001, discusses Nodes within different Planning Areas. On page 9, “Within Planning Areas, the State Plan also recognizes two different types of Nodes— concentrations of employment and economic activity that are not organized in compact, mixed-use forms. These may be Commercial-Manufacturing Nodes or Heavy Industry-Transportation-Utility Nodes. Where appropriate, these places should be retrofitted over time to reduce automobile dependency, diversify land uses, and enhance linkages to communities.” On page 229 the State Plan says, “New concentrations of commercial, light manufacturing or warehousing and distribution facilities and activities should be organized in a compact form and located in Centers and other appropriate areas in Metropolitan or Suburban Planning Areas or Centers in Fringe, Rural or Environmentally Sensitive Planning Areas.”

Public Comment Summary

The public hearing was held on Thursday, June 27, 2013 at 7:00 p.m. in the Bass River Township Municipal Building at 3 North Maple Avenue, New Gretna, NJ. Notice was distributed per N.J.A.C. 5:85-1.7(b). Eleven people signed into the meeting. Six attendees were residents and three Viking employees attended. Viking’s Consultant attended and the Burlington County Planning Director attended. Director Scharfenberger gave a general overview of the process and Kate Meade provided a detailed overview. Other than comments / questions on process, the comments OPA staff received at the hearing expressed a general opposition to the existence of the manufacturing use and not necessarily the establishment of a State Plan designated node. Please see Exhibit E for a summary of questions and comments.

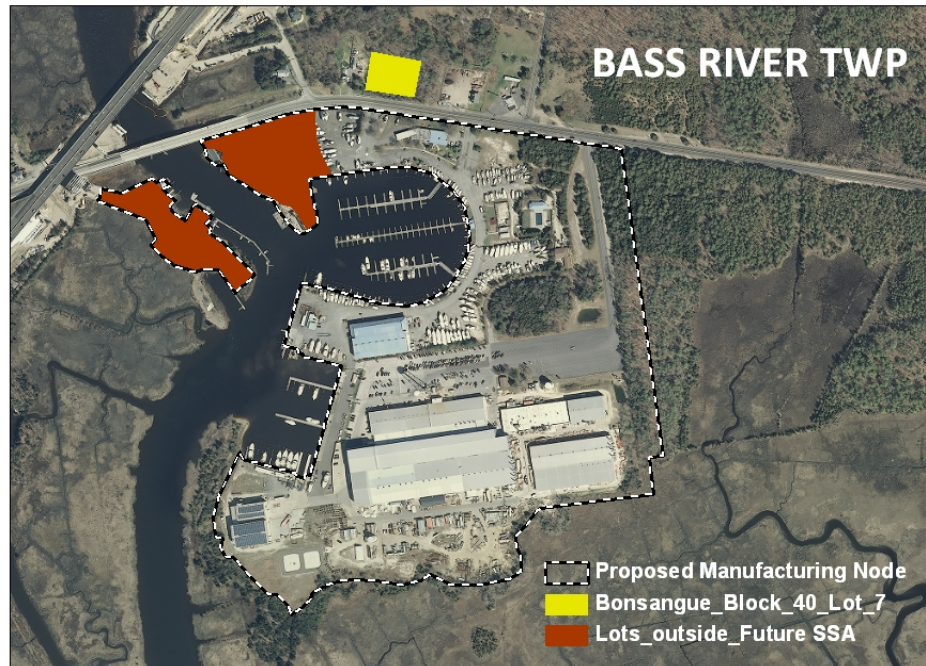
OPA staff also attended an additional meeting held by the Bass River Township Board of Commissioners to answer questions from residents. This special meeting was held on Monday, July 22, 2013 at the Bass River Elementary School. Over 100 members of the public attended. The purpose of this meeting was to answer questions and provide clarification on the proposed SPC action. The sentiment of the meeting was similar. The questions and comments staff responded to were similar to the comments at the June 27th public hearing.

The written public comment period closed on July 29th. Eight written comments were received. Two letters included a request for modifications to the proposed node. OPA received three letters of opposition to the node designation. We also received a letter of support and a letter of clarification. Please see Exhibit F for the written comments.

The Draft Justification Report stated that the Pinelands Commission has confirmed that the property in question is located within the Pinelands National Reserve and that Bass River Township had conformed its zoning in both the State Pinelands Area and the National Reserve Area to the Pinelands Comprehensive Management Plan. A question arose about how this area would be affected by a recent MOU between the Pinelands and DEP. The Pinelands Commission provided the following clarification: “In April 2012, the Pinelands Commission executed a Memorandum of understanding (MOU) with the New Jersey Department of Environmental Protection (DEP). The MOU is intended to facilitate Water Quality Management Planning within the Pinelands Area. However, the terms of that MOU apply only within the Pinelands Area itself. Lands located within the PNR but outside of the State-designated Pinelands Area are not subject to its terms. Thus, Bass River Township’s Highway Commercial Zoning District and Viking Yacht Company’s facility are not subject to the Commission’s MOU with DEP.”

OPA staff received two requests for modification. Burlington County requested that lots not owned by Viking be removed from the proposed node because these properties are not served by Viking’s package treatment plant. Please reference “Map 1” below. The Pinelands Preservation Alliance submitted a similar request. These lots are recommended to be included within the new node because of their adjacency to the manufacturing facility and have a related use. Not being served by a package treatment plant today does not disqualify these lots from inclusion in the proposed node.

MAP 1: Modifications Suggested During the Public Comment Period



New Jersey Office for Planning Advocacy
Department Of State
August 2013

Charles J. Bonsangue requested that his property, Block 40, lot 7 be included in the manufacturing node. Please reference “Map 1” above. OPA does not recommend that this property be included because it is a small lot, (210 feet long and 180 feet deep) and the CAFRA regulations would not impact Mr. Bonsangue’s ability to develop. The lot is not large enough to accommodate CAFRA sized development.

Justification for Consideration

Existing designation – PA 5 with a lapsed Coastal Center

New designation – PA 5 with a SPC Designated Node

The SPC has been advised that CAFRA regulations are restricting the expansion of an existing major regional employer with infrastructure within a PA 5 (see exhibit D). The enhancement of this existing manufacturing node is consistent with Goal 3 of the State Plan, to promote “beneficial economic growth, development and renewal for all residents of New Jersey.” Enabling the expansion of this concentrated economic driver will benefit the region and the State.

A concentration of employment and economic activity was in place prior to and during the cross-acceptance process. During the cross-acceptance process, this area was a coastal center that was due to lapse in 2005. At the time of adoption of the Policy Map, the SPC chose not to identify nodes through the cross acceptance process. Nodes were to be designated through the Plan Endorsement process. The assumption was that a reasonable and efficient process would be in place to re-establish centers that were due to expire to avoid them lapsing. That assumption has proven to be false, therefore creating a need for this new information to be addressed through a map amendment initiated by

the SPC, as the coastal center that was deemed by DEP to be consistent with coastal development regulations has lapsed.

The State Plan recognizes that not all development has taken place in concentrated, mixed-use forms. The existing development within the area subject to this proposed map amendment, as per the State Plan and the State Planning Rules, is best defined as a “node” and not a “center.”

In addition, the following information was considered by staff prior to making this recommendation:

1. Pursuant to Coastal Zone Management (CMZ) rules, any map amendment needs to be independently evaluated and found by the DEP to be consistent with the goals of the Coastal Area Management Program, the CMZ rules and CAFRA
2. The proposed map amendment includes a portion of the expired Bass River Coastal Center.
3. The Municipality and County have been made aware of this proposed amendment.
4. The Pinelands Commission has confirmed that the property in question is located within the Pinelands National Reserve. Bass River Township has conformed its zoning in both the State Pinelands Area and the National Reserve Area with the Pinelands Comprehensive Management Plan. Bass River Township’s Highway Commercial Zoning District and Viking Yacht Company’s facility are not subject to the Commission’s MOU with DEP.

OPA is recommending that the SPC amend the State Plan Policy Map consistent with the process outlined in the State Planning Rules.

Exhibit A Map: Regional View of the Area

Exhibit B: Map, Site View, Aerial Photograph

Exhibit C: Map, Landscape Data, Version 3.1

Exhibit D: Letters from Viking’s Consultant to Bass River Township, Burlington County & OPA

Exhibit E: Summary of oral comments

Exhibit F: Written comments

Exhibit A Map: Regional View of the Area

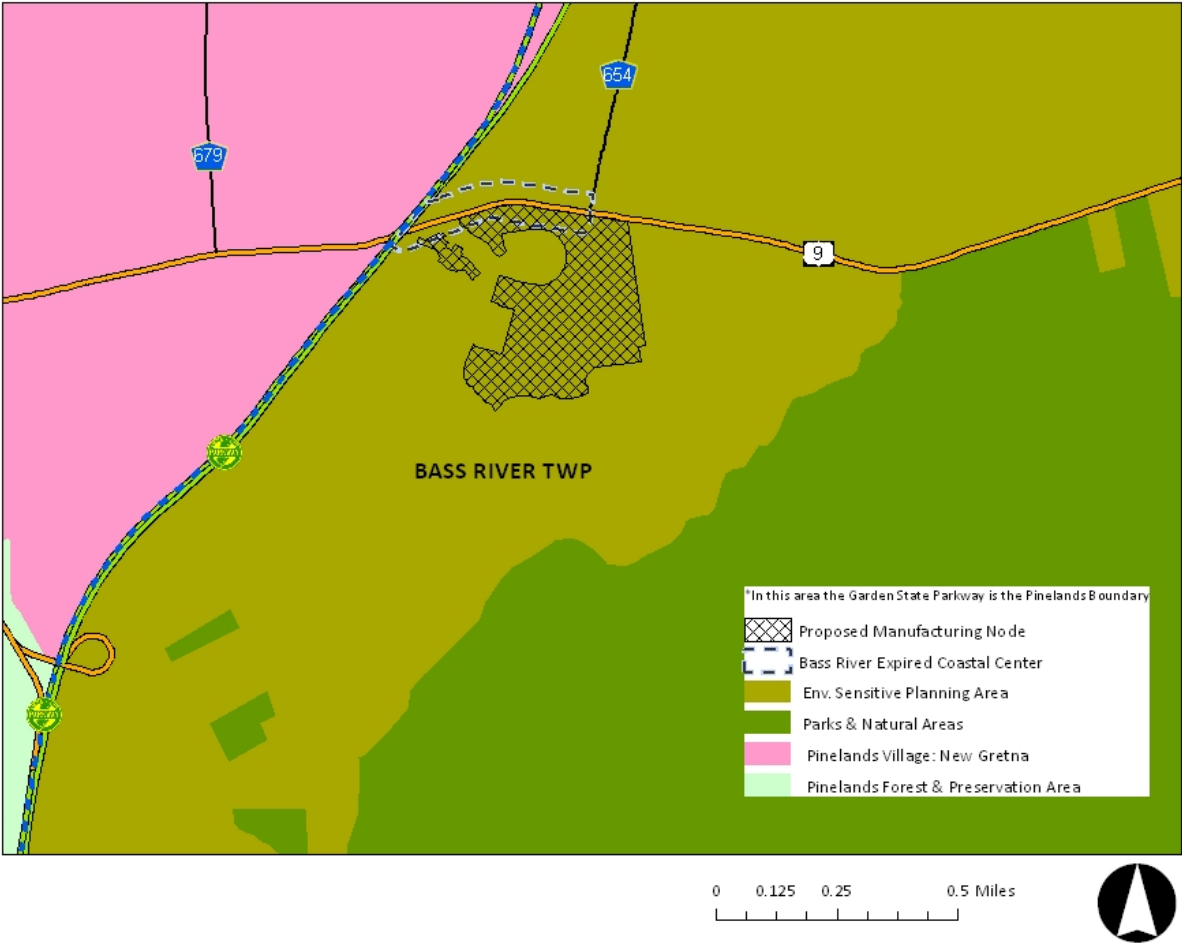


Exhibit B Map: Site View & Aerial Photograph

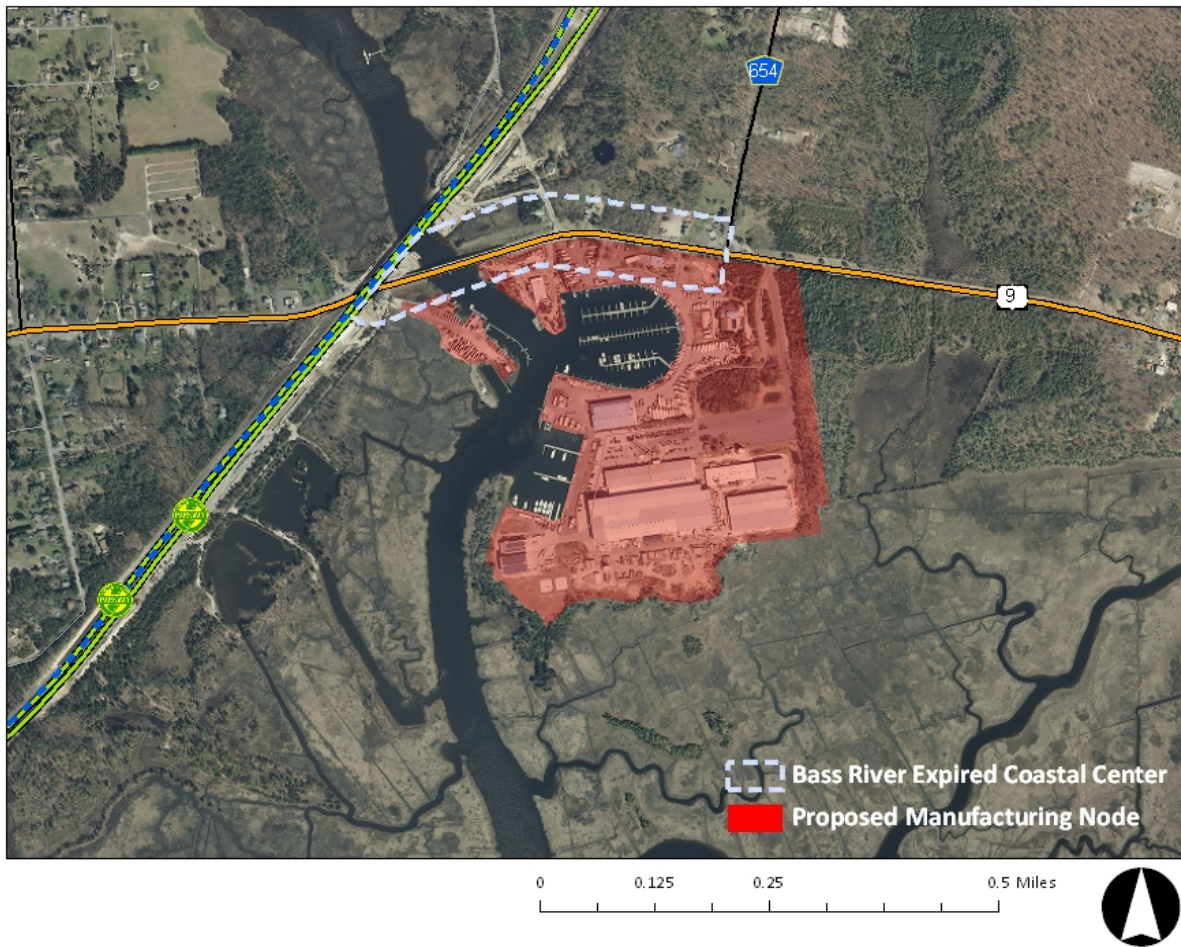


Exhibit C: Map, Landscape Data, Version 3.1

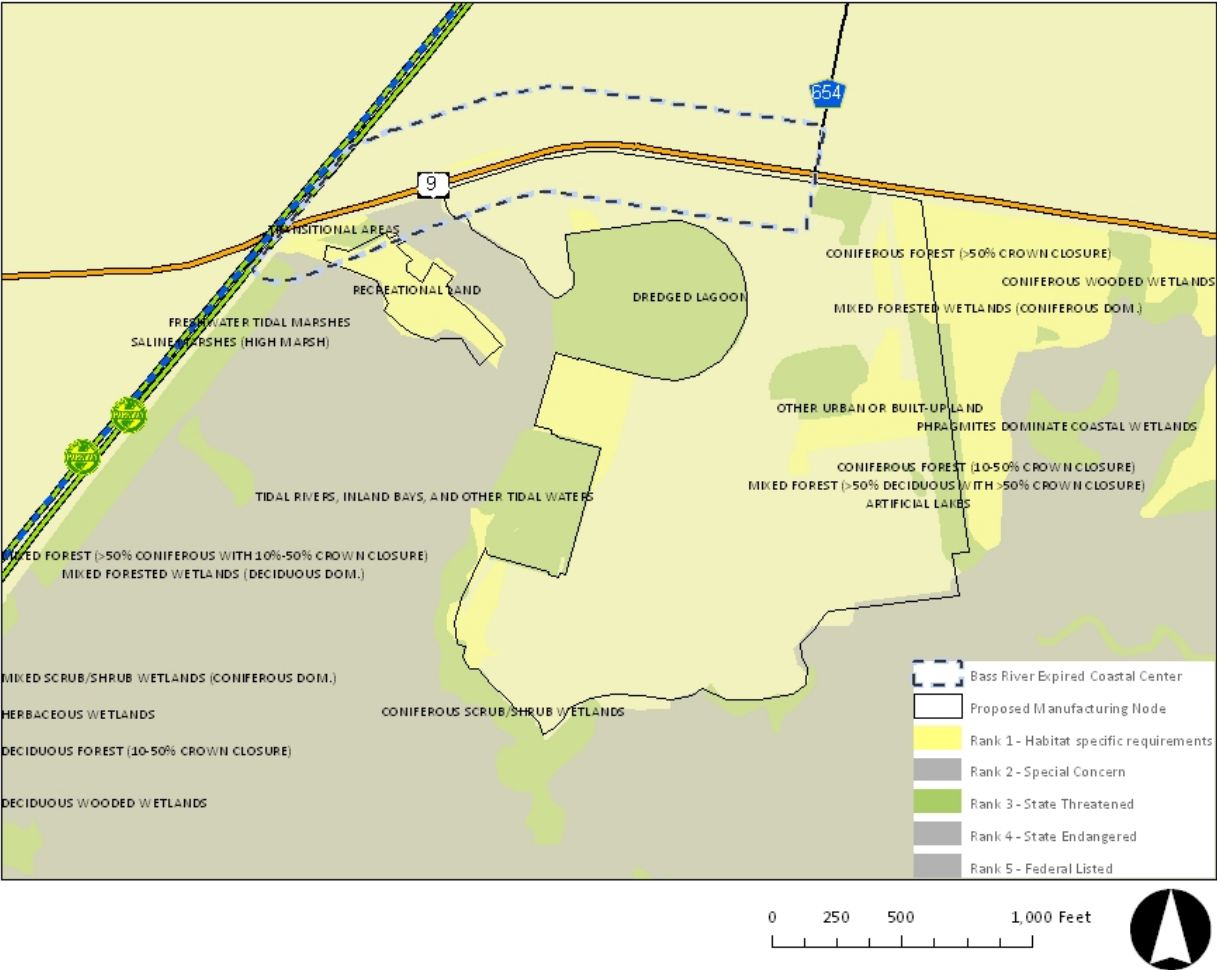


EXHIBIT D: LETTERS FROM VIKING TO BASS RIVER
TOWNSHIP, BURLINGTON COUNTY AND THE OFFICE FOR
PLANNING ADVOCACY



May 1, 2013

The Honorable Deborah Cope
Mayor of Bass River Township
P.O. Box 307
3 North Maple Avenue
New Gretna, N.J. 08224

RE: Viking Yacht Co. Facility Expansion
Township of Bass River, Burlington County, New Jersey

Dear Mayor Cope:

On behalf of Viking Yachts and in follow-up to correspondence on which you were copied, dated March 11, 2013, please accept this letter which outlines efforts with the NJ Office of Planning Advocacy to establish an appropriate planning designation for a portion of Bass River Township necessary to facilitate expansion of the Viking Yachts facility in New Gretna, New Jersey.

As you are aware, the Viking Yachts maritime center, located on the banks of the Bass River, has provided a wide range of recreational, service and manufacturing opportunities, and has become a major employer in the region over the last fifty years. Viking Yachts has reached its limit for facility expansion under the State's existing planning provisions and corresponding CAFRA impervious coverage limits. As part of the last facility upgrade approved by the NJ Department of Environmental Protection on June 20, 2006, only minor expansion was achievable due to the restrictive impervious coverage limits. Rerouting of infrastructure and trade-offs between impervious cover areas was the only means of completing these upgrades.

The State Plan Policy Map designates this manufacturing facility within a Planning Area 5 (Environmentally Sensitive) designation, which severely restricts impervious coverage and is inconsistent with the current and traditional use of this portion of Bass River Township. In order to meet the growing and immediate market demands for increased and diversified production at the Viking Yachts facility, a more significant expansion is now required which necessitates a new designation under the State Plan. In short, Viking Yachts has adequate area to expand, but lacks the appropriate State planning designation to do so even though expansion would consist primarily of infill development.

Recent discussions with the NJ Office of Planning Advocacy and NJ Department of Environmental Protection in furtherance of a suitable planning designation have advanced a mutual interest in establishing a "node", or concentration of facilities and activities that are not organized in a compact form. The "node" designation is different than a "center" in that centers are typically efficient and compact forms of development having mixed-use cores, residential neighborhoods and green spaces. In this case, the proposed "node" is anticipated to consist of an appropriately designated area, yet to be defined, along U.S. Highway Route 9 between the bridge spanning Bass River and County Route 654 (E. Greenbush Road), then extending south to incorporate the existing footprint of disturbance associated with the maritime center.

Given that Bass River Township has chosen not to engage in the State's plan endorsement process to establish "centers" within the municipality, the NJ Office of Planning Advocacy has indicated that it can establish the "node" through a State-initiated process, subject to acceptance by the Township, County and constructive public comment. Consistent with

N.J.A.C. 5:85 Subchapter 8, this avenue would require only minimal effort on the part of the Township, principally the hosting of a venue for the required public meeting. The NJ Office of Planning Advocacy would prepare the professional planning documents, including the mapping, reports and rationale, as well as coordinate and send the required public notifications. The NJ Office of Planning Advocacy would take the lead, as agent, in petitioning the State Planning Commission to amend the State Plan Policy Map by adopting the "node".

While the NJ Office of Planning Advocacy would initiate and take the lead on this amendment, it is recognized that input from Bass River Township is important to this effort. Viking Yachts is deeply connected and dedicated to producing and promoting the manufacture of New Jersey products in an environmentally responsible manner within the Township. Accordingly, it is important to Viking Yachts that the Township shares its common interest in the economy and environment by participating in this process.

Mayor Cope, on behalf of Viking Yachts, I respectfully ask for your support in this planning effort, especially to ensure that there is a level of comfort with these efforts as a means to provide for facility expansion without changing the character of our municipality.

I look forward to meeting with you to discuss this process and associated goals in greater detail, and appreciate the opportunity to work with you and the Township in this regard.

Sincerely,



Bill Healey
President

CC: Mr. Gerard Scharfenberger, Acting Director, NJOPA
Mr. Robert Healey, CEO, Viking Yachts
Mr. Chris Babek, Plant Engineering Manager, Viking Yachts
Mr. Peter L. Lomax, President, The Lomax Consulting Group



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May 1, 2013
Via UPS

MAY 6 2013 PM 2:43

Mr. Mark Remsa
Economic Development and Regional Planning Director
Burlington County
1900 Briggs Road
Mt. Laurel, N.J. 08054

RE: Viking Yachts Facility Expansion
Township of Bass River, Burlington County, New Jersey

Dear Mr. Remsa:

On behalf of Viking Yachts, please accept this letter which outlines efforts initiated with the NJ Office of Planning Advocacy to establish an appropriate planning designation for a portion of Bass River Township necessary to facilitate expansion of the Viking Yachts facility in New Gretna, New Jersey.

As you are aware, the Viking Yachts maritime center, located on the banks of the Bass River, has provided a wide range of recreational, service and manufacturing opportunities, and has become a major employer in the region over the last fifty years. Viking Yachts has reached its limit for facility expansion under the State's existing planning provisions and corresponding CAFRA impervious coverage limits. As part of the last facility upgrade approved by the NJ Department of Environmental Protection on June 20, 2006, only minor expansion was achievable due to the restrictive impervious coverage limits. Rerouting of infrastructure and trade-offs between impervious cover areas was the only means of completing these upgrades.

The State Plan Policy Map designates this manufacturing facility within a Planning Area 5 (Environmentally Sensitive) designation, which severely restricts impervious coverage and is inconsistent with the current and traditional use of this portion of Bass River Township. In order to meet the growing and immediate market demands for increased and diversified production at the Viking Yachts facility, a more significant expansion is now required which necessitates a new designation under the State Plan. In short, Viking Yachts has adequate area to expand, but lacks the appropriate State planning designation to do so even though expansion would consist primarily of infill development.

The Viking Yachts facility expansion will result in significant positive economic impact, including the creation of 450 new jobs and an associated surge in commerce contributing to the regional economy. The 60% expansion in the Viking Yachts workforce will generate positive regional economic impacts, estimated at \$7,488,000, through increased annual spending on goods and services by the newly hired. The increased production at the Viking Yachts facility will generate additional regional economic growth; leveraged investment will extend to allied construction and service industries which supporting Viking Yachts. An additional 350 new jobs at these manufacturing and supply partners will generate increased annual spending on goods and services within the regional economy by \$5,824,000.

In summary, the boost to the regional and state economy totals more than \$14,000,000.

Over 35 years of environmental excellence



Mr. Mark Remsa, Director
May 1, 2013
Page 2 of 2

Recent discussions with the NJ Office of Planning Advocacy and NJ Department of Environmental Protection in furtherance of a suitable planning designation have advanced a mutual interest in establishing a "node", or concentration of facilities and activities that are not organized in a compact form. The "node" designation is different than a "center" in that centers are typically efficient and compact forms of development having mixed-use cores, residential neighborhoods and green spaces. In this case, the proposed "node" is anticipated to consist of an appropriately designated area, yet to be defined, along U.S. Highway Route 9 between the bridge spanning Bass River and County Route 654 (E. Greenbush Road), then extending south to incorporate the existing footprint of disturbance associated with the maritime center.

Given that the Township chose not to engage in the State's plan endorsement process to establish "centers" within the municipality, the NJ Office of Planning Advocacy has indicated that it can establish the "node" through a State-initiated process, subject to acceptance by the County, Township and constructive public comment. Consistent with *N.J.A.C. 5:85 Subchapter 8*, this avenue would require only minimal effort on the part of the Township, principally the hosting of a venue for the required public meeting. The NJ Office of Planning Advocacy would prepare the professional planning documents, including the mapping, reports and rationale, as well as coordinate and send the required public notifications. The NJ Office of Planning Advocacy would take the lead, as agent, in petitioning the State Planning Commission to amend the State Plan Policy Map by adopting the "node".

While the NJ Office of Planning Advocacy would initiate and take the lead on this amendment, it is recognized that input from Burlington County, specifically your office, is important to this effort. Viking Yachts is deeply connected and dedicated to producing and promoting the manufacture of New Jersey products in an environmentally responsible manner within the Burlington County. Accordingly, it is important to Viking Yachts that the County shares its common interest in the economy and environment by participating in this process.

Mr. Remsa, on behalf of Viking Yachts, I respectfully ask for your support in this planning effort, especially to ensure that there is a level of comfort with these efforts as a means to provide for facility expansion without changing the character of the County or Township.

I look forward to discussing this process and associated goals with you and your staff in greater detail, and look forward to working with you and the County in this regard.

Sincerely,

THE LOMAX CONSULTING GROUP, LLC

Peter L. Lomax
President

PLL/mcs

cc: Mr. Gerard Scharfenberger, Acting Director, NJOPA
Mr. Bill Healey, President, Viking Yachts
Mr. Robert Healey, CEO, Viking Yachts
Mr. Chris Babek, Plant Engineering Manager, Viking Yachts



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March 11, 2013
Via UPS

Office of Planning Advocacy
P. O. Box 820
Trenton, NJ 08625-0820
Attn: Mr. Gerard Scharfenberger, Acting Director

MAR 20 2013 AM 9:23

RE: Viking Yachts Facility Expansion
Block: 26, Lots: 2, 2A, 2B, 2C, 7 and 8
Township of Bass River, Burlington County, New Jersey
TLCG File#: 12-253.1

Dear Mr. Scharfenberger:

On behalf of Vikings and in response to preliminary discussions with your office, please accept this request for assistance from the Office of Planning Advocacy to establish appropriate planning designations that will facilitate expansion of this facility in order to meet market demands for increased and diversified production at the Viking Yachts facility in New Gretna, New Jersey.

Despite the long-standing investment by Viking Yachts to establish its design, manufacturing, testing, commissioning and servicing center on the banks of the Bass River in Burlington County, land use planning and the associated Coastal Area Facility Review Act (CAFRA) regulations in the State do not recognize the unique and essential economic base provided by Viking Yachts. The facility is located in the CAFRA zone, and as such, is regulated under the New Jersey Department of Environmental Protection (NJDEP) Coastal Zone Management Rules. Impervious coverage constraints under Subchapter 5B of these Rules present a critical impediment to growth of this facility. The State Plan included this manufacturing facility within a Planning Area 5 (Environmentally Sensitive) designation, which limits Subchapter 5B impervious coverage to 3% of net land area.

It is particularly noteworthy that the Viking Yachts facility was an established maritime center decades before these coastal regulatory programs were promulgated. The growth of these facilities over the last fifty years required the assembly of critical infrastructure, essential work force training, transportation elements and engineered manufacturing solutions. The present-day facility is poised to meet new market opportunities from a design, sales and technology perspective, but is restricted in its ability to leverage its existing manufacturing infrastructure. In short, Viking Yachts has adequate area to expand, but lack the appropriate State planning designation to do so even though expansion would consist primarily of infill development.

Accordingly, enclosed please find a facility needs assessment and supporting information to advance appropriate planning designations of either a Coastal Metropolitan Planning Area or a CAFRA Urban Center, which will result in 80% or 90% impervious cover limits, respectively.

Over 35 years of environmental excellence



In recognizing this facility, its existing land use/land cover and geographical location as part of the planning designation, a critical pathway for economic development will be established without compromising ecological or land use planning integrity of this region.

The Viking Yachts facility expansion project results in significant economic impact, including the creation of 450 new jobs and an associated surge in commerce contributing to the local, state and federal economy. It is anticipated that the increase in annual income tax revenue to New Jersey and the federal government linked with the manufacture and sale of these vessels will total \$561,600 and \$3,366,300, respectively. Further, the 60% expansion in the Viking Yachts workforce will generate positive regional economic impacts, estimated at \$7,488,000, through increased annual spending on goods and services by the newly hired. The increased production at the Viking Yachts facility will generate additional regional economic growth; leveraged investment will extend to allied construction and service industries which supporting Viking Yachts. An additional 350 new jobs at these manufacturing and supply partners will generate annual income tax revenue to New Jersey and the federal government totaling \$436,800 and \$2,618,200, respectively, and increase annual spending on goods and services within the regional economy by \$5,824,000.

In summary, the boost to the regional and state economy totals more than \$14,000,000.

Viking Yachts currently produces vessels from 42 to 82 feet in their sportfishing line. The existing facilities can not accommodate the manufacture of any larger vessels. However, by the end of 2013, the facility will need to accommodate the following production.

- A 92-foot sportfishing vessel, the largest in the company's history
- Up to a 100-foot motor yacht, the first built by Viking Yachts in many years

Expanded production is the result of a market demand for quality, American-made vessels that are proven performers utilizing the latest technologies and designed for operating efficiencies. This market resurgence is expected to return manufacturing to pre-2008 levels with the added requirements of new, larger models. In addition to the production space required to manufacture these models, large outdoor areas are essential for the storage of the production molds, unique to each model. Given the size and weight of these molds, the storage areas and associated drive aisles for equipment must be capable of load-bearing, and thus must be stabilized with surfaces categorized by the existing land use regulations as impervious.

The proposed staging of active expansion over the next five years begins with:

Stage 1

- Construction of a 35,000 sf building (2NX) between Buildings 3 and 4 to accommodate the larger molds
- Construction of a 15,000 sf building (2X) between Buildings 2 and 4 to accommodate additional molding area
- Stabilization of the ground/drive aisles in the yard to be used for additional storage for displaced items currently between Buildings 2, 3 and 4



Stage 2

- Construction of a 23,000 sf building (2S1) attached to the southeast corner of Building 2 to accommodate additional molds
- Expansion of the driveway approximately 80 feet to the south around Building 2S1

Stage 3

- Construction of a 47,000 sf building (2S2) for additional large vessel model production lines

Stage 4

- Construction of a 25,000 sf building (M7) dedicated to servicing, refinishing and upgrading older vessels

As part of the last facility upgrade (CAFRA Permit # 0301-04-007.1 CAF 040001, approved June 20, 2006), only minor expansion was achievable due to the impervious coverage limits. Rerouting of existing transportation infrastructure and trade-offs between impervious cover areas was the only means of completing these upgrades under the land use regulatory limits at that time. The professionalism and diligence exhibited by the NJDEP staff through the permitting of those upgrades was appreciated; however, without appropriate re-designation of the Planning Area or designation of a Plan Center, the Coastal Zone Management Rules constrain the NJDEP's ability to issue the required permits to allow Viking Yachts' expansion and economic growth for the region.

It is important to note that significant efforts have been expended to explore expansion of the Viking Yachts facilities utilizing adjacent properties; however, environmental constraints on those properties preclude their utility. Attached for your reference please find the "Regional Overview Map" and "Facility Expansion Map", prepared by The Lomax Consulting Group, dated 8-22-12 and 3-11-2013, respectively. The regional map identifies the Viking Yachts facility in relation to existing State Planning Areas and Center designations. The proximity of this facility to existing population centers and transportation infrastructure, both on land and water, is evident. The proposed planning designation(s) requested herein will recognize the Viking Yachts facilities as an established economic center in its own right. In addition, mapping of the existing facilities, currently built to the limits of CAFRA impervious coverage, is presented along with required expansion elements that illustrate a phased completion of the facilities to meet growing business demands.

As a New Jersey firm, Viking Yachts is deeply connected and dedicated to producing and promoting the manufacture of New Jersey products in an environmentally responsible manner, as evidenced by its recent projects, including a "state of the art" wastewater treatment and reuse system, a large solar installation and an on-site cogeneration facility. In addition to these energy conservation investments as part of its facility operations, Viking Yachts recently upgraded its manufacturing lines with the implementation of a "cutting edge" resin infusion processing to reduce air emissions.



Office of Planning Advocacy
March 11, 2013
Page 4 of 4

Mr. Scharfenberger, the support of your Office is necessary to aid in jointly recognizing, along with NJDEP, the "...the economic aspirations of the people of the coastal environments...", while concurrently advancing the economic recovery of the State and of Viking Yachts during these challenging, tenuous times. Please advise of the role that your Office will take and indicate the process/information required to best facilitate the expansion of production capability by the end of 2013. We look forward to working with you to the mutual benefit of Viking Yachts, the coastal region and the State of New Jersey.

Sincerely,
THE LOMAX CONSULTING GROUP, LLC



Peter L. Lomax
President

PLL:mcs

CC: Lt. Gov. Kim Guadagno
Mr. Dan Kennedy, Deputy Director
Mr. Karl Hartkopf, Planner
Ms. Deborah Buzby Cope, Mayor, Bass River Township
Mr. Bill Healy, President, Viking Yachts
Mr. Robert Healy, CEO, Viking Yachts
Mr. Chris Babek, Plant Engineering Manager, Viking Yachts

Pg\Act\ 12-253 1\Corresp\Ltr OPA - Mar 11 2013-all doc

EXHIBIT E: SUMMARY OF ORAL COMMENTS RECEIVED AT THE PUBLIC HEARING HELD ON THURSDAY, JUNE 27TH 2013

- Has this proposed change been posted in the paper as well as the landowners within 200 feet?
 - OPA staff stated that the paper of public record was notified in advance of what the open public meetings act required. Notice was sent in the first week in June.
 - Same resident asked if this change turns the coastal center into the node.
 - OPA staff stated that the coastal center had been smaller than the node that is proposed.
 - Same resident asked how OPA decided to initiate the node.
 - OPA staff stated that a key factor was the CAFRA impervious coverage limitations.
 - Same resident asked if OPA takes into consideration what is being manufactured and the manufacturing process's impact on the environment.
 - OPA stated that Viking is an existing facility. This change will allow for a reconfiguration of the existing site. OPA does not supply permits and would not be reviewing details associated with the manufacturing process and pollutants discharged, but DEP would.
- Will the DEP review this proposal?
 - OPA Staff stated, yes, DEP has 90 days after the SPC's decision to determine if it's appropriate to designate a CAFRA node. Once Viking submits a permit application to DEP it would be reviewed against the adjusted impervious coverage. The proposed change alters the criteria that DEP considers during the permit review.
- Is this going to set a precedent for other landowners who want to cover 90% of their property? Example of a garage expansion was given.
 - OPA staff stated that CAFRA impervious coverage limitations only apply to properties over 50 parking spots or 25 homes, the example given would be sub CAFRA and would only be regulated by local zoning. The State Plan provides guidance on what would constitute a node and OPA has to consider that criteria.
- There are numerous young people who have contracted and died from cancer. Shouldn't the entire town have been notified?
 - OPA staff stated that the entire town was notified by the public notice in the newspaper. DEP would review the emissions, etc. when Viking applies for permits from DEP. This is a reconfiguration of an existing footprint.
- If they are emitting things that shouldn't go into the environment, shouldn't that be considered in all levels of government?
 - OPA staff stated, yes and it will be. This facility has to follow the environmental laws, the same way that everyone else has to.
- How can OPA make a recommendation to the SPC without the proper studies from DOT, DEP, DOL and DOH? OPA is prematurely offering this recommendation without proper research. An environmental impact statement, health impacts and labor impacts should be studied first.
 - OPA staff stated that DEP will be reviewing the CAFRA application. The existing footprint of the facility will not be expanded. The State Planning Commission has representatives from DA, DEP, DOT, etc. along with public members. Any permits that are needed initiates an entire DEP review.
 - Same resident stated that Viking emits one of the most carcinogenic substances that we know of. They have been over their permitted limit in the past. Most of us live here because it's pristine. The livelihood of this town depends on the environment, not Viking Yacht.
 - OPA staff replied that the SPC includes members from DEP, DOT, DA, etc.
 - Same resident stated: DEP does not even have the staff necessary to do their own tests. Viking has to do the test themselves, which is a conflict of interest. How can you as a planning body, submit to a hierarchical body, without all the necessary information?
 - OPA staff replied that this will be reviewed by DEP, in addition to the normal DEP review process for CAFRA, freshwater wetlands, etc.
 - Same resident responded, but they will be reviewing your recommendations?
 - OPA responded, Yes.

- Same resident responded that OPA needs to do more research before they can create an objective and worthwhile report.
- How does the node benefit Bass River Township residents?
 - An additional 450 jobs created and when a facility expands, that means additional revenue for the Township.
 - Same resident responded; the people who work at Viking are not local. Viking just had their taxes reassessed and reduced by over \$2 million dollars. The air quality is very poor. There have been fires at the site and air quality control is told not to show up. Citizen is against anything that Viking does, because no one in the Township benefits.
- Why is Viking doing this?
 - OPA staff responded that business has picked up to point where they need a larger facility.
 - Same resident responded that the River will need to be dredged if 92 foot yachts are built. The State Shellfish Commission will not allow dredging.
- County Planner stated that Burlington County supports Viking. They support the node that includes Viking Yacht but they do not support the inclusion of properties that Viking does not own. The purpose of the node is to identify large manufacturing facilities that are in environmentally sensitive areas. Their existing coverage is 34%. In order for Viking to stay in business they need to be acknowledged for what they are, a manufacturing node. Viking is one of the largest employers in town with 810 employees and it's also the largest tax ratable in town.
- Viking's Consultant stated the designation of a node does not exclude them from local or state regulations. Because this is an industrial facility any proposed expansion requires a full CAFRA review and an environmental impact statement will be written to demonstrate compliance with the coastal zone standards. The node would not constitute an approval to begin their expansion. A permit still needs to be submitted to DEP. Increased production does not mean increased emissions. Energy efficient infrastructure has been incorporated over the past several years. Speaker (consultant) supports the node and asks that OPA recommend that it's adopted with the understanding that environmental protection is in place.
- How will the traffic from the Wal-Mart that is currently under construction on Route 9 and the additional traffic from Viking be handled?
 - OPA staff stated that if the Wal-Mart is constructed on Route 9 they will need a State Highway Access Permit from DOT and a traffic assessment will be required.
- Resident does not appreciate that Viking's consultant spoke for more than five minutes when he's being paid to be here and would like his comments to be struck from the record.
 - OPA staff stated that Open Public Meetings Act provides notice and anyone is allowed to speak. That is part of the law. OPA can't strike things because someone isn't from this area.
- Mr. Lomax's letters are copies of what Viking sent. The Viking Yacht Company should move to Miami. They don't need to be here in Bass River emitting pollution. The people who work at Viking need to wear gas masks. They are polluters and an expansion should not be permitted. All of Viking's efforts to help the environment have provided cost reductions. The whole community needs to review these documents and Mr. Lomax's comments should not be considered. (Mr. Lomax is Viking's Consultant.) We need more time to review these documents and the whole town should review them. Member of the public requested a list of the public members of the SPC.
 - OPA staff began to recite the names and positions of the SPC members and the resident said she would prefer a list.
 - Same resident requested a list of the employees at Viking and where they live and their demographics.
- Mr. Lomax is from Cape May Courthouse, why isn't someone from Bass River doing the work he is doing? Viking should hire a local consultant. The man with so much authority in his speech and in his letter isn't even from here.
 - Comments are permitted from anyone and Mr. Lomax's comments will remain part of the record.
- A letter from Mr. Hieley to the Mayor implied that the Township had opted out of the Plan Endorsement process.
 - Ed Fox from Burlington County explained cross acceptance and alterations to the map that could be made during cross acceptance. He explained that centers, including nodes could not be designated during cross acceptance. These centers could only be established during Plan Endorsement. Mr. Fox went on to explain that the majority of Bass River is in the Pinelands and could not participate in the Plan Endorsement process. The remaining (non-Pinelands) land could go through the Plan Endorsement process and Mr. Fox listed the pros and cons of participation which included the cost and length of time and the burden of documents for the parties involved.

- Same resident replied that OPA shouldn't be advocating for this project because there isn't enough data. By opting out of Plan Endorsement, the Township has cut themselves out of their decision. When the planning board is reviewing the node, is the master plan considered?
 - OPA staff replied; that OPA would never do this without local support. Boat manufacturing is permitted by right in this zone, which is the Highway Commercial Zone.
 - Same resident questioned if Viking had to go in front of the planning board?
 - OPA staff and Burlington Planner responded that a use variance wouldn't be necessary but site plan review is required and they may need bulk variances.
- Mr. Hieley requested a meeting with Mayor Cope. Was that ever done and is their conversation part of OPA's review?
 - OPA staff stated that they are not aware of the meeting or the details. Staff isn't able to monitor individual conversations. The property just has to supply us with the required information.
- There is a very high incidence of cancer. A seventeen year old girl who lived across the street from Viking just passed away. There are 20-30 people who have passed away from cancer and many of them have lived proximal to the Viking site. Resident requested that OPA consider the high cancer rates in the report that goes to the SPC.
- Employees are making illegal u-turns on Route 9. This is a hazard. An environmental assessment should be required. Impact on health and the environment should be evaluated. This meeting was poorly done. No one knew about it and no one will send letters. They need to be able to comment in person.
 - OPA staff stated that there is a 30 day comment period after tonight.
 - Same resident responded that he understands, but residents may have questions for OPA staff.
- How will citizens comment if they have nothing to go on?
 - OPA staff responded that the information is posted on the website.
- Resident reiterated the request for another meeting. He stated that people will not write letters and should have another opportunity to comment in public. Viking's tax assessment went down. They are not good corporate citizens. Former employees do not have good things to say about the company. There is an excellent new book out called "Tom's River" by Dan Fagen that everyone in audience should read. The author traces pollution problems and the cases of public officials turning their backs on the communities and the residents.

EXHIBIT F: WRITTEN COMMENTS

**BURLINGTON COUNTY
BRIDGE COMMISSION**

1300 Route 73 North
P.O. Box 6
Palmyra, NJ 08065-1090

856-829-1900
FAX 856-829-5205
www.bcbridges.org



Commissioners

John B. Comegno II
James D. Fattorini
Troy E. Singleton

JUN 19 2013 PM 3:58

June 13, 2013

Mr. Gerry Scharfenberger, PhD.
Secretary, State Planning Commission
New Jersey Department of State
Office for Planning Advocacy
PO Box 820
Trenton, NJ 08625-0820

Re: Map Amendment - Viking Yacht Industrial Node in Bass River Township

Dear Mr. Scharfenberger,

As the designated regional planning agency for the County of Burlington and on behalf of the Board of Chosen Freeholders, I wish to express their support for the designation of the Viking Yacht property in Bass River Township as an industrial node on the State Plan Policy Map.

Viking Yacht is one of the largest private employers in Burlington County's pinelands region and has been an important part of the region's boating industry for more than one-half century. It is an isolated industrial-recreational complex, surrounded by wetlands and located in the State's CAFRA area. This map amendment is critical because CAFRA's regulations would be overly burdensome to this economic development project, which would be built on already cleared and disturbed land outside the wetlands area boundary. Absent this map amendment to designate Viking Yacht as a node, CAFRA regulations would limit all impervious coverage to 3%, which the area now far exceeds, and preclude any additional development, including the company's planned 60% (450 employee) plant expansion necessary to maintain the economic viability of the company and the region.

Please feel free to contact me or Mark Remsa at (609) 265-5055 if you have any questions, or wish to discuss this matter. Thank you.

Sincerely,

Edward E. Fox, III,
Regional Planning Coordinator

CC: Peter Lomax, Lomax Consulting Group
John Jeffers, Executive Director, Burlington County Bridge Commission
Hon. Joseph Donnelly, Freeholder Director
Paul Drayton, County Administrator
Mark A. Remsa, PP, AICP, LLA, ASLA, Director

29 Properties, LLC
Charles J. Bonsangue
90 W. Sylvania Ave.
Neptune City, NJ 07753
Tel: (732)988-7500

JUN 24 2013 PM 3:28

June 13, 2013

Gerry Scharfenberger, Ph.D/Director
State of NJ – Department of State
Office for Planning Advocacy
PO Box 820
Trenton, NJ 08625-0820

RE: Bass River Township Map Amendment
Block 40, Lot 7

Dear Mr. Scharfenberger:

I am writing in reference to a proposal made by your agency in favor of Viking Yacht Company. If approved, Viking Yacht Company will be permitted to expand onto that land.

The purpose of my writing is that I have a property on the west side of Route 9 directly across from Viking Yacht Company. It measures approximately 210 feet of frontage by 180 feet in depth. I am asking to have my lot included in this change. I believe it could be done just by drawing a few simple lines on a map since whatever the engineer had done with the Viking property would be very similar for my property. Obviously if Viking Yacht Company is going to build a facility that could justify an additional 450 employees, the size of the project ought to be large enough so that my property could benefit also.

I plan to attend the meeting on June 27, 2013 at the municipal building in New Gretna and hope to speak to you then.

Very truly yours,


Charles J. Bonsangue

CJB:tw

cc: Mr. Robert Healey, CEO, Viking Yachts
Mr. Chris Babek, Plant Engineering Manager, Viking Yachts
Mr. Peter L. Lomax, President, The Lomax Consulting Group



PINELANDS PRESERVATION ALLIANCE

Bishop Farmstead, 17 Pemberton Road, Southampton, New Jersey 08088

Phone: 609-859-8860

Fax: 609-859-8804

E-mail: ppa@pinelandsalliance.org

Website: www.pinelandsalliance.org

JUN 26 2013 PM 2:43

June 19, 2013

New Jersey Department of State
Office for Planning Advocacy
225 West State Street, P.O. Box 820
Trenton, New Jersey 08625-0820

Re: Bass River Township, Burlington County

Dear Sir:

The Pinelands Preservation Alliance has reviewed the report for the proposed map amendment that would result in the creation of a manufacturing node of 65 acres in Bass River Township.

The Justification Report for this map amendment states that the new node would include part of Block 26, Lots 2, 2a, 2b, 2c, 7 and 8. These block and lots are listed on the Burlington County-Bass River Sewer Service Area mapping as "Future Wastewater Treatment Service Areas by Plant." But the node designation area map, included in the amendment document, also includes Block 26, Lot 9 and Block 8c, Lots 1, 2, 3, 3a, 4, 5 and part of 20 which are not within the newly proposed Burlington County Future Wastewater Treatment Service area.

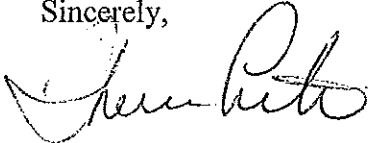
All the blocks and lots, both inside and outside of the mapped future sewer service area, are within the Pinelands National Reserve and given a Comprehensive Management Plan Map designation as a Forest Area. Forest Management Areas of the Pinelands are not sewer service areas.

In April 2012, the NJ Department of Environmental Protection (DEP) and the NJ Pinelands Commission signed a Memorandum of Understanding (copy attached). This agreement states that the DEP "will recognize the management area designations and boundaries established by the Pinelands Commission for lands located within the Pinelands Area and shall not modify, amend, revise expand or decrease these designations or boundaries in any way." This means that none of the manufacturing node being proposed for Bass River Township would fall within a

sewer service area. Five new buildings for a total of 145,000 square feet of commercial development would not be permitted in the Forest Area or a PA5 area.

Within the Pinelands Comprehensive Management Plan municipalities have provisions for making changes to Management area designations. If Bass River Township wants to change this area from a Forest Management Area they should follow 7:50-3.31 and file for an amendment or change through the municipal master plan process. Through this process there would be a detailed review of the area and a determination made as to whether or not water quality standards could be met to accommodate the additional development being proposed in Block 26, Lots 2, 2a, 2b, 2c, 7 and 8.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Theresa Lettman', with a stylized, cursive script.

Theresa Lettman
Director of Monitoring Programs

June 27, 2013

Mr. Gerald Scharfenberger
Director, NJOPA
Office of Planning Advocacy
P.O. Box 820
Trenton, N.J. 08625-0820

Dear Mr. Scharfenberger:

Please accept this letter as the final draft of a letter that was rushed off to you earlier today via e-mail. This version includes only minor grammatical changes from the earlier e-mailed version.

I read with shock and awe your "draft justification" the result of which is to saddle Bass River Township with the unknowns of a manufacturing node in our environmentally pristine community. This letter will address this topic and raise a few of the many questions that surround your proposal. Naturally a lot of this inquiry will focus on the expansion plan itself as well as your plan to spot zone the township. In the end the whole matter might be a big plus for the Township. However, with so little information and what information does exist is from the company, it is far too early to make an informed decision.

First, I write this missive merely hours before a public hearing by your office regarding this matter – a hearing about which very few residents have been informed. This is extremely distressing given the importance of the matter, an importance magnified by your office's heavy handed methodology and with our commissioner's apparent acquiescence. Therefore, I respectfully submit that tonight's hearing be postponed, to be rescheduled for a date after which the public has had time to become educated on this matter. Should the hearing continue as scheduled please have a representative of yours who is present at the hearing read this letter into the record. I will make a similar request in person.

Next is my concern that the DEP is disturbingly absent from this process despite the area involved being in a very sensitive ecological region, one covered by CAFRA, Wild and Scenic Rivers and bordering federal preservation land. Why are these other stakeholder agencies not involved and at what point do you plan to bring them into the process? This is also an important issue under the Federal Clean Air Act especially considering Viking's current facility is allegedly the state's largest emitter of the know carcinogenic, styrene gas. An expanded facility will only increase the amount of this poison Viking will emit into the air, emissions for which over the years Viking has allegedly been cited for violations. Surely the town deserves sound and sufficient information regarding this matter, especially including both present and projected emissions from the planned expansion. Let's not repeat the kinds of mistakes disclosed in the new best seller, "Toms River" by author Dan Fagin.

At a recent Bass River Environmental Commission meeting a Viking representative reported plant emissions were below accepted levels. Ironically, he noted these tests were conducted way back in 2008, clearly meaningless in today's environment. I might also add the tests were allegedly conducted by plant officials and not an independent, outside agency. This would make

the test invalid because of a conflict of interest. 2008 was also a time when Viking sales were dropping rapidly and manufacturing throughput would have been down thereby lowering styrene levels. The remarkable aspect of this situation is that the DEP web site is a rich source of information concerning Viking's emissions. Historical records on this site reveal results different from what was reported by Viking officials. Clearly more up to date tests have to be conducted by the DEP including emissions projections for the expansion.

And where is the Environmental Impact Statement for such a massive expansion which totals 145,000 square feet. There is also the issue of the impact 90 and 100 foot vessels will have on the fragile Bass and Mullica Rivers. There was apparently good reason why in 2006 the DEP limited Viking's expansion under CAFRA Permit #0301-04-007.1 CAF 040001. An avid boater myself I cannot believe reports by both company officials and our Mayor that these vessels will not draw more water than the current fleet. Surely they will draw more water and displace more water, which would be damaging to the marshlands that protect our town, and this at a time of rising sea levels.

This township is an environmentally rich area with three major rivers passing through its borders and all within a three mile stretch of coast. This entire area will be dramatically impacted by this expansion making the obvious question, "impacted by how much". The residents desperately need an environmental statement regarding the impact of your proposal as well as the impact of Viking's planned expansion. Any such study should focus on the impact these proposals will have on a key asset of our town – our attraction as a pristine camping, hiking, and boating area. If this asset is somehow jeopardized by this expansion including your proposed "manufacturing node", it will take many decades to be restored. This could also be a period of time after which Viking may be long gone from Bass River Twp.

This brings up a very important point regarding Viking's future as it relates to Bass River Twp. What is needed as part of this expansion is a "sinking fund" to prepare for the inevitable day Viking no longer manufactures boats in Bass River Twp. We all know nothing is forever especially in the boat building business. All one has to do to be reassured of this is to take a short trip over to Lower Bank and see the rusting hulks of buildings left behind by the once mighty Pacemaker Boat Company or the former Egg Harbor Yacht Company plant in Egg Harbor City.

Therefore, as an enlightened and progressive part of any manufacturing expansion plan (node or otherwise) I submit that funds be set aside to accommodate the, for whatever reason, ultimate dislocation of Viking. You certainly have to agree Viking will not be there forever and when it finally does go let's make sure Bass River is not left with a potential superfund-like site or even something as real as the eyesore that is the former Pacemaker plant over in Lower Bank. Certainly someone paying millions of dollars for a yacht can afford an extra few thousand dollars to clear up after themselves! I have to do just this kind of thing when I buy something as small as a new tire so certainly the buyers of these mega-yachts need to pay their fair share.

As I read the various pieces of correspondence related to Viking's expansion the principal justification I saw was jobs with numbers that ranged from 450 to 800. Whatever the correct number – a number that is proverbially over estimated - jobs are of no real concern to our

residents. I say this because very, very, very few residents who live in Bass River Township work at Viking. What we do get from Viking workers is the clutter and debris tossed out of the windows of their cars as they take their pay checks and head out of our town. O yes, we also get terrible traffic jams when the plant shuts down for the day. Accordingly, where is the transportation study that will advise us of the traffic cost associated with this expanded work force? And does your plan include an inspection of the current labor force and its documented tax and citizenship status. Company officials at the Environmental Commission meeting reported only properly documented workers would be hired: where is the oversight on this matter? In short, where is the Labor Department's input to this project including your proposal for a manufacturing node.

As for the other major justification, to wit tax dollars, it too is a justification that leaves town. As reported by The Lomax Consulting Group in its letter to you dated March 11, 2013, on an annual basis \$436,800 will go to the federal government and \$5,824,000 will go to the state. So far the only tax ramification I am aware of is one where Viking was recently granted a tax cut when it allegedly threatened to appeal its tax assessment! Makes one wonder what kind of corporate citizen is requesting special consideration for its expansion.

So let me get this straight, the reported boost to the regional and state economy is \$14,000,000 yet no monetary benefit to Bass River – at least none that was reported in any of your documents or others from Viking's consultant, The Lomax Consulting Group. This again raises the subject of corporate citizenry

What are the ramifications of a manufacturing "node" vs a "center". In my reading of a letter from Viking Yacht's Mr. Bill Healey to Mayor Deborah Cope dated May 2, 2013, it seems we would be getting a node at the expense of more efficient land use. This makes no sense in an age when the efficiencies of cluster development are recognized as the most sensible form of land use policy. It is this same letter in which Mr. Healey informs us that "Bass River Township has chosen not to engage in the State's plan endorsement process to establish "centers" within the municipality...." I can tell you that the general public is unaware of this project, especially the part about the commissioners opting out – minimally an egregious act of nonfeasance on the part of the Mayor and her fellow commissioners and perhaps even their predecessors.

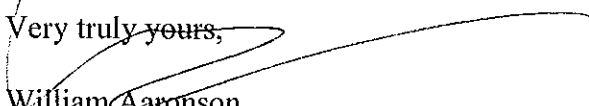
And where exactly does the Township's Master Plan come into play relative to your draft map amendment? Bass River has spent tens of thousands of dollars in drafting, finalizing, and updating its master plan. Myself having sat through many of these meetings I can assure you it does not include a "manufacturing node." The Planning Board also has a role to play in this process considering the expansion surely needs a variance. To date they seem to have been circumvented.

I am writing this letter on the eve of the hearing so time prevents me from exploring my many additional concerns as I wish to get this letter to you today. (I am e-mailing you a copy with hard copy to follow) Therefore I will end here by noting my strong desire to see proper and well balanced oversight regarding this matter, beginning with questioning the appropriateness of a manufacturing node being proposed in a environmentally centric community and ending with an

emphasis on the need for thorough health, traffic, and economic impact studies regarding your proposal as well as Viking's plan to expand.

Thank you for your attention to this matter.

Very truly yours,


William Aaronson

Cc: DEP Commissioner Bob Martin
DOL Commissioner Howard Wirths
DOT Commissioner James S. Simpson
EPA Administrator Bob Perciasepe



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
NEW LISBON, NJ 08064
(609) 894-7300
www.nj.gov/pinelands

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

July 18, 2013

Gerry Scharfenberger, Ph.D., Director
New Jersey Business Action Center
Office for Planning Advocacy
Department of State
P.O. Box 820
Trenton, NJ 08625-0820

**Re: Proposed Policy Map Amendment in Bass River Township
Creation of a Node at Viking Yacht Company**

Dear Mr. Scharfenberger:

I am pleased to submit the following comments on behalf of the Pinelands Commission in connection with the State Planning Commission's proposed amendment to the State Plan Policy Map.

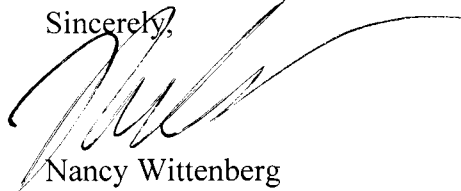
The proposed map amendment would create a 65-acre node at the Viking Yacht Company's facility located along Route 9 in Bass River Township. Viking Yacht Company's facility is not located within the state-designated Pinelands Area. Accordingly, the Pinelands Commission does not have direct regulatory jurisdiction over the facility itself. However, the facility is located within the Pinelands National Reserve (PNR). Per N.J.A.C. 7:50-3.39(b), municipalities with lands located outside of the Pinelands Area but within the PNR have the option to request that the Commission review its land use ordinances and master plans to ensure their substantial compliance with the standards of the Pinelands Comprehensive Management Plan (CMP). To date, Bass River Township is one of only six municipalities to voluntarily avail itself of this optional certification. Thus, the Commission has certified the Township's zoning and land use ordinances both inside and outside of the Pinelands Area. The proposed node is located within a portion of Bass River Township's Pinelands Forest Area known as the Highway Commercial Zoning District. At the time this commercial zone was certified by the Commission in 1983, the Viking Yacht Company had already been operating at its current location for many, many years. The creation of a node to facilitate redevelopment at Viking Yacht Company's already developed lands located within a Forest Area-commercial zone is consistent not only with both the CMP and the Township's certified zoning, but also with sound planning. No change in Pinelands management area designations would be required by the creation of the proposed node.

As you may be aware, in April 2012, the Commission executed a Memorandum of Understanding (MOU) with the New Jersey Department of Environmental Protection (DEP). The MOU is intended to facilitate water quality management planning within the Pinelands Area. However, the terms of that MOU apply only within the Pinelands Area itself. Lands located within the PNR but outside of the state-designated Pinelands Area are not subject to its terms. Thus, Bass River Township's Highway

Commercial Zoning District and Viking Yacht Company's facility are not subject to the Commission's MOU with DEP.

If you have any questions concerning our comments, please do not hesitate to contact me. Thank you kindly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nancy Wittenberg', with a long, sweeping horizontal line extending to the right.

Nancy Wittenberg
Executive Director

PWT/SRG

cc: Dan Kennedy, Deputy Director, Office for Planning Advocacy
Rick Brown, Division of Coastal & Land Use Planning, NJDEP
Kathleen Giordano, Division of Coastal & Land Use Planning, NJDEP
Gina Berg, Water Resource Coordinator, Burlington County
Hon. Deborah Buzby Cope, Mayor, Bass River Township

**BURLINGTON COUNTY
BRIDGE COMMISSION**

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Commissioners

John B. Comegno II
James D. Fattorini
Troy E. Singleton

July 23, 2013

Mr. Gerry Scharfenberger, PhD.
Secretary, State Planning Commission
New Jersey Department of State
Office for Planning Advocacy
PO Box 820
Trenton, NJ 08625-0820

JUL 26 2013 PM 2:56

Re: Viking Yacht Industrial Node in Bass River Township

Dear Mr. Scharfenberger,

I would like to follow-up our prior conversations to clarify the Board of Chosen Freeholders' support of the delineation of a proposed State Plan industrial node in the non-Pinelands Area of Bass River Township along US Route 9. As indicated in my letter of June 13, 2013, the Board of Chosen Freeholders supports designation of the Viking Yacht property in Bass River Township as an industrial node on the State Plan Policy Map. It is not in support of the same designation for any other properties adjacent to Viking Yacht or along US Route 9. Industrial nodes are meant to be concentrations of specific, high intensity or high-employment industries or industry clusters in isolated rural or environmentally sensitive areas. We believe that Viking Yacht meets this definition.

There are adjacent and nearby retail, restaurant, recreational and other commercial uses along US Route 9, which they may be an extension of New Gretna's Pinelands Village center. However, none of them individually or collectively meet the same definition as an industrial node. Because they are unrelated to Viking Yacht's specific industry, they should be excluded from the proposed node.

Please feel free to contact me or Mark Remsa at (609) 265-5055 if you have any questions, or wish to discuss this matter. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ed Fox".

Edward E. Fox, III,
Regional Planning Coordinator

CC: Peter Lomax, Lomax Consulting Group
John Jeffers, Executive Director, Burlington County Bridge Commission
Hon. Joseph Donnelly, Freeholder Director
Paul Drayton, County Administrator
Mark A. Remsa, PP, AICP, LLA, ASLA, Director

July 29, 2013

Mr. Gerry Scharfenberger, Ph.D.
Director, Office of Planning Advocacy
P.O. Box 820
Trenton, N.J. 08625-0820

This letter is the second of two letters in which I petition The State Office of Planning Advocacy and the State Planning Commission (SPC) to reject the plan to create a special manufacturing node in the center of our environmentally pristine community. Also, this letter was written with additional insight and knowledge gained as a result of the hearing you and Ms. Meade conducted in Bass River Twp. on June 27, 2013. Accordingly, please insert into the record this letter as written testimony opposing the State Planning Commission's "Map Amendment" that would create a manufacturing node in Bass River Township.

First, thank you for showing up at our hearing as well as the special town meeting held on July 22, 2013. I realized you could have easily dismissed both sessions as below your "pay grade". Although I found myself on a different side of your support concerning a "PA 5 with a SPC Designated Node" in the heart of our town, I nevertheless appreciated and learned from your comments and explanations. I also learned more from last Monday's session. Again, thank you for taking the time.

As we now know, way back in 2006 CAFRA regulations restricted the expansion of Viking Yachts. In fact Mr. Bill Healey, President of Viking Yachts, explained in a letter to our mayor dated May 1, 2013, that as part of a 2006 expansion his firm "Viking Yachts has reached its limit for facility expansion under the State's existing planning provisions and corresponding CAFRA impervious coverage limits." Mr. Healey then went on to explain the limits were set as a result of, "the State Plan Policy Map designates this manufacturing facility within a Planning Area 5 (Environmentally Sensitive) designation, which severely restricts impervious coverage....."

In his letter Mr. Healey argues that this restriction "is inconsistent with the current and traditional use of this portion of Bass River Township" a statement that bleeds contempt for the environmental science behind said restrictions.

Specifically, what Mr. Healey fails to recognize is the fact his facility cannot be expanded without endangering the environmentally sensitive area which hosts his factory. He also fails to acknowledge in his letter the difference between "current" and "traditional" use of this land. Yes the tradition of boat building in our community as well as neighboring communities is a long and glamorous one that, in the days of wooden boat building, employed mostly local people. It was

this tradition he and his brother joined in 1964 when they purchased Peterson-Viking Builders, a well-regarded NJ manufacturer of wooden sport fishing and cruising boats. However, his firm ended this tradition when in 1971 Viking converted from wood to all-fiberglass boats, an event marked by the launch of the Viking 33' Convertible.

This change was monumental to our local, "environmentally sensitive" community in that it introduced the many and various chemicals used in the "current" fiberglass boat building industry. So, when Mr. Healey uses the phrase "current and traditional" one needs to parse these words, an exercise that reveals the two words no longer go together. To wit, "current" fiberglass boat building as practiced by today's manufacturers is dramatically different and occupationally and environmentally more dangerous than "traditional" wooden boat building of the past two hundred years.

Once this distinction is clear, it is important to note the fact Viking's current manufacturing zone was so-designated to permit wooden boat manufacturing, not fiberglass. Clearly this distinction reveals the disingenuous nature of Mr. Healey's pseudo-romanticism regarding boat building in Bass River Twp.

Ironically, all of these words -words delivered to our Mayor by Mr. Healey clearly explain why Viking is currently prohibited from further expansion. He seems to make the case that current DEP and CAFRA regulations, regulations backed by sound environment science, is prima facie evidence against any expansion of this already large-scale industrial complex. In short, the current DEP prohibition against further Viking expansion is a de facto reason to reject the idea of creating a manufacturing node in Bass River, a node tailored specifically to accommodate Viking's expansion.

As is often the case, the community, county, state and federal governments are being romanced by the promise of 450 new jobs, millions of dollars of new tax revenue for the state and federal governments, and claims of many more jobs in surrounding, supporting industries. The problems with the job justification is that the job counts are speculative in nature, and what new jobs could come are low wage, entry level positions that attract mostly foreign workers of questionable citizenship. Given this profile you can see that very few of these jobs would go to local Bass River residents.

Relative to the tax benefit, all of the money identified in your "Draft Justification" flows to entities outside of our community. And any benefit to nearby supporting industries is minimized by Viking profile as a vertically integrated manufacturer. Sadly, although you do not mention it in your "Draft Justification", any increase in property taxes will be marginal, especially considering Viking's history of local tax avoidance.

Add to this sad situation what I allege to be Viking's record of poor local corporate citizenship and you can see any financial good that could come from the proposed manufacturing node and subsequent Viking expansion is far outweighed by the many cost pointed out in this letter. So

let's now identify some additional costs associated with a map amendment, costs different than the ones raised above.

A major cost involved with the node and subsequent Viking expansion involves the clean-up and dismantling costs associated when Viking is no longer building boats in our town. During the hearing you dismissed my concerns that Viking would someday pull up stakes and leave Bass River as "speculative". However, overwhelming statistics regarding the last hundred years of manufacturing in this country as well as in our state support my claim that Viking will, for whatever reason, someday no longer build boats in Bass River Twp.

And to this historical reality I can add more concrete evidence by referring to words allegedly delivered by non-other than Mr. Robert Healey, Chairman and CEO of Viking. Specifically, in an article that appeared in the September 30, 2005 edition of the South Florida Business Journal, Mr. Brian Bandell reported that Healey alleged that, through land acquisition in the CRA, (Community Redevelopment Agency) it would move its branded yacht and sports cruiser companies, plus a marine electrical service and fish-spotting tower manufacturing business, down from New Jersey. This is clearly not speculation, rather it would be a good business decision given Vikings plans at the time to jointly develop a project know as Viking Inlet Harbor Properties.

I am not critical one way or the other regarding these alleged plans to leave town, rather I just offer them as evidence that when an economic entity such as Viking determines it is in its best interest to act, it will act. If the act means relocate, Viking will relocate. Therefore, my concerns are not based on speculations, rather my concerns are based on the business reality that someday Viking will leave town.

What happens then? Would Bass River be left with a group of rusting building, failing bulkheads, back taxes, or even a super fund site, all situations that would be made more toxic by the SPC proposed manufacturing node and the expansion it would enable. Therefore, with or without any further expansion, I urge state planners to incorporate in the new state plan a state "manufacturing sinking fund". This fund would establish a pool of money from operating manufacturers that would be used to rehabilitate and redevelop their sites when they become abandoned. In the case of Viking, the state should impose a \$10,000 sinking fund fee on the sale of every new boat. The money would be used for the eventual rehabilitation and/or redevelopment of the property currently occupied by Viking.

While this might seem like a radicle idea, such good planning already exists relative to many of our current consumer products. For example, the concept of a sinking fund would be identical in practice to the recycling fee we pay every time we purchase a new tire. Surely the buyer of a 3 million dollar yacht would not even sneeze at paying an additional \$10,000, or .003% of the cost of their new boat. This figure represents even less of a burden (.001%) when it comes to Viking's new mega-yacht the price of which is alleged to be ten million dollars. The idea seems

like common sense as well as smart planning, something that must be incorporated in any plan to designate a manufacturing node in our town. This is especially true given the environmentally pristine and sensitive area that comprises the entire manufacturing node proposed for Bass River Twp.

My final comment regarding a sinking fund is submitted as evidence of what happens to an area when boat building companies stop building boats. Sadly, this evidence can be witnessed by a short trip to Lower Bank in Burlington County, and Egg Harbor City in Atlantic County. Here you will see the abandoned, dilapidated, and in some cases condemned factories of Pace Maker Yachts and Egg Harbor Yachts, respectively. The former is especially egregious in that it sits on the banks of the beautiful Mullica River, the result of a family selling out to corporate investors who in the end abandoned the Lower Bank facility. This is what must be prevented from happening in Bass River, and a "sinking fund" would be the way to prevent such a disaster.

Healey's letter dated May 1, 2013 is revealing for many other reasons not the least of which is the fact it reveals an ongoing dialog between our Mayor and Healey's company. This dialog dates all the way back to early 2013.

Nevertheless, and as you witnessed the night of the hearing, very few township residents knew anything about the issue of a manufacturing node being created in their town. This is important because the subsequent industrial development would impact every single resident of our town as well as many who live and play in surrounding communities. Yet only a handful of residents were notified.

On the matter of public awareness, I am pleased to report a small group of vocal citizens pressured town officials into holding a special Township Commission meeting on the SPC plan. Although residents wanted a second formal hearing on the matter, all we could get was a special commission meeting, a shortcoming that makes the testimony represented in this letter all-the-more important.

Turnout at the special commission meeting was impressively large. However, the Mayor committed a grave injustice to the community by letting a band of pro-Viking speakers cheerlead on the company's behalf despite the topic of the meeting being the manufacturing node. Most of these speakers were Viking employees or contractors including the plant engineer, the CFO, and Viking's electronics manager. However, what made this demonstration criminal was the fact the Mayor stopped a speaker who began to criticize Viking but permitted the continued cheerleading by Viking workers. This was a clear act of extremely poor governing and misfeasance, shameful behavior on the part of any elected official. Remember, this is the same mayor who has been aware of Viking's plans and the enabling Manufacturing Zone for many, many months yet seemingly has worked to keep the matter invisible.

An important fact that did surface at the meeting was that the Viking facility allegedly covers 34% of the impervious land they own when DEP regulations limit them to 3%. The explanation

for this gross over-use was that Viking had reached this limit before 1995, the period when the DEP incorporated the current impervious land coverage limits into the regulations. This suggests a grandfathering justification which, if true I can clearly understand. However, I believe the facts presented by Viking concerning this matter need to be seriously challenged given the importance of these limits. Making this even more critical is the fact Bass River Twp. does not have "imperviously land cover" limits in its zoning regulations. Our local laws only address "buildings", and "buildings coverage areas" thereby ignoring parking lots, ramps, walkways, roofless staging areas, etc., etc., etc.

My principal concern the night of your June 27th centered around the reality that your office was chartered with investigating the idea of designating a manufacturing node in Bass River Twp., and the fact you would report your findings in the form of a recommendation to the SPC. At the time, and I will repeat my position here, I urged you to do the appropriate "environmental impact assessment" along with assessments from the departments of Health, Safety, and Traffic, before serving up your recommendation. It is imperative the state do the appropriate studies before moving any further forward with its plans to create a heavy-manufacturing zone in one of the state's most pristine communities. This includes an impervious land coverage study by the DEP.

I will also take this opportunity to note the questions that surround any such node relative to our local shellfish industry, an industry that farms our local waterways. As it stands these waterways reportedly comprise one of only a few areas in the entire state that can support a wild oyster industry. It is abundantly clear that any expansion of Viking raises many, many questions concerning this pristine industry. An obvious question here is the issue of dredging, something intuitively necessary to float and maneuver a 100 foot mega-yacht cruising up and down the Bass River.

The area's oyster industry, which has made a miraculous recovery over the past 10 years after disappearing for 40 years, is only one of our local, environmentally based industries. The town has numerous campgrounds, both state run and privately owned, hundreds of swimming and boating areas, fishing spots too numerous to count, hunters from all over the state, white water rafting, canoers, kayakers, bird watchers, etc., etc., etc. All of this environmental tourism, or eco-tourism that was here long before Viking, would be jeopardized by a manufacturing node that includes minimally a 145,000 ft. expansion of Viking's current facility.

My last quote from Healey's letter of May 1, 2013 addresses this issue of the environment. Specifically, he writes "Viking Yachts is deeply connected and dedicated to producing and promoting the manufacture of New Jersey products in an environmentally responsible manner within the Township. Accordingly, it is important to Viking Yachts that the Township's shares its common interest in the economy and environment by participating in this process." Relative to this statement I urge you to review Viking's DEP emission records over the past 20 years. This simple investigation will show numerous violations including many reported in DEP reports as "emissions of Styrene Monomere from Manufacturing Building #4.....exceeded the maximum

allowable total of 7.45 tons per year. “ In short, Mr. Healey’s words do not reflect the reality of Viking’s environmental record in Bass River.

This is just a quick glance into the history of Viking in our town. The narrative has raised what I allege to be several serious costs associated with Vikings presence in Bass River, and goes on to suggest many of these costs would be magnified by the SPC proposed manufacturing node currently under consideration. There are many, many unanswered questions surrounding the SPC proposal for a manufacturing node including the Viking expansion it would enable. One very obvious question is the level of styrene gas an enlarged boat manufacturing plant would release. Viking is one of the state’s largest emitters of styrene, a deadly carcinogenic, for which it has over the past 20 years received many citations for surpassing government safe emission limits. Along with the many other questions raised in this letter, the community deserves to know the actual environmental, health, safety, traffic and economic ramifications associated with Viking’s expanded production, production enabled by the SPC proposed manufacturing node.

Company representatives have reported the company is switching from smaller boats to larger vessels the result of which they allege will be less styrene gas emissions. Based on what analysis? This is a question that has to be empirically answered as part of the node-review process, especially because this information conflicts with a recent company reported strategy to build a new line of smaller boats. So which is true, or are they both true? The question here is exactly what will emission levels be in three, five and 10 years when Viking could be occupying 80% of their massive land holdings in our town.

The final issue I wish to bring to your attention is the issue of local control and the role that state DEP plays on safeguarding our environment. Clearly the state’s oversight role concerning our environment is a more objective, scientific, and less marginalized role than that played by our local planning board. It is difficult for me to say this because I believe strongly in home rule, however with Viking I now see a situation that overwhelms small-town capabilities. Simply, Viking is “too big to control” relative to our local municipal resources. We need state-level budget power and expertise both of which would be severely muffled by locating a Manufacturing Node in our town.

In summary, the state’s plan to create a manufacturing node is the enabling step required to allow Viking’s massive expansion. This same unbridled manufacturing designation also opens up our town’s core eco-tourism industry to serious damage the magnitude of which is at best misunderstood, at worst an environmental, health, tourism, safety, and community disaster. I urge you and the members of the SPC to drop this crazy idea of designating a local

manufacturing zone in one of the state's most pristine, eco-centric communities.

Thank you for your attention to this matter.

Very truly yours,

William Aaronson

Cc: N.J. State Planning Commission

County Planning Board

Bass River Planning Board

Bass River Board of Commission

Bass River Environmental Commission

07-29-2013

To: State of New Jersey
Department of State
Office for Planning Advocacy
P.O. Box 820
Trenton, New Jersey 08625

From: Carol A Bitzberger
39 Goldecker Road
Wading River, NJ 08215
609-294-3387

Reference: Bass River Map Amendment

Attn: Gerry Scharfenberger, Ph.D., Director

First, let me thank you for coming down to a Bass River Township special Commissioners meeting, held July 22nd. The meeting was held to give more township people an opportunity to ask questions and make comments about the proposed Viking expansion. I attended both the hearing meeting on June 27th and the Commissioners special meeting.

I am writing this letter to again speak my concerns about the proposed Viking expansion and the State Planning Commission initiating a map amendment to create a “node” in Bass River Township. My concerns are as follows:

- 1) Viking currently has 34% ground cover and designation of a ‘node’ would change allowed ground cover to 80%. This would endanger the environmental sensitive area defined by CAFRA.
- 2) The damage to Bass River’s marsh lands, with the testing of larger proposed vessels of 92 ft. and 100 ft. on the Bass River, would increase. The new success of the establishment of oyster beds in Bass River and the erosion of the embankments along the river would endanger the habitat already existing here and how a 100ft. yacht would not need the Bass River to be dredged at some point is difficult to understand. Viking presently tests its existing vessels traveling down Bass River at high rates of speed. This I have observed personally, so bigger vessels will increase erosion.
- 3) We should also look into the future. Viking will not always be in Bass River Township. Who will clean up all the buildings, the debris, steel drums, debris buried underground, which was at one time buried there, probably before rules were established? No one will want to buy it because of the cost of cleaning up the area. To allow expansion would just add to this environmental problem. Wouldn’t it be a good idea to have Viking put away a set amount of money for cleanup, if Viking is allowed to expand?

- 4) It would have been nice to read what the environmental impacts might be allowing Viking to expand. I would have thought that a study would have been conducted by the Department of Environmental Protection, and that study would have accompanied the proposed expansion.
- 5) I am very much concerned about the release of the gas Styrene, and that this is a very poisonous substance. I have heard that Viking has had previous violations in the emission of styrene gas. What will the numbers be if Viking expands?
- 6) Bass River Twp. currently has 3 rivers that run through it. There are many environmental friendly activities that areas in the township offer including: fishing, biking, hiking, canoeing, kayaking, camping, hunting, etc. How many areas in South Jersey offer this? What will happen if the area is environmental damaged?
- 7) Yes, there are benefits having Viking in our community. They provide jobs; however, there is a very small number of people in Bass River Township employed by Viking. Viking has donated money to our Volunteer Fire Company, and I understand provided computers to our elementary school. But we must weigh these advantages against the disadvantages. Damage to the environment takes decades to fix. Please make sure there is no environment impact by allowing Viking to become a 'manufacturing node'.

Thank you for your attention to this letter,

Carol A. Bitzberger
Resident of Bass River Township