



State of New Jersey
 THE PINELANDS COMMISSION
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 www.nj.gov/pinelands




Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

MEMORANDUM

To: Members of the Commission
 From: Nancy Wittenberg 
 Executive Director
 Date: June 30, 2017
 Subject: Summary of the July 14, 2017 Meeting Packet

Minutes

The June 9, 2017 Commission Meeting minutes (open and closed session) are included in your packet.

Public Development Applications

The following public development applications are being recommended for approval with conditions.

1. **CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY**, Borough of Woodbine, Pinelands Town Management Area, Installation of a non-potable 100 foot deep water well.
2. **PEMBERTON TOWNSHIP BOARD OF EDUCATION**, Pemberton Township, Pinelands Regional Growth Area, Demolition of the Crichton Elementary School.
3. **NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, STATE FOREST SERVICE**, Manchester Township, Pinelands Preservation Area District, Forestry on 163 acres in Brendan Byrne State Forest.
4. **NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, STATE FOREST SERVICE**, Pemberton and Woodland Townships, Pinelands Preservation Area District, Forestry on 42 acres in Brendan Byrne State Forest.
5. **MONROE MUNICIPAL UTILITIES AUTHORITY**, Monroe Township, Pinelands Regional Growth Area, Installation of 270 linear feet of sanitary sewer main.

Waiver of Strict Compliance

There are no Waiver of Strict Compliance applications on this month's agenda.

Letter of Interpretation

There were no Pinelands Development Credit Letters of Interpretation issued since the last Commission meeting.

Off-Road Vehicle Event Route Map Approval

There were two Off-Road Vehicle Event Route Map Approvals (attached) issued since the last Commission meeting.

Planning Matters

We have included a resolution and report on Barnegat Township Ordinance 2017-12. This ordinance adds high-density condominium development as a conditional use in that portion of the C-N (Neighborhood Commercial) Zone located in a Pinelands Regional Growth Area. We are recommending certification of the ordinance.

Also enclosed is a resolution concerning Ocean County's proposed amendment to the Public Safety Tower Plan for Pinelands, along with our report and recommendation for approval. The Public Safety Tower Plan for Pinelands, approved by the Commission in 2012, includes the proposed locations of County local communications facilities that are intended to eliminate critical gaps in public safety communications coverage within the Pinelands Area. The final siting of any proposed facility is required to adhere to the siting policy contained in that Public Safety Plan. Ocean County's proposed amendment seeks to revise the siting policy by expanding the size of the search area for the final siting of a proposed facility from a 1-mile radius to a 3-mile radius; and providing counties with greater flexibility when siting facilities on developed, publicly-owned land. The proposed amendment does not increase the number of facilities in the Pinelands Area.

Master Plans and Ordinances Not Requiring Commission Action

We have included a memorandum on seven ordinance amendments that we reviewed and found to raise no substantial issues with respect to CMP standards. These amendments were submitted by Barnegat Township, the Town of Hammonton, Maurice River Township and Monroe Township.

Other Resolutions

Also included in this month's packet is:

1. A Resolution accepting the FY 15 Audit Report.
2. A Resolution authorizing proposal of amendments to the CMP. A number of the proposed amendments implement recommendations made during the Plan Review Process. They were reviewed by the CMP Policy and Implementation Committee in 2016. If the Commission authorizes the proposal, we will file the amendments with the Office of Administrative Law for publication in the New Jersey Register on September 5, 2017. A 60-day period for public

comment would then commence, including a public hearing in October. The Resolution and rule proposal will be sent under separate cover.

3. A Resolution providing guidance to the Department of Environmental Protection concerning Wharton State Forest
4. A Resolution to allocate funding under the Land Acquisition Program of the Pinelands Conservation Fund to a project in Pemberton Township. As the attached memorandum explains, the property is located outside the pre-approved acquisition locations; therefore, the allocation of funding requires approval of the full Commission. Please note that copies of the resolution and memorandum are being distributed to Commission members only. The project is not yet under contract; therefore, the resolution will need to be considered **in closed session**.

Other Items

1. A list of pending Public Development Applications for which public comment will be accepted at the July 14, 2017 Commission meeting.
2. A memorandum from the Regulatory Programs office that finds one public development application is consistent with an existing Memorandum of Agreement (MOA).

Closed Session

The Commission will need to convene into closed session.

Please note that future meetings and office closure dates, as well as any Pinelands-related activities of interest, are listed at the bottom of the agenda.

/ PC1



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, July 14, 2017

Richard J. Sullivan Center for Environmental Policy and Education

Terrence D. Moore Conference Room

15C Springfield Road

New Lisbon, New Jersey

9:30 a.m.

1. Call to Order

- Open Public Meetings Act Statement
- Roll Call
- Pledge Allegiance to the Flag

2. Election of a Vice-Chair

3. Committee Assignments

4. Adoption of Minutes

- June 9, 2017 (open and closed session)

5. Committee Chairs' and Executive Director's Reports

6. Matters for Commission Consideration *Where the Record is Closed*

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approval
 - None
- Public Development Projects and Waivers of Strict Compliance
 - Approving With Conditions an Application for Public Development (Application Number 1985-0726.009)

- Approving With Conditions Applications for Public Development (Application Numbers 1981-0837.030 & 2017-0111.001)
- Approving With Conditions Applications for Public Development (Application Numbers 1990-0260.004 & 1996-1396.006)

B. Planning Matters

- Municipal Master Plans and Ordinances
 - Issuing an Order to Certify Ordinance 2017-12, Amending Chapter 55 (Land Use) of the Code of Barnegat Township
 - Other Resolutions
 - Issuing an Order to Certify Ocean County's May 2017 Amendment to the Comprehensive Public Safety Tower Plan for Pinelands
 - CMP Amendments
 - None
7. Public Comment on Public Development Applications (see attached list) and Resolutions ***Where the Record is Not Closed*** (to ensure adequate time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.)
8. Master Plans and Ordinances Not Requiring Commission Action
- Barnegat Township Ordinances 2017-14, 2017-15 and 2017-17
 - Town of Hammonton Ordinance 10-2017
 - Maurice River Township Ordinances 658 and 659
 - Monroe Township Ordinance O:22-2017
9. Other Resolutions
- To Accept the Fiscal Year 2015 Audit Report
 - To Authorize the Executive Director to Propose Amendments to the Comprehensive Management Plan in Accordance with the Administrative Procedure Act
 - To Designate Roads within Wharton State Forest that are Appropriate for Recreational Use by Motor Vehicles.
10. General Public Comment (to ensure adequate time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.)

11. Resolution to Retire into Closed Session (if needed) – Personnel, Litigation and Acquisition Matters (*The Commission reserves the right to reconvene into public session to take action on closed session items.*)
12. Adjournment

Upcoming Meetings

Unless otherwise noted, all meetings/events are conducted at the offices of the Pinelands Commission in New Lisbon

*Wed., July 26, 2017	Pinelands Commission Special Meeting (9:30 a.m.)
Fri., July 28, 2017	Policy and Implementation Meeting (9:30 a.m.)
Fri., August 11, 2017	Pinelands Commission Meeting (9:30 a.m.)

*The Special Meeting will be held at Pine Belt Arena.

Events of Interest

Pinelands Municipal Council Meeting and Pinelands Orientation- New Lisbon, NJ-Richard J. Sullivan Center- July 25, 2017 at 4:00 p.m.

Pinelands Summer Short Course - Kramer Hall, Hammonton, NJ -July 27, 2017



Pinelands Commission and Committee meeting agendas are posted on the Commission's Web site and can be viewed at www.nj.gov/pinelands/. The agendas are also posted and can be viewed at the Pinelands Commission Offices, 15 Springfield Road, New Lisbon, New Jersey or for more information on agenda details, e-mail the [Public Programs Office](mailto:Info@njpines.state.nj.us) at Info@njpines.state.nj.us or call (609) 894-7300

PINELANDS COMMISSION MEETING
Richard J. Sullivan Center
Terrence D. Moore Conference Room
15 Springfield Road
New Lisbon, New Jersey

MINUTES

June 9, 2017

Commissioners Present

Alan W. Avery Jr., Bob Barr, Giuseppe Chila, Jane Jannarone, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Lisa LeBoeuf and Deputy Attorney General (DAG) Bruce Velzy.

Commissioners Participating by Phone

Candace Ashmun, Bill Brown, Paul E. Galletta, Ed Lloyd and D'Arcy Rohan Green.

Commissioners Absent

Mark Lohbauer.

Chairman Earlen called the meeting to order at 9:34 a.m.

DAG Velzy read the Open Public Meetings Act Statement.

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 13 Commissioners who participated in the meeting.)

The Commission and public in attendance pledged allegiance to the Flag.

Minutes

Chairman Earlen presented the minutes from the May 12, 2017 Commission meeting. Commissioner Barr moved the adoption of the minutes. Commissioner Jannarone seconded the motion.

The minutes of the May 12, 2017 Commission meeting were adopted by a vote of 11 to 0, with Commissioner Chila and Chairman Earlen abstaining.

Committee Chairs' Reports

Commissioner Avery said the FY 15 Audit Report was released and identified two minor findings. He said the Commission has purchased new accounting software from Edmunds, and it will help with bank reconciliations issues. He said Bowman and Company, who serves as the Commission's accounting consultant, will review the financials on a monthly basis.

Executive Director's Reports

ED Wittenberg updated the Commission on the following:

- A link to the FY 15 Audit Report will be available from the Commission's website.
- The rule proposal the Commission embarked on some time ago regarding changes to the Comprehensive Management Plan consisting of efficiency measures, language clarifying exemptions and fee updates was recently discussed at a meeting with the Governor's office. Once a few modifications are made, the proposal will go through the normal rule making process.
- The FY2018 Budget will be reviewed at the next Personnel and Budget Committee meeting. The Commission's appropriation has remained the same.
- Equipment has been purchased to live-stream Commission meetings from the website or YouTube. The Commission may begin live-streaming meetings in July.

Paul Leakan provided information on two upcoming events:

- The annual Pinelands Municipal Officials Orientation will be held on Tuesday, July 25, 2017 at the Commission.
- The first-ever Pinelands Summer Short Course will be held on July 27, 2017, at Kramer Hall in Hammonton. He said some of the programs being offered are guided tours and hikes.

Director Larry Liggett provided information on the following:

- Staff will be meeting with the New Jersey Department of Environmental Protection (NJDEP) to discuss the draft Water Supply Master Plan.
- Staff will be briefed by Dan Van Abs on the progress of the 2040 water study, more specifically how different households use water –e.g, elderly household, single-parent household.
- A public hearing was held on Ocean County's amendment to the Public Safety Tower Plan. The amendment will be on the Policy and Implementation Committee's June 30, 2017 agenda.

Director Charles Horner updated the Commission on the following:

- Staff will be meeting with Mullica Township officials and the current owners of the Sweetwater Casino property to discuss reconstruction of the restaurant.
- Staff continues to work with Burlington County on the Taunton Lakes Road widening project. The County has experienced challenges in addressing stormwater management facilities due to the presence of wetlands. The stormwater rules allow for stormwater management facilities to be built off-site as long they are in the same drainage area. The County has been in contact with Evesham Township about siting a stormwater facility on Indian Springs Golf Course, which is in the same drainage area as Taunton Lakes Road.
- On May 15th, staff met with Pemberton Township officials regarding the Township's plans to develop soccer fields in the municipality. The proposed site is in the Regional Growth Area but has a considerable amount of wetlands. At that meeting, staff assisted the town with determining what portion of the site can be used and still maintain the Commission's wetlands protection standard.

Paul Leakan noted that in this month's press release packet there is an article about Jackson Township. He said the article has numerous inaccuracies related to the Commission's rules and that he reached out to the newspaper's editor. He also said that the Pinelands Visitor Center permit was submitted and the State has a few questions about the individual capacities of each office, among other things.

Stacey Roth said Assembly Bill 4849 was introduced in late May and came out of Committee on June 5. She said the bill, sponsored by Assemblyman Andrzejcack, clarifies the law concerning circumstances in which members of Pinelands Commission may vote. The accompanying Senate Bill is S3283. The bill redefines the term personal benefit.

Susan Grogan introduced Gina Berg, who was hired as a Resource Planner. She added that the new round of land acquisition from the Pinelands Conservation Fund (PCF) generated eight applications, five of which were from Ocean County and three from other non-profits.

At the request of Commissioner Lloyd, ED Wittenberg provided an update on the efforts regarding Wharton State Forest. She said at the next Policy and Implementation Committee meeting the Committee will discuss a resolution regarding a map identifying existing roads in Wharton State Forest.

Resolution to Retire into Closed Session

DAG Velzy read a resolution to enter into closed session to discuss the New Jersey Natural Gas pipeline. Commissioner Barr made a motion to enter into closed session. Commissioner Chila seconded the motion. Commissioner Lloyd said his law firm is representing the Sierra Club in this matter and would recuse himself from the discussion. He signed off from the telephone conference. The Commission agreed to retire into closed session by a vote of 12 to 0, beginning at 10:03 a.m.

Return to Open Session

The Commission entered back into open session at 11:02 a.m.

Chairman Earlen presented a resolution regarding the New Jersey Natural Gas (NJNG) pipeline matter that was discussed in closed session.

DAG Velzy said during Closed Session the Commission discussed the following:

- The history of the NJNG pipeline application;
- The litigation and the order remanding the NJNG application back to the Commission;
- The letter from NJNG requesting the Commission consider its application; and
- The various procedures available to the Commission to consider the NJNG application.

Stacey Roth read the last portion of the Resolution into the record.

Commissioner Barr moved the adoption of a resolution entitled: Setting Forth the Process By Which the Pinelands Commission will Review the Determination of its Executive Director Finding that the Installation of 12.1 miles of 30-inch Natural Gas Pipeline Proposed by New Jersey Natural Gas (Pinelands Application No. 2014-0045.001) is Consistent with the Standards of the Pinelands Comprehensive Management Plan. (See Resolution # PC4-17-10). Commissioner Chila seconded the motion.

Stacey Roth clarified dates outlined in the Resolution for Commissioner Prickett.

The Commission adopted the resolution by a vote of 12 to 0, with Commissioner Lloyd recusing from the vote.

Commissioner Galletta and Commissioner Brown left the meeting.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending the approval of the demolition of a commercial building, the placement of two classroom trailers and the demolition of a single family dwelling in Pemberton Township. Commissioner Prickett left the room.

Commissioner Avery moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1984-0606.006, 1985-0641.012 & 2017-0060.001)(See Resolution # PC4-17-11). Commissioner Barr seconded the motion.

Director Horner noted that the Commission was notified by a staff member that the dwelling proposed to be demolished in Application No. 2017-0060.001 has in fact already been demolished. He said language will be included in a letter to the Township advising that unless the structure was a public safety hazard, the dwelling should not have been demolished without Commission approval.

The Commission adopted the resolution by a vote of 10 to 0 with Commissioner Prickett recusing from the vote.

Commissioner Prickett returned to the dais.

Chairman Earlen presented a resolution recommending the approval of the construction of a storage building by the Folsom Borough Board of Education and a five-lot resubdivision in Egg Harbor Township.

Due to technical difficulties with the phone Commissioner Ashmun and Commissioner Lloyd left the meeting.

Commissioner Avery moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1985-0023.004 & 2001-0297.005)(See Resolution # PC4-17-12). Commissioner Chila seconded the motion.

Commissioner McGlinchey said that he did not support the Egg Harbor Township application because this application is creating a vacant lot that does not meet the residential zoning requirement. He also said public development applications should not be treated differently than private development applications.

The Commission adopted the resolution by a vote of 9 to 0.

Chairman Earlen presented a resolution recommending the approval of the expansion of an existing parking lot in Manchester Township.

Commissioner Avery moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1987-1326.002) (See Resolution # PC4-17-13). Commissioner Chila seconded the motion.

Commissioner Prickett noted that this application is to resolve a violation.

The Commission adopted the resolution by a vote of 9 to 0.

Chairman Earlen presented a resolution recommending the approval of the demolition of six structures in Winslow Township.

Commissioner Barr moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 2016-0142.001, 2016-0153.001, 2016-0154.001, 2016-0155.001, 2016-0156.001 & 2016-0157.001) (See Resolution # PC4-17-14). Commissioner Jannarone seconded the motion.

Commissioner Prickett said he appreciated the pictures of the structures to be demolished.

Commissioner Jannarone asked if the demolitions were legal and if the property owners provided consent for the demolition.

Mr. Horner said the municipality has a process for siting unsafe structures and notifying the property owner. The Commission's role is to review the application and make sure there is no cultural significance. He said any structure 50 years or older that is proposed for demolition requires an application with the Commission.

The Commission adopted the resolution by a vote of 9 to 0.

Commissioner Jannarone left the meeting at 11:30 a.m.

Commissioner Lloyd rejoined the meeting.

Public Comment on Public Development Applications and Resolutions where the Record is Not Closed

No comment was provided.

Other

Chairman Earlen said the next resolution is something the Commission must adopt annually until the final fiscal year budget is adopted. He said this resolution will allow the Commission to purchase items while waiting for the budget adoption.

Commissioner Avery moved the adoption of a resolution To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2018 at the Same Level of Expenditures as Fiscal Year 2017 until the Adoption of the Fiscal Year 2018 Budgets. Commissioner Chila seconded the motion. (See Resolution # PC4-17-15)

The Commission adopted the resolution by a vote of 9 to 0.

General Public Comment

Rich Bizub of the Pinelands Preservation Alliance said he was happy the NJDEP released the draft Water Supply Plan. He said it is an improvement from the last plan but he feels the NJDEP should have mentioned the Kirkwood-Cohansey project in the plan.

Mark Demitroff of Richland, NJ said flooding issues are still occurring in Richland Village. He asked to show the Commissioners a one-minute video of the flooding. He also requested that an Engineer be hired to review the stormwater plans. He said the stormwater management facilities were filled in during the construction of sidewalks and that's why the flooding occurs. Mr. Demitroff provided a handout of an email sent to Director Horner related to Richland Village stormwater basins (See attached).

Chairman Earlen advised Mr. Demitroff that showing a video clip was not possible but asked him to send the video to staff who would then circulate it to Commissioners.

Katie Smith of the Pinelands Preservation Alliance said the process for the New Jersey Natural Gas pipeline should be revised to include a public hearing. In response to a question, Ms. Smith clarified that the revision should include an adjudicatory hearing.

Jason Howell of the Pinelands Preservation Alliance said he had the opportunity to see the film "Pine Barrens" and encouraged Commissioners to see it. He thanked ED Wittenberg and staff for taking a proactive approach with Wharton State Forest. He asked if there was a way the Pinelands Preservation Alliance and the Commission could work together on clean-up projects.

Adjournment

Commissioner McGlinchey moved to adjourn the meeting. Commissioner Barr seconded the motion. The Commission agreed to adjourn at 11:50 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: June 20, 2017



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 10

TITLE: Resolution Setting Forth the Process By Which the Pinelands Commission will Review the Determination of its Executive Director Finding that the Installation of 12.1 miles of 30-inch Natural Gas Pipeline Proposed by New Jersey Natural Gas (Pinelands Application No. 2014-0045.001) is Consistent with the Standards of the Pinelands Comprehensive Management Plan.

Commissioner Ball moves and Commissioner Chila
seconds the motion that:

WHEREAS, the Pinelands Commission (Commission) is an independent political subdivision of the State of New Jersey created pursuant to Section 4 of the Pinelands Protection Act (the Act), N.J.S.A. 13:18A-1, *et seq.*, and charged with the implementation of the Act and the Pinelands Comprehensive Management Plan (the CMP), N.J.A.C. 7:50; and

WHEREAS, the Commission is also the planning entity authorized under Section 502 of the National Parks and Recreation Act of 1978; and

WHEREAS, on April 10, 2015, New Jersey Natural Gas (NJNG) submitted a Pinelands Development Application (Application # 2014-0045.001) to the Pinelands Commission for the construction of a proposed natural gas pipeline in Jackson, Manchester and Plumsted Townships; and

WHEREAS, approximately 0.21 miles of the proposed natural gas pipeline will be constructed within a Regional Growth Area, 1.42 miles within a Rural Development Area and 10.45 miles within a Military and Federal Installation Area (Joint Base McGuire-Dix-Lakehurst (JB-MDL)); and

WHEREAS, the Pinelands CMP at N.J.A.C. 7:50-2.11 defines a natural gas pipeline as "public service infrastructure"; and

WHEREAS, public service infrastructure is a permitted use in a Regional Growth Area (N.J.A.C. 7:50-5.28(a) and a Rural Development Area (N.J.A.C. 7:50-5.26(b)(10)); and

WHEREAS, public service infrastructure is a permitted use in a Military and Federal Installation Area provided it will be associated with the function of the Federal Installation and certain other conditions are met (N.J.A.C. 7:50-5.29(a)); and

WHEREAS, the conditions set forth at N.J.A.C. 7:50-5.29(a) are: 1) the development shall be located in that portion of the Federal Installation located within the Pinelands Protection Area, where feasible; and 2) the use shall not require any development, including public service infrastructure, in the Preservation Area District or in a Forest Area; and

WHEREAS, based on its review of the NJNG application, on December 9, 2015, the Commission staff issued a Certificate of Filing indicating that proposed development was consistent with the standards of the CMP; and

WHEREAS, on February 4, 2016, the Commission staff wrote to the Executive Director of the Board of Public Utilities (BPU), enclosing a copy of the Certificate of Filing, and requested copies of the petition NJNG filed for municipal preemption in accordance with N.J.S.A. 40:55D-19; notice of any hearings, public meetings or other formal proceedings pertaining to that petition; copies of any written reports or comments that the Board may receive that raise issues concerning the standards of the Pinelands CMP; and copies of any draft orders; and

WHEREAS, following review of the information received from the BPU from the public and evidentiary hearings conducted by the BPU for the NJNG petition for a determination pursuant to the provisions of N.J.S.A. 40:55D-19 (BPU Docket Number GE15040402), the Commission's Executive Director, on March 10, 2016, issued a subsequent letter indicating that based on the Commission staff's expertise and experience in administering the Pinelands CMP and its review of the record, the finding of CMP consistency contained within the December 9, 2015 Certificate of Filing remained valid; and

WHEREAS, on or about April 21, 2016, Sierra Club filed a Notice of Appeal of the Commission staff's March 10, 2016 letter, Docket No. A-3753-15; and

WHEREAS, on or about April 28, 2016, the Pinelands Preservation Alliance filed a Notice of Appeal of the Commission staff's March 10, 2016 letter, Docket No. A-3762-15; and

WHEREAS, on November 7, 2016, the Appellate Division, in three unrelated, consolidated appeals involving a petition to the BPU for municipal preemption pursuant to N.J.S.A. 40:55D-19 submitted by the South Jersey Gas Company, issued a decision remanding that application to the Pinelands Commission for its review of the Commission staff's consistency determination on that application and issuance of a final decision as to the proposed project's consistency with the minimum requirements of the Pinelands CMP; and

WHEREAS, the Commission staff utilized the same review process for both the South Jersey Gas Company's and the New Jersey Natural Gas Company's Pinelands Development Applications; and

WHEREAS, given the holding of the Appellate Division in the South Jersey Gas Company consolidated appeals, the Commission passed Resolution PC4-16-43, authorizing the Division of Law to file motions in the Appellate Division to have the two appeals related to the Commission's consideration of the NJNG's proposed pipeline project (Pinelands Development Application 2014-0045-.001) remanded to the Pinelands Commission; and

WHEREAS, on January 10, 2017, motions to remand the two appeals related to the Commission's consideration of the NJNG's proposed pipeline project to the Pinelands Commission were filed; and

WHEREAS, on January 19, 2017, Sierra Club filed a response to the Commission's remand motion; and

WHEREAS, also on January 19, 2017, the Pinelands Preservation Alliance filed a response to the Commission's remand motion and a Cross Motion to Invalidate Resolution PC4-16-42 and Amend the Comprehensive Management Plan in Compliance with APA and Provide a Hearing; and

WHEREAS, on January 31, 2017, the Appellate Division issued an Order granting the Commission's remand motion and dismissing Sierra Club's appeal; and

WHEREAS, in its Order, the Appellate Division directed the Commission to determine whether to render its decision based on the record developed before the Board of Public Utilities or to allow the parties to present additional evidence and to also determine whether to refer the matter to the Office of Administrative Law for an evidentiary hearing before an Administrative Law Judge; and

WHEREAS, on February 15, 2017, the Appellate Division issued Orders granting the Commission's remand motions and denying Pinelands Preservation Alliance's cross motion and motion to amend; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that, in conformance with the Appellate Division's Remand Orders dated January 31, 2017 and February 15, 2017, the Commission will review the Commission staff's consistency determination for the proposed pipeline project according to the following process:

1. The Commission intends to rely on the record developed before the Board of Public Utilities for NJNG's N.J.S.A. 40:55D-19 municipal preemption petition, as well as the Commission's Regulatory Program's application file for Pinelands Development Application 2014-0045.001 and the staff's consistency determination.
2. The Commission has considered whether to refer this matter to the Office of Administrative Law for an evidentiary hearing and has decided not to do so, because:
 - a. An additional evidentiary hearing is not necessary at this time given the limited regulatory issues involved in this application and the extensive record already developed both as part of the Commission's review of the application and hearings conducted before the BPU.

3. The Commission staff shall provide notice of the public's opportunity to provide both oral and written comments regarding the Commission staff's consistency determination. Such notice shall be posted on the Commission's website and mailed to the applicant, the Sierra Club and the Pinelands Preservation Alliance, and any person, organization or agency which has registered under N.J.A.C. 7:50-4.3(b)2i(2). Such notice shall indicate that the oral comment meeting will occur no sooner than 45 days after the execution of this resolution and that written comments may be provided until 5:00 p.m. one week following the meeting at which the opportunity for oral public comment on the proposed pipeline application will be provided.

4. The former Appellants (Sierra Club and the Pinelands Preservation Alliance) may submit any additional information that they wish as part of the public comment process.

5. The Commission staff shall, following the close of the public comment period, review the record and any public comment provided and shall prepare a recommendation as to whether its prior consistency determination should be affirmed. Such recommendation report shall be posted on the Commission's website within 10 days of the Commission meeting at which Commission staff plans to present it for the Commission's consideration.

6. Any interested party who possesses a particularized property interest sufficient to require a hearing on constitutional or statutory grounds in accordance with N.J.S.A. 52:14B-3.2 & 3.3, may within 15 days of the posting of the Commission staff's recommendation report, submit a hearing request to the Commission.

7. At the next Commission meeting after the time for appeal set forth in Paragraph 6 above has expired and if no valid hearing request has been submitted, the Commission, based on the record as delineated in Paragraph 1 above, any public comments received and the Commission staff's recommendation, shall either approve or disapprove such recommendation.

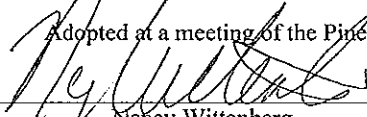
Record of Commission Votes

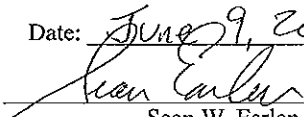
	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				Galletta	X				Prickett	X			
Avery	X				Jannarone	X				Quinn	X			
Barr	X				Lloyd				R	Rohan Green	X			
Brown	X				Lohbauer			X		Earlen	X			
Chila	X				McGlinchey	X								

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 11

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1984-0606.006, 1985-0641.012 & 2017-0060.001)

Commissioner Avery moves and Commissioner Barr seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1984-0606.006

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: May 19, 2017
Proposed Development: Demolition of an 8,461 square foot commercial building, 50 years old or older;

1985-0641.012

Applicant: Pemberton Township Board of Education
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: May 19, 2017
Proposed Development: Placement of two classroom trailers; and

2017-0060.001

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: May 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

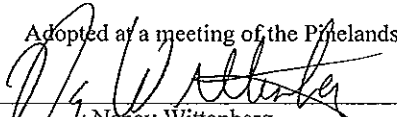
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1984-0606.006, 1985-0641.012 & 2017-0060.001 for public development are hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

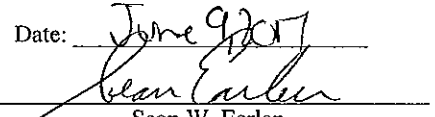
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*				
Ashmun	X			Galletta			X	Prickett				R
Avery	X			Jannarone	X			Quinn	X			
Barr	X			Lloyd	X			Rohan Green	X			
Brown			X	Lohbauer			X	Earlen	X			
Chila	X			McGlinchey	X							

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission


 Nancy Wittenberg
 Executive Director

Date: June 9, 2017


 Sean W. Earlen
 Chairman



State of New Jersey
 THE PINELANDS COMMISSION
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 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

David Benedetti
 Pemberton Township
 500 Pemberton Browns Mills Road
 Pemberton, NJ 08068

Re: Application # 1984-0606.006
 Block 553, Lot 34
 Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for the demolition of an 8,461 square foot commercial building, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)





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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

David Benedetti
 Pemberton Township
 500 Pemberton Browns Mills Road
 Pemberton, NJ 08068

Application No.: 1984-0606.006
 Block 553, Lot 34
 Pemberton Township

This application proposes the demolition of an 8,461 square foot commercial building, 50 years old or older, located on the above referenced 0.35 acre parcel in Pemberton Township. The Township owns the parcel.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. The demolition of a commercial building is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing building, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on April 12, 2017. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 13, 2017. The application was designated as complete on the Commission's website on April 21, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Chris Christie
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Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

Pat Austin, Business Administrator
 Pemberton Township Board of Education
 1 Egbert Street
 Pemberton, NJ 08068

Re: Application # 1985-0641.012
 Block 839.02, Lot 44.06
 Pemberton Township

Dear Ms. Austin:

The Commission staff has completed its review of this application for the placement of two classroom trailers. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Dante Guzzi





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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Pat Austin, Business Administrator
 Pemberton Township Board of Education
 1 Egbert Street
 Pemberton, NJ 08068

Application No.: 1985-0641.012
 Block 839.02, Lot 44.06
 Pemberton Township

This application proposes placement of two classroom trailers, each containing 1,440 square feet, on the above referenced 35 acre parcel in Pemberton Township. The Samuel T. Busansky Elementary School is located on the parcel. The school is serviced by public sanitary sewer.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28)

The proposed development is located in a Pinelands Regional Growth Area. The proposed classroom trailers are a permitted use in a Pinelands Regional Growth Area.

Wetlands Standards (N.J.A.C. 7:50-6.14)

There are wetlands located within 300 feet of the proposed development. There is existing development, including buildings and parking areas, located closer to wetlands than the proposed development.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located within an existing maintained lawn area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are

tolerant of droughty, nutrient poor conditions. The applicant does not propose any revegetation.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 10, 2017. The Commission’s public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of two sheets, prepared by Dante Guzzi Engineering Associates, both sheets dated March 14, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

David Benedetti
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Re: Application # 2017-0060.001
Block 410, Lot 8
Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)
Pemberton Township Construction Code Official (via email)
Pemberton Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

David Benedetti
 Pemberton Township
 500 Pemberton Browns Mills Road
 Pemberton, NJ 08068

Application No.: 2017-0060.001
 Block 410, Lot 8
 Pemberton Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.18 acre parcel in Pemberton Township. The Township owns the parcel.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. The demolition of a single family dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 7, 2017. The Commission’s public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Reconstruction of a single family dwelling, within five years of its demolition, does not require an application to the Pinelands Commission.
3. Prior to demolition of the single family dwelling, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 12

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1985-0023.004 & 2001-0297.005)

Commissioner Avery moves and Commissioner Chila seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1985-0023.004

Applicant: Borough of Folsom Board of Education
Municipality: Borough of Folsom
Management Area: Pinelands Village
Date of Report: May 19, 2017
Proposed Development: Construction of a 1,808 square foot storage building; and

2001-0297.005

Applicant: Egg Harbor Township
Municipality: Egg Harbor Township
Management Area: Pinelands Regional Growth Area
Date of Report: May 19, 2017
Proposed Development: Five lot resubdivision and no further development.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1985-0023.004 & 2001-0297.005 for public development are hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun			X	Galletta			X	Prickett	X		
Avery	X			Jannarone	X			Quinn	X		
Barr	X			Lloyd			X	Rohan Green	X		
Brown			X	Lohbauer			X	Earlen	X		
Chila	X			McGlinchey	X						

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

Christopher Veneziani, Business Administrator
 Borough of Folsom Board of Education
 1357 Mays Landing Road
 Folsom, NJ 08037

Re: Application # 1985-0023.004
 Block 801, Lot 9
 Borough of Folsom

Dear Mr. Veneziani:

The Commission staff has completed its review of this application for the construction of a 1,808 square foot storage building accessory to the Borough of Folsom Elementary School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Borough of Folsom Planning Board (via email)
- Borough of Folsom Construction Code Official (via email)
- Borough of Folsom Environmental Commission (via email)
- Atlantic County Department of Regional Planning and Development (via email)
- David S. Scheidegg, PE, PP, CME (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Christopher Veneziani, Business Administrator
 Borough of Folsom Board of Education
 1357 Mays Landing Road
 Folsom, NJ 08037

Application No.: 1985-0023.004
 Block 801, Lot 9
 Borough of Folsom

This application proposes the construction of a 1,808 square foot storage building on the above referenced 25 acre parcel in the Borough of Folsom. The proposed storage building will be accessory to the existing Borough of Folsom Elementary School that is located on the parcel. The application also proposes the construction of 134 linear feet of an eight foot wide sidewalk.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.27)

The proposed development is located in the Pinelands Village of Folsom. The proposed development is a permitted land use in a Pinelands Village Management Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located in a maintained grassed area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant previously removed 3,488 square feet of paved area associated with the school from the

parcel. The proposed development, consisting of a storage building, a concrete ramp and sidewalk, results in 3,096 square feet of proposed impervious surfaces. There will be a 392 square foot reduction in the area of impervious surfaces on the parcel. Based upon this reduction, there will be no increase in volume and rate of stormwater runoff after development than occurred prior to the proposed development. No further stormwater management is required. The proposed development is consistent with the stormwater management standards of the CMP.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 13, 2017. Newspaper public notice was completed on April 13, 2017. The application was designated as complete on the Commission's website on May 1, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of two sheets, prepared by Schaeffer Nassar Scheidegg Consulting Engineers, LLC, both sheets dated March 27, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission, received at the Commission office not later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



State of New Jersey
 THE PINELANDS COMMISSION
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 (609) 894-7300
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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

Peter Miller, Administrator
 Egg Harbor Township
 3515 Bargaintown Road
 Egg Harbor, NJ 08234

Re: Application # 2001-0297.005
 Block 5953, Lots 5, 20, 21, 23 & 24
 Egg Harbor Township

Dear Mr. Miller:

The Commission staff has completed its review of this application for a five lot resubdivision and no further development of the above referenced 1.64 acre parcel. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Egg Harbor Township Planning Board (via email)
- Egg Harbor Township Construction Code Official (via email)
- Egg Harbor Township Environmental Commission (via email)
- Atlantic County Department of Regional Planning and Development (via email)
- Gregory Schneider





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General Information: Info@njpines.state.nj.us
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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Peter Miller, Administrator
 Egg Harbor Township
 3515 Bargaintown Road
 Egg Harbor, NJ 08234

Application No.: 2001-0297.005
 Block 5953, Lots 5, 20, 21, 23 & 24
 Egg Harbor Township

This application proposes a five lot resubdivision and no further development of the above referenced 1.64 acre parcel in Egg Harbor Township.

The Township owns vacant Block 5953, Lot 5. The Township proposes to subdivide vacant Block 5953, Lot 5 into five lots. Four of the proposed vacant lots will then be consolidated with existing Block 5953, Lots 20, 21, 23 & 24. Each of those four lots contains an existing single family dwelling. The fifth proposed lot will be a vacant 8,000 square foot remainder lot.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. Resubdivisions are permitted in the Pinelands Area.

The 1.64 acre parcel subject of this application is located in Egg Harbor Township's RG-1 zoning district. The RG-1 zoning district requires a "by right" residential density of one dwelling unit per acre with a minimum "by right" lot area of 30,000 square per dwelling. Four of the proposed vacant lots will be consolidated with existing residentially developed lots.

The proposed 8,000 square foot vacant lot does not meet the "by right" residential density requirement or the "by right" minimum lot area requirement for a dwelling in the RG-1 zoning district. Based upon the current municipal zoning, any proposed future development of the proposed 8,000 square foot lot may require the purchase of Pinelands Development Credits.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 7, 2017. Newspaper public notice was completed on April 19, 2017. The application was designated as complete on the Commission's website on April 26, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by Mott Associates, LLC and dated January 26, 2017.
2. Any future development of the proposed vacant 8,000 square foot lot requires completion of an application to the Commission.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2016 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 13

TITLE: Approving With Conditions an Application for Public Development (Application Number 1987-1326.002)

Commissioner Avery moves and Commissioner Chila seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1987-1326.002

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Manchester Township Board of Education
Manchester Township
Pinelands Town
May 19, 2017
Expansion of an existing parking area to 47 spaces and the paving of the entire parking area.

WHEREAS, the applicant previously expanded the parking area subject of this approval to 30 spaces and paved that parking area without application to, and approval by, the Commission and this constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the completion of this application is intended to address this violation; and

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-1326.002 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP AR*				AYE NAY NP AR*				AYE NAY NP AR*			
Ashmun			X	Galletta			X	Prickett	X		
Avery	X			Jahnarone	X			Quinn	X		
Barr	X			Lloyd			X	Rohan Green	X		
Brown			X	Lohbauer			X	Earlen	X		
Chila	X			McGlinchey	X						

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



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Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

May 19, 2017

Craig Lorentzen
 Manchester Township Public Schools
 P.O. Box 4100
 Whiting, NJ 08759-4100

Re: Application # 1987-1326.002
 Block 109, Lot 3
 Manchester Township

Dear Mr. Lorentzen:

The Commission staff has completed its review of this application for the expansion of an existing parking area to 47 spaces and the paving of the entire parking area at the Manchester Township Public Schools District Office. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

The applicant previously expanded the same parking area to 30 spaces and paved that parking area prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure



- c: Secretary, Manchester Township Planning Board (via email)
- Manchester Township Construction Code Official (via email)
- Manchester Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Walter Hopkin (via email)



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Craig Lorentzen
 Manchester Township Public Schools
 P.O. Box 4100
 Whiting, NJ 08759-4100

Application No.: 1987-1326.002
 Block 109, Lot 3
 Manchester Township

This application proposes the expansion of an existing parking area to 47 spaces and the paving of the entire parking area at the Manchester Township Public Schools District Office located on the above referenced 10.08 acre parcel in Manchester Township.

The applicant previously expanded the same parking area to 30 spaces and paved that parking area prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.27)

The parcel is located in the Pinelands Town of Whiting. The proposed development is a permitted use in a Pinelands Town Management Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed parking area will be located within an existing oak/pine forest area and disturbed areas. The proposed development will disturb approximately 3,800 square feet of forested land. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to use grass species that meet this recommendation.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant will be constructing an underground stormwater infiltration trench.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on August 31, 2016. Newspaper public notice was completed on September 1, 2016. The application was designated as complete on the Commission's website on May 2, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of four sheets, prepared by WJH Engineering and dated as follows:

Sheets 1-3 - October 23, 2015; revised to April 18, 2017
Sheet 4 - September 8, 2016; revised to April 18, 2017
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 14

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 2016-0142.001, 2016-0153.001, 2016-0154.001, 2016-0155.001, 2016-0156.001 & 2016-0157.001)

Commissioner Bacc moves and Commissioner Jannarone seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

2016-0142.001

Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Village
Date of Report: May 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older;

2016-0153.001

Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Rural Development Area
Date of Report: May 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older;

2016-0154.001

Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Rural Development Area
Date of Report: May 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older;

2016-0155.001

Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Village
Date of Report: May 19, 2017
Proposed Development: Demolition of a 1,500 square foot commercial building, 50 years old or older;

2016-0156.001

Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Agricultural Production Area
Date of Report: May 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older; and

2016-0157.001

Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Agricultural Production Area
Date of Report: May 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 2016-0142.001, 2016-0153.001, 2016-0154.001, 2016-0155.001, 2016-0156.001 & 2016-0157.001 for public development are hereby approved subject to the conditions recommended by the Executive Director.

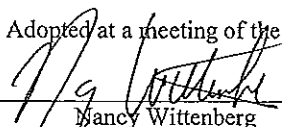
Record of Commission Votes

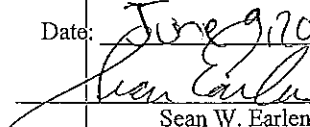
AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*
		X		Galletta			X	Prickett	X		
Avery	X			Jannarone	✓			Quinn	X		
Barr	X			Lloyd			X	Rohan Green	X		
Brown		X		Lohbauer			X	Earlen	X		
Chila	X			McGlinchey	X						

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman



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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Re: Application # 2016-0142.001
 Block 7404, Lot 1
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0142.001
Block 7404, Lot 1
Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 4.36 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Village of Winslow. The demolition of a dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037


Re: Application # 2016-0153.001
 Block 2501, Lot 9
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of the application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

 Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2016-0153.001
 Block 2501, Lot 9
 Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older located on the above referenced 0.63 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township has advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Rural Development Area. The demolition of a dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037


Re: Application # 2016-0154.001
 Block 4101, Lot 28
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

 Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2016-0154.001
 Block 4101, Lot 28
 Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.38 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Rural Development Area. The demolition of a dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Re: Application # 2016-0155.001
 Block 6417, Lot 4
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for the demolition of a 1,500 square foot commercial building, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2016-0155.001
 Block 6417, Lot 4
 Winslow Township

This application proposes the demolition of a 1,500 square foot commercial building, 50 years old or older located on the above referenced 0.22 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the structure. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application.

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in the Pinelands Village of Blue Anchor. The demolition of a commercial building is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing building, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
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3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Re: Application # 2016-0156.001
 Block 6601, Lot 14
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2016-0156.001
 Block 6601, Lot 14
 Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.47 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Agricultural Production Area. The demolition of a dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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1. the name and address of the person requesting the appeal;
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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Re: Application # 2016-0156.001
 Block 6601, Lot 14
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2016-0156.001
 Block 6601, Lot 14
 Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.47 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Agricultural Production Area. The demolition of a dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Re: Application # 2016-0157.001
 Block 6601, Lot 37.04
 Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Winslow Township Planning Board (via email)
- Winslow Township Construction Code Official (via email)
- Winslow Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2016-0157.001
 Block 6601, Lot 37.04
 Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 1.93 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Agricultural Production Area. The demolition of a dwelling is permitted by the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on April 13, 2017. The Commission’s public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 15

TITLE: To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2018 at the Same Level of Expenditures as Fiscal Year 2017 until the Adoption of the Fiscal Year 2018 Budgets

Commissioner Avery moves and Commissioner Chila seconds the motion that:

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, it is anticipated that the New Jersey Legislature will appropriate \$2,649,000 to support the Commission's operations during Fiscal Year 2018; and

WHEREAS, pursuant to N.J.S.A 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the actions shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is authorized to continue to expend funds during Fiscal Year 2018 at the same level of expenditures as Fiscal Year 2017 until the Commission's adoption of the Fiscal Year 2018 Budgets.

Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun			X	Galletta			X	Prickett	X		
Avery	X			Jannarone			X	Quinn	X		
Barr	X			Lloyd	X			Rohan Green	X		
Brown			X	Lohbauer			X	Earlen	X		
Chila	X			McGlinchey	X						

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1985-0726.009)

Commissioner _____ **moves and Commissioner** _____
seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1985-0726.009

Applicant: Pemberton Township Board of Education
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: June 20, 2017
Proposed Development: Demolition of the Crichton Elementary School.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director’s recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1985-0726.009 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



State of New Jersey
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 (609) 894-7300
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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

June 20, 2017

Pat Austin, Business Administrator
 Pemberton Township Board of Education
 P.O. Box 228
 Pemberton, NJ 08068

Re: Application # 1985-0726.009
 Rancocas Lane
 Block 848, Lots 9 & 10
 Block 849, Lots 1.02, 2, 11.01 & 13 - 15
 Block 850, Lot 15
 Pemberton Township

Dear Ms. Austin:

The Commission staff has completed its review of this application for demolition of the Crichton Elementary School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)
 Pemberton Township Construction Code Official (via email)
 Pemberton Township Environmental Commission (via email)



Secretary, Burlington County Planning Board (via email)
Chad Gaulrapp, P.E. (via email)
Peter Lomax (via email)



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 20, 2017

Pat Austin, Business Administrator
 Pemberton Township Board of Education
 P.O. Box 228
 Pemberton, NJ 08068

Application No.: 1985-0726.009
 Rancocas Lane
 Block 848, Lots 9 & 10
 Block 849, Lots 1.02, 2, 11.01 & 13 - 15
 Block 850, Lot 15
 Pemberton Township

This application proposes demolition of the Crichton Elementary School, a building that is 50 years old or older, located on the above referenced 35.02 acre parcel in Pemberton Township. This application also proposes the installation of 517 linear feet of water main for fire safety and the temporary paving of 711 linear feet of roadway within the Rancocas Lane right-of-way for traffic safety.

STANDARDS

The Commission staff has reviewed the proposed demolition and development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28)

The existing school is located in a Pinelands Regional Growth Area. The demolition of an existing building, installation of a water main and temporary road paving are permitted in a Pinelands Regional Growth Area.

Wetlands Protection Standards (N.J.A.C. 7:50-6.7)

There are wetlands located on the parcel. Rancocas Lane is an existing 16 foot wide dirt/stone surfaced roadway. The applicant proposes the temporary paving of 711 linear feet of Rancocas Lane to a width of 16 feet. The paving will be located approximately 130 feet from wetlands. The paving will occur within the limits of the existing dirt/stone surfaced roadway. Upon completion of the demolition of the school, the proposed paving will be removed and Rancocas Lane will be restored to its previously existing condition. The applicant has demonstrated that the proposed temporary paving will not have a

significant adverse impact on the wetland.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed temporary paving and water main will be located within an existing dirt/stone surfaced roadway. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to temporarily stabilize the area of demolition prior to the construction of a new school with a grass seed mixture that does not meet this recommendation.

Stormwater Management Standards (N.J.A.C. 7:50-6.84(a)6)

The proposed temporary paving of Rancocas Lane will result in approximately 0.3 acres of new impervious surface on the parcel. The proposed school demolition will result in a reduction of 3.86 acres of impervious surfaces. Based upon this reduction, there will be no increase in volume and rate of stormwater runoff after development than occurred prior to the proposed development. Therefore, no stormwater management is required. The proposed development is consistent with the stormwater management standards of the CMP.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The existing school building lacks any potential for designation as a historic resource. There is no evidence of other cultural activity on the parcel. Based upon these determinations, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on February 2, 2017. Newspaper public notice was completed on February 5, 2017. The application was designated as complete on the Commission's website on May 30, 2017. The Commission's public comment period closed on June 9, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed demolition and development shall adhere to the plan, consisting of 25 sheets, prepared by Louis Berger and dated as follows:

Sheets 1, 2, 5, 6 & 9-25 - dated March 16, 2017
Sheets 3, 4, 7 & 8 - dated March 16, 2017; revised to June 12, 2017
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP.

Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.

4. Prior to any demolition or development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all demolition and development has been completed and the area has been stabilized.
6. The proposed pavement located within the Rancocas Lane right-of-way shall be removed no later than December 31, 2017.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission no later than 5:00 PM on July 10, 2017 and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1981-0837.030 & 2017-0111.001)

Commissioner _____ moves and Commissioner _____
seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1981-0837.030

Applicant:	Cape May County Municipal Utilities Authority
Municipality:	Borough of Woodbine
Management Area:	Pinelands Town
Date of Report:	June 20, 2017
Proposed Development:	Installation of a non-potable water well for equipment maintenance; and

2017-0111.001

Applicant:	Monroe Municipal Utilities Authority
Municipality:	Monroe Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	June 20, 2017
Proposed Development:	Installation of a sanitary sewer main within the Ames Road right-of-way.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1981-0837.030 & 2017-0111.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

June 20, 2017

Thomas J. LaRocco, P.E.
 Cape May County Municipal Utilities Authority
 P.O. Box 610
 Cape May Court House, NJ 08210


Re: Application # 1981-0837.030
 Block 128, Lot 1
 Borough of Woodbine

Dear Mr. LaRocco:

The Commission staff has completed its review of this application for installation of a non-potable water well for equipment maintenance. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

 Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Borough of Woodbine Planning Board (via email)
 Borough of Woodbine Construction Code Official (via email)
 Secretary, Cape May County Planning Board (via email)





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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 20, 2017

Thomas J. LaRocco, P.E.
 Cape May County Municipal Utilities Authority
 P.O. Box 610
 Cape May Court House, NJ 08210

Application No.: 1981-0837.030
 Block 128, Lot 1
 Borough of Woodbine

This application proposes installation of a non-potable 100 foot deep water well for equipment maintenance located on the above referenced 16 acre parcel in the Borough of Woodbine. The applicant represents that the average water usage of the proposed well will be less than five gallons per day. The Cape May County Landfill is located on the parcel.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.27)

The proposed development is located in the Pinelands Town of Woodbine. The proposed well is a permitted use in a Pinelands Town.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located within an existing disturbed area. All clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant does not propose any revegetation.

PUBLIC COMMENT

The CMP defines the proposed non-potable water well as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as

complete on the Commission's website on May 22, 2017. The Commission's public comment period closed on June 9, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the sketch submitted to the Commission on April 11, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approval.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission no later than 5:00 PM on July 10, 2017 and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Chris Christie
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Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

June 20, 2017

Jerry Moore, Executive Director
 Monroe Municipal Utilities Authority
 372 South Main Street
 Williamstown, NJ 08094

Re: Application # 2017-0111.001
 Ames Road
 Monroe Township

Dear Mr. Moore:

The Commission staff has completed its review of this application for installation of a sanitary sewer main within the Ames Road right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Monroe Township Planning Board (via email)
- Monroe Township Construction Code Official (via email)
- Monroe Township Environmental Commission (via email)
- Secretary, Gloucester County Planning Board (via email)
- James Spratt





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Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 20, 2017

Jerry Moore, Executive Director
 Monroe Municipal Utilities Authority
 372 South Main Street
 Williamstown, NJ 08094

Application No.: 2017-0111.001
 Ames Road
 Monroe Township

This application proposes installation of 270 linear feet of sanitary sewer main within the Ames Road right-of-way in Monroe Township.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28)

The proposed development is located in a Pinelands Regional Growth Area. The proposed sanitary sewer main is a permitted land use in a Pinelands Regional Growth Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located within a maintained grassed shoulder area of Ames Road. All clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to restore the area to maintained grass.

PUBLIC COMMENT

The CMP defines the proposed sanitary sewer main as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as

complete on the Commission's website on May 23, 2017. The Commission's public comment period closed on June 9, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of three sheets, prepared by Federici & Akin, P.A., all sheets dated February 1, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission no later than 5:00 PM on July 10, 2017 and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1990-0260.004 & 1996-1396.006)

Commissioner _____ moves and Commissioner _____
seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1990-0260.004

Applicant: NJDEP, Parks and Forestry, Forest Service
Municipality: Manchester Township
Management Area: Pinelands Forest Area
Pinelands Preservation Area District
Date of Report: June 23, 2017
Proposed Development: Forestry in Brendan Byrne State Forest; and

1996-1396.006

Applicant: NJDEP, Parks and Forestry, Forest Service
Municipality: Pemberton Township
Woodland Township
Management Area: Pinelands Preservation Area District
Date of Report: June 22, 2017
Proposed Development: Forestry in Brendan Byrne State Forest.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1990-0260.004 & 1996-1396.006 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

June 23, 2017

John Sacco
 NJDEP, Parks and Forestry, Forest Service
 501 East State Street, PO Box 420
 Mail Code 501-04
 Trenton, NJ 08625


Re: Application # 1990-0260.004
 Brendan Byrne State Forest
 Block 119, Lots 3 & 13
 Manchester Township

Dear Mr. Sacco:

The Commission staff has completed its review of this application for forestry in Brendan Byrne State Forest. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

 Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Manchester Township Planning Board (via email)
 Manchester Township Environmental Commission (via email)
 Secretary, Ocean County Planning Board (via email)
 William Zipse (via email)





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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 23, 2017

John Sacco
 NJDEP, Parks and Forestry, Forest Service
 501 East State Street, PO Box 420
 Mail Code 501-04
 Trenton, NJ 08625

Application No.: 1990-0260.004
 Brendan Byrne State Forest
 Block 119, Lots 3 & 13
 Manchester Township

This application proposes 163 acres of forestry in 37,242 acre Brendan Byrne State Forest. Specifically, forestry is proposed on 106 acres of 786 acre Block 119, Lot 3 and on 57 acres of 3,428 acre Block 119, Lot 13.

STANDARDS

The Commission staff has reviewed the proposed forestry for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.22(a)3 and 5.23(a)5)

The 163 acres subject of forestry are located partially within the Pinelands Preservation Area District (57 acres) and partially within a Pinelands Forest Management Area (106 acres). Forestry is permitted in all Pinelands Management Areas.

Forestry (N.J.A.C. 7:50-6.41)

This application proposes forest thinning. The purpose of the proposed forest thinning is to reduce competition induced mortality and reduce the risk of wildfire and southern pine beetle attack. The proposed forest thinning will allow for natural regeneration and perpetuate the current forest composition. The proposed forest thinning will maintain a Pine dominated forest, a Pinelands native forest type. The proposed forestry will be conducted in uplands.

There are approximately 445 trees per acre in the 57 acres subject of the proposed forest thinning. After the proposed thinning, the 57 acres will have approximately 129 trees per acre. The canopy cover will be reduced from 72% to 67%.

There are approximately 384 trees per acre in the 106 acres subject of the proposed forest thinning. After the proposed thinning, the 106 acres will have approximately 329 trees per acre. The canopy cover will be reduced from 75% to 70%.

The applicant proposes to undertake post-harvest site preparation, as necessary. Proposed site preparation techniques are prescribed burning and the spot spraying of herbicides to control invasive species. The CMP (N.J.A.C. 7:50-6.46(a)9ii) allows application of herbicide in association with forestry provided that, among other conditions, control of competitive plant species by other non-chemical means is not practical. The applicant has represented that hand cutting or mechanical removal of invasive species is not feasible. The CMP also requires that any herbicides that are applied be expressly labeled for forestry use and be used and mixed in a manner that is consistent with relevant State and Federal requirements. This approval is specifically conditioned upon this requirement.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

Available information identifies known sightings of threatened and endangered (T&E) animal species in the vicinity of the proposed forestry. The NJDEP Endangered and Nongame Species Program staff and the Commission staff reviewed the proposed forestry to determine whether it was designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species.

To avoid irreversible adverse impacts on any T&E avian species, prior to undertaking the proposed forestry, the applicant proposes to conduct visual surveys to identify and mark any potential avian cavity or nesting trees. Any trees containing potential T&E avian species nests or occupied cavities will be left standing. To avoid any irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E snake species, the applicant proposes to utilize low ground pressure equipment for any forestry undertaken between November 1 and April 30.

Available information identifies known sightings of T&E plants in the vicinity of the proposed forestry. The concerned T&E plants are all wetlands species. The NJDEP Office of Natural Lands Management staff and the Commission staff reviewed the proposed forestry to determine whether it was designed to avoid irreversible adverse impacts on the survival of any local populations of T&E plant species.

To avoid an irreversible adverse impact on the survival of any local populations of T&E plant species, the applicant proposes to maintain a 300 foot undisturbed buffer to wetlands.

The proposed forestry is designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species and irreversible adverse impacts on the survival of any local populations of T&E plant species.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

No disturbance will occur greater than six inches below the ground surface. The Commission staff determined that, since the proposed forestry will result in minimal ground disturbance, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on May 20, 2017. The application was designated as complete on the Commission's website on May 30, 2017. The Commission's public comment period closed on June 9, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed forestry activity shall adhere to the "Proposal for Silvicultural Activity on State Forest and Park Lands," prepared by the New Jersey Forest Service and dated May 18, 2017.
2. Prior to any forestry, the applicant shall obtain any other necessary permits and approvals.
3. Any herbicides that are applied for site preparation shall be expressly labeled for forestry use and shall be used and mixed in a manner that is consistent with relevant State and Federal requirements.
4. Prior to any forestry, the applicant shall complete a visual survey of the above referenced parcels for potential avian cavities or nests. Any trees containing cavities or nest shall be marked and left standing.
5. Only low ground pressure equipment shall be used for any forestry undertaken between November 1 and April 30.
6. This forestry approval is valid for a period of ten years from the July 14, 2017 date of Commission approval.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission no later than 5:00 PM on July 11, 2017 and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Chris Christie
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Kim Guadagno
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 Application Specific Information: AppInfo@njpines.state.nj.us

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

June 22, 2017

John Sacco
 NJDEP, Parks and Forestry, Forest Service
 501 East State Street
 P.O. Box 420, Mail Code 501-04
 Trenton, NJ 08625


Re: Application # 1996-1396.006
 Brendan Byrne State Forest
 Block 927, Lot 1
 Pemberton Township
 Block 7102, Lots 4 & 7
 Woodland Township

Dear Mr. Sacco:

The Commission staff has completed its review of this application for forestry in Brendan Byrne State Forest. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

 Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)



Pemberton Township Environmental Commission (via email)
Secretary, Woodland Township Planning Board (via email)
Secretary, Burlington County Planning Board (via email)
William Zipse (via email)



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Chris Christie
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 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 22, 2017

John Sacco
 NJDEP, Parks and Forestry, Forest Service
 501 East State Street
 P.O. Box 420, Mail Code 501-04
 Trenton, NJ 08625

Application No.: 1996-1396.006
 Brendan Byrne State Forest
 Block 927, Lot 1
 Pemberton Township
 Block 7102, Lots 4 & 7
 Woodland Township

This application proposes forestry on 42 acres in the 37,242 acre Brendan Byrne State Forest. Specifically, forestry is proposed on two non-contiguous parcels: 10 acres of the above referenced 231.8 acre parcel in Pemberton Township and 32 acres of the above referenced 81 acre parcel in Woodland Township.

STANDARDS

The Commission staff has reviewed the proposed forestry for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.22(a)3)

The 42 acres subject of forestry are located in the Pinelands Preservation Area District. Forestry is permitted in all Pinelands management areas.

Forestry (N.J.A.C. 7:50-6.41)

The application proposes forest thinning. The purpose of the proposed forest thinning is to regenerate and restore native shortleaf pine. The forestry will allow for the natural regeneration of an open canopy shortleaf pine dominated forest with an oak component. The proposed forest thinning will maintain a Pinelands native forest type. The proposed forestry will be conducted in uplands.

There are approximately 1,965 trees per acre in the 10 acres subject of the proposed forest thinning in Pemberton Township. After the proposed thinning, the 10 acres will have approximately 179 trees per acre. Canopy cover in the 10 acres will be reduced from 85% to 39%.

There are approximately 565 trees per acre in the 32 acres subject of the proposed forest thinning in Woodland Township. After the proposed thinning, the 32 acres will have approximately 273 trees per acre. Canopy cover in the 32 acres will be reduced from 53% to 49%.

The applicant proposes to undertake post-harvest site preparation, as necessary. Proposed site preparation techniques are prescribed burning and the spot spraying of herbicides to control invasive species. The CMP (N.J.A.C. 7:50-6.46(a)9ii) allows herbiciding in association with forestry provided that, among other conditions, control of competitive plant species by other non-chemical means is not practical. The applicant has represented that hand cutting or mechanical removal of invasive species is not feasible. The CMP also requires that any herbicides that are applied be expressly labeled for forestry use and be used and mixed in a manner that is consistent with relevant State and Federal requirements. This approval is specifically conditioned upon this requirement.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

Available information indicates that there are no known sightings of threatened and endangered (T&E) plants in the vicinity of the proposed forestry.

Available information identifies known sightings of T&E animal species in the vicinity of the proposed forestry. The NJDEP Endangered and Nongame Species Program staff and the Commission staff reviewed the proposed forestry to determine whether it was designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species.

To avoid irreversible adverse impacts on any T&E avian species, prior to undertaking the proposed forestry, the applicant proposes to conduct visual surveys to identify and mark any potential avian cavity or nesting trees. Any trees containing potential T&E avian species nests or occupied cavities will be left standing. To avoid any irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E snake species, the applicant proposes to utilize low ground pressure equipment for any forestry undertaken between November 1 and April 30.

The proposed forestry is designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

No disturbance will occur greater than six inches below the ground surface. The Commission staff determined that, since the proposed forestry will result in minimal ground disturbance, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on May 22, 2017. The application was designated as complete on the Commission's website on May 30, 2017. The Commission's public comment period closed on June 9, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed forestry activity shall adhere to the "Proposal for Silvicultural Activity on State Forest and Park Lands," prepared by the New Jersey Forest Service and dated May 18, 2017.
2. Prior to any forestry, the applicant shall obtain any other necessary permits and approvals.
3. Any herbicides that are applied for site preparation shall be expressly labeled for forestry use and shall be used and mixed in a manner that is consistent with relevant State and Federal requirements.
4. Prior to any forestry, the applicant shall complete a visual survey of the above referenced parcels for potential avian cavities or nests. Any trees containing cavities or nest shall be marked and left standing.
5. Only low ground pressure equipment shall be used for any forestry undertaken between November 1 and April 30.
6. This forestry approval is valid for a period of ten years from the July 14, 2017 date of Commission approval.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

Pending Public Development and Waiver of Strict Compliance Applications
accepting public comment at the July 14, 2017 Commission Meeting

Public Development Applications

Application No. 2013-0170.002 – Borough of Lakehurst

Received on: May 30, 2017

Project: Four lot subdivision and the development of three single family dwellings

Municipality: Lakehurst Borough

Block 46, Lot 3

Application No. 2015-0087.001 – Egg Harbor City

Received on: June 22, 2015

Project: Construction of a parking lot and 2,340 linear feet of sidewalk

Municipality: Egg Harbor City

Block 957, Lot 1

Application No. 2015-0116.001 – Manchester Township

Received on: August 10, 2015

Project: Construction of a 150 foot high local communication tower

Municipality: Manchester Township

Waiver of Strict Compliance Applications

Application No. 1983-6352.003 – Barrett

Received on: March 16, 1987

Project: Single family dwelling

Municipality: Shamong Township

Block 19.02, Lots 6.15 - 6.16



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

June 2, 2017

Jack O'Connor
Pine Barrens Adventure Camp, LLC
321 Osborn Avenue
Point Pleasant, NJ 08742

Re: Application # 1982-3054.069
Pine Barrens Adventure Camp
June 3 and 4, 2017
Bass River, Little Egg Harbor,
Mullica, Stafford & Washington Townships

Dear Mr. O'Connor:

Pursuant to N.J.A.C. 7:50-6.143(a) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Off-Road Vehicle Event Route Map Approval*.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,

for Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Off-Road Vehicle Event Route Map Approval

c: Mullica Township Clerk (via email)
Bass River Township Clerk (via email)
Washington Township Clerk (via email)
Little Egg Harbor Township Clerk (via email)
Stafford Township Clerk (via email)
Jack O'Connor (via email)
David Robbins, Wharton State Forest Superintendent (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
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(609) 894-7300



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1302

Application #: 1982-3054.069

Applicant: Pine Barrens Adventure Camp, LLC

Event Name: Pine Barrens Adventure Camp

Event Date: June 3 and 4, 2017

Municipalities: Bass River, Little Egg Harbor, Mullica, Stafford & Washington Townships

Management Area: Agricultural Production Area, Forest Area, Pinelands Village, Preservation Area District, Special Agricultural Production Area

Lands Utilized

Bass River, Penn and Wharton State Forests

Approved Route Map

Received in electronic format on April 20, 2017

for **Charles M. Horner, P.P.**
Director of Regulatory Programs

June 2, 2017

Date

Please see reverse side for additional information and conditions.



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Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

June 2, 2017

Jack O'Connor
Pine Barrens Adventure Camp, LLC
321 Osborn Avenue
Point Pleasant, NJ 08742

Re: Application # 1982-3054.070
Pine Barrens Adventure Camp
June 10 and 11, 2017
Bass River, Little Egg Harbor,
Mullica, Stafford & Washington Townships

Dear Mr. O'Connor:

Pursuant to N.J.A.C. 7:50-6.143(a) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Off-Road Vehicle Event Route Map Approval*.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,

for Charles M. Horner, P.P
Director of Regulatory Programs

Enc: Off-Road Vehicle Event Route Map Approval

c: Mullica Township Clerk (via email)
Bass River Township Clerk (via email)
Washington Township Clerk (via email)
Little Egg Harbor Township Clerk (via email)
Stafford Township Clerk (via email)
David Robbins, Superintendent, Wharton State Forest (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1303

Application #: 1982-3054.070

Applicant: Pine Barrens Adventure Camp, LLC

Event Name: Pine Barrens Adventure Camp

Event Date: June 10 and 11, 2017

Municipalities: Bass River, Little Egg Harbor, Mullica, Stafford & Washington Townships

Management Area: Agricultural Production Area, Forest Area, Pinelands Village, Preservation Area District, Special Agricultural Production Area

Lands Utilized

Bass River, Penn and Wharton State Forests

Approved Route Map

Received in electronic format on April 20, 2017

for **Charles M. Horner, P.P.**
Director of Regulatory Programs

June 2, 2017

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ One route beginning and ending at 3616 Nesco Road
- ♦ 60 miles

CONDITIONS

- ♦ No deviation from the Approved Route Map shall occur without prior written approval from the Commission.
- ♦ No private lands shall be utilized without owner permission.
- ♦ No ORV event shall run until all necessary permits, approvals and authorizations have been obtained.
- ♦ In the event of cancellation or postponement, the Pinelands Commission shall be notified of the new date. A copy of the new insurance policy as well as documentation that the municipalities, the State Police, the State Forests, and any private land owners have been notified must also be submitted.

BACKGROUND

- ♦ One route beginning and ending at 3616 Nesco Road
- ♦ 60 miles

CONDITIONS

- ♦ No deviation from the Approved Route Map shall occur without prior written approval from the Commission.
- ♦ No private lands shall be utilized without owner permission.
- ♦ No ORV event shall run until all necessary permits, approvals and authorizations have been obtained.
- ♦ In the event of cancellation or postponement, the Pinelands Commission shall be notified of the new date. A copy of the new insurance policy as well as documentation that the municipalities, the State Police, the State Forests, and any private land owners have been notified must also be submitted.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: Issuing an Order to Certify Ordinance 2017-12, Amending Chapter 55 (Land Use) of the Code of Barnegat Township

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, on April 8, 1983, the Pinelands Commission fully certified the Master Plan and codified Land Use Ordinances of Barnegat Township; and

WHEREAS, Resolution #PC4-83-29 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and codified Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-29 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on April 4, 2017, Barnegat Township adopted Ordinance 2017-12, amending Chapter 55 (Land Use) of the Township's Code by adding condominium development as a conditional use in that portion of the C-N (Neighborhood Commercial) Zone located in the Pinelands Regional Growth Area; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2017-12 on April 17, 2014; and

WHEREAS, by letter dated April 25, 2017, the Executive Director notified the Township that Ordinance 2017-12 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 2017-12 was duly advertised, noticed and held on May 10, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the Executive Director has found that Ordinance 2017-12 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 2017-12 is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee has reviewed the Executive Director's report and has recommended that Ordinances 2017-12 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2017-12 and has reviewed the Executive Director's report; and

WHEREAS, the Pinelands Commission accepts the recommendation of the Executive Director; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5H, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to certify that Ordinance 2017-12, amending Chapter 55 (Land Use) of the Code of Barnegat Township, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Barnegat Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

**REPORT ON ORDINANCE 2017-12, AMENDING CHAPTER 55
 (LAND USE) OF THE CODE OF BARNEGAT TOWNSHIP**

June 30, 2017

Barnegat Township
 900 West Bay Avenue
 Barnegat, NJ 08005

FINDINGS OF FACT

I. Background

The Township of Barnegat is located in southern Ocean County, in the eastern portion of the Pinelands Area. Pinelands municipalities that abut Barnegat Township include the Townships of Lacey, Ocean, Stafford and Little Egg Harbor in Ocean County, and Bass River and Woodland Townships in Burlington County.

On April 8, 1983, the Pinelands Commission fully certified the Master Plan and codified Land Use Ordinances of Barnegat Township.

On April 4, 2017, Barnegat Township adopted Ordinance 2017-12, amending Chapter 55 (Land Use) of the Township's Code by adding condominium developments as a conditional use in that portion of the C-N (Neighborhood Commercial) Zone located in the Pinelands Regional Growth Area. The Pinelands Commission received a certified copy of Ordinance 2017-12 on April 17, 2017.

By letter dated April 25, 2017, the Executive Director notified the Township that Ordinance 2017-12 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following ordinance has been submitted to the Pinelands Commission for certification:

- * Ordinance 2017-12, amending Chapter 55 (Land Use) of the Code of Barnegat Township, introduced on March 7, 2017 and adopted on April 4, 2017.

This amendment has been reviewed to determine whether it conforms with the standards for certification of municipal master plans and land use ordinances as set out in N.J.A.C. 7:50 3.39 of the Pinelands Comprehensive Management Plan. The findings from this review are presented below. The numbers used to designate the respective items correspond to the numbers used to identify the standards in N.J.A.C. 7:50 3.39.

1. Natural Resource Inventory

Not applicable.

2. Required Provisions of Land Use Ordinance Relating to Development Standards

Ordinance 2017-12 amends Chapter 55 (Land Use) of the Code of Barnegat Township by adding condominium developments as a conditional use in the C-N (Neighborhood Commercial) Zone. Prior to the adoption of Ordinance 2017-12, permitted uses in the C-N Zone were limited to various retail and service uses, professional offices, self-storage facilities, churches, libraries, nursing homes and other institutional uses. According to the standards adopted by Ordinance 2017-12, condominium developments must be located on property directly accessed by a county road. All units must be age-restricted and limited to one- and two-bedroom units. Maximum residential density is 15 units per acre, and Pinelands Development Credits must be purchased and redeemed for 25% of all units in a condominium development. In order to qualify for the new conditional use, properties must be at least nine acres in size. Finally, Ordinance 2017-12 makes clear that condominium developments are permitted only on properties in the C-N Zone that are located within a Pinelands Regional Growth Area.

The C-N Zone in the Regional Growth Area is located along West Bay Avenue, immediately to the north of Ocean Acres (see Exhibit #1). Based on the Township's analysis, there is one approximately 10-acre parcel in the C-N Zone that could satisfy the new conditional use standards for condominium developments. Ordinance 2017-12 therefore creates the potential for approximately 148 new units in the C-N Zone. The purchase of PDCs would be necessary for 25 percent, or 37, of these potential units.

The standards adopted by Ordinance 2017-12 for condominium developments are appropriate for a Regional Growth Area. In addition, the ordinance provides a new opportunity for residential development within Barnegat's Regional Growth Area in a manner that achieves an appropriate balance between "base" units and those requiring the use of Pinelands Development Credits. Therefore, Ordinance 2017-12 is consistent with the land use and development standards of the Comprehensive Management Plan and this standard for certification is met.

3. Requirement for Certificate of Filing and Content of Development Applications

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Ordinance 2017-12 amends Chapter 55 (Land Use) of Barnegat Township's Code by adding condominium developments as a conditional use in the Regional Growth Area portion of the C-N (Neighborhood Commercial) Zone. Based on the standards adopted by Ordinance 2017-12, condominium developments must be comprised of age-restricted, one- and two-bedroom units, at a maximum density of 15 units per acre. The use of Pinelands Development Credits is required for 25 percent of all units.

N.J.A.C. 7:50-3.39(a)8 specifies that in order to be certified by the Commission, municipal land use ordinances must provide for sufficiently residentially zoned property in the Regional Growth Area to be eligible for an increase in density to accommodate Pinelands Development Credits as provided for in N.J.A.C. 7:50-5.28(a)3. By allowing condominium developments as a conditional use in the C-N (Neighborhood Commercial) Zone, Ordinance 2017-12 increases the amount of land available for residential development in Barnegat Township's Regional Growth Area by approximately 10 acres. In order to comply with N.J.A.C. 7:50-5.28(a)3, Ordinance 2017-12 requires that PDCs be acquired and redeemed for 25 percent of all residential units in any condominium development in the C-N Zone (one right for every four units). Based on the 15 unit per acre maximum density established for the new conditional use, the PDC requirements adopted by Ordinance 2017-12 will result in an opportunity for the use of 37 rights (9.25 full Credits).

While the 25 percent requirement for condominium developments in the C-N Zone is not as high a number as would be provided through the more traditional zoning approach where PDCs would account for 33 percent of the total number of permitted units, it is important to remember that the traditional base density/bonus density approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance 2017-12 *guarantees* that PDCs will be purchased and redeemed as part of the approval of any

condominium development within the C-N Zone, regardless of the density or number of units which are ultimately built. Given the greater certainty provided by this approach, the Executive Director believes that the 25 percent PDC requirement adopted by Ordinance 2017-12 should be viewed as being consistent with Comprehensive Management Plan standards.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Ordinance 2017-12, amending Chapter 55 (Land Use) of the Code of Barnegat Township, is consistent with standards and provisions of the Pinelands Comprehensive Management Plan.

This standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Ordinance 2017-12, amending Chapter 55 (Land Use) of the Code of Barnegat Township, is consistent with standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act.

This standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

Not applicable.

PUBLIC HEARING

A public hearing to receive testimony concerning Barnegat Township's application for certification of Ordinance 2017-12 was duly advertised, noticed and held on May 10, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which no testimony was received.

Written comments on Ordinance 2017-12 were accepted through May 12, 2017; however, none were received.

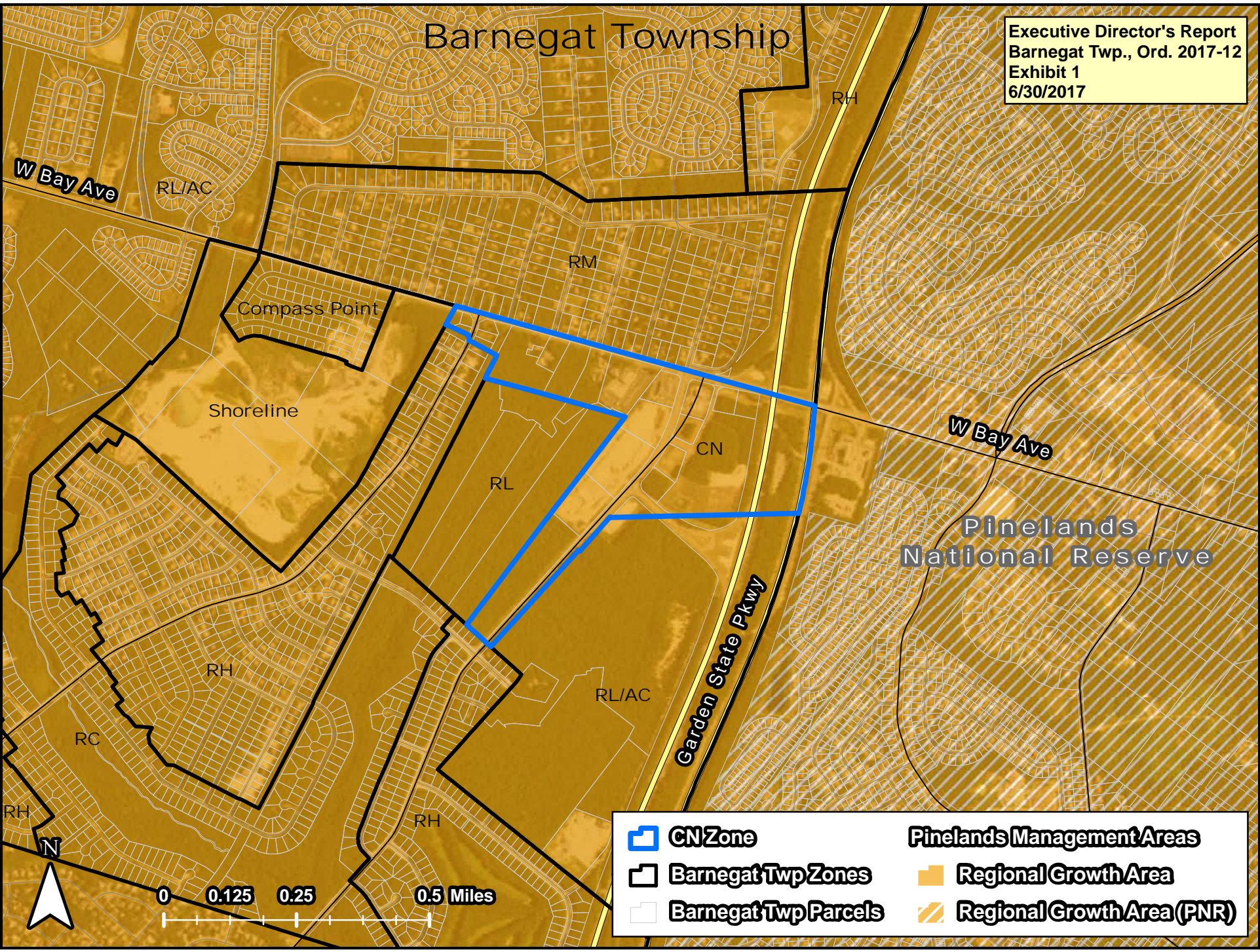
CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that Ordinance 2017-12, amending Chapter 55 (Land Use) of the Code of Barnegat Township, is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 2017-12 of Barnegat Township.

SRG/CBA
Attachment

Barnegat Township

Executive Director's Report
Barnegat Twp., Ord. 2017-12
Exhibit 1
6/30/2017





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: Issuing an Order to Certify Ocean County's May 2017 Amendment to the Comprehensive Public Safety Tower Plan for Pinelands

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the Pinelands Commission amended the Pinelands Comprehensive Management Plan in 1995 to permit local communications facilities to exceed the height limitations set forth in N.J.A.C. 7:50-5.4 provided that, if a facility is proposed to be located in any Pinelands Management Area other than a Regional Growth Area or a Pinelands Town, then a comprehensive plan for the entire Pinelands Area must be submitted by providers of like service to the Pinelands Commission for certification; and

WHEREAS, the Comprehensive Plan for Cellular Telephone Facilities submitted by providers of cellular service was certified by the Pinelands Commission on September 11, 1998; and

WHEREAS, the Comprehensive Plan for Personal Communications Service (PCS) Communications Facilities in the Pinelands Area submitted by providers of PCS service was certified by the Pinelands Commission on January 14, 2000; and

WHEREAS, the Amendment to the Comprehensive Plans for Cellular and Personal Communications Service submitted by AT&T Wireless PCS of Philadelphia, LLC and its Affiliates was certified by the Pinelands Commission on December 12, 2003; and

WHEREAS, the Amendment to the Comprehensive Plan for PCS Communications Facilities in the Pinelands submitted by T-Mobile Northeast, LLC was certified by the Pinelands Commission on November 10, 2011; and

WHEREAS, the Amendment to the Comprehensive Plans for Cellular and Personal Communications Service Facilities submitted by Sprint Spectrum L.P. and its Affiliates was certified by the Pinelands Commission on November 8, 2013; and

WHEREAS, the Comprehensive Public Safety Tower Plan for Pinelands submitted by the public safety agencies of the seven counties within the Pinelands Area was certified by the Pinelands Commission on May 11, 2012; and

WHEREAS, each certified comprehensive plan for local communications facilities, or amendment thereof, has included a siting policy establishing procedures for the final site selection for a given proposed facility; and

WHEREAS, Ocean County submitted an amendment to the tower siting policy of the Comprehensive Public Safety Tower Plan for Pinelands (hereinafter the Amendment) that the Executive Director deemed complete for purposes of review on May 18, 2017; and

WHEREAS, a public hearing on the Amendment was duly advertised, noticed and held on June 7, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the New Jersey Office of Information Technology's Office of Emergency Telecommunications Services has reviewed the Amendment and submitted written comment supporting the Amendment given the technological characteristics of such facilities and the critical need for counties to provide emergency telecommunications services; and

WHEREAS, the Executive Director has found that the Amendment is consistent with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Executive Director has submitted a report to the Pinelands Commission recommending issuance of an order to certify the Amendment; and

WHEREAS, the Pinelands Commission’s CMP Policy and Implementation Committee has reviewed the Amendment and the Executive Director’s report and has recommended that the Amendment be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Pinelands Commission concerning the Amendment and has reviewed the Executive Director’s report; and

WHEREAS, the Pinelands Commission expressly recognizes that approval of this Amendment modifies a framework for siting local communications facilities but does not approve any specific application for development for any local communications facility; and

WHEREAS, the Pinelands Commission accepts the recommendation of the Executive Director to approve the Amendment and hereby affirms the procedures for the siting of individual local communications facilities proposed in the Comprehensive Public Safety Tower Plan for Pinelands, as set forth in Exhibit A to her report; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Pinelands Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Pinelands Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to approve Ocean County’s May 2017 Amendment to the siting policy of the Comprehensive Public Safety Tower Plan for Pinelands.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman

**Comprehensive Public Safety Tower Plan for Pinelands
Proposed-Tower Siting Policy**

1. For each proposed site identified in the Comprehensive Public Safety Tower Plan for Pinelands (herein, the Plan), as further defined by the geographic coordinates of Table 1 of the Plan, there will be a general presumption that a facility's final location will be within a search area consistent with the service need for the facility and in conformity with other appropriate technical considerations, but in no case will that area extend beyond a three-mile radius.
2. Within that search area, consideration will first be given to locating the needed antenna on an existing, suitable structure that does not require a change in mass or height that significantly alters its appearance. The existing suitable structure may be located in any Pinelands Management Area.
3. If it is infeasible to site the proposed facility on an existing suitable structure within the search area, then consideration will be given to either the use of other existing structures that require a significant change in mass or height or land suitable for a new support structure, provided that:
 - a. Only those existing structures or sites within the search area will be considered; and
 - b. Only those existing structures or sites that meet the requirements of N.J.A.C. 7:50-5.4(c)4 and other applicable CMP standards will be eligible sites; and
 - c. The County will need to provide confirmation that the selected site meets the needs of other parties to this Plan, or previously approved local communications facilities plans, who have proposed to share the proposed facility; and
 - d. If the search area crosses the boundaries of the Pinelands Area or multiple Pinelands Management Areas, the County will consider existing structures that require a significant change in mass or height or land suitable for a new support structure in accordance with the following hierarchy of preference, from most preferred to least preferred:
 - i. At the option of the County, publicly-owned land, provided that:
 - (a) If the site proposed in the Plan is located in a Pinelands Regional Growth Area, Pinelands Town, Garden State Parkway Overlay District, or the developed portion of a Military and Federal Installation Area, only publicly-owned sites within these management areas shall be considered.
 - (b) If the site proposed in the Plan is located in a Pinelands Rural Development Area, Agricultural Production Area, undeveloped portion of a Military and Federal Installation Area or Pinelands Village other than those expressly identified in N.J.A.C. 7:50-5.4(c)6, only developed, publicly-owned sites within these management areas, as well as those of (a) above, shall be considered.
 - (c) If the site proposed in the Plan is located in the Pinelands Preservation Area District, Special Agricultural Production Area, Forest Area or a Pinelands Village expressly identified in N.J.A.C. 7:50-5.5(c)6, only developed, publicly-owned

sites within these management areas as well as, those of (a) and (b) above, shall be considered.

- ii.** Any other land in the following order of preference, from most preferred to least preferred:
 - (a)** Outside the Pinelands;
 - (b)** Pinelands Regional Growth Areas, Pinelands Towns, Garden State Parkway Overlay District and the developed portions of Military and Federal Installation Areas;
 - (c)** Pinelands Rural Development Areas, Agricultural Production Areas, undeveloped portions of Military and Federal Installation Areas and Pinelands Villages other than those expressly identified in N.J.A.C. 7:50-5.4(c)6; and
 - (d)** Pinelands Preservation Area District, Special Agricultural Production Areas, Forest Areas and the Pinelands Villages expressly identified in N.J.A.C. 7:50-5.4(c)6, provided that the resulting site does not result in an increase in the number of new towers identified in the Plan for this management area group.

- 4.** If no feasible structures or sites are found, the County will consult with Pinelands Commission staff to identify other possible mechanisms to find a site consistent with N.J.A.C. 7:50-1.1 et seq., including the potential for an amendment to the Plan, siting flexibility pursuant to N.J.A.C. 7:50-5.4(c)6, or a waiver of strict compliance.

Appendix E – Hierarchical Policy for Siting Individual Wireless Communications Facilities

The Plan incorporates a one-mile radius around every proposed facility's approximate location. To properly apply the CMP's standards within the context of this Plan, if approved, the following procedure will be used when the companies seek to finalize these approximate locations.

1. Except as otherwise specifically noted in this report, there will be a general presumption that a facility's final location will be within the immediate area of the location proposed in this Plan, i.e., the Pinelands management area group and municipality described in the Plan as further defined using the geographic coordinates prepared by the Commission's staff. If it proves to be infeasible to site the facility on an existing, suitable structure (i.e., one that does not require a change in mass or height which significantly alters its appearance), the use of other structures or, as appropriate, eligible sites which meet the standards in N.J.A.C. 7:50-5.4(c)4 will be considered. The company's feasibility assessment will need to include confirmation from other parties to this Plan who are slated to share the facility that the selected site meets their needs.
2. If siting of the facility within the immediate area of the Plan location is infeasible, the company will broaden its search area consistent with the service need for the facility and in conformity with other appropriate technical considerations, but in no case will that area extend beyond a one-mile radius. This will require consultation with other parties to this Plan who are slated to share the facility to ensure that any new location meets their needs.
3. Within that broader search area, consideration will first be given to locating the needed antenna on an existing, suitable structure if that structure does not require a change in mass or height that significantly alters its appearance.
4. Failing that, the use of other existing structures that may require a significant change in mass or height (if appropriate in view of the CMP's standards, including those related to visual impacts) or sites for a new structure within the search area will be evaluated. Only those structures or sites which meet the requirements of N.J.A.C. 7:50-5.4(c)4 and other applicable CMP standards will be selected. If that broader search area crosses the boundaries of the Pinelands Area or its management areas, the company will seek to site the facility in the following order of preference:
 - a. Outside of the Pinelands;
 - b. Pinelands Regional Growth Areas, Pinelands Towns and the developed portions of Military and Federal Installation Areas;
 - c. Pinelands Rural Development Areas, Agricultural Production Areas, undeveloped portions of Military and Federal Installation Areas and Pinelands Villages other than those expressly identified in N.J.A.C. 7:50-5.4(c)6; and,
 - d. Pinelands Preservation Area District, Special Agricultural Production Areas, Forest Areas and the Pinelands Villages expressly identified in N.J.A.C. 7:50-5.5(c)6.

5. If no feasible structures or sites are found, the company should reexamine the surrounding facility network and propose an amendment to this Plan which conforms to CMP standards. Of course, the company retains its right to seek a waiver of strict compliance from the standards of the CMP, although the Executive Director notes that the tests will be difficult to meet.



Patriots County Park

Open Play Field

Bowman Rd.

Entrance

Legend		Legend		Legend	
	Park Boundary		Covered Picnic Area		Soccer Fields
	Fitness Trail		Parking Area		Softball Fields
	Employees Only		Overflow Parking Area		
			Basketball Court		
			Playground		
			Restrooms		

Proposed Tower location (60'x60')



Government Owned Land

- Municipal
- Federal
- County
- State

Land Use

- 2 County Owned
- 3 Leased

Map 2

OCEAN COUNTY FACILITIES MANAGEMENT
JACKSON GARAGE
JACKSON TWP

- OCEAN RIDE BUS STOPS
- LAKEWOOD TWP "1" BUS STOPS
- OCEAN RIDE BUS ROUTES
- NJ TRANSIT BUS ROUTES

0 50 100 Feet

PLANNING AND ADMINISTRATION DEPARTMENT
OFFICE OF THE COUNTY ENGINEER
OCEAN COUNTY, NEW JERSEY



Proposed Location of Tower



State of New Jersey

Office of Information Technology
P.O. Box 212
Trenton, New Jersey 08625-0212

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DAVE WEINSTEIN
Chief Technology Officer

May 23, 2017

Larry L. Liggett, Director
Land Use and Technology
New Jersey Pinelands Commission
P.O. Box 359
New Lisbon, NJ 08604

RE: Amendment to Comprehensive Public Safety Tower Plan

Dear Mr. Liggett

The New Jersey Office of Information Technology (OIT) through the Office of Emergency Telecommunications Service (OETS) has reviewed Ocean County proposed amendment to the Tower Siting Police of the Public Safety Tower Plan and is in full support. This amendment will permit counties the flexibility in siting towers for critical public safety communications within a three mile radius as well as the ability to utilize developed publicly owned land where appropriate.

As you are aware the current Plan was developed with input from the counties in 2012. Changes in technology and impending FCC requirements since then has mandated the transition the 700 MHz public safety spectrum. With this 700 MHz transition, the locations identified in 2012 are more tolerant to change and the three mile flexibility would not adversely affect system performance while permitting the counties in some cases to construct on developed publicly owned land.

The tower locations identified in 2012 were chosen after much deliberation and effort was expended trying to locate sites outside of the Pinelands to serve the critical Public Safety needs. As counties now begin construction of their systems difficulty developing the initial locations in some cases has become problematic. This amendment maintains the mission of the Pinelands Commission while expediting the construction of several public safety radio systems and potentially saving tax payer dollars.

In the event there are any questions please contact me at 609 777-3698.

Sincerely


Craig A. Reiner, Director
Office of Emergency Telecommunications Services



Pinelands Preservation Alliance

Bishop Farmstead ♦ 17 Pemberton Road ♦ Southampton NJ ♦ 08088
Phone: 609-859-8860 ♦ ppa@pinelandsalliance.org ♦ www.pinelandsalliance.org

Protecting the Pinelands
since 1989

Printed on recycled paper
with linseed ink.

Dear Mr. Liggett, Mr. Lanute, and Pinelands Commission staff,

I am writing to express our concerns regarding the amendments to particularly the tower siting hierarchy. Several of the proposed changes reduce the ability of the Commission to lessen visual and construction impacts on the Pinelands from radio towers.

The existing siting policy states: "Except as otherwise specifically noted in this report, there will be a general presumption that a facility's final location will be within the immediate area of the location proposed in this Plan, i.e., the Pinelands management area group and municipality described in the Plan as further defined using the geographic coordinates prepared by the Commission's staff." It is troubling that the proposed amendment does not include the presumption that the radio tower be sited in the immediate area of the location indicated within the plan. Rather, the amendment immediately jumps to the three-mile search radius. The presumption that the radio tower be sited per the plan is essential, as the plan, and locations therein, were already vetted and approved by the Commission. If there is an opportunity for the tower to be sited in a less damaging site, that would be beneficial, but that is not included in the amendment language.

Other than the expansion of the search radius, none of the changes are required to actually site any of the towers. There is no expansion of eligible sites, just a change in how they are ranked. Thus, the only portion of the amendment that increases public safety is the change in search radius. The change to the siting hierarchy actually does a disservice to the safeguards set up in the original plan.

The siting policy then enters the hierarchy of siting preferences. After co-location, public lands are all treated equally, as long as the location is not in a more restrictive area than that proposed within the plan. This is concerning; if the Preservation Area, Special Agricultural Production Area, Forest Area, and Pinelands Villages are to be truly the least number regions as per the plan, any chance to move towers outside of these areas must be taken. The public lands must be subject to the same hierarchy as all other lands.

The new hierarchy also lists all publicly-owned land in regional growth areas, Pinelands Towns, and in the Garden State Parkway Overlay District as preferred sites, over all other non-publicly owned land. This preference does not separate out whether the publicly-owned land is developed. It is especially concerning that publicly owned land that may be held for recreation or conservation within these areas would be a preferred site for tower construction. While the Pinelands Commission may not have the authority under the CMP to ban construction on these sites, it can certainly *discourage* it as compared to other sites, and for the public interest it is compelled to do so.

Sincerely,

Katherine Smith
Policy Advocate

Pinelands Preservation Alliance

From: "Lizzi Schippert" <openingyoureyes@verizon.net>
To: <comments@njpines.state.nj.us>
Date: 6/5/2017 7:50 PM
Subject: comment on Radio Towers

The need for reliable wireless communication must be balanced with the protection of the fragile Pine Barrens ecosystem. Radio towers range in size from 150 to 250 ft.

Dear Decision Makers -

One must always balance 'progress' with the needs of the ecosystem. I live in Island Heights and two summers ago two MacMansions were built near us, one on the adjoining property and one behind us, across the lane. The Code Enforcement in this town did little or nothing to protect the already existing tree ordinance, construction trucks dug up the asphalt street behind our house, the construction men left their truck engines running, sometimes for the entire day, two years later there are still bits of insulation debris landing in my yard which have been carried by the wind - etc etc.

My point is that even if there are rules in place which should protect the environment, the contractors themselves, and their machines, seem to run wild with the 'importance' of their construction and it is the neighbors and environment, which suffer. In this case the neighbors are wild creatures dependent upon that environment and its integrity.

Please have ecological supervisors on hand so that if and where these towers are constructed there will be a clear voice to minimize collateral damage to the surroundings, including any temporary roadways which are made to access the site. It is essential that construction debris be removed completely.

Thank you for keeping the integrity of the environment foremost- don't indulge in careless destruction, and clean up after yourselves.

Lizzi Schippert

PO Box

Island Hts.,NJ 08732

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

From: sally dougan <saldougan@aol.com>
To: <comments@njpines.state.nj.us>
Date: 6/5/2017 10:35 PM
Subject: Please do not amend the existing plan

Please do not amend the existing plan. To do so would endanger the few protections and certainty that we have for the treasured Pinelands. This shouldn't be toyed with!

It would be irresponsible and show lack of concern for the integrity of the important Pinelands area.

Thank you,

Sarah B. Dougan
25 McCatharn Road
Lebanon, NJ 08833

From: Jody <jodylynn123@comcast.net>
To: <comments@njpines.state.nj.us>
Date: 6/7/2017 4:17 PM
Subject: radio towers

Dear Pinelands Committttee members,

I knew as soon as you allowed soccer tournaments and gas pipelines in the Pinelands, it would be just the start of further encroachment in this valuable asset of New Jersey and the world. Pretty soon, it will look like Trenton, Hoboken, or any other inhabited area of New Jersey. Please think and be very careful about where you allow these radio towers to be built. Thank your for your consideration.

Jody Vaughn

From: Jean Public <jeanpublic1@yahoo.com>
To: "COMMENTS@NJPINES.STATE.NJ.US" <COMMENTS@NJPINES.STATE.NJ.US>
Date: 6/8/2017 3:05 PM
Subject: Re: Public Hearing on Radio Towers

MY COMMENT FOR THE RECORD IS TO INSTALL RADIO TOWERS OUTSIDE OF THE PINELANDS PRESERVATION AREA.I AM CERTAIN IN THESE TIMES OF TECHNOLOGICAL ACHIEVEMENTS, THAT SUCH SITES CAN BE INSTALLED OUTSIDE THE PRESERVED PINELANDS AREA AND STILL SERVE THE INTERESTS OF ALL. WE DO NOT NEED AND SHOULD NOT ALLOWENDLESS UTILITY USE OF THE PINELANDS AREA. FAR TOO MUCH HAS DESTROYED WITHINT TH EPINELANDS ALREADY. THE ASSAULT ON NATURE BY NJ CORRPT GOV'T IS EXTENSIVE. JEAN PUBLIEE JEANPUBLIC1@GMAIL.COM

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



Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

**REPORT ON OCEAN COUNTY’S MAY 2017 AMENDMENT TO
 THE SITING POLICY OF THE COMPREHENSIVE PUBLIC
 SAFETY TOWER PLAN FOR PINELANDS**

June 30, 2017

Michael J. Fiure
 Assistant County Administrator
 County of Ocean
 P.O. Box 2191
 Toms River, New Jersey 08064

FINDINGS OF FACT

I. Background

A. Summary of Pinelands Local Communications Facility Plans

In 1995 the Pinelands Commission amended the Pinelands Comprehensive Management Plan (CMP) in recognition of the legitimate and growing need for the delivery of wireless communication services within the Pinelands Area. The amendment allowed for local communication facilities taller than thirty-five feet to be permitted in those management areas outside of Regional Growth Areas and Pinelands Towns, provided that procedures and siting standards established in the amendment were met (N.J.A.C. 7:50-5.4(c)).

These procedures required the submission, and Commission certification, of a comprehensive local communications facilities plan (LCF Plan) for the Pinelands Area. LCF Plans are to be jointly submitted by providers of the same type of wireless service and include the locations of all proposed facilities within the Pinelands Area. As outlined in Table 1 below, there have been six certified LCF plans, each incorporating and expanding upon the proposed network configuration of all preceding LCF Plans. Once an LCF Plan is certified, applications seeking to construct individual facilities proposed within a plan are then reviewed in accordance with CMP’s environmental regulations, the standards for siting local communications facilities, as well as the relevant LCF Plan(s).

Table 1. Summary of Approved LCF Plans

LCF Plan	Certification Date	Participants	Service Frequency (in MHz)	Search Area Extent (in miles)
Cellular Plan	9/11/1998	Bell Atlantic Mobile, Comcast, Nextel	800	5
PCS Plan	1/14/2000	Sprint, Omnipoint	1850-1900	0.5
AT&T Plan	12/12/2003	AT&T	1850-1900	0.5
T-Mobile Plan	11/10/2011	T-Mobile	1850-1900	1
Public Safety Tower Plan	5/11/2012	Pinelands Area Counties	700	1
Sprint Plan	11/8/2013	Sprint	1850-1900	1

B. Submission of the Proposed Amendment

Ocean County is a participant of the Comprehensive Public Safety Tower Plan for Pinelands (Public Safety Tower Plan). The Public Safety Tower Plan, certified by the Pinelands Commission on May 11, 2012, includes the proposed locations of county local communications facilities needed to provide critical public safety communications coverage within the Pinelands Area. The Public Safety Tower Plan included a siting policy with a 1-mile radius search area (see Exhibit B).

The Public Safety Tower Plan includes a facility proposed by Ocean County to be located at Patriots Park in Jackson Township's Rural Development Area. Ocean County has since determined that a county-owned maintenance garage on Don Connor Boulevard in Jackson Township is a more suitable site (see Exhibit C). Patriots Park is on the state's Recreational and Open Space Inventory (ROSI). The park's inclusion on the ROSI means that, prior to any change of use other than recreation or conservation, the County would need to successfully obtain a diversion from the New Jersey Department of Environmental Protection's Green Acres Program, which is strongly discouraged by the program (N.J.A.C. 7:36-26.1). The County has also determined that construction of the tower at the garage would meet the same service needs that the Patriots Park site would provide, while requiring considerably less site disturbance and visual impact.

A new tower at the county-owned maintenance garage is not permitted because it is not within a 1-mile radius search area of a proposed site in the Public Safety Tower Plan. The county-owned maintenance garage is approximately 2.5 miles from Patriots Park. Therefore, consideration of the maintenance facility as a viable site for a new public safety tower would require Ocean County to submit an amendment to the Public Safety Tower Plan. Applicants may propose amendments to an approved LCF Plan pursuant to N.J.A.C. 7:50-5.4(c)6v.

Between March and May of 2017, Commission staff, Ocean County, the New Jersey Office of Information Technology (OIT) Office of Emergency Telecommunications Services, and the other six Pinelands Area Counties worked to develop a revised siting policy for the Public Safety Tower Plan. On May 18, 2017, Ocean County submitted the proposed amendment (see Exhibit A). The amendment was deemed complete for the purposes of Commission review on May 19, 2017.

II. Comprehensive Local Communications Facilities Plans and Amendments

The following document has been submitted to the Pinelands Commission for certification:

- Ocean County's May 2017 Amendment to the siting policy of the Comprehensive Public Safety Tower Plan for Pinelands

A. Summary of the Proposed Amendment

Ocean County's May 2017 Amendment seeks to revise the siting policy of the Public Safety Tower Plan in two ways: 1) to expand the size of the search area for the final siting of a proposed facility from a 1-mile radius to a 3-mile radius; and 2) to provide greater flexibility when siting a facility on developed, publically-owned land. It is important to note that the amendment does not include any additional proposed facilities and would apply only to facilities proposed in the Public Safety Tower Plan.

The Commission has approved a siting policy with each LCF Plan to be applied during the application process for siting individual facilities. This policy acknowledges that LCF Plans are akin to master plans in that they are long-range plans based on present conditions subject to change over time. Given this uncertainty, the siting policy provides flexibility to move a proposed site within an approved vicinity known as the search area. The search area recognizes that a facility can be moved within the approved vicinity without creating the need for additional facilities.

Each siting policy also provides constraints for siting towers within search areas that cross the Pinelands Area border or multiple management areas. In these cases, applicants seeking to construct a new tower must look for sites within the search area based on a hierarchy of preferred management areas as enumerated in the policy. This hierarchy directs applicants to search in the development-oriented management areas first. It is important to note that the CMP requires the use of existing suitable structures, to the extent practicable, as a first option prior to constructing a new tower or significantly altering an existing structure. This provision is incorporated into each siting policy and is included as part of the amendment under consideration.

In discussions between Ocean County and Pinelands Commission staff, it was determined that the 1-mile radius search area approved with the Public Safety Tower plan was overly-restrictive based on the frequencies used for public safety radio communications. The Commission has established the extent of a search area on a plan-by-plan basis based on the radio frequency of the service provided (see Table 1). This acknowledges that signals transmitted at lower frequencies in the spectrum (e.g., cellular service operating at 800 MHz) propagate over much greater distances than signals transmitted at higher frequencies in the spectrum (e.g., PCS service operating at 1850-1900 MHz). Given that the County Public Safety Agencies are using the 700 MHz frequency range, there is greater siting flexibility provided by the signal propagation characteristics than currently allowed for in the siting policy.

A 3-mile radius search area was selected in discussions with Ocean County and the OIT Office of Emergency Telecommunications Services, the latter of which has submitted written testimony supporting the technical justification for the expansion of the search area (see Exhibit D). This increased flexibility will not only benefit Ocean County as it will also apply to the other Pinelands Area counties that have proposed sites in the Public Safety Tower Plan.

County representatives also highlighted the differences between providers of commercial wireless services and providers of public safety communications services. The CMP regulations regarding local

communications facilities were written primarily in response to commercial wireless providers whose networks are designed around cellular arrays requiring relatively more towers that are more likely to be constructed on leased lands. Conversely, public safety towers have more powerful transmission systems that operate on a point-to-point basis requiring relatively fewer towers that are more likely to be sited on county-owned lands for both economic and security reasons.

While the CMP is explicit that proposed facilities utilize an existing suitable structure to the extent practicable, staff found that in instances when a new tower is needed, the current siting policy's hierarchy of preferred locations may create situations where counties would be forced to purchase land even if developed public lands may be available. The counties have indicated that such situations may be cost prohibitive, ultimately rendering a project infeasible, and prolong the deployment of critical public infrastructure. The amendment therefore provides added flexibility in siting new towers on developed, publically owned lands for public safety towers only. Again, this increased flexibility will not only benefit Ocean County as it will also apply to the other Pinelands Area counties that have proposed sites in the Public Safety Tower Plan.

The amendment under consideration would apply to proposed Phase-1 and Phase-2 facilities included within the Public Safety Tower Plan. There are a total of twenty-one proposed facilities in Phase-1 and 2, six of which are proposed in the most conservation-oriented management areas and five of which are proposed in a Regional Growth Area or Pinelands Town. It's important to note that proposed Phase-3 facilities are planned to be co-located on existing towers or proposed towers included in other plans.

B. Standards for Certification

The above-referenced amendment has been reviewed to determine whether it conforms with the standards for certification of amendments to LCF Plans as set out in N.J.A.C. 7:50-5.4(c)6v of the Pinelands Comprehensive Management Plan. The various standards required to be met for certification of LCF Plans and their amendments contained in N.J.A.C. 7:50-5.4(c)6 are outlined below along with relevant findings for each standard.

- 1. The amendment shall be agreed to and submitted jointly by all providers of the same type of service, where feasible. In the event that any provider declines to participate in the amendment process, the Commission may proceed with its review of the amendment.**

On April 20, 2017, Commission staff briefed representatives of the Pinelands Area counties on the proposed amendment at the OIT Office of Emergency Telecommunications Services' regularly scheduled Statewide Regional Communications meeting.

On April 26, 2017, OIT Office of Emergency Telecommunications Services emailed representatives of the Pinelands Area counties. The correspondence included the proposed amendment, a summary of the briefing and discussion at the April 20, 2017 meeting, and a request for written comment on the proposed amendment by May 10, 2017. No comment was received from the other six Pinelands Area counties.

On May 17, 2017, OIT Office of Emergency Telecommunications Services emailed representatives of the Pinelands Area counties to inform them that no comments were received and that the Pinelands Commission was advising Ocean County to move forward with officially

submitting the amendment. No comments were received by any of the other six participating Counties during the official comment period ending June 12, 2017.

Ocean County, with the assistance of Commission staff and the OIT Office of Emergency Telecommunications Services, has offered the other six Pinelands Area counties opportunities to participate in the submission of this amendment. The Executive Director finds that the absence of response to these offers for the other Pinelands Area counties to participate or comment on the proposed amendment is recognized as their tacit decision to not formally participate in the submission of the amendment. Therefore, this standard for certification is met.

2. The amendment shall include a review of alternative technologies that may become available for use in the near future.

The certified Public Safety Tower Plan included a review of alternative technology known as Distributed Antenna Systems. The Commission accepted this review as part of its certification of the Public Safety Tower Plan. The Executive Director finds that this review continues to sufficiently address this requirement. Therefore, this standard for certification is met.

3. The amendment shall include the approximate location of all proposed facilities.

The certified Public Safety Tower Plan included the geographic coordinates of each proposed facility's location. The amendment under consideration does not include any additional proposed towers. The Executive Director finds that the Public Safety Tower Plan continues to sufficiently address this requirement. Therefore, this standard for certification is met.

4. The amendment shall include five- and ten-year horizons.

The certified Public Safety Tower Plan included three different planning phases. Phase-1 included seventeen facilities planned to be deployed within five years of certification. Phase-2 included six facilities planned to be deployed within five to ten years of certification. Phase-3 included twenty-seven facilities without a proposed timeline for deployment.

At present, only one Phase-1 facility has been built and an additional Phase-1 facility has received a public development approval from the Commission. There have been no other approved facilities. Given that the build-out of this plan has progressed more slowly than planned, the Executive Director finds that the phases within the certified plan still sufficiently provide five- and ten-year horizons. Therefore, this standard for certification is met.

5. The amendment shall demonstrate the likely consistency that for each proposed facility there is a need for the facility to serve the local communication needs of the Pinelands, including those related to public health and safety, as well as a need to locate the facility in the Pinelands in order to provide adequate service to meet these needs.

During the review of the Public Safety Tower Plan in 2012, the OIT Office of Emergency Communication Services, in its technical capacity, found that there was a critical public safety need for each of the facilities proposed in the plan. They noted that, wherever possible, sites outside of the Pinelands Area were selected to fulfill this critical public safety need. To further

support this demonstration, a consulting firm, V-COMM, analyzed data provided by the participating public agencies. This analysis resulted in signal propagation maps depicting both the existing coverage within the area of each proposed facility as well as the expected level of coverage post-installation. This analysis demonstrated the need for each of the proposed facilities to serve the communications needs of the plan participants, and V-COMM affirmed that the only way to provide adequate service was to locate the proposed facilities within the Pinelands Area.

Ocean County's May 2017 Amendment does not include any additional proposed towers. There has been no change in the radio frequency to be used by the proposed facilities within the certified Public Safety Tower Plan. The analysis described above conducted by the OIT Office of Emergency Communications Services and V-COMM was done independent of the siting policy approved for the plan and would be impacted only if new towers were proposed or if different radio frequencies would be used by the proposed facilities. The Executive Director finds that the analysis conducted by the OIT Office of Emergency Communication Services and V-COMM is still valid and continues to sufficiently demonstrate the stated need as required by the CMP. Therefore, this standard for certification is met.

- 6. The amendment shall demonstrate that the facilities to be located in the Preservation Area District, the Forest Area, the Special Agricultural Production Area and the seventeen Pinelands Villages enumerated in N.J.A.C. 7:50-5.4(c)6 are the least number necessary to provide adequate service, taking into consideration the location of facilities outside the Pinelands.**

During the review of the Public Safety Tower Plan in 2012, the OIT Office of Emergency Communication Services, in its technical capacity, and with support of a consulting firm V-COMM, demonstrated consistency with this standard based on the analysis described above. V-COMM demonstrated via signal propagation maps that, taking into account the location of facilities outside the Pinelands Area, the new facilities proposed in conservation-oriented management areas are the least number necessary to provide adequate service.

Ocean County's May 2017 Amendment does not include any additional proposed towers. There has been no change in the radio frequency to be used by the proposed facilities within the Public Safety Tower Plan. The analysis described above conducted by the OIT Office of Emergency Communications Services and V-COMM was done independent of the siting policy approved for the plan and would be impacted only if new towers were proposed or if different radio frequencies would be used by the proposed facilities. Furthermore, Ocean County's May 2017 Amendment includes provisions describing a hierarchy of preferred siting locations. These provisions ensure that movement of the final siting of a proposed facility within a given search area does not result in relocation of a facility to a more conservation-oriented management area, unless there are no viable sites available within the less-restrictive management areas or outside the Pinelands Area. The Executive Director finds that the analysis described above is still valid and continues to sufficiently demonstrate the stated need as required by the CMP. Therefore, this standard for certification is met.

- 7. The amendment shall demonstrate the likely consistency, and note the need to demonstrate consistency during the application process for siting individual facilities, that existing communications or other suitable structures have been used to the extent practicable.**

The certified Public Safety Tower Plan sufficiently demonstrated the likely consistency that existing communications structures or other suitable structures will be used. Furthermore, the siting policy adopted with the plan noted the need to demonstrate this during the application process for siting individual facilities.

Ocean County's May 2017 Amendment does not include any additional towers. The amendment maintains the siting policy provision that requires applicants to use existing suitable structures, to the extent practicable, prior to the construction of a new tower. Therefore, this standard for certification is met.

- 8. The amendment shall demonstrate the likely consistency, and note the need to demonstrate consistency during the application process for siting individual facilities, that if an existing communications structure or other suitable structure cannot be used, then the antenna and any necessary supporting structure is located to meet the siting criteria contained in N.J.A.C. 7:50-5.4(c)4.**

During the review of the Public Safety Tower Plan in 2012, Commission staff conducted an analysis of the 1-mile radius search area surrounding each of the proposed facilities included in the plan to determine the likely consistency that a tower could be sited within the search area consistent the CMP. The result of the analysis demonstrated a likely consistency that each proposed facility could be sited consistent with the CMP with the exception of two sites proposed by Burlington County. The consistency issues for these two sites were discussed at length in the 2012 Executive Director's report that reviewed Public Safety Tower Plan. The report concluded that this standard had been met, provided that the inconsistencies with the two sites were remedied at the time of application.

Ocean County's May 2017 Amendment expands the search area from a 1-mile radius to a 3-mile radius. An expanded search is not expected to decrease the likelihood for any of the proposed facilities to be sited consistent with the standards of the CMP. In fact, the expanded search area should provide more opportunities to search for permissible locations in the event that a new tower is necessary. The proposed amendment may in fact help with the siting of the two proposed facilities discussed above. However, if it is not possible to meet the CMP's siting criteria for these two facilities, or any other proposed facility included in an LCF Plan, the CMP includes provisions for these cases that would allow the Commission to require the implementation of alternative sites or tower designs that will result in the greatest avoidance or minimization of visual impacts. Therefore, this standard for certification is met.

- 9. The amendment shall note the need to demonstrate during the application process for siting individual facilities that support structures are designed to accommodate the needs of any other local communications provider that has identified a need to locate a facility within an overlapping service area and that the antenna and supporting structure does not exceed 200 feet in height, but if of a lesser height, can be increased to 200 feet to accommodate other local communications facilities in the future. The amendment shall also provide for the joint construction and use of the least number of facilities that will provide adequate service by all providers for the local communication system intended.**

The certified Public Safety Tower Plan acknowledged that, with respect to non-plan participants, all sites within the Public Safety Tower Plan are subject to the same co-location and design

policies as are incorporated into the four previous plans submitted by the commercial wireless providers. The amendment under consideration does not alter co-location or design policies incorporated in the Public Safety Tower Plan. Therefore, this standard for certification is met.

10. The amendment shall include a plan for shared services, unless precluded by Federal law or regulation, if it reduces the number of facilities to be developed.

The certified Public Safety Tower Plan did not include a plan for shared services. The purpose of this standard is to encourage wireless communications providers to consider the possibility of single server coverage. None of the certified LCF Plans have included a plan for shared services on the grounds that it is precluded by federal law. The amendment under consideration maintains this stated position and does not include any provisions related to shared services. Therefore, this standard for certification is met.

PUBLIC HEARING

A public hearing to receive testimony concerning Ocean County's application for certification of its May 2017 Amendment to the Comprehensive Public Safety Tower Plan for Pinelands siting policy was duly advertised, noticed and held on June 7, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing at which the following testimony was received:

Michael Fiure, Assistant County Administrator, Ocean County stated that the County is upgrading its 500 MHz public radio system to a 700 MHz system due to existing radio interference. In the approved plan, Ocean County has a tower site located in Patriots Park. The County has a roads garage in Jackson that has been in existence for decades. The County would like to move the tower from the park. In order to build the tower in the park, the County would need to do clearing and cut trees down. The County does not want to site a public safety tower in a natural area. The County felt that the existing garage was a better location given that it is already developed land. The issue that the County encountered was that the garage is outside of the 1-mile search area of the Patriots Park site, which is what led the County to propose the amendment. This tower would be the last tower that would need to be built. All other Ocean County public safety towers are either constructed or in the permitting phase.

Katherine Smith, Policy Advocate, Pinelands Preservation Alliance provided testimony that was also submitted in writing (Exhibit D).

David McKeon, Planning Director, Ocean County testified in support of the proposed amendment. He stated that in the County's recent experience, they found no difference in how privately-owned towers and publicly-owned towers are treated by the Pinelands regulations. He stated that public safety towers are required for the safety of everybody including residents of the Pinelands, and they need to be in certain locations. The plan that was developed several years ago made an attempt to provide adequate coverage. However, it lacked consideration of developed versus undeveloped sites. The County agrees with the intent of the plan to minimize the visual impacts to the Pinelands, where possible, and that is what this amendment seeks to do.

He stated that the original location that was chosen was Patriots Park. It is a County park. While it does have an active component, the majority of the property is natural. It is also surrounded by thousands of acres of county-owned natural lands and state-owned forested areas. The County no longer desires to place the tower at this site, and it prefers to relocate the site to the County roads garage in Jackson. The garage is within 3miles of Patriots Park and is a fully developed site. The tower that the county proposes to construct works adequately in that area, and would not degrade the visual aesthetics of the area given current development.

He stated that Ocean County did meet with other counties in the area. This is not a problem unique to Ocean County. We need to be flexible with Public Safety Towers. The original plan's intent was to prevent the proliferation of many towers, most of those from private interests. These towers are publically-owned and have different needs, and in some cases publically-owned land is the only realistic location where these towers can be developed.

Written comments on Ocean County's application for certification of the May 2017 amendment were accepted through June 12, 2017 and were received from the following parties and included in Exhibit E:

Katherine Smith, Policy Advocate, Pinelands Preservation Alliance

Lizzi Schippert

Sarah B. Dougan

Jody Vaughn

Jean Public

EXECUTIVE DIRECTOR'S RESPONSE

Ms. Smith, on behalf of the Pinelands Preservation Alliance, stated her concerns that: (1) the siting policy no longer maintains an initial presumption that a tower will be sited in the immediate area of the proposed location in the plan; and that the revisions to the hierarchy of preferred locations for new towers would (2) allow for more towers than necessary in the most conservation-oriented management areas and (3) not prevent or discourage the use of public recreation or conservation lands in Regional Growth Areas and Pinelands Towns as future tower sites.

With regard to (1) above, Ms. Smith is correct that Ocean County's May 2017 Amendment does not include a presumption that the final siting of a proposed facility will be located in the immediate area (as defined as within the municipality and management area of the proposed location). This change should in fact be recognized as helping to protect the conservation-oriented areas and undeveloped sites of the Pinelands from visual impacts. For example, in instances where the proposed location is in a conservation-oriented management area, the immediate area provision would lock proposed sites within the management area and municipality proposed unless there is not a feasible site within that area. With this presumption removed, the hierarchy policy would direct the siting to preferred locations within a larger search area that may include less sensitive developed sites or management areas. It is also important to note that development applications for individual facilities receive a greater degree of scrutiny than during the LCF Plan review process. Therefore, there should be no concern that individual applications are not adequately vetted.

With regard to (2) above, Ms. Smith's concern should be allayed by the demonstrations that were provided by the OIT Office of Telecommunications Services and V-COMM as described in II.B.6 above. In the certification of the Public Safety Tower Plan, the Commission affirmed the demonstration that the least number of towers necessary to provide adequate service were located in the most conservation-oriented areas. Ms. Smith correctly notes that there may be limited instances where a site proposed in a conservation-oriented management area may be moved to a different management area and still meet the coverage needs. However, the flexibility provided to the County Public Safety Agencies is limited to developed, publically owned sites and only for those sites already proposed in the most conservation-oriented management areas. In no case does the Amendment allow for the siting of a new tower in a more restrictive management area, although it may result in siting in an equally- or less-restrictive management area. This added flexibility is in recognition that public communications facilities face different constraints than commercial facilities and provide a critical public safety need.

With regard to (3) above, we respectfully disagree with Ms. Smith. Regional Growth Areas and Pinelands Towns are not subject to CMP height limitations. As such, CMP local communication facilities regulations do not apply to the siting of towers in these management areas. They need only comply with the minimum environmental standards included in Subchapter 6 of the CMP. To the extent that a publically-owned property in a Regional Growth Area, Pinelands Town or any other management area is deed restricted or otherwise reserved for recreation and/or open space, the development of a new tower would not be permitted unless a diversion were approved (as discussed in Section I.B above). The Amendment does not facilitate the development of new towers on deed restricted open space, conservation or recreation lands. If, however, a publically-owned property in the Regional Growth Area is not preserved as open space or subject to a deed restriction, the Amendment does indeed encourage a new tower to be sited there, whether or not the property is vacant. This is wholly in keeping with the primary objective of N.J.A.C. 7:50-5.4(c)6, which is to minimize the need for new towers in other more conservation-oriented portions of the Pinelands Area.

While we appreciate the other written comments received from the above stated parties, their expressed concerns are not germane to the particular provisions of the amendment currently under consideration.

CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that Ocean County's May 2017 Amendment complies with Comprehensive Management Plan standards for the certification of an amendment to a certified comprehensive local communications facilities plan. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ocean County's May 2017 Amendment to the Comprehensive Public Safety Tower Plan for Pinelands siting policy.

LLL/SRG/DBL/
Attachments



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: To Accept the Fiscal Year 2015 Audit Report

Commissioner _____ **moves and Commissioner** _____ **seconds the motion that:**

WHEREAS, the audit of the Pinelands Commission Fiscal Year 2015 Financial Statements, Notes to the Financial Statements and Schedules of Federal and State Assistance was performed by the Office of the State Auditor; and

WHEREAS, the Fiscal Year 2015 Audit Report contains two findings for the Commission to address. This includes strengthening the internal controls by ensuring the Bank Account Reconciliations are prepared and reviewed by the independent accounting firm and the testing of the Disaster Recovery Plan; and

WHEREAS, to address the internal controls finding, the Pinelands Commission staff and the independent accounting firm have created a new bank reconciliation process to be used until a new accounting system is purchased and installed. To address the testing of the disaster recovery plan, the Commission’s MIS department has included additional hardware in the FY18 Budget needed to perform simulated disaster testing.

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby accepts the attached Audit Report for Fiscal Year 2015 and directs that it be included as a publication available through the Pinelands Commission’s website.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17-_____

TITLE: Designate Roads within Wharton State Forest that are Appropriate for Recreational Use by Motor Vehicles.

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, Wharton State Forest consists of approximately 125,000 acres of state-owned land within the Pinelands Preservation Area, the most ecologically sensitive portion of the Pinelands National Reserve; and

WHEREAS, Wharton State Forest provides extensive public recreational opportunities, including canoeing, hiking, biking, horseback riding, camping, hunting and motorized vehicle recreation; and

WHEREAS, the Comprehensive Management Plan (“CMP”) at N.J.A.C. 7:50-6.143(a)(2) allows for the use of motor vehicles on public lands for recreational purposes; and

WHEREAS, in accordance with N.J.A.C. 7:50-6.143(a)3, the Pinelands Commission may, from time to time, designate areas on public lands, that are inappropriate for use of motor vehicles; and

WHEREAS, N.J.A.C. 7:50-6.143(a)3 also provides that such designation shall be done in consultation with the New Jersey Department of Environmental Protection; and

WHEREAS, from January 15, 2016 through May 12, 2017, the Commission heard extensive public comment concerning the damage being done to ecologically sensitive areas within Wharton State Forest as a result of motorized vehicles being operated off-road within the forest and the need to preserve these areas; and

WHEREAS, these concerns were expressed by the various users of Wharton State Forest including, but not limited to, environmental groups, hikers, hunters, enduro groups and off-road vehicle riders; and

WHEREAS, the Commission also heard public comment concerning the importance of having a map of Wharton State Forest that depicts the roads located therein for use by emergency responders, law enforcement officials and the public; and

WHEREAS, based on the public comment it has received, the Commission recognizes that the use of motorized vehicles off-road within Wharton State Forest is resulting in significant damage to the ecological and cultural resources of the Pinelands; and

WHEREAS, from October 2016 through May 2017, Commission staff has provided information to the Department of Environmental Protection concerning sites within Wharton State Forest that have been damaged by off-road motor vehicle use and met with the Department to discuss the development of guidance to identify areas where recreational motor vehicle use would be appropriate; and

WHEREAS, after consideration of the extensive public comment and review of available mapped information, the Commission has assembled sections of various USGS Topological maps from 1972, 1981, 1995 and 1997 in order to establish a map depicting the existing roads located within Wharton State Forest; and

WHEREAS, the Commission believes the above-described USGS map will be an important tool by which the Department of Environmental Protection may identify areas within Wharton State Forest that are appropriate for recreational use by motor vehicles; and

WHEREAS, the CMP provides in Section 7:50-6.143(a)(3)(i-ix) that among the considerations that the Pinelands Commission may base such designation upon are, *inter alia*,

- i. A need to protect a scientific study area;
- ii. A need to protect the location of threatened or endangered plant or animal species;
- iii. A need to provide a wilderness recreational area;
- iv. A need to prevent conflicts with adjoining intensively used recreational areas;
- v. A need to protect historic or archaeological sites;
- vi. A need to protect critical wildlife habitats;
- vii. A need to address a situation of public health and safety;
- viii. A need to protect extensively disturbed areas from further impact; and
- ix. The extent to which such road closure would substantially impair recreation access to and uses of surrounding resources.

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that:

- (1) The Pinelands Commission hereby designates pursuant to CMP section 7:50-6.143(a)(3)(i-ix) as appropriate for use of motor vehicles any and all roads in Wharton State Forest depicted on the assembled USGS Topographical maps, attached hereto as Exhibit A and incorporated herein by reference; and
- (2) The Pinelands Commission finds that recreational use of motor vehicles in Wharton State Forest should be limited to the roads marked on the attached USGS Topographical maps. From time to time, the Pinelands Commission may identify any of these or other roads unsuitable for motor vehicle passage based on the criteria set forth in the CMP at N.J.A.C.7:50-6.143(a)3. Any future changes shall be the subject of consultation between the Pinelands Commission and the NJDEP.
- (3) The Executive Director shall forward this Resolution to the New Jersey Department of Environmental Protection and to consult with the Department regarding the areas designated in Paragraph (1) above.
- (4) The Executive Director, shall update the Commission on the use of the USGS Topographical Maps and other efforts to protect Wharton State Forest from further off-road motorized vehicle damage on an ongoing basis.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

MEMORANDUM

To: Members of the Commission

From: Charles M. Horner, P.P. ^{C.M.H.}
Director of Regulatory Programs

Date: June 28, 2017

Subject: Public Development Memorandum of Agreement (MOA) Determinations

Between May 27, 2017 and June 28, 2017, the Commission staff determined that the following public development application was consistent with the Commission approved public development MOAs and that the proposed development may proceed:

2016-0082.001 - Ocean County
Reconstruction of the Grawtown Road Bridge

Please do not hesitate to contact me with any questions.



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

**DETERMINATION OF CONSISTENCY
 WITH MEMORANDUM OF AGREEMENT**

June 13, 2017

John Ernst, P.E.
 Office of the Ocean County Engineer
 P.O. Box 2191
 Toms River, NJ 08754

Re: Application # 2016-0082.001
 Grawtown Road Bridge (Structure No. 1511-009)
 Jackson Township

Dear Mr. Ernst:

We have reviewed the above referenced application proposing the replacement of the Grawtown Road Bridge in Jackson Township. The submitted information indicates that the bridge will be widened from an existing width of approximately 30 feet to 43 feet.

On September 10, 2010, the Commission entered into a Memorandum of Agreement (MOA) with Ocean County to facilitate the review of certain classes of public development defined in the MOA. In accordance with Section V.H.9 of the MOA, the enlargement, extension, reconstruction and replacement of a bridge, provided that new land disturbance does not exceed 5,000 square feet, does not require individual development approval from the Commission. The Commission staff has determined that the development proposed in this application is consistent with the requirements of the MOA and may proceed provided any other necessary approvals and permits are received.


The proposed development shall adhere to the plan, consisting of 16 sheets, prepared by Cherry, Weber & Associates, PC and dated as follows:

Sheet 1 – undated; revised to April 2017
 Sheets 2-16 – January 2017; revised to April 2017



Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest M. Deman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ernest M. Deman
Supervising Environmental Specialist

c: Katie Kinsella



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

MEMORANDUM

To: Members of the Pinelands Commission

From: Susan R. Grogan 
Chief Planner

Date: June 30, 2017

Subject: No Substantial Issue Findings

During the past month, we reviewed seven ordinance amendments that we found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan. These amendments were:

Barnegat Township Ordinance 2017-14 - amends Sections 45-6B and 55-188.4B of the Township Code by providing additional fence standards applicable to property located on a body of water or lagoon.

Barnegat Township Ordinance 2017-15 - amends Section 55-351 of the Township Code by increasing the mandatory non-residential development fee from 2 percent of the total equalized assessed valuation of the non-residential development to 2.5 percent.

Barnegat Township Ordinance 2017-17 - amends Section 55-351 of the Barnegat Township Code by increasing the mandatory residential development fee from 1 percent of the total equalized assessed valuation for each residential unit constructed to 1.5 percent.

Town of Hammonton Ordinance 10-2017 - amends Chapter 175 (Land Development) of the Town's Code by revising permitted uses in the H-B (Highway Business) District. Specifically, Ordinance 10-2017 clarifies the types of medical and related facilities that are permitted under Section 175-155(a)(14), Hospitals. The H-B District is located within a Pinelands Town management area.

Maurice River Township Ordinance 658 - amends Chapter 35 (Land Development Regulations) of the Township's Code in response to recent amendments to the CMP, adopted January 3, 2012 and September 2, 2014. Specifically, Ordinance 658 incorporates revised definitions for alternate design pilot program treatment system, immediate family, and solar energy facility, a revised deadline for

installing alternate design pilot program treatment systems, a revised list of activities that do not require application to the Commission and revised submission requirements for applicants giving notice of municipal development approvals.

Maurice River Township Ordinance 659 - amends Chapter 35 by deleting and replacing Section 35-8.1, Accessory Structures and Uses. Included in the revised section are new standards limiting the size and total area of accessory structures on single-family residential lots, with certain exemptions for farm qualified properties on which active agricultural operations are located.

Monroe Township Ordinance O:22-2017 - amends Chapter 175 (Land Management) of the Township's Code by deleting and replacing Section 175-89, Accessory building. Included in the revised section are standards governing the location, use, size, number and design of accessory buildings. In addition, Section 175-89G specifies that no construction permit may be issued for the construction of an accessory building prior to the issuance of appropriate permits for the construction of the principal building on the property.