



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



Mark S. Lohbauer  
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: Nancy Wittenberg   
Executive Director

Date: September 30, 2015

Subject: Summary of the October 9, 2015 Meeting Packet

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#### Minutes

The September 11, 2015 Commission meeting minutes are included in your packet.

#### Public Development Applications

Two public development applications are being recommended for approval with conditions.

1. **NJ STATE FORESTRY SERVICES (NJDEP)**, Preservation Area District, Forest Area and Agricultural Production Area, forestry and forest fire management activities at Double Trouble State Park; and
2. **WOODLAND TOWNSHIP**, Pinelands Village Management Area, construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements.

#### Waiver of Strict Compliance

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

#### Letter of Interpretation

Two Pinelands Development Credit (PDC) Letters of Interpretation (attached) were issued since the last Commission meeting, allocating 5.6 PDCs to 122.77 acres.

#### Off-Road Vehicle Event Route Map Approval

One Off-Road Vehicle Event Route Map Approval (attached) was issued since the last Commission meeting.

**Superfund Groundwater Remediation Cleanup**

There are no Superfund Clean-ups on this month's agenda.

**Master Plans and Ordinances Not Requiring Commission Action**

We have included a memorandum on seven master plan amendments that we reviewed and found to raise no substantial issues with respect to CMP standards. These amendments were submitted by Berkeley Township, Little Egg Harbor Township and Ocean Township.

**Other Resolutions**

The packet also includes a resolution to approve the Commission's 2014 Annual Report.

Listed on this month's agenda is a resolution honoring the late Bob Hagaman as a past member of the Commission.

**Other Items**

Also included in this month's packet is a memorandum from the Regulatory Programs office, which finds one public development application to be consistent with an existing Memorandum of Agreement (MOA).

**Closed Session**

The Commission may need to convene into closed session.

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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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Mark S. Lohbauer  
Chairman

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### NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, October 9, 2015

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. Adoption of Minutes

- September 11, 2015

3. Committee Chairs' and Executive Director's Reports

4. 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 1982-4156.019)
  - Approving with Conditions an Application for Public Development (Application Number 1993-0148.003)

B. Planning Matters

- Municipal Ordinances
  - None
- Other Resolutions
  - None
- CMP Amendments
  - None

5. Public Comment on Agenda Items and Pending Public Development Applications (see attached list) *(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.)*
6. Master Plans and Ordinances Not Requiring Commission Action
  - Berkeley Township's 2015 Master Plan Reexamination Report and Master Plan Amendments
  - Little Egg Harbor Township's 2015 Master Plan Reexamination Report, Master Plan Amendments and Floodplain Management Plan
  - Ocean Township's 2015 Master Plan Reexamination Report and Master Plan Amendments
7. Other Resolutions
  - To Approve the New Jersey Pinelands Commission's 2014 Annual Report
  - Expressing the Commission's appreciation to the late Robert Hagaman for his service as a member between December 16, 2002 and June 12, 2008
8. 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.)*
9. 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.)*
10. Adjournment

### Upcoming Meetings

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

Fri., Oct. 30, 2015	Policy & Implementation Committee Meeting (9:30 a.m.)
Fri., Oct. 30, 2015	MOA Policy Advisory Committee Meeting (immediately following the P&I meeting)
Fri., Nov. 13, 2015	Pinelands Commission Meeting (9:30 a.m.)
Tues., Nov. 17, 2015	Personnel & Budget Committee Meeting (9:30 a.m.)
Fri., Nov. 20, 2015	Policy & Implementation Committee Meeting (9:30 a.m.)

### Events of Interest

October 21, 2015- Pinelands Research Series-Natalie Howe- New Lisbon, NJ  
Soil Lichens of the NJ Pinelands- 10:00 a.m.

### Upcoming Office Closures

Monday, October 12, 2015 Columbus Day



*Pinelands Commission and Committee meeting agendas are posted on the Commission's Web site and can be viewed at [www.nj.gov/pinelands/](http://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](mailto: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

**September 11, 2015**

Commissioners Present

Candace Ashmun, Alan W. Avery Jr., Bob Barr, Bill Brown, Joe DiBello, Sean Earlen, Paul E. Galletta, Ed Lloyd, Ed McGlinchey, Richard Prickett, Gary Quinn, D'Arcy Rohan Green, Fran Witt and Chairman Mark Lohbauer. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Amy Herbold and Deputy Attorney General Sean Moriarty.

Commissioners Absent

Jane Jannarone.

Chairman Lohbauer called the meeting to order at 9:36 a.m.

DAG Sean Moriarty read the Open Public Meetings Act Statement.

Ms. Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 14 Commissioners present.)

Chairman Lohbauer asked everyone to stand and observe a moment of silence on the 14<sup>th</sup> anniversary of the September 11<sup>th</sup> attacks on our nation.

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

### Minutes

Chairman Lohbauer presented the minutes from the August 14, 2015 Commission meeting. Commissioner Barr moved the adoption of the minutes. Commissioner Prickett seconded the motion.

The minutes of the August 14, 2015 Commission meeting were adopted by a vote of 12 to 0, with Commissioner Quinn and Commissioner Rohan Green abstaining.

### Committee Chairs' Reports

Chairman Lohbauer said there were no Committees to report on this month.

Chairman Lohbauer said former Commissioner Bob Hagaman passed away last week. He said Mr. Hagaman served as a gubernatorial appointee on the Pinelands Commission from December 2002 until June 2008. He was a member of the Commission's Personnel and Budget Committee and the Permanent Land Protection Committee.

Mr. Hagaman was the longtime pastor of the Jenkins Chapel in the heart of the Pinelands in Washington Township, Burlington County. He served as the Mayor of Mullica Township for four years, and he was a member of the township's Board of Education and the Weekstown Volunteer Fire Company.

### Executive Director's Reports

Ms. Nancy Wittenberg updated the Commission on the following:

- The Auditors have completed their field work and are currently drafting the Audit report at their home office in Trenton. Ms. Wittenberg said staff members had an exit interview with the Audit team prior to their departure.
- A representative from the State Ethics Commission will provide in-person Ethics Training immediately following today's Commission meeting.

Mr. Paul Leakan said the Commission is currently accepting bids in response to a Request for Proposal for the proposed interpretive center in the Richard J. Sullivan Center. He said the Executive Director will make a formal recommendation of a contractor qualified to fabricate and install interpretive exhibits and associated building improvements to the Commission. He said based on the current schedule, the Commission could vote on the recommendation at the January 2016 monthly meeting and the bid could be awarded sometime in February 2016. See attached slides for additional information.

Mr. Larry Liggett updated the Commission on the following:

- New Jersey Future has received a grant to research green infrastructure. Staff from the Pinelands Commission and the Highlands Council met with NJ Future to offer their perspective.

- Mr. Liggett spoke alongside Pinelands Preservation Alliance Executive Director Carleton Montgomery at a Lead NJ event highlighting 30 years of regional planning in the Pinelands.
- The Commission staff will meet with the New Jersey Builders Association next week to discuss possible enhancements to the Pinelands Development Credit Program.
- Commission staff met with Winslow Township officials to discuss a rezoning proposal. Included in the discussion was the town's sewer system infrastructure and water supply capacities.

Mr. Chuck Horner provided an update on the following:

- Southampton Township officials have contacted staff to once again discuss redeveloping the town's public works yard.
- New Jersey Transit has contacted the Commission about its existing herbiciding Memorandum of Agreement (MOA). The MOA allows New Jersey Transit to treat its vegetative growth in the rail line right-of-way. The vegetation has become resilient to the application of glyphosate. New Jersey Transit is looking to amend the MOA to use an alternate herbicide.
- A meeting is scheduled for early next week with the Burlington County Engineering Department to discuss the widening of Taunton Lakes Road in Evesham Township. The road is a narrow two-lane county road that is almost entirely in wetlands. Mr. Horner said there was an issue as to where to place a stormwater basin. He said he believes a solution has been identified and will be further discussed at the upcoming meeting.

Ms. Susan R. Grogan provided an update on the following:

- The Pinelands Development Credit (PDC) Bank Fiscal 2015 Annual Report was issued at the end of August and has been distributed to Commissioners. The report is also available on the website:  
<http://www.state.nj.us/pinelands/pdcbank/reports/2015%20PDC%20Bank%20Annual%20Report%20Web%20Version.pdf>
- The PDC Bank Board held a meeting on September 8 to re-adopt its regulations, which expire every seven years.
- The Permanently Protected Lands map has been distributed. Ms. Grogan said she will provide an update on the Commission's land preservation efforts later in the meeting.

The Commissioners discussed the process used for the South Jersey Gas application. Issues discussed included whether a public hearing should be held by the Commission and whether a final decision should be rendered by the Commission. The discussion also included whether such a decision process was provided for in the Comprehensive Management Plan (CMP). Staff explained the CMP provisions relevant to the Commission's review of an approval issued by a local permitting agency and the process when, as in this case, local review is pre-empted by state or federal law.



Public Development Projects and Other Permit Matters

Chairman Lohbauer presented a resolution recommending the approval of five public development applications.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1991-0836.068, 1995-1213.010, 2001-0604.003, 2003-0032.002 & 2003-0403.003)(See Resolution # PC4-15-22). Commissioner Barr seconded the motion.

Commissioner Prickett asked if the applicant for the Lakehurst Solar proposal is required to provide an update on the population of Sickle-leaved golden aster plants.

Mr. Horner said no. However, he said he could request in the cover letter that the Joint Base provide an update each year on the status of the local population of Sickle-leaved golden aster in the immediate vicinity of the proposed solar facility.

Commissioner Galletta and Commissioner Barr agreed to that request.

The Commission adopted the resolution by a vote of 14 to 0.

Chairman Lohbauer said the next resolution is for the construction of a communications facility in Manchester Township.

Commissioner Prickett moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1982-2731.010) (See Resolution # PC4-15-23). Commissioner Brown seconded the motion.

The Commission adopted the resolution by a vote of 14 to 0.

Chairman Lohbauer said the next resolution is for the demolition of two structures greater than 50 years old.

Commissioner Barr moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1982-2906.009) (See Resolution # PC4-15-24). Commissioner Rohan Green seconded the motion.

The Commission adopted the resolution by a vote of 13 to 0, with Commissioner Galletta not participating in the vote.

Chairman Lohbauer said the following application is for the development of a 16 stall paved parking lot at an existing elementary school in Manchester Township.

Commissioner Avery moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1987-0172.003) (See Resolution # PC4-15-25). Commissioner Lloyd seconded the motion.

Commissioner Prickett asked if the parking lot had already been constructed.

Mr. Horner said the parking lot was previously constructed. He said this application will resolve that violation. In addition, the applicant proposes to pave the parking area.

The Commission adopted the resolution by a vote of 14 to 0.

Chairman Lohbauer said the next resolution is for waiver to develop a single-family dwelling in Stafford Township.

Commissioner Lloyd moved the adoption of a resolution Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 2009-0038.001) (See Resolution # PC4-15-26). Commissioner Barr seconded the motion.

The Commission adopted the resolution by a vote of 14 to 0.

#### Other Resolutions

Chairman Lohbauer presented the resolution to modify the Cooperative Agreement with the National Park Service.

Commissioner Ashmun moved the adoption of a resolution To Authorize the Executive Director to Modify the Cooperative Agreement with the National Park Service for Pinelands Monitoring (Modification 0002 to Cooperative Agreement P13AC00554) (See Resolution # PC4-15-27). Commissioner Lloyd seconded the motion.

Commissioner DiBello rose from the dais and left the room.

The Commission adopted the resolution by a vote of 13 to 0.

Commissioner DiBello returned to the meeting.

#### Public Comment on Agenda Items and Pending Public Development Applications

Ryan Rebozo of the Pinelands Preservation Alliance commented on Application #1982-4156.019 (Double Trouble State Park Forest Stewardship Plan). He said overall he is satisfied with the plan and the proposed practices. He said he has questions about the Atlantic white cedar restoration and the use of aerial herbicides. He said the plan does not specify the type of herbicide. He asked if it was a broad leaf defoliant. He also asked what efforts have been taken to identify and locate threatened and endangered plants in the vicinity of the potential sprayed areas.

Emile DeVito of the New Jersey Conservation Foundation commented on Application #1982-4156.019 (Double Trouble State Park Forest Stewardship Plan). He commended the Forestry Service for the work they did on the plan. He said it is a very good plan. He said the plan should not target an oak forest for shortleaf pine restoration. He said the restoration does not meet the rules of the CMP (stand conversion). He said oak forests in the Pine Barrens are rare to begin with. He said there has been a loss of oak forests due to

development, gypsy moths, illegal logging and harvesting. He said the timing restrictions for work around critical snake habitat is listed in the plan from October 1 through April 30. He said the timing needs to be revised to March 15 through November 1. He said that based on tracking data that he has conducted, snakes are coming out of their dens earlier and hibernating later.

Jeff Tittel of the New Jersey Sierra Club commented on Application #1982-4156.019, (Double Trouble State Park Forest Stewardship Plan). He said aerial herbicide spraying does not make sense because of the potential for chemical drift. He said that the application of herbicide should be more localized rather than broad based.

Michelle Woodruff of Barnegat NJ asked about the determination of the deceleration application on Route 72 (Application #2003-0403.003).

Chairman Lohabuer said that application was approved by the Commission.

#### Ordinances Not Requiring Commission Action

Chairman Lohbauer asked if any Commissioners had questions regarding the ordinances not requiring Commission action:

- Galloway Township Ordinance 1913-2015
- Manchester Township Ordinance 15-008 & 15-010

No members of the Commission had questions.

#### Presentation: Permanent Land Protection

Ms. Grogan noted that, in the past, the Permanent Land Protection presentation was only presented to the Policy and Implementation Committee. She said this year she thought it would be valuable if the full Commission saw the presentation and positive efforts of the Commission's programs. She reviewed each Commission program that resulted in preserved land in the Pinelands Area in Fiscal Year 2015, including the Pinelands Conservation Fund, the PDC Program, the Limited Practice Use Program, Density Transfer, Clustering, MOA's and the Garden State Parkway (Exit 44). See presentation slides for further information.

Ms. Grogan said that in 2009 the Commission adopted mandatory clustering rules in the Forest and Rural Development Areas, and this is the first time since the rule adoption that the Commission has seen land protected due to the clustering rules.

Ms. Grogan displayed a map that showed the preserved lands in the the Pinelands Area.

Link to the

map:[http://www.state.nj.us/pinelands/home/maps/maps/documents/PLP\\_2015\\_ARCHE\\_w hitelogo.pdf](http://www.state.nj.us/pinelands/home/maps/maps/documents/PLP_2015_ARCHE_w hitelogo.pdf))

Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities

Ann Kelly of Mount Laurel said that Super Storm Sandy caused many gas leaks throughout New Jersey's barrier islands. She expressed concern over pipelines and said she is a proponent of solar and wind energy.

Micah Rasmussen of Cream Ridge said he is a concerned former employee of New Jersey Natural Gas (NJNG), and he is speaking out about the Southern Reliability Link (SRL). He said he wanted to inform the Commissioners, its Executive Director and staff that the SRL pipeline serves no military purpose. He read emails that were sent between NJNG employees and Joint Base officials that he received through a FOIA (Freedom of Information Act) request. (See attached emails.)

Chairman Lohbauer requested that staff look over the emails and report back to the Commission at the October meeting.

Doug O'Malley, Director of Environment New Jersey, said the Commissioners needs to make the final decision on the South Jersey Gas pipeline application rather than staff. He also said that a public hearing on the pipeline application is essential.

Margit Meissner-Jackson of the Ocean County Sierra Club said that, with rising sea levels, it is not a good idea to repower BL England. She said that it would have only taken another six to eight inches of surging water and Oyster Creek could have turned into the next Fukushima incident. She said natural gas is not clean because it comes from fracking. She said fracking is dirty and destructive to the environment.

Jeff Tittel of the Sierra Club said the public has concerns about the South Jersey Gas pipeline, as do some Commissioners. He said that Sierra Club also has serious concerns about NJNG's proposed pipeline. He suggested creating a moratorium on all pipelines in the Pinelands until the Policy and Implementation Committee can write rules to address them. He said whether you do or don't support the pipeline, it's bad policy.

Bob Filipczak of Linwood NJ said the pipeline does not benefit the Pinelands. Mr. Filipczak also expressed his concerns about the Stormwater Management basins associated with two interchange expansions on the Garden State Parkway.

Chairman Lohbauer advised Mr. Filipczak that he received his email about the stormwater basins and Mr. Horner could answer any questions about the basins.

Marilyn Miller of Toms River, NJ, said she is concerned about the future of the Pinelands and New Jersey. She said businesses see New Jersey as a conduit to transport and export our nation's natural resources.

Marianne Clemente of Barnegat said she was happy to hear Commissioners expressing concern over the next steps of the pipeline matter. She said a decision as controversial as the pipeline should be made by the Commission and not by staff.

Fred Akers of the Great Egg Harbor Watershed Association said he enjoyed the presentation on land preservation. He said off-road motorized vehicles are causing permanent, adverse impacts in Wharton State Forest. He said the New Jersey Division of Parks & Forestry drafted a motorized access plan to gain control of the situation. He said he attended some of the meetings that the Division of Parks & Forestry have presented to local municipalities. He said the plan is getting push back, and it will be interesting to see if the DEP Commissioner will support the motorized access plan.

Adjournment

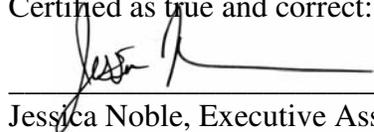
Commissioner Prickett asked if the Commission has the authority to enforce a moratorium on development that is not adequately covered in the CMP.

Commissioner Ashmun said that while the CMP was being developed, there was a moratorium on all development.

Commissioner Avery made a motion to create a resolution to recognize former Commissioner Bob Hagaman. Commissioner McGlinchey seconded the motion. All were in favor of the motion.

Commissioner McGlinchey moved to adjourn the meeting. Commissioner Barr seconded the motion. The Commission agreed to adjourn at 11:42 a.m.

Certified as true and correct:

  
\_\_\_\_\_  
Jessica Noble, Executive Assistant

Date: September 18, 2015



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

NO. PC4-15- 22

**TITLE:** Approving With Conditions Applications for Public Development (Application Numbers 1991-0836.068, 1995-1213.010, 2001-0604.003, 2003-0032.002 & 2003-0403.003)

Commissioner Galletta moves and Commissioner Barc 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 applications for Public Development be approved with conditions:

**1991-0836.068**  
**Applicant:** Lakehurst Solar, LLC on behalf of Joint Base McGuire Dix Lakehurst  
**Municipality:** Manchester Township  
**Management Area:** Pinelands Military/Federal Installation Area  
**Date of Report:** August 24, 2015  
**Proposed Development:** Development of a 56 acre solar facility;

**1995-1213.010**  
**Applicant:** Stafford Township Municipal Utilities Authority  
**Municipality:** Stafford Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** August 19, 2015  
**Proposed Development:** Construction of a 2,353 square foot addition to an existing water treatment building;

**2001-0604.003**  
**Applicant:** Egg Harbor Township  
**Municipality:** Egg Harbor Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** August 19, 2015  
**Proposed Development:** Two lot resubdivision and no further development;

**2003-0032.002**  
**Applicant:** Monroe Municipal Utilities Authority  
**Municipality:** Monroe Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** August 21, 2015  
**Proposed Development:** Installation of a potable water test well; and

**2003-0403.003**  
**Applicant:** NJ Department of Transportation  
**Municipality:** Barnegat Township  
**Management Area:** Pinelands Forest Area  
**Date of Report:** August 19, 2015  
**Proposed Development:** Construction of two traffic deceleration lanes in the Route 72 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.

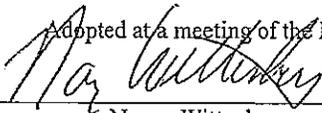
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1991-0836.068, 1995-1213.010, 2001-0604.003, 2003-0032.002 & 2003-0403.003 for public development are hereby approved subject to the conditions recommended by the Executive Director.

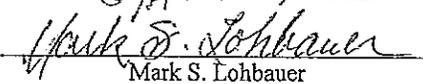
Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS						
Ashmun	<input checked="" type="checkbox"/>				Earlen	<input checked="" type="checkbox"/>				Prickett	<input checked="" type="checkbox"/>			
Avery	<input checked="" type="checkbox"/>				Galletta	<input checked="" type="checkbox"/>				Quinn	<input checked="" type="checkbox"/>			
Barr	<input checked="" type="checkbox"/>				Jannarone			<input checked="" type="checkbox"/>		Rohan Green	<input checked="" type="checkbox"/>			
Brown	<input checked="" type="checkbox"/>				Lloyd	<input checked="" type="checkbox"/>				Witt	<input checked="" type="checkbox"/>			
DiBello	<input checked="" type="checkbox"/>				McGlinchey	<input checked="" type="checkbox"/>				Lohbauer	<input checked="" type="checkbox"/>			

Adopted at a meeting of the Pinelands Commission

Date: September 4, 2015





Nancy Wittenberg  
Executive Director

Mark S. Lohbauer  
Chairman



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Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

August 24, 2015

Bradford T. Nordholm  
 Lakehurst Solar, LLC  
 20 Park Plaza, Suite 320  
 Boston, MA 02116

Re: Application # 1991-0836.068  
 Block 70, Lot 18  
 Manchester Township

Dear Mr. Nordholm:

The Commission staff has completed its review of this application for development of a 56 acre solar facility at Joint Base McGuire-Dix-Lakehurst (JBMDL). 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 September 11, 2015 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 Construction Code Official (via email)
- Manchester Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Michael J. Gross, Esq.
- Jamie Fordyce







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General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

August 24, 2015

Bradford T. Nordholm  
Lakehurst Solar, LLC  
20 Park Plaza, Suite 320  
Boston, MA 02116

Application No.: 1991-0836.068

Location: Block 70, Lot 18  
Manchester Township

This application proposes development of a 56 acre solar facility at Joint Base McGuire-Dix-Lakehurst (JBMDL) located on the above referenced 1,066 acre lot in Manchester Township. The proposed solar facility will be located on the Lakehurst Naval Air Engineering Station (NAES) portion of JBMDL.

### 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. 7:50-5.29)

The lot is located in a Pinelands Military and Federal Installation Management Area. The JBMDL Pinelands Military and Federal Installation Area overlays both the Pinelands Preservation Area and the Pinelands Protection Area.

The CMP permits any proposed use associated with the function of a Federal Installation in a Pinelands Military and Federal Installation Management Area. Where feasible, the CMP requires that development associated with a proposed use be located in a portion of the Pinelands Military and Federal Installation Management Area located within the Pinelands Protection Area. The NAES portion of JBMDL is located entirely within the Pinelands Preservation Area. The electricity generated from the proposed solar facility will feed directly into an existing electrical substation located on the NAES portion of the base. All of the electric power generated by the proposed solar facility will serve the NAES. It is not feasible to locate the proposed use in the portion of the Pinelands Military and Federal Installation Management Area located within the Pinelands Protection Area.

The CMP also provides that the proposed use shall not require any development, including public service infrastructure, in the Preservation Area District or in a Forest Area. The proposed solar facility will not require any development in the Preservation Area District or in a Forest Area.

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

The proposed development will be located partially within a forested area (37 acres) and partially in an existing grassed area (19 acres). 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.

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

The Commission has records of several threatened and endangered animal species located on the NAES portion of the JBMDL. The animal species of concern are Northern pine snake, Pine Barrens treefrog, Upland sandpiper and Grasshopper sparrow. The area subject of the proposed development contains suitable habitat for Northern pine snake and Grasshopper sparrow.

The applicant performed a survey for the presence of Northern pine snake nests in the area subject of the proposed development. That nest survey was negative. Based upon the negative results of the nest survey and review of past survey information regarding the location of known Northern pine snake dens, nests, hibernacula, foraging and activity area on the NAES, the area subject of the proposed development does not constitute critical habitat for the survival of a local population of Northern pine snake.

The results of prior grassland bird surveys completed at the NAES were submitted to the Commission. Those surveys indicate that an average of six to eight Grasshopper sparrows utilize approximately 16 acres of grassland that are subject of the proposed development. The applicant indicated that the NAES contains 1,513 acres of grassland habitat. The loss of 16 acres of grassland represents a loss of 0.01% of the total grassland at NAES. The loss of 0.01% of grassland will not result in an irreversible adverse impact to habitat critical to the survival of the local population of Grasshopper sparrow.

The applicant also performed a threatened and endangered plant survey within the area proposed for development. Approximately 1,400 Sickle-leaved golden aster plants, a Pinelands threatened species, were identified during the survey. A majority of the plants were identified in four distinct clusters. The proposed development will result in the loss of approximately 33 plants, which represents 0.2% of the population. The loss of 33 Sickle-leaved golden aster plants will not result in an irreversible adverse impact to the local population of Sickle-leaved golden aster. To avoid irreversible adverse impacts to the local population of the concerned plant, the applicant proposes the installation of fencing surrounding the four distinct clusters of Sickle-leaved golden aster prior to and during construction. The applicant also proposes to maintain the current mowing schedule of one mowing per year during the winter months, to ensure the sustainability of the current population of Sickle-leaved golden aster.

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 these standards, the application proposes to utilize an existing topographic depression on the lot to manage stormwater runoff. The concerned area has sufficient capacity to accommodate stormwater runoff from the proposed development.

### PUBLIC COMMENT

The applicant has provided the required public notice. Newspaper public notice was completed on May 16, 2015. The application was designated as complete on the Commission's website on August 4, 2015. The Commission's public comment period closed on August 14, 2015. 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 following plans:
  - "Proposed Solar Development Plan", consisting of one sheet, prepared by ACT Engineers, Inc., dated June 12, 2015 and revised to August 24, 2015.
  - "Soil Erosion and Sediment Control Plan", consisting of two sheets, prepared by ACT Engineers, Inc., dated as follows:
    - Sheet 1 - dated January 30, 2015 and revised to August 24, 2015; and
    - Sheet 2 - dated January 30, 2015 and revised to July 24, 2015.
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.
5. On April 2, 2015, Northern long-eared bat was listed as a threatened species under the Endangered Species Act by the United States Fish and Wildlife Service (USFWS). Prior to any proposed tree clearing, it is recommended that the applicant consult with the USFWS regarding Northern long-eared bat. The Northern long-eared bat is not designated as a threatened or endangered species by the CMP (N.J.A.C. 7:50-6.33).
6. Construction fencing or comparable fencing alternative shall be installed around the 45-plant, 12-plant, 1000-plant and 300-plant clusters of Sickle-leaved golden aster prior to construction and maintained in place during construction.
7. Mowing in the grassland area in and around the proposed solar facility, including the four delineated Sickle-leaved golden aster clusters, shall occur once per year and during the winter months.

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.



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Chris Christie  
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Kim Guadagno  
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Mark S. Lohbauer  
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 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 within eighteen days of the date of the Executive Director's determination 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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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

August 19, 2015

James Moran, Administrator  
Stafford Township Municipal Utilities Authority  
260 East Bay Avenue  
Manahawkin, NJ 08050

Re: Application # 1995-1213.010  
Block 44.59, Lot 18.01  
Stafford Township

Dear Mr. Moran:

The Commission staff has completed its review of this application for construction of a 2,353 square foot addition to an existing water treatment building and placement of a backwash tank. 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 September 11, 2015 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, Stafford Township Planning Board (via email)  
Stafford Township Construction Code Official (via email)  
Stafford Township Environmental Commission (via email)  
Secretary, Ocean County Planning Board (via email)  
Felipe Contreras





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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

James Moran, Administrator  
Stafford Township Municipal Utilities Authority  
260 East Bay Avenue  
Manahawkin, NJ 08050

Application No.: 1995-1213.010

Location: Block 44.59, Lot 18.01  
Stafford Township

This application proposes construction of a 2,353 square foot addition to an existing water treatment building and placement of a backwash tank on the above referenced 6.84 acre lot in Stafford Township. There are three potable water production wells located on the 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. 7:50-5.28)

The project is located in a Pinelands Regional Growth Area. The proposed development is a permitted land 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 above referenced lot. It has been demonstrated that a 175 foot buffer to wetlands will not result in an irreversible significant adverse impact on the wetlands. The proposed development will be located at least 175 feet from the wetlands.

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

The proposed development will be located primarily within existing developed and maintained areas and partially in a forested area. The proposed development will disturb approximately 0.03 acres of forest. 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. To stabilize 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 has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant will be enlarging an existing stormwater infiltration basin and constructing a stormwater swale.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper notice was completed on December 13, 2014. Notice to required land owners within 200 feet of the above referenced lot was completed on December 15, 2014. The application was designated as complete on the Commission's website on July 21, 2015. The Commission's public comment period closed on August 14, 2015. 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 16 sheets, prepared by Remington, Vernick & Vena Engineers, all sheets dated October 2014 and revised to June 25, 2015.
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.
5. All development, including clearing and land disturbance, shall be located at least 175 feet from wetlands.

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.





# State of New Jersey

## THE PINELANDS COMMISSION

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Mark S. Lohbauer  
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 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 within eighteen days of the date of the Executive Director's determination 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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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

August 19, 2015

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

Re: Application # 2001-0604.003  
Block 3801, Lots 30.06 & 30.13  
Egg Harbor Township

Dear Mr. Miller:

The Commission staff has completed its review of this application for a two lot resubdivision and no further development. 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 September 11, 2015 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)





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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

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

Application No.: 2001-0604.003

Location: Block 3801, Lots 30.06 & 30.13  
Egg Harbor Township

This application proposes a two lot resubdivision and no further development of the above referenced 1.1 acre parcel in Egg Harbor Township.

There is a single family dwelling located on Lot 30.13 and a stormwater infiltration basin located on Lot 30.06. This application proposes to subdivide a 2,070 square foot portion of Lot 30.06 and consolidate that area with residential Lot 30.13. There are no improvements located on the concerned 2,070 square foot portion of Lot 30.06.

### STANDARDS

The Commission staff has reviewed the proposed resubdivision 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 proposed resubdivision is a permitted use in the Pinelands Area.

### PUBLIC COMMENT

The CMP defines the proposed resubdivision 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 July 16, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed resubdivision shall adhere to the plan prepared by Mott Associates, LLC and dated April 21, 2015.
2. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed resubdivision 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 resubdivision subject to the above conditions.



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Mark S. Lohbauer  
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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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

August 21, 2015

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

Re: Application # 2003-0032.002  
Block 9902, Lot 12  
Monroe Township

Dear Mr. Moore:

The Commission staff has completed its review of this application for installation of a potable water test well. 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 September 11, 2015 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,

for 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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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 21, 2015

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

Application No.: 2003-0032.002

Location: Block 9902, Lot 12  
Monroe Township

This application proposes installation of a potable water test well on the above referenced 9.69 acre lot in Monroe Township.

This application proposes the installation of a 330 foot deep six inch diameter test well into the Piney Point aquifer. The application also proposes the completion of a pump test of the proposed well for a period of 24 hours with a maximum pumping rate of 150 gallons per minute. The purpose of the test well is to determine the potential production capacity of a well at this location.

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 lot is located in a Pinelands Regional Growth Area. The proposed test well is a permitted 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 area. 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. Based upon the size and location of the proposed development, this application does not propose 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 July 7, 2015. The Commission's public comment period closed on August 14, 2015. 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 Federici & Akin, P.A. and dated June 30, 2015.
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.
5. Within 90 days of the completion of the pump test, the applicant shall submit the results of the pump test to the Commission.
6. The conversion of the test well into a potable water production well will require the completion of a separate application with 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.





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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

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**APPEAL PROCEDURE**

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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.

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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

August 19, 2015

Connie House  
 NJ Department of Transportation  
 951 Parkway Avenue  
 Trenton, NJ 08625

Re: Application # 2003-0403.003  
 Route 72, Pinewood Drive & Brighton Road  
 Barnegat Township

Dear Ms. House:

The Commission staff has completed its review of this application for construction of two traffic deceleration lanes in the Route 72 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 September 11, 2015 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, Barnegat Township Planning Board (via email)
- Barnegat Township Construction Code Official (via email)
- Barnegat Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)





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](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

Connie House  
NJ Department of Transportation  
1035 Parkway Avenue  
Trenton, NJ 08625

Application No.: 2003-0403.003

Location: Route 72, Pinewood Drive & Brighton Road  
Barnegat Township

This application proposes construction of two traffic deceleration lanes in the Route 72 right-of-way in Barnegat Township.

The first deceleration lane will provide a right hand turn lane from eastbound Route 72 onto Pinewood Drive. The deceleration lane onto Pinewood Drive will require the widening of the Route 72 paved cartway by a maximum of six feet for a distance of 250 feet to provide for a twelve foot wide right hand turn lane.

The second deceleration lane will provide a right hand turn lane from eastbound Route 72 onto Brighton Road. The deceleration lane onto Brighton Road will require the widening of the Route 72 paved cartway by a maximum of ten feet for a distance of 630 feet to provide for a fifteen foot wide right hand turn lane.

The applicant has indicated that the proposed development will improve traffic safety at these intersections while permitting through travel on eastbound Route 72.

### 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. 7:50-5.23(b)12)

The project is located within a Pinelands Forest Area. Public service infrastructure, including roads, is a permitted use in a Pinelands Forest Area provided that the use is intended to primarily serve only the needs of the Pinelands. The deceleration lanes will service existing residential development which is

located entirely within the Pinelands.

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

The proposed development will be located within maintained grassed shoulders. 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. Based upon the size and location of the proposed development, this application does not propose 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 July 28, 2015. The Commission's public comment period closed on August 14, 2015. 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 the New Jersey Department of Transportation and dated July 15, 2015.
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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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

General Information: [Info@npjines.state.nj.us](mailto:Info@npjines.state.nj.us)  
Application Specific Information: [AppInfo@npjines.state.nj.us](mailto:AppInfo@npjines.state.nj.us)

**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 within eighteen days of the date of the Executive Director's determination 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. PC4-15- 23

TITLE: Approving With Conditions an Application for Public Development (Application Number 1982-2731.010)

Commissioner Prickett moves and Commissioner Brown 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:

1982-2731.010

Applicant:	Ocean County
Municipality:	Manchester Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	August 21, 2015
Proposed Development:	Construction of a 180 foot high local communications facility (public safety communications tower).

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 1982-2731.010 for public development is hereby approved subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Earlen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prickett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Galletta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quinn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jannarone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rohan Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lloyd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Witt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DiBello	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	McGlinchey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lohbauer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted at a meeting of the Pinelands Commission  
Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Date: September 11, 2015  
Mark S. Lohbauer  
Mark S. Lohbauer  
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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

August 21, 2015

Frank S. Scarantino, P.E.  
 County Engineer  
 Ocean County  
 101 Hooper Avenue  
 Toms River, NJ 08754

Re: Application # 1982-2731.010  
 Block 72, Lot 7  
 Manchester Township

Dear Mr. Scarantino:

The Commission staff has completed its review of this application for construction of a 180 foot high local communications facility (public safety communications tower). 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 September 11, 2015 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,

for 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)





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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

August 21, 2015

Frank S. Scarantino, P.E.  
County Engineer  
Ocean County  
101 Hooper Avenue  
Toms River, NJ 08754

Application No.: 1982-2731.010

Location: Block 72, Lot 7  
Manchester Township

This application proposes the construction of a 180 foot high local communications facility (public safety communications tower) on the above referenced 54.88 acre lot in Manchester Township. The application also proposes a 6,000 square foot equipment compound and an access driveway.

### 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 lot is located in a Pinelands Regional Growth Area. Local communications facilities (public safety communication towers) are a permitted land use in a Pinelands Regional Growth Area and are not subject to the CMP's 35 foot height restriction.

Proposed tower sites in a Pinelands Regional Growth Area are not required to be included in a Commission certified comprehensive plan for the siting of local communications facilities.

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

There are wetlands located on the above referenced lot. All proposed development will maintain a 300 foot buffer to wetlands.



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

The proposed development will be located in an existing forested area. The proposed development will disturb approximately 3.6 acres of forest. The proposed vegetation 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. 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 has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the applicant proposes to construct two stormwater infiltration basins.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced lot was completed on March 27, 2015. Newspaper public notice was completed on March 28, 2015. The application was designated as complete on the Commission's website on July 31, 2015. The Commission's public comment period closed on August 14, 2015. 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 eight sheets, prepared by Frank S. Scarantino, Ocean County Engineer and dated as follows:
  - Sheet 1 - undated
  - Sheets 2, 3 & 6 - dated October 2014; revised to June 2015
  - Sheets 4, 7 & 8 - dated October 2014
  - Sheet 5 - dated October 2014; revised to March 2015
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.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

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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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

**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 within eighteen days of the date of the Executive Director's determination 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. PC4-15- 24

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1982-2906.009)

Commissioner Barr moves and Commissioner Rohan Green 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:

1982-2906.009  
Applicant: South Jersey Gas  
Municipality: Town of Hammonton  
Management Area: Pinelands Town  
Date of Report: August 19, 2015  
Proposed Development: Demolition of two buildings, 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 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 1982-2906.009 for public development is hereby approved subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta		X		Quinn	X		
Barr	X			Jannarone		X		Rohan Green	X		
Brown	X			Lloyd	X			Witt	X		
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: September 14, 2015

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Mark S. Lohbauer  
Mark S. Lohbauer  
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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

August 19, 2015

Jeffrey DuBois, President  
 South Jersey Gas  
 1 South Jersey Plaza, Route 54  
 Folsom, NJ 08037

Re: Application # 1982-2906.009  
 Block 2515, Lots 1, 3 & 5  
 Town of Hammonton

Dear Mr. DuBois:

The Commission staff has completed its review of this application for demolition of two structures, 50 years old or older, on the above referenced parcel. Enclosed is a copy of a Public Development Application Report. The parcel is owned by the Town of Hammonton. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 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, Town of Hammonton Planning Board (via email)
- Town of Hammonton Construction Code Official (via email)
- Town of Hammonton Environmental Commission (via email)
- Atlantic County Department of Regional Planning and Development (via email)
- Richard Beck (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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

August 19, 2015

Jeffrey DuBois, President  
 South Jersey Gas  
 1 South Jersey Plaza, Route 54  
 Folsom, NJ 08037

Application No.: 1982-2906.009

Location: Block 2515, Lots 1, 3 & 5  
 Town of Hammonton

This application proposes demolition of two structures, 50 years old or older on the above referenced 1.05 acre parcel in the Town of Hammonton. Demolition of the structures is proposed to facilitate soil and groundwater site remediation activities associated with a manufactured gas plant formerly located on the parcel. The parcel is owned by the Town of Hammonton.

**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 Town of Hammonton. The demolition of the concerned structures is a permitted land use in the Pinelands Area.

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

Based on review of information available to the Commission staff, it was determined that a cultural resource survey was not required for the proposed demolition.

**PUBLIC COMMENT**

The applicant has provided the required public notices. Newspaper public notice was completed on July 9, 2015. Notice to required land owners within 200 feet of the above referenced parcel was completed on July 16, 2015. The application was designated as complete on the Commission's website on August 4, 2015. The Commission's public comment period closed on August 14, 2015. 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. This application is for the proposed demolition only. Any other future development of the above referenced parcel shall be governed by the Town of Hammonton's certified land use ordinance and the CMP.
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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THE PINELANDS COMMISSION  
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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
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 within eighteen days of the date of the Executive Director's determination 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. PC4-15- 25

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1987-0172.003)

Commissioner Avery moves and Commissioner Lloyd 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:

1987-0172.003

**Applicant:** Manchester Township Public Schools  
**Municipality:** Manchester Township  
**Management Area:** Pinelands Town  
**Date of Report:** August 19, 2015  
**Proposed Development:** Development of a 16 stall paved parking lot.

WHEREAS, the parking lot development subject of this application occurred without application to, and approval by, the Commission and 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 1987-0172.003 for public development is hereby approved subject to the conditions recommended by the Executive Director.

**Record of Commission Votes**

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Earlen	X				Prickett	X			
Avery	X				Galletta	X				Quinn	X			
Barr	X				Jannarone			X		Rohan Green	X			
Brown	X				Lloyd	X				Witt	X			
DiBello	X				McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: September 16, 2015

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Mark S. Lohbauer  
Mark S. Lohbauer  
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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

August 19, 2015

David Galvao, Buildings and Grounds Supervisor  
 Manchester Township Public Schools  
 P.O. Box 4100  
 Whiting, NJ 08759-4100

Re: Application # 1987-0172.003  
 Block 85, Lot 1.01  
 Manchester Township

Dear Mr. Galvao:

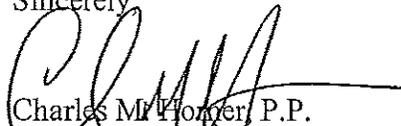
The Commission staff has completed its review of this application for development of a 16 stall paved parking lot. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

**The parking lot was developed 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. Hoyer, 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, P.E.





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](mailto:Info@njpines.state.nj.us)  
 Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

August 18, 2015

David Galvao, Buildings and Grounds Supervisor  
 Manchester Township Public Schools  
 P.O. Box 4100  
 Whiting, NJ 08759-4100

Application No.: 1987-0172.003

Location: Block 85, Lot 1.01  
 Manchester Township

This application proposes development of a 16 stall paved parking lot at the Whiting Elementary School located on the above referenced 14.5 acre lot in Manchester Township.

The parking lot was developed prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). 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 CMP. The following reviews the CMP standards that are relevant to this application:

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

The lot is located in a Pinelands Town Management Area. 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 lot will be located over an area previously utilized as a playground. 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 stormwater management standards of the CMP. To meet the stormwater management standards, this application proposes to construct an underground stormwater infiltration facility.

The application also proposes to construct a second underground stormwater management facility to infiltrate stormwater runoff from the roof tops of two existing school buildings

### PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced lot was completed on February 20, 2015. Newspaper public notice was completed on February 20, 2015. The application was designated as complete on the Commission's website on July 20, 2015. The Commission's public comment period closed on August 14, 2015. 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 seven sheets, prepared by WJH Engineering, all sheets dated February 11, 2015 and revised to June 29, 2015.
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.



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](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
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 within eighteen days of the date of the Executive Director's determination 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. PC4-15- 26

**TITLE:** Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 2009-0038.001)

Commissioner Clay moves and Commissioner Barr seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

2009-0038.001

**Applicant:** Mark Gresham  
**Municipality:** Stafford Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** August 19, 2015  
**Proposed Development:** Construction of a single family dwelling.

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 Findings of Fact and Conclusion of the Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 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 2009-0038.001 for a Waiver of Strict Compliance is hereby approved subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn	X		
Barr	X			Jannarone		X		Rohan Green	X		
Brown	X			Lloyd	X			Witt	X		
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission  
Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Date: September 11, 2015  
Mark S. Lohbauer  
Mark S. Lohbauer  
Chairman



State of New Jersey  
 THE PINELANDS COMMISSION  
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 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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE**

August 19, 2015

Mark Gresham  
 109 Seaspray Road  
 Manahawkin, NJ 08050

Re: Application # 2009-0038.001  
 Block 44.218, Lots 11.01, 12 & 13  
 Stafford Township

Dear Mr. Gresham:

The Commission staff has completed its review of the above referenced application. Based upon the facts and conclusions contained in this Report, on behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

**FINDINGS OF FACT**

This application is for the development of a single family dwelling served by an onsite alternate design septic system on the above referenced 1.02 acre parcel in Stafford Township. The parcel is located in a Pinelands Regional Growth Area and in Stafford Township's R-90 Zoning District. In this zoning district, Stafford Township's certified land use ordinance establishes a minimum lot size of one acre for a single family dwelling that is served by an onsite alternate design septic system.

The parcel has been site inspected by a member of the Commission's staff. Additionally, the appropriate resource capability maps and data available to the staff have been reviewed.

A portion of the parcel is a wetland as defined in N.J.A.C. 7:50-6.5(a). The wetland continues onto adjacent lands. Any development of the parcel would be located within 300 feet of wetlands. Based on the quality and location of the wetlands, the proposed development will cause a significant adverse impact to the wetlands. As there will be a significant adverse impact on wetlands located within 300 feet of the proposed development, the applicant is requesting a Waiver of Strict Compliance (Waiver) from the buffer to wetlands requirements contained in the Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-6.14.)



The CMP (N.J.A.C. 7:50-4.65(b)6.) requires that for an applicant to qualify for a Waiver to develop a single family dwelling in a Pinelands Regional Growth Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on wetlands. The applicant has demonstrated that no development, including clearing and land disturbance, will be located on wetlands.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the entire contiguous parcel. The development of a single family dwelling on the parcel will not require any lot area or residential density variance pursuant to Stafford Township's certified land use ordinance. A single family dwelling can be developed on the parcel without violating any of the criteria contained in N.J.A.C. 7:50-4.65(b) if the conditions recommended below are imposed.

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on wetlands and groundwater quality be minimized.

### PUBLIC COMMENT

The applicant has provided the requisite public notice. Public notice to all property owners within 200 feet of the parcel was completed on June 10, 2015. Newspaper public notice was completed on June 12, 2015. The application was designated as complete on the Commission's website on July 22, 2015. The Commission's public comment period closed on August 14, 2015. No public comments regarding this application were submitted to the Pinelands Commission.

### CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

N.J.A.C. 7:50-4.63(a) sets forth five conditions which must be met for an applicant to qualify for an extraordinary hardship pursuant to that subsection.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is as follows:

- v. A single family dwelling on a parcel within a Regional Growth Area, Pinelands Town or Pinelands Village which is at least 20,000 square feet, excluding road rights-of-way, in size and is not served by a centralized waste water treatment system.

This application is only for a Waiver from the buffer to wetlands standard contained in N.J.A.C. 7:50-6. The applicant is proposing to develop a single family dwelling with an alternate design septic system on a 1.02 acre (44,431 square foot) parcel. The parcel contains more than 20,000 square feet, excluding road rights-of-way, and is located in a Pinelands Regional Growth Area. As a result, the application meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1v.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous



lands. Since the parcel includes all such contiguous land, the application meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Stafford Township's master plan and land use ordinance have been certified by the Pinelands Commission. The certified land use ordinances do not require a municipal lot area or density variance. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C. 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. N.J.A.C. 7:50-4.65(b) sets forth the circumstances which do not comply with N.J.A.C. 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all the conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

The CMP (N.J.A.C. 7:50-4.62(d)1.iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. As the applicant is obtaining a Waiver from the buffer to wetlands requirements contained in N.J.A.C. 7:50-6.14, a condition is included to require the applicant to purchase the requisite 0.25 Pinelands Development Credits.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling, with the conditions recommended below, is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist:

1. Except as modified by the below conditions, the proposed development shall adhere to the plot plan, consisting of two sheets, prepared by Gravatt Consulting, both sheets dated August 12, 2014 and last revised January 8, 2015.
2. The septic system must be located in an area where the seasonal high water table is at least five feet below the natural ground surface.
3. The proposed dwelling must utilize an alternate design wastewater system authorized pursuant to the CMP on a 1.0 acre lot and approved for use by the Pinelands Commission and the New Jersey Department of Environmental Protection.
4. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.

5. No development, including clearing and land disturbance, may extend beyond the "prop. wetlands buffer" as depicted on the above referenced plan.
6. Sufficient dry wells or a comparable alternative shall be installed to contain all stormwater runoff from the dwelling.
7. Prior to construction, silt fencing, hay bales or other appropriate measures shall be installed to preclude sedimentation from entering wetlands. The proposed sedimentation barrier shall be maintained in place until all development has been completed and the area has been stabilized.
8. The driveway must be constructed of crushed stone or other permeable material.
9. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, a recorded copy of a deed consolidating Block 44.218, Lots 11.01, 12 and 13 into one lot must be submitted to the Pinelands Commission.
10. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, the Commission must receive a letter from the Pinelands Development Credit Bank indicating that the requisite 0.25 PDCs have been acquired and submitted to the PDC Bank for redemption.
11. This Waiver shall expire September 11, 2020 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after September 11, 2020 or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
12. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, a copy of a recorded deed containing all of the above conditions shall be submitted to the Pinelands Commission. The deed shall specify that the conditions are being imposed pursuant to a Waiver of Strict Compliance referring to the application number. The deed shall also state that the conditions are enforceable by the Pinelands Commission, Stafford Township, the Ocean County Health Department and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver of Strict Compliance from the requirements of N.J.A.C. 7:50-6.14.

Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver of Strict Compliance subject to the above conditions.

#### APPEAL

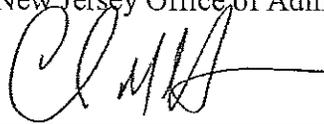
The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted 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 within eighteen days of the date of this Report and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received, the Pinelands Commission may either approve the determination of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: \_\_\_\_\_



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

- c:
- Secretary, Stafford Township Planning Board (via email)
  - Stafford Township Construction Code Official (via email)
  - Stafford Township Environmental Commission (via email)
  - Secretary, Ocean County Planning Board (via email)
  - Ocean County Health Department (via email)
  - Bruce Jacobs, P.E. (via email)



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 27

**TITLE:** To Authorize the Executive Director to Modify the Cooperative Agreement with the National Park Service for Pinelands Monitoring (Modification 0002 to Cooperative Agreement P13AC00554)

Commissioner Ashmun moves and Commissioner Lloyd seconds the motion that:

WHEREAS, commencing in 1994, the Commission authorized the Executive Director to enter into Cooperative Agreements, Task Agreements and Modifications to the Cooperative Agreements with the National Park Service, providing funding for Pinelands monitoring; and

WHEREAS, in June 2013, the Commission authorized the Executive Director to enter into Cooperative Agreement P13AC00554 with the National Park Service that provided \$256,500 for long-term environmental and economic monitoring; and

WHEREAS, in July 2014, the Commission authorized the Executive Director to enter into Modification # 0001 to Cooperative Agreement P13AC00554 with the National Park Service that provided \$284,100 for long-term environmental and economic monitoring; and

WHEREAS, the National Park Service has prepared the attached Modification # 0002 to Cooperative Agreement P13AC00554, obligating \$288,000 for long-term environmental and economic monitoring; 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 the Executive Director is authorized to enter into Modification # 0002 to Cooperative Agreement P13AC00554 with the National Park Service, consistent with the attached Modification Agreement, to continue the Long-Term Economic and Environmental Monitoring Programs.

### Record of Commission Votes

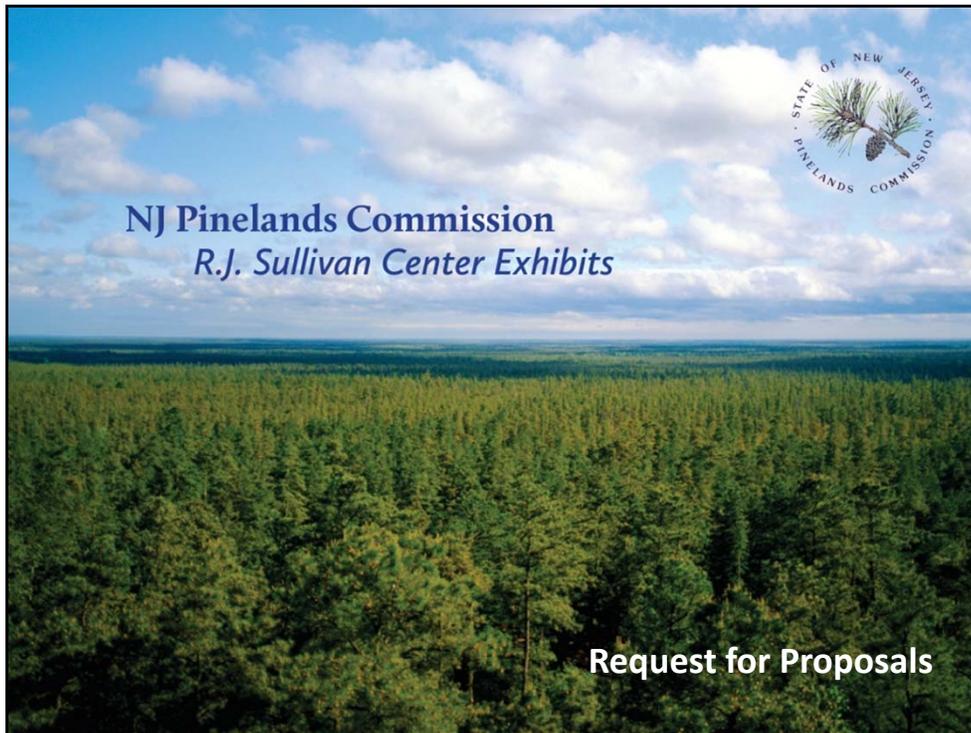
AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn			
Barr	X			Jannarone			X	Rohan Green	X		
Brown	X			Lloyd	X			Witt	X		
DiBello			X	McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: September 4, 2015

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Mark S. Lohbauer  
Mark S. Lohbauer  
Chairman



## **Project Timeline:**

**RFP issued on September 2, 2015**

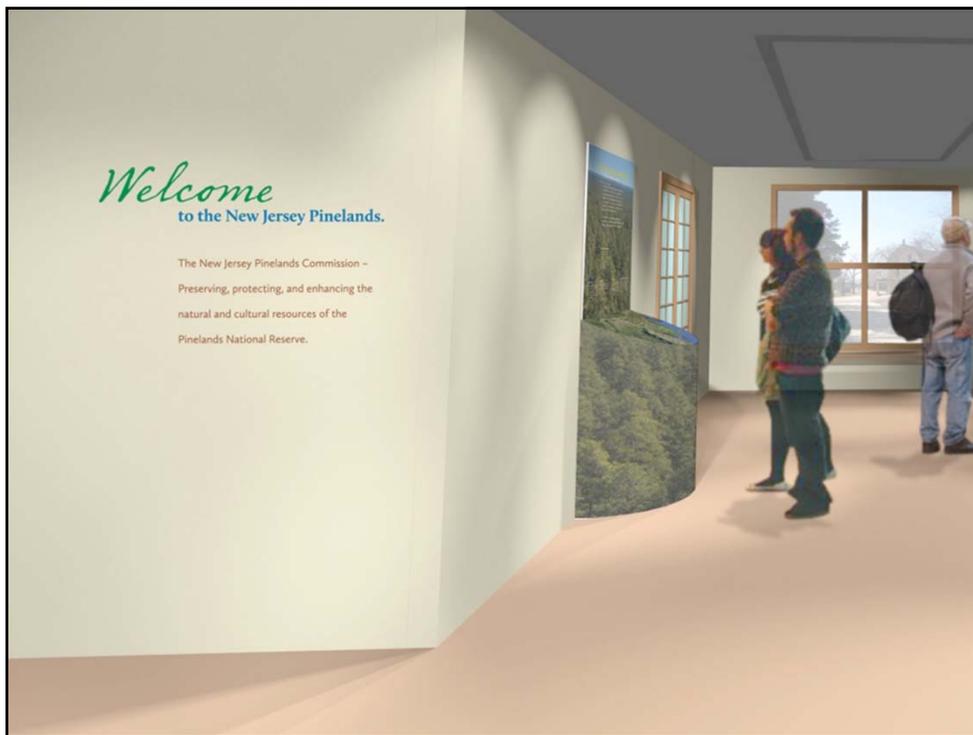
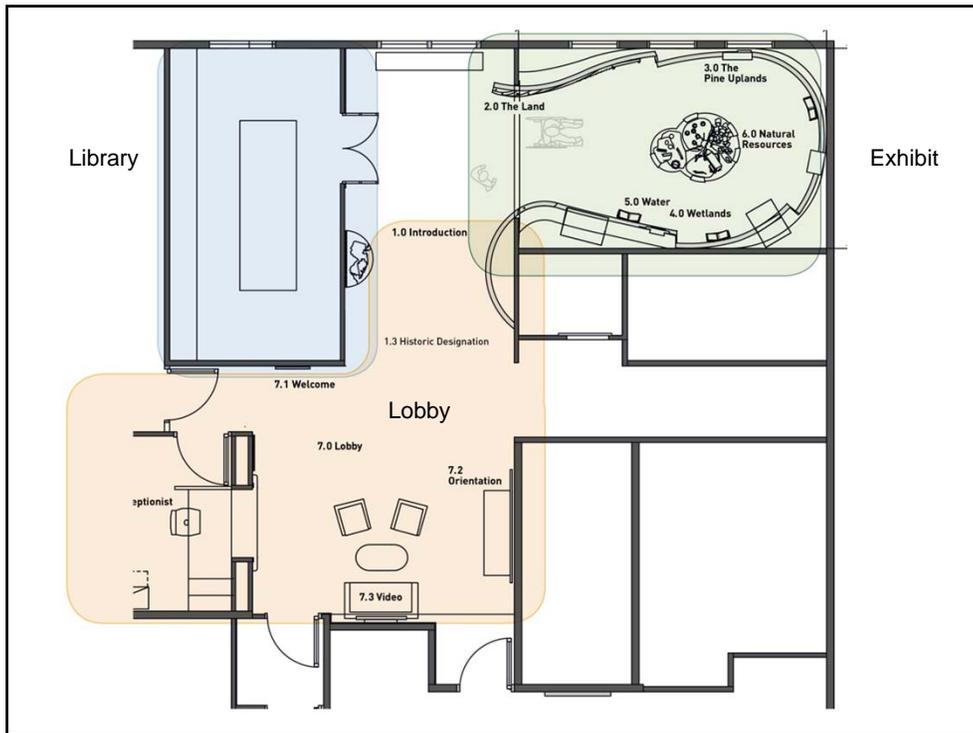
**Bidders have until September 24<sup>th</sup> to conduct a site visit**

**Questions from bidders are due by September 24<sup>th</sup>**

**Proposals are due by 3 p.m. on October 14, 2015**

**Evaluation period: October 15, 2015 through November 23, 2015**

**Estimated date of potential contract: February 2016**





## The New Jersey Pinelands

*A place like no other*

### Nature

**Pinelands National Reserve**  
Explore a unique array of pinelands and wetlands, including the largest tract of undisturbed longleaf pine forest in the world. Enjoy hiking, birding, and more.

**National Wildlife Refuge Area**  
Experience a variety of habitats, including wetlands, forests, and fields. Enjoy birding, fishing, and more.

**Scenic & Recreational Rivers**  
Experience scenic views and recreational opportunities along the Delaware, Rancocas, and other rivers.

**State Parks & Forests**  
Enjoy scenic views, hiking, and more at various state parks and forests.

**State Wildlife Management Areas**  
Experience a variety of habitats and recreational opportunities.

**County Parks**  
Enjoy scenic views, hiking, and more at various county parks.

### Culture

**Albert Music Hall**  
Experience live music and entertainment at this historic venue.

**Historic Villages**  
Explore the unique heritage of the pinelands through historic villages and towns.

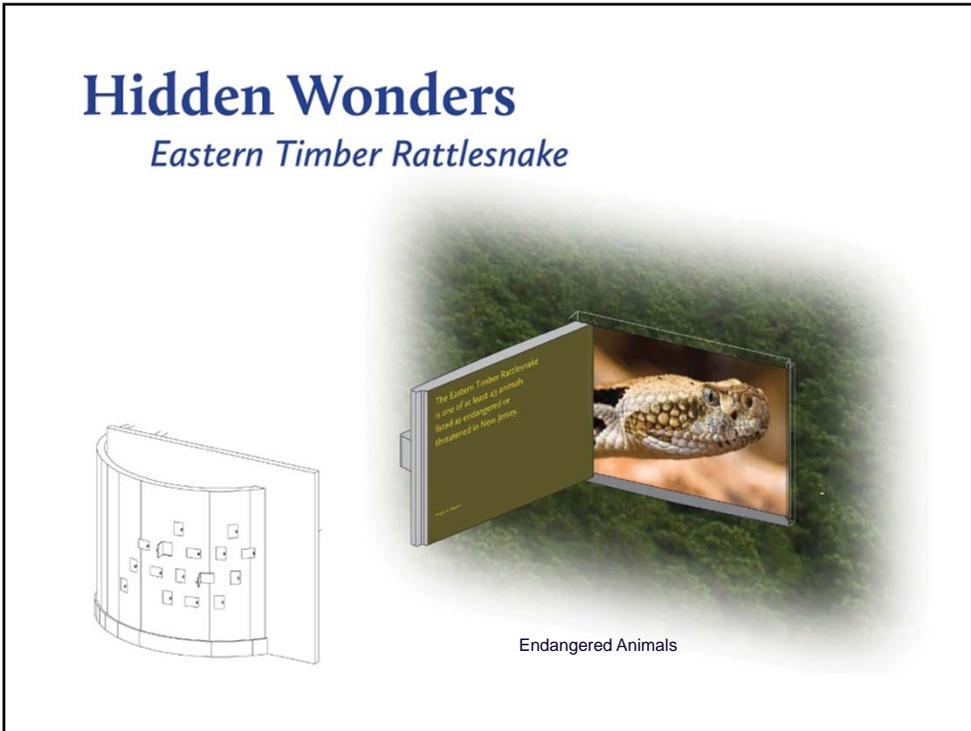
**Tuckerton Seaport Museum**  
Learn about the maritime history of the pinelands at this historic museum.

### Venture

**Botanic Trail**  
Explore the diverse plant life of the pinelands through this scenic trail.

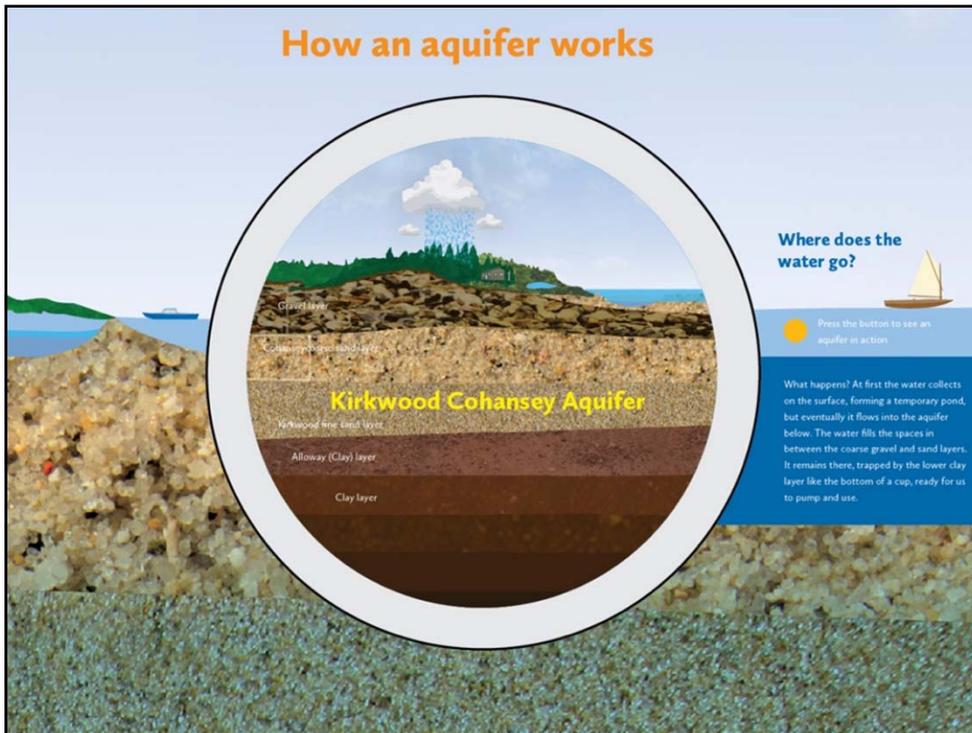
**Forest Research Education Center**  
Learn about the science of the pinelands at this research center.

**Pine Barrens Byway**  
Experience the scenic beauty of the pinelands through this scenic byway.











### 3.0 Uplands

Uplands

## Upland Forests

*Fire shaped these unique woodlands*

Take a walk back into the natural beauty of the Uplands, and you'll see a unique landscape. Only part of the Uplands can be seen in the park, but the rest of the Uplands is a beautiful landscape of rolling hills and valleys.

For centuries, Uplands have been a source of timber. The Uplands are a source of timber, and the Uplands are a source of timber. The Uplands are a source of timber, and the Uplands are a source of timber.

**Upland Forests**

The Uplands are a source of timber, and the Uplands are a source of timber. The Uplands are a source of timber, and the Uplands are a source of timber.

**Upland Forests**

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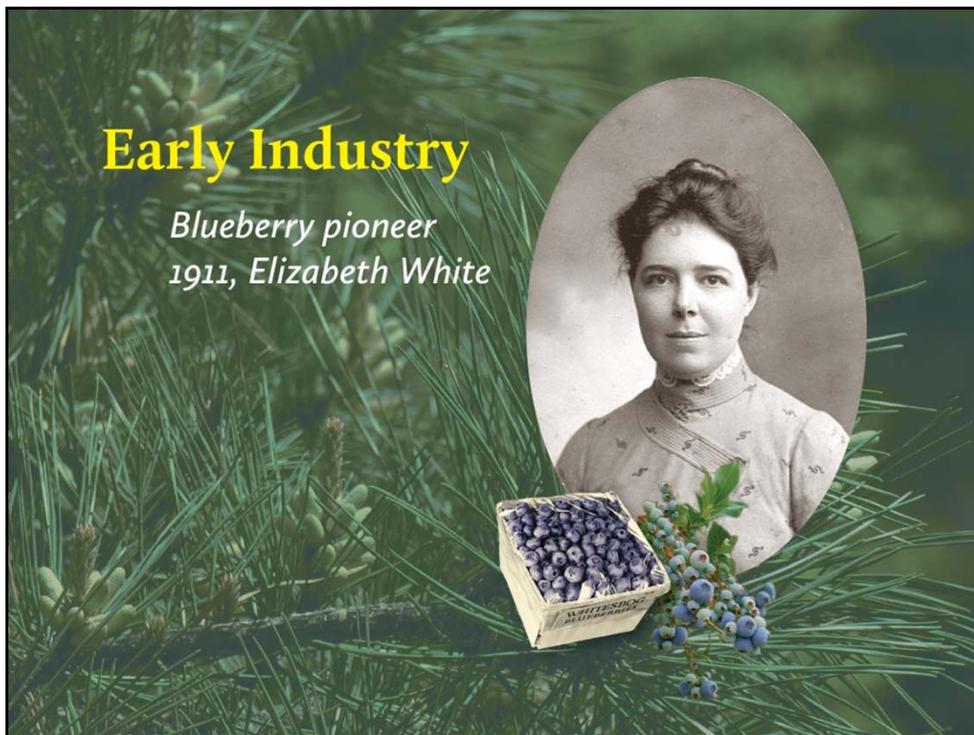
## 3.0 Uplands



### Pitch Pine: The anatomy of fire resistance

- 1 Thick, layered bark resists burning and protects dormant buds. Dormant buds under the bark quickly sprout needles and branches after a fire. (If fire consumes all the needles, the tree will look normal in just a few years.)
- 2 Even if the trunk burns down, shoots grow quickly from the dormant buds in the roots. Roots don't burn in the sandy soil, which holds almost no flammable organic matter.
- 3 Some pitch pine cones (called serotinous cones) stay tightly closed for many years. They won't open and drop their seeds until the tree is burned or cut down. Almost all the cones on the dwarf pines in the Pine Plains are serotinous.
- 4 Delicate seeds only germinate on bare ground cleared by fire. They won't sprout if they fall on a thick mat of dead needles and leaves.





# 4.0 Wetlands

## Wetlands

### Wetlands Habitats brimming with diversity

Visit the wetlands to see some of the Pinelands' most spectacular and unusual sights. These habitats make up more than 40 percent of the growth of the Pinelands and provide a habitat for more than 100 species. There are red-capped mannikins, glossy-ivory flycatchers, White-crowned sparrows, and Florida scrub-wrens, among others.

Wetlands of different types occur where the groundwater reaches the surface, either naturally or artificially. These swamps, bays, and coastal ponds provide nesting and other nesting habitat for waterfowl, migratory birds, and the underground water supply.

#### Cedar swamps, rose and water lilies

Wetlands of different types occur where the groundwater reaches the surface, either naturally or artificially. These swamps, bays, and coastal ponds provide nesting and other nesting habitat for waterfowl, migratory birds, and the underground water supply.



#### The Pinelands' wetlands are home to many diverse and unique species

Most of the diversity of the Pinelands is found in its wetlands. At least 22 plant species were first discovered here, and at least 45 live nowhere else. Many plants and animals are listed as threatened or endangered because so much of these habitats has been lost to development.



**The Pinelands' wetlands are home to many diverse and unique species**

Most of the diversity of the Pinelands is found in its wetlands. At least 22 plant species were first discovered here, and at least 45 live nowhere else. Many plants and animals are listed as threatened or endangered because so much of these habitats has been lost to development.

**Blue Frog:** A large frog with a blue back and white belly, found in the Pinelands. It is able to jump up to 10 feet.

**Florida Scrub-Wren:** A small bird with a white belly and a brown back, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Sandhill Crane:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Coot:** A small bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Kingbird:** A small bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Nighthawk:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Osprey:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Egret:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Blue Heron:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Green Heron:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Yellowlegs:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Sandpiper:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Limpkin:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Woodcock:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Rail:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Snipe:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Sandpiper:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Limpkin:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

**Florida Great Woodcock:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

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**Florida Great Snipe:** A large bird with a white body and a black neck, found in the Pinelands. It is able to fly up to 100 feet.

## 5.0 Surface Waters



# Permanent Land Protection:



**Annual Update on Pinelands Programs**

**2015**



## **Acres Protected Through Pinelands Commission Programs July 2014 – June 2015**

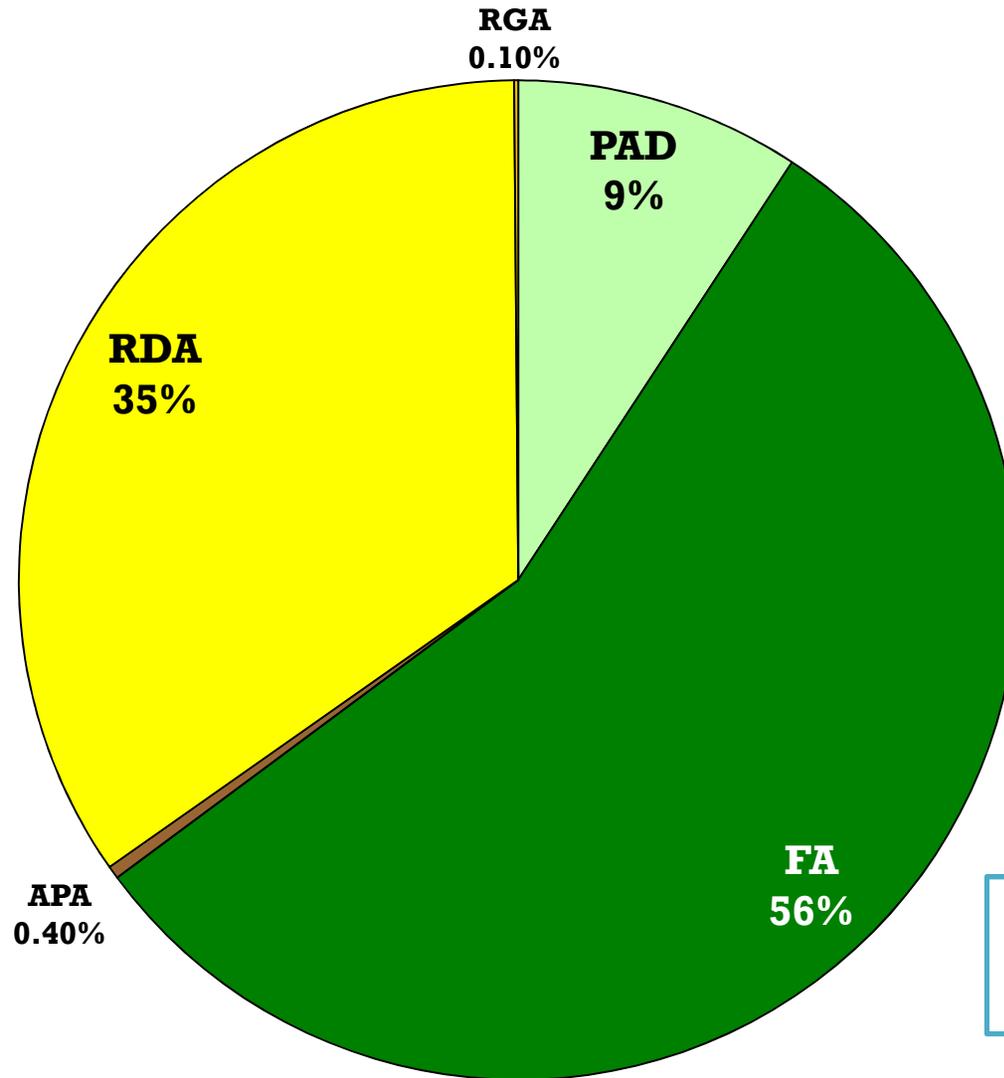


*Mossy wetland on the 473 acre Zemel property  
Woodland Township, Burlington County – Photo by CRI*

- Pinelands Conservation Fund – 475 acres
- PDC Program – 149 acres
- Limited Practical Use Program – 9 acres
- Density Transfer – 5 acres
- Clustering – 71 acres
- Memoranda of Agreement – 1,046 acres
- GSP Exit 44 – 8 acres

**Total: 1,763 acres**

**Pinelands Conservation Fund  
Acres Protected by Management Area  
Through June 30, 2015**

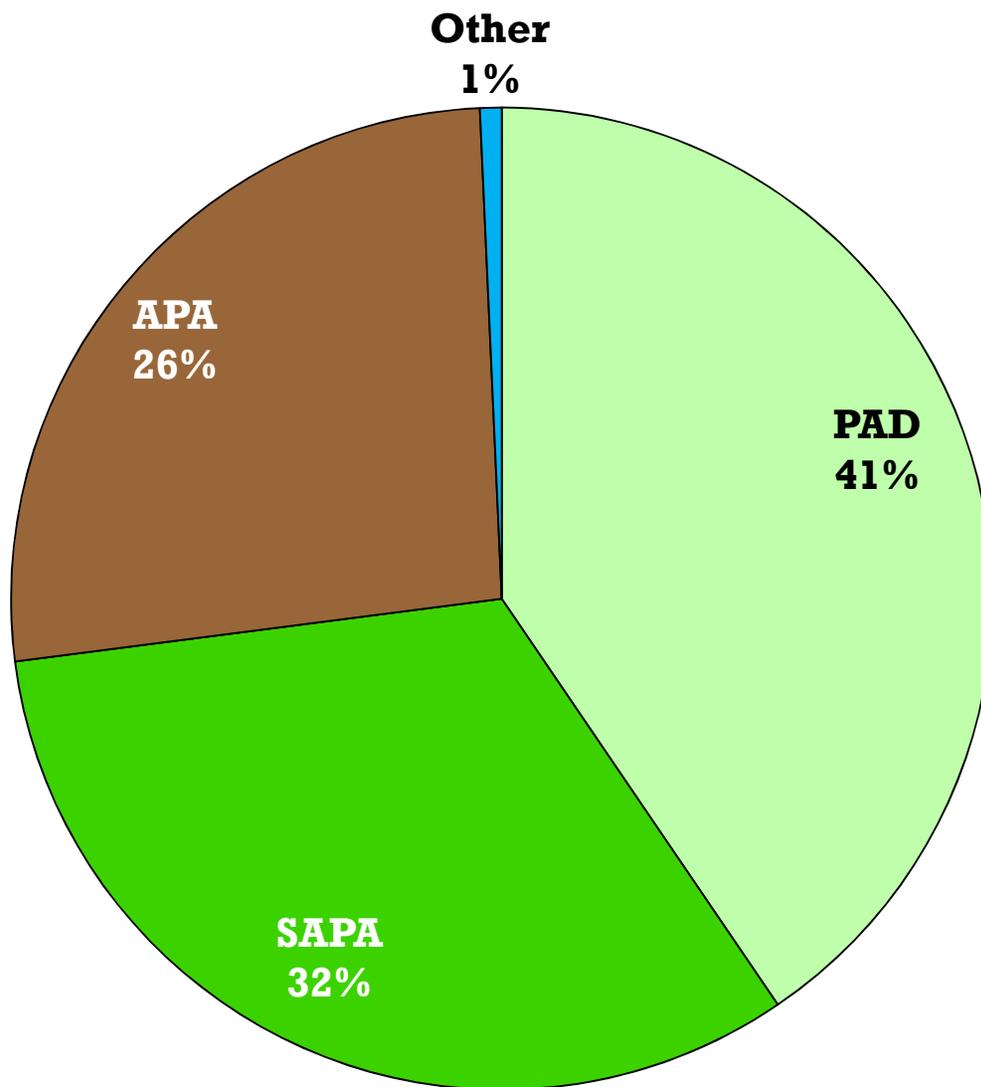


**Pinelands Conservation Fund**  
**Average Price per Acre**  
**June 2015**

<b>Managememe nt Area</b>	<b>Acres</b>	<b>Average Price per Acre</b>
PAD	709	\$1,133
FA	4268	\$4,341
APA	32	\$8,750
RDA	2656	\$7,796
RGA	10	\$10,256

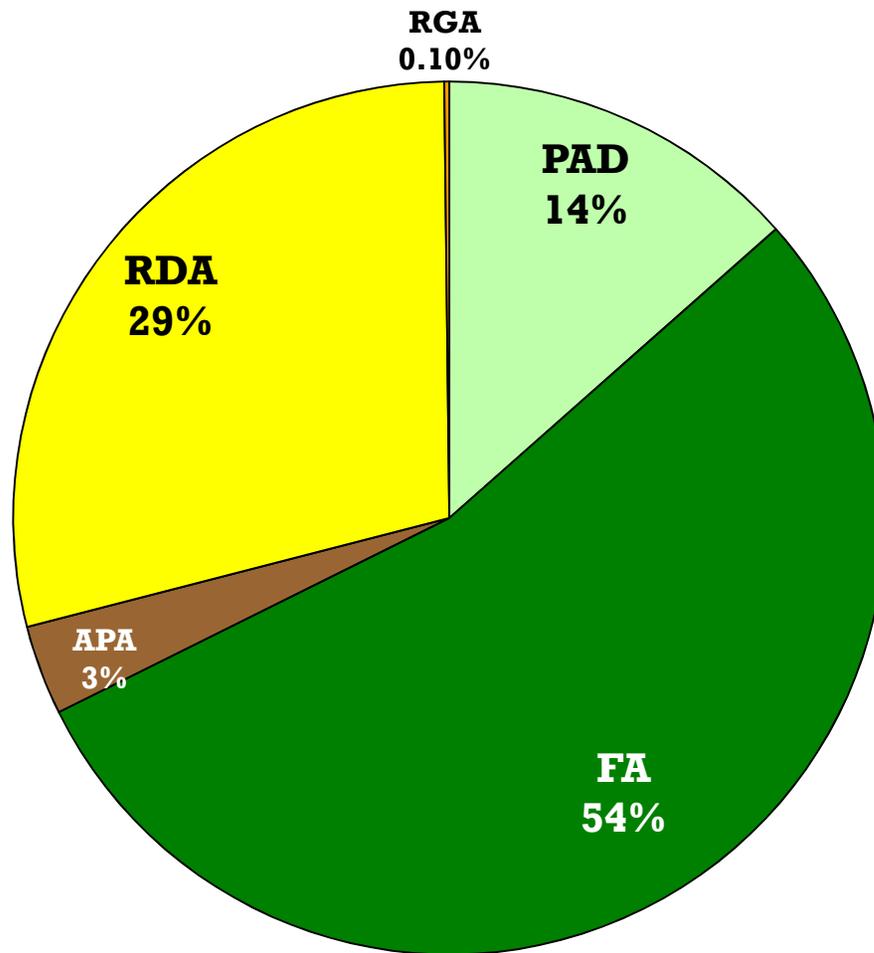
<b>Total FMV</b>	<b>Total Acres</b>	<b>Average Price per Acre</b>
\$38,508,650	7,700	\$5,000

**Pinelands Development Credit Program  
Lands Protected by Management Area  
through June 2015**



**Total Acres:**  
51,929

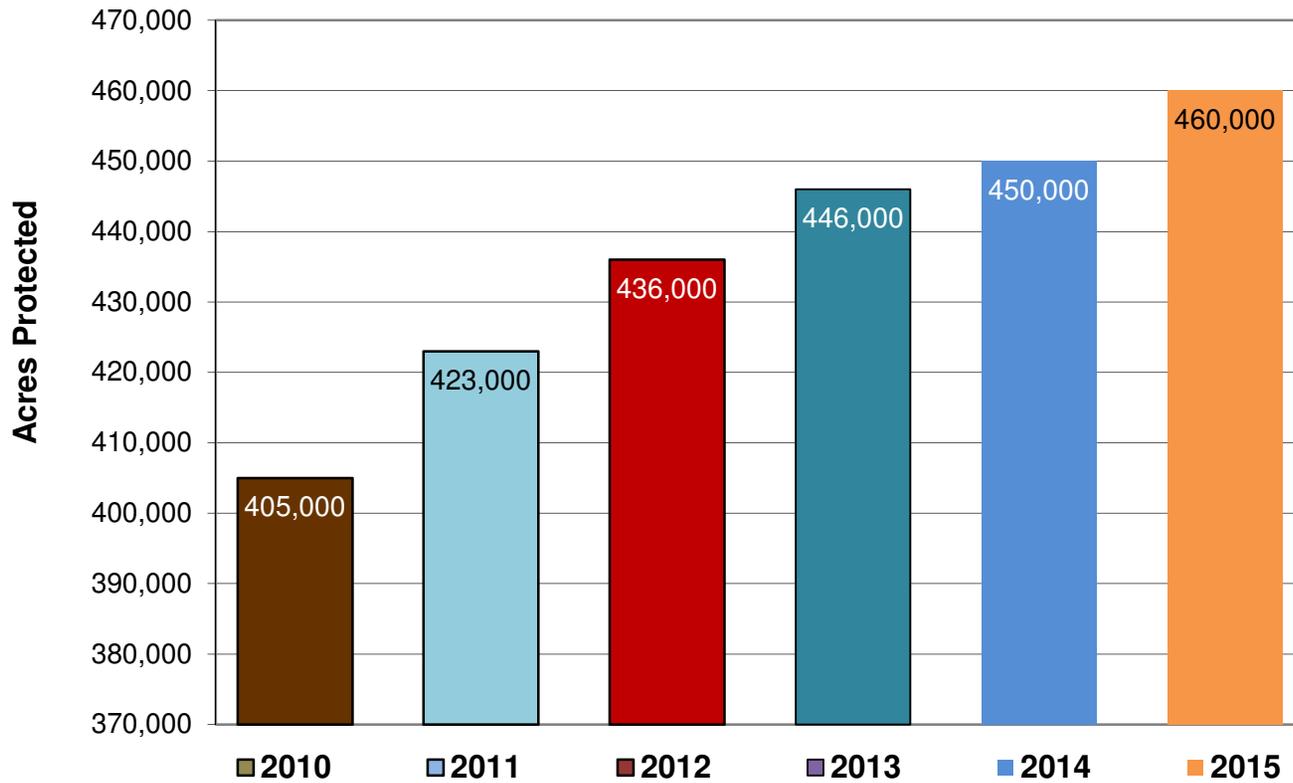
**Memoranda of Agreement  
Lands Protected by Management Area  
through June 2015**



**Total Acres:**  
9,741

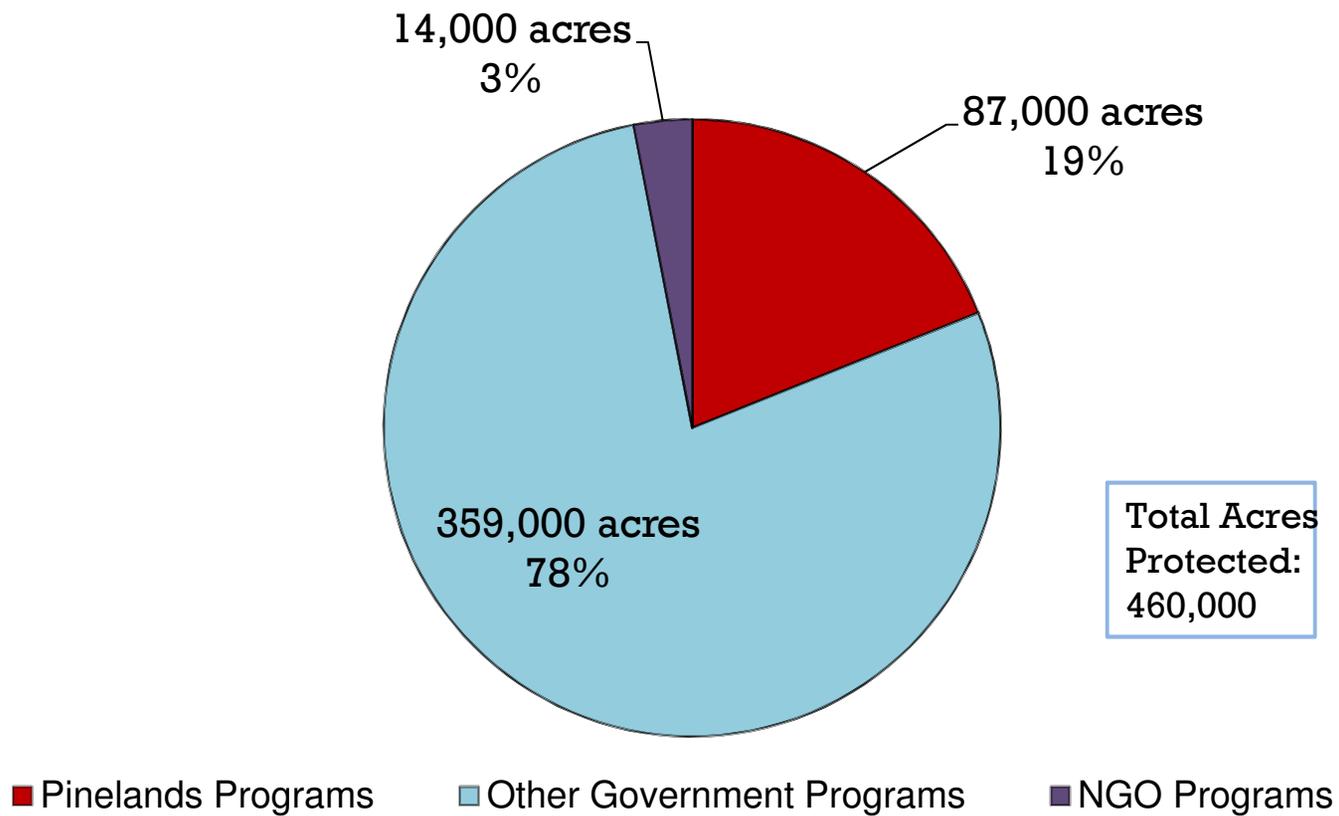
# Permanent Land Protection in the Pinelands Area

June 2015



# Permanent Land Protection Programs in the Pinelands Area

June 2015



# Protected Lands by Management Area

## June 2015

Management Area	Total Acres	% Protected
PAD	295,000	81
SAPA	37,500	59
FA	257,000	56
APA	68,500	39
RDA	109,500	19
RGA	76,500	8
Village	26,000	4
Town	21,500	6
Military/Federal	47,000	0
<b>Pinelands Area Total</b>	<b>938,000</b>	<b>49%</b>



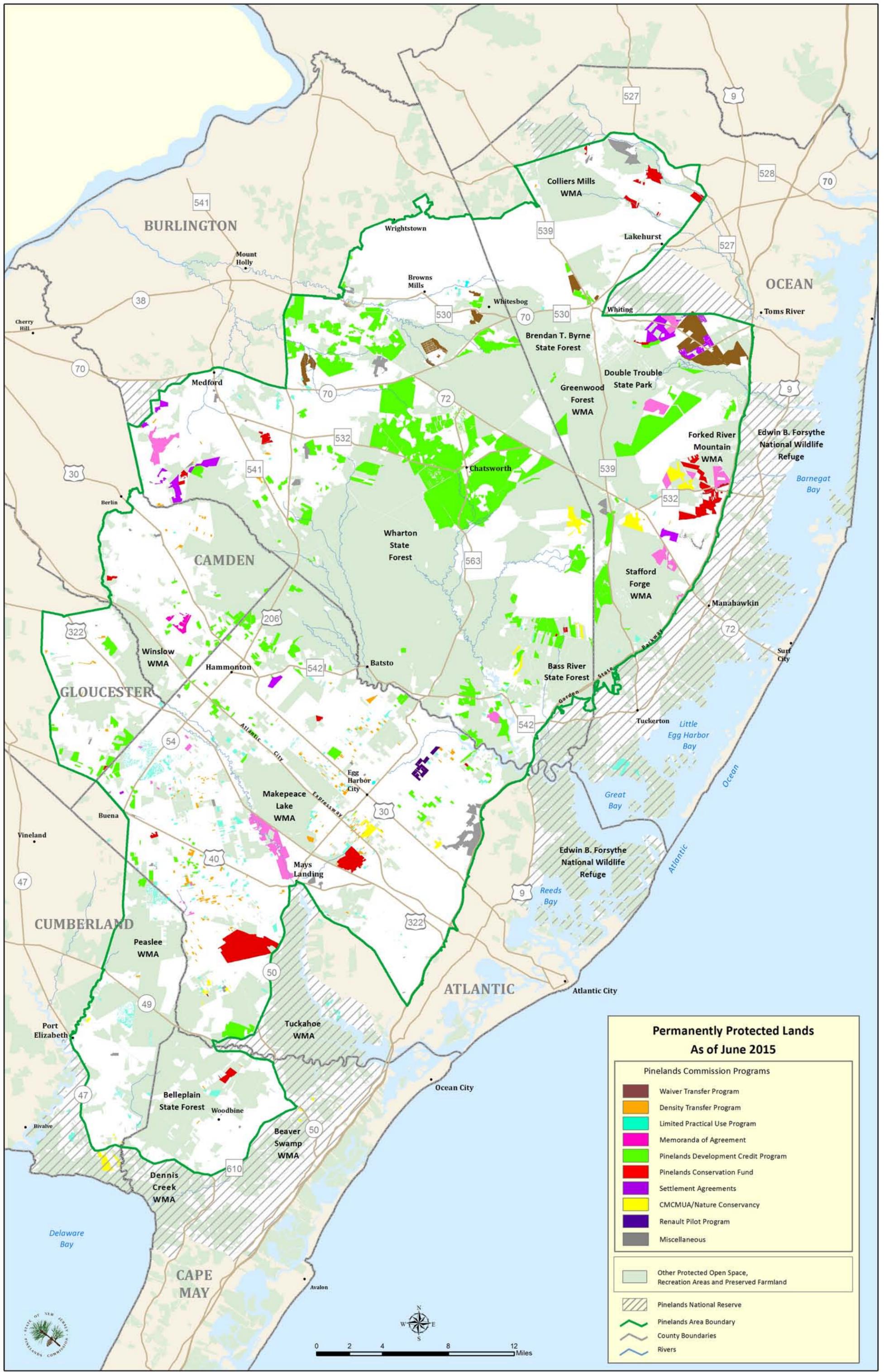
# Permanent Land Protection in the Pinelands Area

June 2015

- 460,000 acres protected
- 49% of the Pinelands Area
- 94% of the protected land is located in the conservation-oriented management areas (PAD, SAPA, FA, APA)



*Meadowbeauty on the 2,762 acre Lenape Farms property  
Photo by Paul Leakan, NJPC*



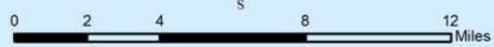
**Permanently Protected Lands  
As of June 2015**

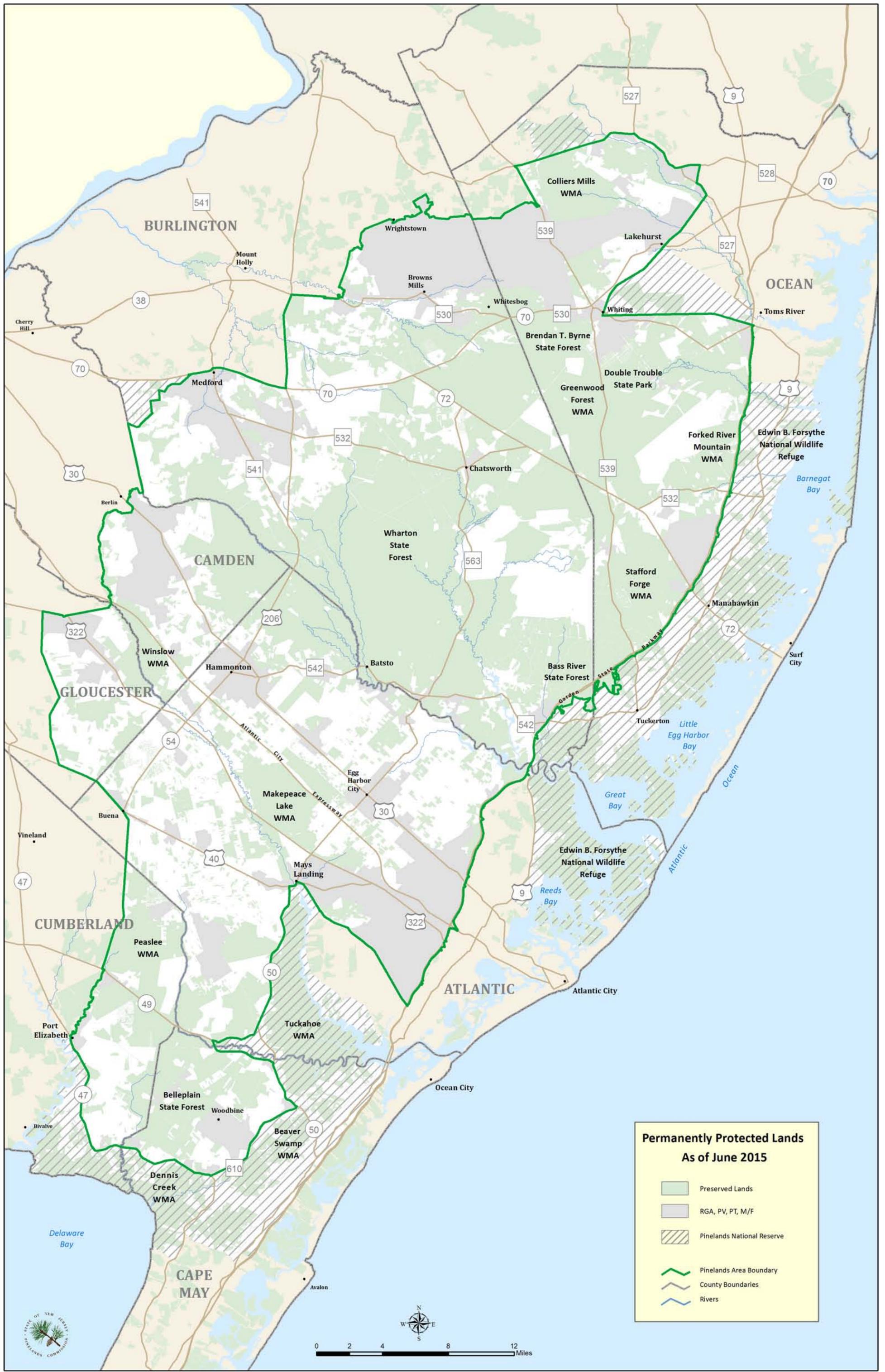
Pinelands Commission Programs

- Waiver Transfer Program
- Density Transfer Program
- Limited Practical Use Program
- Memoranda of Agreement
- Pinelands Development Credit Program
- Pinelands Conservation Fund
- Settlement Agreements
- CCMUA/Nature Conservancy
- Renault Pilot Program
- Miscellaneous

- Other Protected Open Space, Recreation Areas and Preserved Farmland

- Pinelands National Reserve
- Pinelands Area Boundary
- County Boundaries
- Rivers





BURLINGTON

OCEAN

CAMDEN

GLOUCESTER

CUMBERLAND

ATLANTIC

CAPE MAY

**Permanently Protected Lands  
As of June 2015**

- Preserved Lands
- RGA, PV, PT, M/F
- Pinelands National Reserve
- Pinelands Area Boundary
- County Boundaries
- Rivers



2014-0045,001

From: [Redacted]  
Sent: Monday, May 12, 2014 3:43 PM  
To: [Redacted]  
Cc: [Redacted]  
Subject: Proposed Pipeline route thru the Joint Base McGuire-Dix-Lakehurst

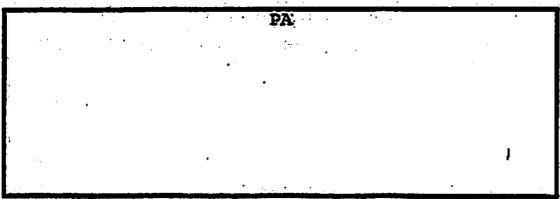
[Redacted]

\*

We met with the Pinelands Commission last week for an initial review our pipeline proposal. They agreed with us that the southern route would be the best option but there were still issues with a section along Route 70 where we need to pass through a section of Forest Preservation area that would make the approval process more cumbersome. They suggested that we approach you to see if we could reroute the line through your base and come out the back end of our project. They believe that this new route along with a letter from the base that the presence of the pipeline would be a positive attribute to future base activities could streamline their process.

I have attached a general plan for a possible route through the base that mostly follows our existing gas main. We would appreciate it if you could review this new route and give me your comments on it. We can meet with you if you would like to discuss this further. Thanks.

Regards,



<< OLE Object: Picture (Device Independent Bitmap) >> << OLE Object: Picture (Device Independent Bitmap) >>

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Privileged and Confidential Subject to the Attorney-Client Privilege, the Attorney Work Product Doctrine and all other Applicable Privileges and Doctrines.

**From:** [Redacted] PA  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** New Jersey Natural Gas SRL easement process  
**Date:** Monday, June 09, 2014 11:46:49 AM

---

[Redacted] PA

Good morning.



New Jersey Natural Gas had a meeting last week with a [Redacted] PA etc. to discuss running our pipeline through the base. We proposed an alternate route after a possible change in route was suggested in a meeting with the Pinelands Commission. After our meeting last week, we decided to proceed with the alternate route as our best choice. We are at a very preliminary fact finding stage but intend to go out to bid for an Engineering Services contract shortly and would like to include line items for assistance to get an easement through the base. I plan on having our consultant help with the easement activities (if we get an approval once everything is reviewed). I was wondering if you could detail the easement process for me so I can make sure I include adequate work tasks in my statement of work to get you whatever info you require and get it in the correct format to make it useful for you. For instance, I am aware that the Corp of Engineers write the meets and bounds descriptions but we need to give an alignment to them to base their survey on. What format should this description take? Can we give a distance from center line of road (or off other physical landmarks) or do we need to give a survey alignment (coordinate points with specific degree change in direction).

Also, if there are any processes you need done on your side that we may be able to offer assistance. let me know. We would be our pleasure to help out wherever needed.

Thanks.

Regards.

[Redacted] PA

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Privileged and Confidential Subject to the Attorney-Client Privilege, the Attorney Work Product Doctrine and all other Applicable Privileges and Doctrines.

**From:**  
**To:**  
**Subject:**  
**Date:**

PA

Pinelands statement for expected benefit from the gas line for the Joint Base  
Monday, December 01, 2014 2:34:09 PM

---

PA



I am putting together wording for section 9 of the Pinelands permit. It involves the base gas use issues. It requires a description of why our project conforms to the Pinelands regulations for utility use. I intend to discuss the reliability side of the project from a system viewpoint. I also would like to talk about how we can directly impact the Joint Base's system. There seems to be two ways to address the issue.

The first is to identify a specific set of buildings that will have gas brought to them. Any luck on identifying additional building that need to be serviced? Having a specific plan would be better than vague statements. Let me know if there is anything I can do or if you want me to meet with PA

PA

The second way is to identify a future site for a possible station to reinforce the existing system as well as start a new system west of 539. I could install the necessary valves to accomplish our goal and identify it for future installation under a separate application.

I believe one of the above items must be identified and included in our description of the base. We should meet to talk about a plan of action. This issue needs to get settled so the application can get submitted. Let me know what you think. Thanks.

Regards,

PA

Please consider the environment before printing this email and any attachments – Conserve to Preserve®.

Privileged and Confidential Subject to the Attorney-Client Privilege, the Attorney Work Product Doctrine and all other Applicable Privileges and Doctrines.



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15-\_\_\_\_\_

**TITLE:** Approving With Conditions an Application for **Public Development** (Application Number 1982-4156.019)

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:

**1982-4156.019**

<b>Applicant:</b>	<b>NJ State Forestry Services (NJDEP)</b>
Municipality:	Berkeley Township Lacey Township
Management Area:	Pinelands Agricultural Production Area Pinelands Forest Area Pinelands Preservation Area District
Date of Report:	September 21, 2015
Proposed Development:	Forestry and forest fire management activities at Double Trouble State Park.

**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 1982-4156.019 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun				Earlen				Prickett			
Avery				Galletta				Quinn			
Barr				Jannarone				Rohan Green			
Brown				Lloyd				Witt			
DiBello				McGlinchey				Lohbauer			

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
Nancy Wittenberg  
Executive Director

\_\_\_\_\_  
Mark S. Lohbauer  
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: AppInfo@njpines.state.nj.us

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

September 21, 2015

Todd Wyckoff, Regional Forester  
 NJ State Forestry Services  
 P.O. Box 420  
 Trenton, NJ 08625

Re: Double Trouble State Park  
 Application # 1982-4156.019  
 Block 15, Lot 5  
 Block 17, Lot 4  
 Block 22, Lots 1, 1.01, 2, 3 & 5  
 Block 22.01, Lot 1  
 Block 23, Lots 1, 5 & 28  
 Block 23.07, Lot 1  
 Berkeley Township  
 and  
 Block 2500, Lots 1.01, 1.02, 7, 7.02, 8-8.04, 9, 9.01, 10-13, 13.02, 13.03 & 15-17  
 Block 2600, Lots 6-8, 9.01, 10.01, 14, 15, 21 & 27-29  
 Block 2675, Lots 3, 4.08, 4.10 & 4.11  
 Block 2700, Lots 3 & 5  
 Block 2701, Lots 27-34  
 Block 2818, Lots 1-8, 13-21, 24-36, 39, 43-55, 59-65 & 70-73  
 Lacey Township

Dear Mr. Wyckoff:

The Commission staff has completed its review of the above referenced application for forestry and forest fire management activities at Double Trouble State Park. 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 October 9, 2015 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,

A handwritten signature in black ink, appearing to read 'C. M. Horner', with a long horizontal flourish extending to the right.

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Berkeley Township Planning Board (via email)  
Berkeley Township Construction Code Official (via email)  
Berkeley Township Environmental Commission (via email)  
Secretary, Lacey Township Planning Board (via email)  
Lacey Township Construction Code Official (via email)  
Lacey Township Environmental Commission (via email)  
Secretary, Ocean County Planning Board (via email)  
Dr. Ryan Rebozo, Pinelands Preservation Alliance  
Dr. Emile DeVito, New Jersey Conservation Foundation  
Jeff Tittel, New Jersey Sierra Club



State of New Jersey  
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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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

September 21, 2015

Todd Wyckoff, Regional Forester  
 NJ State Forestry Services  
 P.O. Box 420  
 Trenton, NJ 08625

Application No.: 1982-4156.019

Location: Double Trouble State Park  
 Block 15, Lot 5  
 Block 17, Lot 4  
 Block 22, Lots 1, 1.01, 2, 3 & 5  
 Block 22.01, Lot 1  
 Block 23, Lots 1, 5 & 28  
 Block 23.07, Lot 1  
 Berkeley Township  
 and  
 Block 2500, Lots 1.01, 1.02, 7, 7.02, 8-8.04, 9, 9.01, 10-13, 13.02, 13.03 & 15-17  
 Block 2600, Lots 6-8, 9.01, 10.01, 14, 15, 21 & 27-29  
 Block 2675, Lots 3, 4.08, 4.10 & 4.11  
 Block 2700, Lots 3 & 5  
 Block 2701, Lots 27-34  
 Block 2818, Lots 1-8, 13-21, 24-36, 39, 43-55, 59-65 & 70-73  
 Lacey Township

This application proposes forestry and forest fire management activities on the above referenced 8,677 acre parcel located entirely within the Double Trouble State Park in Berkeley and Lacey Townships.

The proposed forestry and forest fire management activities are described in the “Double Trouble State Park Natural Resource Stewardship Plan (Plan),” prepared by the New Jersey Department of Environmental Protection (NJDEP), State Forestry Services. The Plan is dated January 1, 2016 and supplemented and amended by information submitted to the Commission through September 21, 2015.

The Plan specifies management goals and objectives for Double Trouble State Park. Goals and objectives include conserving biological diversity and ecologically significant habitat, maintaining productive capacity of the landscape, improving resilience to unplanned disturbances and conserving soil and water resources.

The Plan proposes to manage 2,906 acres of the 8,677 acre State Park for forestry and forest fire management activities. Of the 2,906 acres proposed for management, the Plan proposes prescribed burning and forest fire plowline maintenance and installation on at least 1,691 acres. Prescribed burning and plow line maintenance and plowline installation do not require application to the Pinelands Commission (N.J.A.C. 7:50-4.1(a)17).

### **STANDARDS**

The Commission staff has reviewed the proposed forestry and forest fire management activities 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, 5.23(a)5 & 5.24(a)5)**

The proposed forestry and forest fire management activities are located partially in the Pinelands Preservation Area District (approx. 2,370 acres), partially in a Pinelands Forest Area (approx. 534 acres) and partially in a Pinelands Agricultural Production Area (approx. 2 acres). The proposed forestry and forest fire management activities are permitted in the Pinelands Area.

#### **Wetlands Standards (N.J.A.C. 7:50-6.9)**

There are wetlands located on the parcel. Some forestry and forest fire management activities are proposed in wetlands. The CMP permits forestry and forest fire management activities in wetlands.

#### **Forestry Standards (N.J.A.C. 7:50- 6.46 )**

The proposed Plan is consistent with all CMP forestry standards.

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

The Plan has been reviewed by the New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program. That review concluded that there would be no irreversible adverse impacts on any local populations of those threatened or endangered wildlife species known to be in the project area.

The NJDEP Office of Natural Lands Management determined that the Plan would not result in an irreversible adverse impacts on any local populations of threatened or endangered plant species known to be in the project area.

### **PUBLIC COMMENT**

The applicant has provided the requisite public notices. Public notice to required land owners within 200 feet of the proposed activities was completed on July 27, 2015. Newspaper public notice was completed on August 6, 2015. The application was designated as complete on the Commission's website on September 1, 2015. The Commission's public comment period closed on September 11, 2015. The Commission received three oral public comments regarding this application.

**Public Comment One:**

The commenter asked what kind of herbicide would be used for the proposed Atlantic White cedar restoration. The commenter also inquired about specific efforts which have been taken to locate existing threatened and endangered species within the area subject to the proposed Atlantic White cedar restoration.

**Response to Public Comment One:**

The submitted Plan, Page 90, indicates that the applicant will utilize the herbicides salt of imazapyr and/or glyphosate. Specifically, the applicant has indicated that selected herbicides will target broadleaf vegetative competition. The CMP provides that herbicide treatments are permitted for forestry provided, among other requirements, that control of competitive plant species is clearly necessary and that that control of competitive plant species by other, non-chemical means is not practical. The applicant indicated that control of competitive hardwood species is required and that control by non-chemical means (e.g. mowing) is not practical. The applicant has indicated that the areas subject of threatened and endangered species concern were re-located or removed from the Plan.

**Public Comment Two:**

The commenter raised concerns regarding the proposed Shortleaf pine restoration within an existing pine-oak forest area. The commenter indicated that the proposed management activity, intended to restore Shortleaf pine forest areas, does not meet the CMP because such restoration would constitute a forest stand conversion. The commenter also recommended that the proposed timing restrictions within critical habitat for Pinelands threatened and endangered snakes, be expanded to November 1<sup>st</sup> through March 15<sup>th</sup>, when snakes are in their dens hibernating.

**Response to Public Comment Two:**

The Plan proposes the harvesting of pine and oak over an area of 106 acres. After harvesting, the applicant has indicated that healthy oak will remain as a natural regeneration seed source and shortleaf pine will be planted. The applicant has further represented that they do not intend to alter the ratio of pine and oak currently found on the site. The current version of the Plan addresses this comment by making use of contracting incentives to discourage activities after September 15 and before May 16.

**Public Comment Three:**

The commenter raised concerns regarding the proposed aerial application of herbicide. The commenter is concerned about the potential for chemical drift resulting from aerial spraying. The commenter recommended that the application of herbicide be more localized.

**Response to Public Comment Three:**

The CMP provides that herbicide treatments are permitted for forestry provided certain conditions are met. The applicant represents that the 164 acres to be treated is too large to be completed with solely ground based herbicide application techniques. The applicant further indicates that herbicide drift is dealt with through monitoring of weather conditions and that spray equipment on planes is calibrated with wind sensors and flight data to shut off applicator nozzles near the edge of a stop drift.

### **CONDITIONS**

1. The proposed forestry and forest fire management activities shall adhere to the "Double Trouble State Park Natural Resource Stewardship Plan," prepared by the New Jersey Department of Environmental Protection (NJDEP) State Forestry Services, dated January 1, 2016 2016 and as supplemented and amended by information submitted to the Commission through September 21, 2015.
2. The Commission's approval for the proposed forestry and forest fire management activities shall expire on October 9, 2025.
3. 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

## State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)



Mark S. Lohbauer  
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 within eighteen days of the date of the Executive Director's determination 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. PC4-15-\_\_\_\_\_

**TITLE:** Approving With Conditions an Application for **Public Development** (Application Number 1993-0148.003)

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:

**1993-0148.003**

<b>Applicant:</b>	<b>Woodland Township</b>
Municipality:	Woodland Township
Management Area:	Pinelands Village
Date of Report:	September 18, 2015
Proposed Development:	Construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements at the Chatsworth Elementary School.

**WHEREAS**, the 9,000 square foot asphalt walking track and associated recreational improvements subject of this application occurred without application to, and approval by, the Commission and 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 1993-0148.003 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE	NAY	NP	ABS	AYE	NAY	NP	ABS	AYE	NAY	NP	ABS
Ashmun				Earlen				Prickett			
Avery				Galletta				Quinn			
Barr				Jannarone				Rohan Green			
Brown				Lloyd				Witt			
DiBello				McGlinchey				Lohbauer			

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
Nancy Wittenberg  
Executive Director

\_\_\_\_\_  
Mark S. Lohbauer  
Chairman



State of New Jersey  
 THE PINELANDS COMMISSION  
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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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

September 18, 2015

Matthew Henrich, Mayor  
 Woodland Township  
 P.O. Box 388  
 Chatsworth, NJ 08019

Re: Application # 1993-0148.003  
 Block 4807, Lot 1  
 Woodland Township

Dear Mayor Henrich:

The Commission staff has completed its review of this application for construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements at the Chatsworth 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 October 9, 2015 meeting.

**The asphalt walking track and certain of the associated recreational improvements were developed 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, Woodland Township Planning Board (via email)  
 Woodland Township Construction Code Official (via email)  
 Secretary, Burlington County Planning Board (via email)  
 Thomas Leisse, PE







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 Lt. Governor

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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

September 18, 2015

Matthew Henrich, Mayor  
 Woodland Township  
 P.O. Box 388  
 Chatsworth, NJ 08019

Application No.: 1993-0148.003

Location: Block 4807, Lot 1  
 Woodland Township

This application proposes construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements at the Chatsworth Elementary School located on the above referenced 10.25 acre parcel in Woodland Township.

The asphalt walking track and certain of the recreational improvements were developed prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). 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 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 Village of Chatsworth. The proposed development is a permitted land use in a Pinelands Village.

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

The proposed improvements will be located in existing grassed recreational areas. 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 stormwater management standards of the CMP. To meet the stormwater management standards, this application proposes to construct two stormwater infiltration basins and seven small stone recharge areas to recharge stormwater runoff.

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

A cultural resource survey was prepared for this application. The survey determined that there were no cultural resources eligible for Pinelands designation within the project area.

### **PUBLIC COMMENT**

The applicant has provided the requisite public notices. Public notice to required land owners within 200 feet of the above referenced parcel was completed on June 12, 2015. Newspaper public notice was completed on June 17, 2015. The application was designated as complete on the Commission's website on September 1, 2015. The Commission's public comment period closed on September 11, 2015. 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 Pennoni Associates, Inc., all sheets dated April 22, 2015 and revised to July 27, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed landscaping or revegetation shall adhere to the "Vegetation" standards of the municipal land use ordinance and 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

## State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)

Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)



Mark S. Lohbauer  
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 within eighteen days of the date of the Executive Director's determination 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  
 Governor

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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**LETTER OF INTERPRETATION #1338**  
 (Third Amendment)

September 3, 2015

Pearl Abrams  
 163 Indian Mills Rd  
 Shamong, NJ 08088

Re: Application # 2000-0402.001  
 Block 18, Lots 11.01 & 12  
 Indian Mills Road  
 Shamong Township

**FINDINGS OF FACT**

The applicant owns the above referenced 108.17 acre parcel in Shamong Township. This acreage of Block 18, Lot 11.01 (97.98 acres) is based the subdivision plan, prepared by Bach Associates, dated June 21, 2012 and last revised July 29, 2013. The acreage of Block 18, Lot 12 (10.19 acres) is based on the Township tax map. The parcel is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this parcel.

On October 8, 2009, the Commission issued LOI #1338 (Second Amendment) allocating 5.50 PDCs to 114.73 acre original Block 18, Lots 11.01 and 12. That LOI reserved the right to construct one dwelling on the parcel. LOI #1338 (Second Amendment) expired on October 8, 2011. The CMP was amended in 2014 regarding the allocation of PDCs to a parcel. This amendment (N.J.A.C. 7:50-5.43(b)4) provides that the Commission shall only consider the allocation of PDCs to the parcel subject of an LOI application and not consider any contiguous lands in common ownership since 1981. This LOI is based upon this amendment to the CMP. This Third Amendment LOI #1338 replaces the previously issued Second Amendment LOI #1338.

Subsequent to the issuance of the October 8, 2009 LOI, an application for a two lot resubdivision and no further development of 107.58 acre Block 18, Lots 11.01 and 11.02 was approved pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP) (App. No. 2000-0402.003). That application created 97.98 acre Block 18, Lot 11.01 subject of this LOI.

The applicant has requested an Amended LOI reflecting the revised acreage of Block 18, Lot 11.01 and eliminating the reserved right to construct one single family dwelling on the parcel. This Amended LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. The



applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the parcel.

The 108.17 acre parcel consists of 103.46 acres of uplands and 2.96 acres of wetland soils in active field agriculture. The remaining 1.75 acres are wetlands as defined by N.J.A.C. 7:50-6.5(a). The active field agriculture in wetland soils was established prior to February 7, 1979. There are seven structures accessory to an agricultural use on the parcel. No resource extraction operation or development has been approved for this parcel pursuant to the provisions of the CMP.

### **CONCLUSION**

The CMP grants, with certain exceptions, to every parcel of land in an Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.

The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 103.46 acres of uplands, the applicant would be entitled to 5.31 PDCs. For the 2.96 acres of wetland soils in active field agriculture, the applicant would be entitled to 0.15 PDCs. For the 1.75 acres of other wetlands, the applicant would be entitled to 0.01 PDCs.

There would be 5.47 PDCs allocated to this parcel.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 5.5 PDCs allocated to Block 18, Lots 11.01 and 12.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

### **APPEAL**

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making the appeal;
2. the application number;

3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. M. Horner', with a long horizontal flourish extending to the right.

Charles M. Horner, P.P.

Director of Regulatory Programs

- c:
- Secretary, Shamong Township Planning Board (via email)
  - Shamong Township Construction Code Official (via email)
  - Secretary, Burlington County Planning Board (via email)
  - Susan R. Grogan, Executive Director, PDC Bank (via email)
  - Patrick F. McAndrew, Esq. (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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**LETTER OF INTERPRETATION #2140**

September 1, 2015

Hebrew Academy of Atlantic County  
 631 Tilton Road  
 P.O. Box 865  
 Northfield, NJ 08225

Re: Application # 2015-0079.001  
 Block 6801, Lots 2.03 & 2.04  
 Jackson Road  
 Medford Township

**FINDINGS OF FACT**

The applicant owns the above referenced 14.6 acre parcel in Medford Township. This acreage is based on the Township tax map. The parcel is located in the Pinelands Preservation Area District. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this parcel.

The parcel consists of 1.09 acres of uplands and 13.51 acres of wetlands as defined by N.J.A.C. 7:50-6.5(a). The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the parcel.

The parcel is vacant. Based on the submitted deed, the applicant acquired the property from Marc Slater in 1992. There are no easements limiting the use of the parcel to nonresidential uses. No resource extraction operation or other development has been approved for this lot pursuant to the provisions of the Comprehensive Management Plan (CMP).

**CONCLUSION**

The CMP grants, with certain exceptions, to every parcel of land in the Preservation Area District, a use right known as "Pinelands Development Credits," (PDCs) that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.



The CMP establishes the ratio by which Pinelands Development Credits are allocated in the Preservation Area District (N.J.A.C. 7:50 5.43(b)1). One Pinelands Development Credit is allocated for every 39 acres of uplands, except for certain uplands which have been approved for resource extraction operations. There are 0.2 Pinelands Development Credits allocated for every 39 acres of wetlands.

For the 1.09 acres of uplands, the applicant would be entitled to 0.03 PDCs. For the 13.51 acres of wetlands, the applicant would be entitled to 0.07 PDCs.

There would be 0.10 PDCs allocated to this parcel.

The CMP (N.J.A.C. 7:50-5.43(b)4) provides that the owners of any parcel of land containing at least 0.1 acres in the Preservation Area District are entitled to 0.25 PDCs provided that the parcel is vacant, the parcel has not been in common ownership with any contiguous land on or after February 7, 1979 and the parcel has been in continuous ownership of the owner of the parcel as of February 7, 1979 or the parcel has not been sold or transferred except to a member of the February 7, 1979 owner's immediate family. The applicant acquired the property from Marc Slater in 1992. Therefore, the applicant does not meet this requirement.

Therefore, there are 0.10 PDCs allocated to Block 6801, Lots 2.03 and 2.04.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

### **APPEAL**

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received within eighteen days of the date of this LOI, the LOI shall become binding.



If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. M. Horner', with a long horizontal flourish extending to the right.

Charles M. Horner, P.P.

Director of Regulatory Programs

- c: Secretary, Medford Township Planning Board (via email)
- Medford Township Construction Code Official (via email)
- Medford Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Susan R. Grogan, Executive Director, PDC Bank (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

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

September 18, 2015

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

Re: Application # 1982-3054.060  
 Pine Barrens Adventure Camp Riding School & Eco Tour  
 September 19 & 20, 2015  
 Bass River, Little Egg Harbor, Mullica, Stafford & Washington Townships  
 Block 801, Lot 11  
 Mullica Township

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)  
 Superintendent, Wharton State Forest





Chris Christie  
*Governor*

Kim Guadagno  
*Lt. Governor*

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



Mark S. Lohbauer  
*Chairman*

Nancy Wittenberg  
*Executive Director*

# OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1264

**Application #: 1982-3054.060**

Applicant: Pine Barrens Adventure Camp, LLC

Event Name: Pine Barrens Adventure Camp Riding School & Eco Tour

Event Date: September 19 & 20, 2015

Municipalities: Bass River, Little Egg Harbor, Mullica, Stafford & Washington Townships  
Block 801, Lot 11  
Mullica Township

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

## Lands Utilized

Bass River, Penn & Wharton State Forests and Block 801, Lot 11 in Mullica Township

## Approved Route Map

Received in electronic format on September 3, 2015

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

September 18, 2015

Date

*Please see reverse side for additional information and conditions.*

## **BACKGROUND**

- ♦ One route beginning and ending at 3610 Nesco Road in the Village of Nesco
- ♦ 55 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.



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Chris Christie  
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Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

### List of Pending Public Development and Waiver of Strict Compliance Applications Accepting Public Comment at the October 9, 2015 Commission Meeting

#### **Public Development Applications**

##### ***Application No. 1984-0781.005 – Tabernacle Township***

Received on: July 31, 2015

Completed on: September 28, 2015

Project: Two 64 foot high emergency services radio communication towers

Municipality: Tabernacle Township

Block 404, Lot 16.11 (application may include additional lots)

#### **Waiver of Strict Compliance Applications**

*None*



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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Mark S. Lohbauer  
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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:** September 30, 2015

**Subject:** No Substantial Issue Findings

---

During the past month, we reviewed seven master plan amendments that we found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan. These amendments were:

**Berkeley Township's 2015 Master Plan Reexamination Report** - reviews the problems and objectives identified in prior master plans, discusses the extent to which such problems and objectives have been addressed and identifies changes in policies and objectives at the local, county and state level relevant to the Township. The Report also lists a series of new objectives, focused on resiliency. These include preparation of a Community Facilities Plan, updated Stormwater and Circulation Plan Elements and clarification of various zoning provisions.

**Berkeley Township's 2015 Master Plan Amendments** - updates the Land Use Plan Element to include current land use mapping and a new section on building resiliency through development regulations. Changes to the Township's development regulations are recommended to promote sustainable development and resilience to future storms. These recommendations are focused on incorporation of the following green building and infrastructure techniques: downspout disconnection, rain gardens, bioswales, permeable pavements, green roofs, increased tree cover, living shorelines and open space preservation primarily through implementation of a transfer of development rights program outside the Pinelands Area.

**Little Egg Harbor Township's 2015 Master Plan Reexamination Report** - reviews the problems and objectives identified in the 2007 Master Plan Reexamination Report, discusses the extent to which such problems and objectives have been addressed and identifies changes in policies and objectives at the local, county and state level relevant to the Township. The Report also lists a series of new objectives, focused on resiliency. These include consideration of green building and infrastructure techniques and updates to the Economic Plan Element, Circulation Plan Element and the Stormwater Management Plan, as well as various capital improvements and improvements to public facilities and other infrastructure.

**Little Egg Harbor Township's 2015 Master Plan Amendments** - updates the Land Use Plan Element to include current land use mapping and a new section on building resiliency through development regulations. Changes to the Township's development regulations are recommended to promote sustainable development and resilience to future storms. These recommendations are focused on incorporation of the following green building and infrastructure techniques: downspout disconnection, rain gardens, bioswales, permeable pavements, green roofs, increased tree cover, living shorelines and open space preservation within and adjacent to developed areas through clustering and other techniques.

**Little Egg Harbor Township's Floodplain Management Plan** – serves as a new element of the Township's Master Plan. The Floodplain Management Plan identifies and assesses flood hazards in the Township, establishes goals and objectives and recommends a series of actions designed to minimize and mitigate the impacts of future flooding.

**Ocean Township's 2015 Master Plan Reexamination Report** - reviews the problems and objectives identified in prior master plans, discusses the extent to which such problems and objectives have been addressed and identifies changes in policies and objectives at the local, county and state level relevant to the Township. The Report also lists a series of new objectives, focused on resiliency. These include preparation of updated Open Space and Recreation, Stormwater Management, Circulation and Community Facilities Plans and revisions to the Township's zoning map outside the Pinelands Area.

**Ocean Township's 2015 Master Plan Amendments** – updates the Land Use Plan Element to include current land use mapping and a new section on building resiliency through development regulations. Changes to the Township's development regulations are recommended to promote sustainable development and resilience to future storms. These recommendations are focused on incorporation of the following green building and infrastructure techniques: downspout disconnection, rain gardens, bioswales, permeable pavements, green roofs, increased tree cover, living shorelines and open space preservation.



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

**NO. PC4-15-**\_\_\_\_\_

**TITLE:** To Approve the New Jersey Pinelands Commission’s 2014 Annual Report

**Commissioner** \_\_\_\_\_ **moves and Commissioner** \_\_\_\_\_ **seconds the motion that:**

**WHEREAS,** in September 2006, then Governor Corzine issued Executive Order #37; and

**WHEREAS,** Executive Order #37 called for the preparation and approval of a comprehensive report concerning the operations of each State authority; and

**WHEREAS,** the report shall set forth the significant actions of the Commission; and

**WHEREAS,** since the report is to be done on an annual basis and it includes much of the same information as the Commission's Annual Report, which is required by the Pinelands Protection Act, the two reports have been combined since 2007 as a cost savings measure to eliminate waste and promote efficiency as called for in Executive Order #37; 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 the attached 2014 Annual Report be approved, submitted to the Governor's Authorities Unit and posted on the Commission's web site.

**Record of Commission Votes**

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun					Earlen					Prickett				
Avery					Galletta					Quinn				
Barr					Jannarone					Rohan Green				
Brown					Lloyd					Witt				
DiBello					McGlinchey					Lohbauer				

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
Nancy Wittenberg  
Executive Director

\_\_\_\_\_  
Mark S. Lohbauer  
Chairman





# New Jersey Pinelands Commission



Annual Report 2014

# **Mission Statement of the New Jersey Pinelands Commission**

The mission of the New Jersey Pinelands Commission is to preserve, protect and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose.

**Cover photo:** The Turk's Cap lily is a showy plant that is native to the Pinelands.

Photo by John Bunnell/New Jersey Pinelands Commission

# New Jersey Pinelands Commission 2014

## Gubernatorial Appointees

Mark S. Lohbauer, Chairman

Candace M. Ashmun  
D'Arcy Rohan Green  
Richard H. Prickett

Robert Jackson  
Edward Lloyd  
Gary Quinn

## U.S. Secretary of the Interior's Appointee

Joseph DiBello

## County Appointees

**Atlantic County**  
Paul E. Galletta

**Burlington County**  
Sean W. Earlen

**Camden County**  
Edward McGlinchey

**Cape May County**  
William J. Brown

**Cumberland County**  
Leslie M. Ficcaglia (January-April)  
Jane Jannarone (April-December)

**Gloucester County**  
Francis A. Witt

**Ocean County**  
Alan Avery, Jr., Vice Chairman

## Executive Director

Nancy Wittenberg

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# Pinelands Commission Highlights for 2014

- **Commission gains new Cumberland County representative.** Page 1.
- **Commission issues its fourth, in-depth report on its implementation of the Pinelands Comprehensive Management Plan.** Pages 2-4.
- **Commission adopts changes to the Pinelands Comprehensive Management Plan.** Pages 4-5.
- **Commission amends its policies for the use of the Pinelands Conservation Fund.** Page 6.
- **Commission and Hammonton make significant progress in reducing discharge of treated wastewater to Hammonton Creek.** Pages 6-7.
- **Commission continues its work to develop and complete a software tool to evaluate the ecological and public health risks associated with uncapped landfills in the Pinelands Area.** Pages 7-8.
- **Commission helps to preserve a 195-acre property in Jackson, Manchester and Toms River townships.** Page 8.
- **Commission scientists continue to make progress on pond-vulnerability study.** Page 10.
- **Commission scientists advance created-wetlands study.** Page 11.
- **Commission approves Memorandum of Agreement with The Richard Stockton College of New Jersey.** Pages 13-14.
- **Commission holds 25th annual Pinelands Short Course at a new venue.** Page 15.
- **Commission launches major project to overhaul and redesign its official website.** Page 16.

## Commission gains new Cumberland County representative

The Pinelands Commission gained a new member in 2014, as Jane Jannarone of Vineland joined the Commission as Cumberland County's new representative.

Jannarone is a Real Estate Broker with more than 25 years of experience. She owns and manages her Real Estate Company in Vineland. She serves on the Greater Vineland Chamber of Commerce, Cumberland County Board of Realtors, the Welcome Home Committee for Veterans, and is a former member of the Cumberland County Board of Chosen Freeholders. Jannarone grew up on a 256-acre property on the Maurice River in Millville. The property is home to wild rice marshes, white cedar swamps, pine trees and habitat for bald eagles, and it was preserved in honor of her father, as the Harold N. Peek Preserve.



**Jane Jannarone**

The Cumberland County Board of Chosen Freeholders appointed Jannarone as the county's new representative on April 22, 2014. She replaced Leslie Ficcaglia of Port Elizabeth. Ficcaglia served on the Commission from April 1996 until April 2014. During her tenure as a Commissioner, Ficcaglia served on the Audit Committee and was a member of the Commission's Permanent Land Protection Committee, Personnel & Budget Committee and Policy and Implementation Committee. The Commission adopted 29 amendments to the Pinelands Comprehensive Management Plan during her 18 years as a Commissioner.



**Leslie Ficcaglia**

On May 9, 2014, the Commission voted unanimously to adopt a resolution expressing its appreciation for Ficcaglia's service as a Commissioner.

The Pinelands Commission's 15-member board consists of seven members who are appointed by the New Jersey Governor, one member appointed by each of the seven Pinelands counties, and one member appointed by the U.S. Secretary of the Interior. Commission members serve staggered, three-year terms and are uncompensated for their service.

## Chapter 1: Land Use & Planning

### Plan Review

In September 2014, the Commission issued its fourth, in-depth report on the agency's implementation of the Pinelands Comprehensive Management Plan (CMP), the rules that govern land use and natural resource protection in the 938,000-acre Pinelands Area.

New Jersey Pinelands Commission

## Comprehensive Management Plan



### The Fourth Progress Report on Plan Implementation

September 2014

Nancy Wittenberg, Executive Director

**Above:** The Commission issued its Fourth Progress Report on Plan Implementation in September 2014.

simplified permitting for the development of single-family dwellings, a ban on new mining operations in Pinelands-designated Forest Areas and waste management facility siting policies, among many other initiatives.

The *Fourth Progress Report on Plan Implementation* features chapters on land use and planning, regulatory programs, permanent land protection, memorandums of agreement or understanding, public information and outreach, economics and science. It also includes a section that lists a series of recommendations for strengthening the Plan, including numerous recommendations that were suggested by the public.

The 183-page report charts the Commission's projects, programs and efforts to advance the goals and requirements of the CMP from July 1, 2001 through June 30, 2012, the period since the last progress report was issued.

The issuance of the report marked the culmination of the Commission's fourth review of the CMP. The Commission embarked on the review in June 2012. Since that time, the Commission formed a Plan Review Committee composed of five Commission members. The Committee met regularly and provided a forum for discussing measures aimed at improving the CMP. It gathered comments from 109 groups and individuals during two public hearings and a 2½-month public comment period.

The review is required by law, and it provides a key opportunity for the Commission to chart and evaluate its implementation of the CMP. Previous reviews of the CMP resulted in changes such as

Among other findings in the report, the Commission:

- Approved 32 adjustments to Pinelands Management Areas in 21 municipalities between January 2002 and June 2012. More than half of the approved changes were relatively small, affecting less than 100 acres of land. The boundaries of all nine management areas were affected, with the Rural Development Area (RDA) involved in the majority of changes.

As a whole, the conservation-oriented management areas – the Preservation Area District (PAD), Special Agricultural Production Area (SAPA), Forest Area (FA) and Agricultural Production Area (APA) – have increased steadily since 1991. Approximately 13,000 acres were added to the conservation areas between 1991 and 2012, including 4,000 acres in the Oyster Creek watershed that were redesignated from the RDA to the FA via a CMP amendment adopted by the Commission in 2005.

As a result, the conservation areas now include more acreage than when the CMP was adopted in 1980. By contrast, the development-oriented management areas as a whole (Regional Growth Areas, Pinelands Villages and Towns) have seen a 3.25% decrease (4,200 acres) over the last two decades;

- Continued to ensure that development is channeled toward designated growth areas and away from conservation areas. Approximately 97% of all approved residential units and 87% of all approved nonresidential developments were located in the Regional Growth Areas, Towns, Villages and Rural Development Areas during the reporting period;

- Worked to permanently preserve thousands of acres of land by continuing several long-established programs and instituting a new acquisition program made possible by the creation of the Pinelands Conservation Fund (PCF).

Between 2007 and June 30, 2013, the Commission approved the allocation of \$9.6 million from the PCF to 34 projects in the Pinelands Area. Of these 34 projects, 31 proceeded to closing within the plan review time period, resulting in the permanent protection of 6,763 acres.

The Pinelands Development Credit (PDC) program continued to be one of the most successful transfer of development rights programs in the country. Nearly 24,000 acres in the Preservation Area District, Agricultural Production Area and Special Agricultural Production Area were permanently protected through the PDC Program between July 2001 and June 2013, bringing the total amount of protected land to 51,685 acres.

- Conducted important research on the status of the Pinelands ecology. Much of the research details the connection between land-use and its effect on water quality and quantity, and it

provides the basis for future policies and initiatives aimed at further protecting Pinelands natural resources.

The Commission completed five studies of the Kirkwood-Cohansey aquifer system. The studies focused on swamp pink, pond vegetation, wetland forests, frog development and stream habitat. Results from the studies, and those completed by other project cooperators, will be used to develop water-supply policies for the Kirkwood-Cohansey aquifer.

The Commission also completed a landscape, watershed and wetland assessment for the entire Pinelands Area. Results of the assessment indicated that Pinelands habitat and non-habitat covered 82% and 18% of the Pinelands Area, respectively. Fifty-one percent of the Pinelands Area fell within the highest ecological-integrity class;

- Was a signatory to 20 Memorandums of Agreement (MOAs) with a variety of public agencies, including municipalities, counties and other state agencies. As a result of the agreements, approximately 8,500 acres of land in the Pinelands Area were permanently preserved;

- Continued to monitor the economy in the Pinelands Area. Overall, the Pinelands economy either mirrored, or in some cases outperformed, the non-Pinelands portions of southern New Jersey with respect to several economic indicators. For example, the average residential property tax bill in the Pinelands continued to be significantly lower than the state and the rest of southern New Jersey. At \$4,884, the average tax bill in the Pinelands is 36.8% lower than the average bill in the state and 14.2% lower than the average bill in the non-Pinelands portions of southern New Jersey; and

- Educated thousands of people by delivering presentations at school districts, libraries and during festivals. The Commission also raised awareness and appreciation of the Pinelands by organizing new educational programs such as the Pinelands Research Series and Pinelands-themed World Water Monitoring Day, and by creating new materials such as the first-ever, National Park Service brochure for the Pinelands National Reserve.

A copy of the report has been posted on the Commission's website ([www.nj.gov/pinelands](http://www.nj.gov/pinelands)).

### **Pinelands Comprehensive Management Plan (CMP) Amendments**

In June 2014, the Commission voted to adopt several CMP amendments that were an outgrowth of the plan review process. (Please see the Plan Review section above).



More specifically, the amendments serve to codify current Commission practice, clarify existing standards and requirements, increase the efficiency of the Commission and its staff, eliminate unnecessary application requirements and correct typographical errors in the regulations. The



**The Commission adopted several amendments to the Pinelands Comprehensive Management Plan in 2014.** Photo/Paul Leakan

amendments also provide an extended time period within which the installation of certain alternate design wastewater treatment systems will be permitted, and remove from the Alternate Design Wastewater Treatment Systems Pilot Program a particular technology that has been unable to demonstrate compliance with CMP standards.

Among other things, the amendments extend the duration of Letters of Interpretation (LOIs) from two years to five years. The Commission issues LOIs at the request of an applicant. Although an LOI may be requested for any standard set forth in the CMP, the vast majority of LOI applications received by the Commission involve requests for an allocation of Pinelands Development Credits (PDC) to a particular parcel.

The CMP previously stipulated that LOIs would be valid for a period of two years from the date of issuance by the Commission. With respect to LOIs involving PDC allocations, this means that a landowner to whom PDCs were allocated has two years to sever those PDCs from his or her property so that they may be sold, transferred or redeemed. After that two year time period, if the landowner wishes to sever the PDCs, he or she must once again apply to the Commission and “renew” the LOI. Renewals are largely a paperwork exercise that provides little benefit while creating more work for the Commission and property owners.

The amendments also exempt the establishment of certain home occupations and certain changes of use from the need to file applications with the Commission. The change of one nonresidential use to another nonresidential use no longer requires an application to the Commission, provided that the existing and proposed uses are or will be served by public sewers and no additional development is proposed.

A full description of the amendments can be found on the Commission’s website. The direct address is <http://www.nj.gov/pinelands/cmp/amend/index.html>.

## **Amended Policies for the Pinelands Conservation Fund**

In August 2014, the Commission voted to amend the policies for use and management of the Pinelands Conservation Fund (PCF).

The PCF was created in 2004 as part of an agreement with the New Jersey Board of Public Utilities to permit the construction and upgrade of an electric transmission line through eastern portions of the Pinelands. Under the agreement, the special fund was established to further the Pinelands protection program and ensure a greater level of protection of the unique resources of the Pinelands Area. The utility that built the transmission lines, Atlantic City Electric (formerly Conectiv), provided \$13 million to establish the fund. The policies for the PCF originally set forth three principal objectives: permanent land protection, planning and research activities and community planning and design.

The amended PCF policies established a new objective to fund education and outreach initiatives that raise awareness and appreciation of the Pinelands. The new Education and Outreach account was funded via the transfer of \$1,125,000 from the PCF's Community Planning and Design account. The Commission has begun using these funds to undertake a major overhaul and redesign of its website. (For more information about the website redesign project, please see pages 16-17).

The new PCF policies also resulted in the transfer of \$500,000 from the Community Planning and Design account to the Land Acquisition account. The funds will help the Commission continue its work to permanently preserve land in the Pinelands. (For more information about the Commission's permanent land protection efforts, please see page 8).

## **Long Term Comprehensive Wastewater Plan in Hammonton**

In 2014, the Pinelands Commission and the Town of Hammonton continued to make significant progress to reduce the discharge of treated wastewater from the Town's wastewater treatment plant to Hammonton Creek.

The beneficial reuse of treated wastewater by Hammonton will allow the Town to reduce the amount of wastewater that's pumped to its underperforming infiltration lagoons. Those lagoons have failed to infiltrate the large volumes of wastewater as originally anticipated by the system designers. The beneficial reuse of treated wastewater via drip irrigation combined with the elimination of extraneous flows that leak into the sewer system are expected to ease the hydraulic load currently placed upon the Town's infiltration lagoons.

Treated wastewater will be diverted from the infiltration lagoons to a 26 acre overland drip irrigation system. The overland drip irrigation system will supply nearly 500,000 gallons of treated wastewater daily to wooded areas at the Town's wastewater facility located along Boyer Avenue.

In addition to the overland drip irrigation system, the Town is also building a multiple depth subsurface drip irrigation system to irrigate recreational turf fields adjacent to the infiltration lagoons.

Further, the Town is implementing a program to identify areas of the sewer system that are prone to inflow and infiltration of stormwater and groundwater to further reduce extraneous hydraulic loading of the infiltration lagoon system.

All of these improvements are the direct result of the Commission's efforts to fully implement the CMP requirements that prohibit the discharge of treated wastewater into surface water bodies in the Pinelands Area.

### **Assessment of Uncapped Landfills in the Pinelands Area**

In 2014, the Commission continued its work to develop and complete a software tool to evaluate the potential ecological and public health risks associated with uncapped landfills in the Pinelands Area.

The Commission launched the project in 2012, after entering into an agreement with the U.S. Geological Survey (USGS). The Commission identified a total of 61 landfills to include in the analysis.

Throughout 2014, the Commission and USGS worked to develop and finalize the Excel spreadsheet-based "fate and transport" models and drafted a research article that describes the analysis.

Upon completion, the study will provide information to characterize the "level of concern" posed by potential leachate plumes from each of the landfills to nearby wetlands, surface water bodies, streams, ponds and drinking water wells. The screening-level analysis will provide information that will help the Commission review proposals for the closure and reuse of landfills.

The study expands a pilot project that Commission staff completed in 2010. Under that project, staff reviewed the New Jersey Department of Environmental Protection's (NJDEP) files on select, uncapped landfills in the Pinelands and compared leachate contaminant levels in landfill monitoring wells to various regulatory standards. The USGS work built upon this pilot study and

included fate and transport modeling to determine likely leachate contaminant levels at nearby receptors.

## Review of Municipal Ordinances

Amendments to certified county and municipal master plans and land use ordinances must be submitted to, and approved by, the Commission. During 2014, the Commission received and reviewed 76 ordinance and master plan amendments from 24 different municipalities.

## Chapter 2: Permanent Land Protection

### Pinelands Conservation Fund

The Pinelands Commission helped to preserve an ecologically-valuable, 195-acre property in the Pinelands Area in 2014.

The Commission provided \$292,202 of the total \$2 million cost to acquire the land, which is located in Jackson, Manchester and Toms River townships. The Ocean County Natural Lands Trust funded the remainder and now owns the property.



**In 2014, the Commission permanently preserved a 195-acre property (above) in Jackson, Manchester and Toms River townships.**

Photo/Ocean County Natural Lands Trust

The property features exceptional natural resources, including 1,500 linear feet of frontage on the Toms River, extensive forest and wetlands, known populations of Northern pine snake and Sickle-leaved golden aster, as well as potential habitat for timber rattlesnakes.

From 2007 to 2014, the Commission approved the allocation of \$9.6 million to 33 projects in the Pinelands Area. Thirty-two of these projects have been completed, resulting in the permanent protection of 7,228 acres.

## **Pinelands Development Credit Program**

The Pinelands Development Credit Program is a regional transfer of development rights program that preserves important agricultural and ecological land. Pinelands Development Credits (PDCs) are allocated to landowners in Pinelands-designated Preservation, Agricultural and Special Agricultural Production Areas, which are the sending areas. These credits can be purchased by property owners and developers who are interested in developing land in Pinelands-designated Regional Growth Areas, which serve as the receiving areas, and can be used to increase the densities at which they build. Once those credits are “severed” from a sending area property, the property is permanently protected by a conservation or agricultural deed restriction and credits on the property can be sold. Credits are bought and sold in one-quarter credit units called “rights.”

During 2014, five rights were severed, protecting 23.73 acres of land. A total of 5,997 rights were severed from 1982 to 2014, protecting 51,792 acres. In 2014, the mean sales price of PDCs was \$9,468 per right.

## **Chapter 3: Science and Research Activities**

### **Long-Term Environmental Monitoring Program**

In 2014, Commission scientists continued to carry out parts of its long-term environmental monitoring program.

Since the 1990s, the Commission has conducted surveys at hundreds of sites in the Pinelands in an effort to characterize the effect of existing land-use patterns on aquatic and wetland resources and to monitor long-term changes in these resources. Commission scientists sampled water quality, vegetation and fish in streams and impoundments, and frogs and toads in impoundments in the Mullica River, Rancocas Creek, Great Egg Harbor River, and Barnegat Bay watersheds. Staff has completed two rounds of surveys in each of the four watersheds and has prepared the survey data for analysis.

Since 2005, Commission scientists have measured water quality at 47 stream sites on a monthly or bimonthly basis. In 2013, sampling for various nutrients was completed at these 47 sites and nutrient analyses were performed by Rutgers University Division of Pinelands Research staff. In 2014, Commission scientists evaluated the relationship between land use and water quality at these sites and compared water-quality parameters between sites in agriculture- and development-dominated watersheds.

Each month, scientists record water levels at 35 forest plots and 30 ponds, and maintain continuous water-level recording devices installed in seven other ponds. The Commission has monitored calling frogs and toads at 20 ponds since 1996.

### **Pond-vulnerability Study**

Commission scientists continued to make progress on a study to characterize the vulnerability of Pinelands ponds to surrounding land uses. Scientists began the first phase of the project by using aerial photography to compile an inventory of approximately 3,000 natural Pinelands ponds. Ninety-nine of these ponds were selected for the study. In 2014, scientists began to monitor water quality and hydrology at all 99 ponds and completed plant and animal surveys at 53 of the ponds.



**Natural ponds, such as this one in Brendan Byrne State Forest, provide habitat for many species of Pinelands plants and animals.**

Photo/John Bunnell

These ponds are typically called “intermittent” because they are not usually connected to streams and occasionally dry out, creating largely fishless environments that serve as important breeding grounds for frogs and toads such as the rare Pine Barrens treefrog. Intermittent ponds also provide habitat for many rare plants.

During the course of the research project, Commission scientists will quantify the impact of land use on these ponds.

The Commission will identify and prioritize ponds that need enhanced protection and may evaluate potential planning and regulatory measures to better protect these ponds.

The study is being funded, in part, by a \$350,524 grant from the U.S. Environmental Protection Agency (EPA). The Commission is supplementing the EPA grant funding by contributing \$116,841 from its Pinelands Conservation Fund (please see pages 7-8 for more information about the Fund).

## Created-wetland Study

Like natural wetlands, created wetlands can provide the habitat necessary for wetland-dependent plants and animals, especially in human-dominated landscapes where natural wetlands may have been degraded or eliminated. As part of another study, Commission scientists mapped the location of two types of created wetlands commonly found in the Pinelands, shallow excavations that intercept the groundwater (excavated ponds) and excavations designed to receive stormwater (stormwater basins). About 2,000 excavated ponds and 1,700 stormwater basins have been mapped. Fifty-two excavated ponds and 46 stormwater basins were selected for the study. In 2014, scientists monitored water quality and hydrology at all 98 created wetlands and surveyed plant and animal assemblages at 24 of the excavated ponds and 26 of the stormwater basins. As part of the study, scientists will compare water-quality, hydrologic, and biological attributes between both types of created wetlands and the natural ponds from the Pond-vulnerability Study described above. In collaboration with the U.S. Geological Survey and Montclair University, sites that represent a subset of each type of wetland are being sampled for current-use pesticides and emerging-amphibian pathogens. In 2014, eight sites were sampled for these parameters.



**Some stormwater basins can provide breeding habitat for the endangered southern gray treefrog.** Photo/John Bunnell

The study is being funded by a \$361,317 grant from the U.S. EPA and a \$120,439 match by the Commission through the Pinelands Conservation Fund (please see pages 7-8 for additional information about the Fund.)

## Pinelands Research Series

The Pinelands Research Series was initiated in 2012 to provide a regular forum for scientists to present and discuss Pinelands-related research. This is a free event that is open to the public and hosted by the Commission.

In 2014, the Commission hosted seven presentations that covered a wide range of research topics, including the southern pine beetle, Lyme disease and reptiles, arsenic in coastal-plain streams, nutrients in the Barnegat Bay, Pine Barrens gentian demography, Knieskern's beaksedge dynamics, adult pine snake dispersal and movement, and juvenile pine snake ecology.

A full listing of previous and upcoming presentations can be found on the Commission's website at: <http://www.nj.gov/pinelands/science/pinesseries/>

## **Chapter 4: Regulatory Activities**

### **Permitting**

The Commission's staff reviews municipal and county permitting decisions and development approvals to determine potential impacts on Pinelands natural resources. In 2014, the Commission's Project Review Office received 391 new applications (including public and private applications).

During the year, actions were taken on 1,468 applications. A total of 25 actions were taken on applications through the Local Review Officer Program, which expedites the approval process by having municipal officers review certain applications, without the need for the Commission's review first.

The Pinelands Commission approved 37 public development applications in 2014. Among other noteworthy applications, the Commission approved the reconstruction of three dams in Pemberton Township, the construction of a 21-acre underground recharge system for the infiltration of treated wastewater in Hammonton, construction of a 4,165-square-foot academic library building at The Richard Stockton College of New Jersey, construction of a 2,480-square-foot equipment storage building in Galloway Township, a total of 13,600 linear feet of road pavement widening and associated improvements on East Veteran's Highway in Jackson Township, improvements to existing Garden State Parkway Interchanges 36, 37 and 38, the reconstruction of the Blue Anchor Dam and the widening of U.S. Route 30 across the Blue Anchor Dam in Winslow Township, and improvements to an existing aircraft taxiway at the Atlantic City Airport in Egg Harbor Township.

The Commission also has the authority to issue Freshwater Wetland General Permits in the Pinelands Area on behalf of the New Jersey Department of Environmental Protection. The Commission issued nine such permits in 2014.



## Proposed South Jersey Gas Pipeline

In January 2014, the Commission voted 7-7 on a proposed agreement that called for the construction of approximately 15 miles of a 22-mile natural gas pipeline in the Pinelands Area.

The Memorandum of Agreement (MOA) between the Commission and the New Jersey Board of Public Utilities (BPU) sought to permit South Jersey Gas to build a high-pressure, 24-inch natural gas transmission line beneath existing paved portions or disturbed rights-of-way in Maurice River Township to Beesley's Point in Upper Township. The pipeline would provide the gas needed to repower the B.L. England Electrical Generation Plant, as well as providing supply feeder redundancy to the entire southernmost portion of South Jersey Gas' (SJG's) service territory, which is currently served by a single feed supply.

## Memorandum of Agreement with The Richard Stockton College of New Jersey

In November 2014, the Commission approved a Memorandum of Agreement (MOA) that will facilitate and expedite development in appropriate areas of The Richard Stockton College's campus per the College's 2010 Master Plan.

Under the MOA, the College will not be required to file a public development application with the Commission for any development located within the Designated Development Areas that were established in the 2010 Master Plan.

The College's 2010 Master Plan identifies on-campus development projects during the course of the next 20 years, based on projected student enrollment. The College's potential development projects include nearly 2.4 million square feet of new development, nearly 11,000 new parking spaces and more than 3,100 new dwelling units, most of which are dormitories. All of these projects are delineated on Designated Development Areas. The Commission has reviewed these areas and it has determined that the areas do not involve any resources, structures or areas of significance under the Comprehensive Management Plan.



**Stockton College deed-restricted more than 1,200 acres of high-integrity habitat as part of its 2010 Master Plan, including the property above.** Photo/Paul Leakan

Additionally, the College has conducted, and the Commission has approved, campus-wide studies to identify threatened and endangered plant and animal species. The College has agreed to cluster its proposed development to avoid and minimize disturbance adjacent to wetlands, wetlands buffers, threatened and endangered plant species, critical habitat for threatened and endangered animal species and other deed-restricted lands found to be necessary to protect threatened or endangered plant or animal species. Additionally, the College has deed-restricted more than 1,200 acres of high-integrity habitat. (Please see the photo on page 13).

## Violations

The Pinelands Commission continues its efforts to provide assistance to municipalities in pursuing and resolving violations of the local land use ordinances and Pinelands regulations. A total of 60 violations were reported to the Commission in 2014.

## Chapter 5: Public Information, Participation & Education

### Outreach and Education

The Commission's Communications and Public Programs Office staff handled 111 press inquiries and responded to 977 public inquiries regarding the Pinelands in 2014.

Staff organized and carried out its eighth annual, Pinelands-themed World Water Monitoring Day event. Held at the historic Batsto Village, the event attracted more than 250 students and teachers who gauged Pinelands water quality and learned about the importance of protecting the region's unique natural and historic resources.



**John Bunnell, the Commission's Chief Scientist, described the Batsto River Watershed during the eighth annual Pinelands-themed World Water Monitoring Day event.**  
Photo/Paul Leakan

The students measured the levels of pH or acidity in water, as well as water clarity, temperature and dissolved oxygen. Water in the Pinelands is generally undisturbed, has a low pH and low dissolved solids, enabling it to support uniquely adapted Pinelands plants and animals. The students' findings were posted on the World Water Monitoring Day Web site, where test results can be compared over time. In addition to assisting with the water tests, staff from the Pinelands Commission used nets to catch native Pinelands fish and demonstrated how the Commission protects wetlands and habitat for rare plants and animals. Commission staff members educated approximately 1,625 students during in-class education programs and field trips in 2014.

## Pinelands Short Course

The 25th annual Pinelands Short Course featured a new venue and 36 presentations that explored the unique history, ecology, culture and music of the Pinelands.

The daylong event was held at The Richard Stockton College of New Jersey in Galloway Township, Atlantic County on March 8, 2014. Stockton hosted the Short Course for the first time since 2003. The event had been held at Burlington County College's Pemberton campus from 2004 to 2013.



**The 25<sup>th</sup> annual Pinelands Short Course featured 36 presentations, including one on owls of New Jersey (shown above).**  
Photo/Paul Leakan

A total of 400 people attended the Short Course. The event included 20 new programs, including presentations on southern pine beetles, the Jersey Devil, dragonflies and damselflies, butterflies and moths of the Pinelands, native bees and other Pinelands insects, wildlife habitat restoration, owls of New Jersey, the Pine Barrens Byway, the Kirkwood-Cohansey Aquifer system, stream health, the Batsto Village, the Bass River State Forest and the Mullica River.

Courses were held in Stockton's Campus Center and in the new Unified Science Center, two buildings that were designed to reduce energy and environmental impacts.

The event is registered with the New Jersey Department of Education, and professional development credits are available to New Jersey teachers who attend.

## **New Pinelands Commission website:**

In 2014, the Commission made significant progress on a major project to overhaul and redesign its official website (<http://www.nj.gov/pinelands>).

The Commission last redesigned its website in 2005. The State of New Jersey's website technology has improved significantly since that time, providing for more flexibility and new features that can increase the ease of navigation.

In May 2014, the Commission formed an internal Website Redesign Committee charged with reviewing and updating the content on the existing site, while identifying ways to create a vastly-improved new site. Additionally, Commission staff conducted an online survey to ask applicants, officials, residents and other members of the public about what they like or dislike about the agency's old site. The public requested that the new site be reorganized to make it easier to find information. They also wanted meeting dates to be displayed more prominently, and they wanted a better mechanism to submit written comments or questions.

The Commission began building the new site, along with designers and programmers from the New Jersey Office of Information Technology, in October 2014. (**Editor's note:** the new website was officially launched in May 2015).

## **Chapter 6: Finances**

### **Fiscal & Budget**

The Commission's Operating Budget for Fiscal Year 2015 totaled \$4,315,532. Of this, \$3,806,450, or 88.2 percent, was budgeted for personnel expenses.

Budgeted revenue sources included \$325,600 in federal grants, a \$2.469 million State appropriation, \$779,200 in State grants and other State funding, \$253,000 in application fees and \$488,732 from the Commission's fund balance and reserves.

The 2015 budget for the Kirkwood-Cohansey Study, funded through legislation passed in 2001, was \$239,750. The budget for the Pinelands Conservation Fund was \$1,634,173.

Once it is completed, the Commission's Audit Report for Fiscal Year 2014, which ended June 30, 2013, will be posted on the State Auditors web site. The website address is: [http://www.njleg.state.nj.us/legislativepub/auditreports\\_department.asp](http://www.njleg.state.nj.us/legislativepub/auditreports_department.asp). The report also will be available on the Pinelands Commission's web site: [www.nj.gov/pinelands](http://www.nj.gov/pinelands).

## **Pinelands Application Fees**

Since April 2004, the Pinelands Commission has received application fees to partially underwrite the direct costs associated with reviewing development applications in the Pinelands Area. During Fiscal Year 2015, unaudited application fee revenues totaled \$524,000 (\$271,000 more than Fiscal Year 2014).

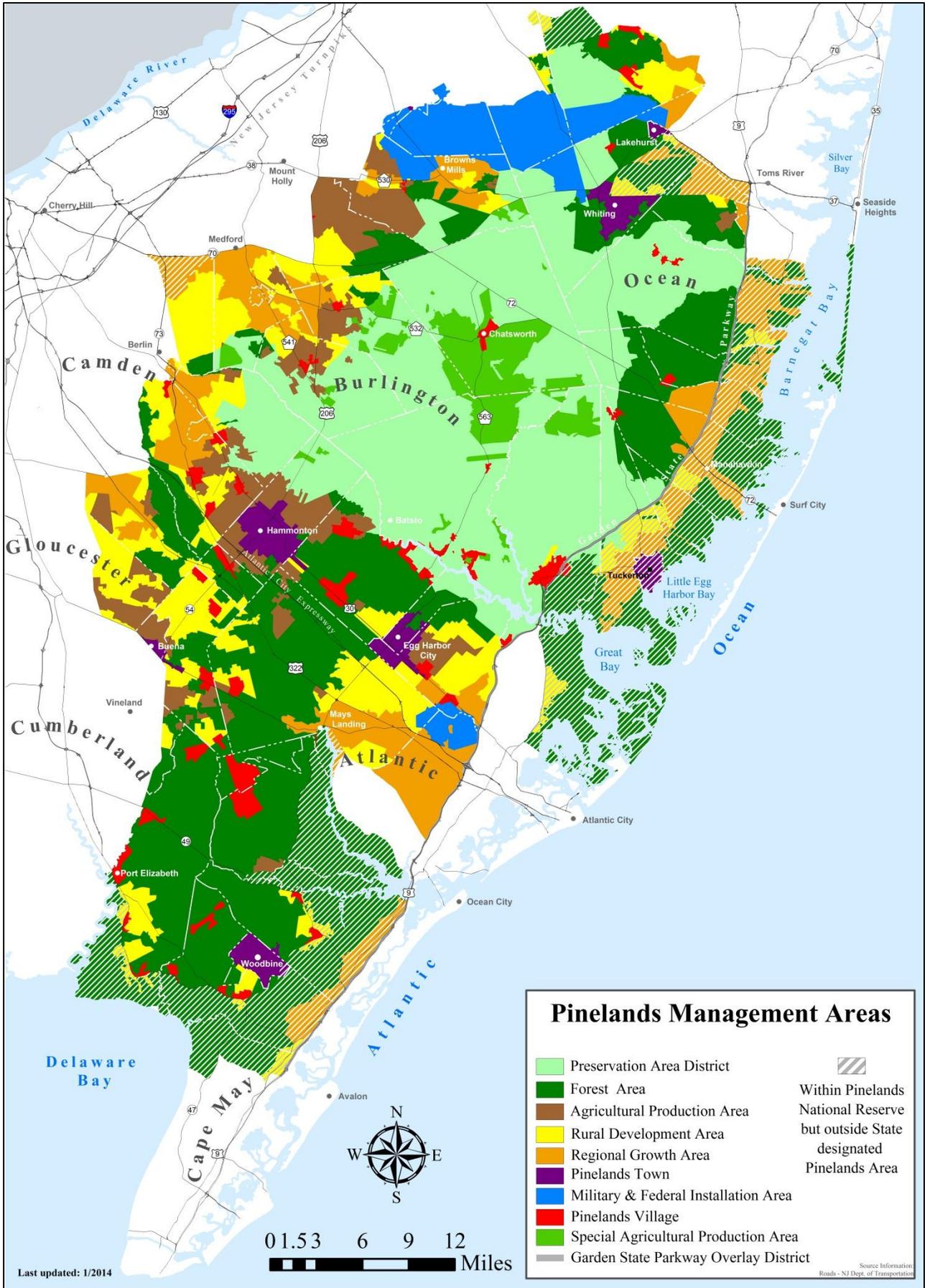
## **Certification**

As required by State Executive Order #37, all State authorities are required to certify that during the preceding year the authority has, to the best of its knowledge, followed all of the authority's standards, procedures, and internal controls. I hereby certify to the best of my knowledge that, during the 2014 calendar year, all of the Commission's standards, procedures, and internal controls were followed.

A handwritten signature in black ink, appearing to read "Nancy Wittenberg", written over a horizontal line.

Nancy Wittenberg  
Executive Director

# Pinelands Land Capability Map





# **RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

**NO. PC4-15-**\_\_\_\_\_

**TITLE:** Expressing the Commission’s appreciation to the late Robert Hagaman for his service as a member between December 16, 2002 and June 12, 2008

**Commissioner** \_\_\_\_\_ **moves and Commissioner** \_\_\_\_\_ **seconds the motion that:**

**WHEREAS,** Robert Hagaman was first appointed by Governor James E. McGreevey on December 16, 2002 and served on the Commission with distinction until June 12, 2008; and

**WHEREAS,** during his tenure, Mr. Hagaman served on the Commission’s Personnel and Budget Committee, Permanent Land Protection Committee and as an alternate member of the Science Committee; and

**WHEREAS,** Mr. Hagaman also served eight terms as a member of the Pinelands Municipal Council, which serves as a sounding board between the 53 municipalities in the Pinelands Area and the Pinelands Commission; and

**WHEREAS,** as a hay farmer and as the former Mayor of Mullica Township, Mr. Hagaman provided a unique, local perspective on farming and municipal matters during his time on the Commission; and

**WHEREAS,** during Mr. Hagaman’s tenure, the Commission strengthened the Pinelands Protection Program by adopting eight amendments to the Pinelands Comprehensive Management Plan; and

**WHEREAS,** Commission members are unpaid volunteers, and Mr. Hagaman devoted hundreds of hours of his time as a Commissioner; and

**WHEREAS,** the members of the Commission want to recognize Mr. Hagaman’s significant contributions and express their appreciation for the service that he performed.

**NOW, THEREFORE BE IT RESOLVED** that the members of the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 9<sup>th</sup> day of October, 2015, do hereby express our appreciation to the family of the late Robert Hagaman for his commitment to the Pinelands and for his service as a member of the Commission between December 16, 2002 and June 12, 2008.

### **Record of Commission Votes**

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun					Earlen					Prickett				
Avery					Galletta					Quinn				
Barr					Jannarone					Rohan Green				
Brown					Lloyd					Witt				
DiBello					McGlinchey					Lohbauer				

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
Nancy Wittenberg  
Executive Director

\_\_\_\_\_  
Mark S. Lohbauer  
Chairman



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

## State of New Jersey

THE PINELANDS COMMISSION

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Mark S. Lohbauer  
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: September 29, 2015

Subject: Public Development Memorandum of Agreement (MOA) Determinations

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Between August 29, 2015 and September 25, 2015, 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:

**1986-0928.003 - Winslow Township**  
Construction of a 3,664 square foot playground

Please do not hesitate to contact me with any questions.