



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




Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

MEMORANDUM

To: Members of the Commission
 From: Nancy Wittenberg 
 Executive Director
 Date: November 30, 2016
 Subject: Summary of the December 9, 2016 Meeting Packet

Minutes

The November 4, 2016 Commission meeting minutes are included in your packet.

Public Development Applications

The following public development application is being recommended for approval with conditions:

1. **SOLAR CITY, INC., ON BEHALF OF THE FOLSOM BOROUGH BOARD OF EDUCATION**, Folsom Borough, Pinelands Village Management Area, Construction of a 1.66 acre ground mounted solar facility.

Waiver of Strict Compliance

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

Letter of Interpretation

No Pinelands Development Credit (PDC) Letters of Interpretation were issued since the last Commission meeting.

Off-Road Vehicle Event Route Map Approval

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

Ordinances Not Requiring Commission Action

Included in this month's packet is a memorandum on six ordinance amendments that we reviewed and found to raise no substantial issues with respect to Medford Township, Ocean Township and Stafford Township.

Other Resolutions

The packet includes a resolution to adopt the Commission's 2017 regular meeting schedule.

Other Items

Also included in this month's packet are:

1. A list of pending Public Development Applications for which public comment will be accepted at the December 9, 2016 Commission meeting.
2. A memorandum from the Business Services office regarding travel reimbursement.

Closed Session

The Commission may need to convene into closed session.

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

/ PC1



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, December 9, 2016

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

- November 4, 2016

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 1985-0023.003)

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. Ordinances Not Requiring Commission Action
 - Medford Township Ordinance 2015-5, 2015-9 & 2016-9
 - Ocean Township Ordinance 2016-3 & 2016-10
 - Stafford Township Ordinance 2016-21(A)
 7. Other Resolutions
 - Setting Pinelands Commission Meeting Dates for 2017
 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

Tues., December 13, 2016	Personnel and Budget Committee Meeting (9:30 a.m.)
Friday, January 13, 2017	Pinelands Commission Meeting (9:30 a.m.)
Friday, January 27, 2017	Policy and Implementation Committee Meeting (9:30 a.m.)

Events of Interest

December 14, 2016: Pinelands Research Series - David Velinsky- "Tidal Marshes of the Barnegat Bay: Nutrient History and Ecosystem Services"-10:00 a.m. - New Lisbon, NJ

Upcoming Office Closures

Monday, December 26, 2016 Christmas Day (Observed)
Monday, January 2, 2017 New Year's Day (Observed)



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

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

MINUTES

November 4, 2016

Commissioners Present

Candace Ashmun, Alan W. Avery Jr., Bill Brown, Joe DiBello, Paul E. Galletta, Ed Lloyd, Mark Lohbauer, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Mary Maples and Deputy Attorney General (DAG) Sean Moriarty.

Commissioners Absent

Bob Barr, Giuseppe Chila, Jane Jannarone and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:32 a.m.

DAG Moriarty read the Open Public Meetings Act Statement.

Ms. Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 11 Commissioners present.)

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

Minutes

Chairman Earlen presented the minutes from the October 14, 2016 Commission meeting. Commissioner Avery moved the adoption of the minutes. Commissioner Prickett seconded the motion.

The minutes of the October 14, 2016 Commission meeting were adopted by a vote of 10 to 0. Commissioner Brown abstained from the vote.

Committee Chairs' Reports

Chairman Earlen provided an update on the October 25, 2016 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the August 26, 2016 meeting.

The Committee received a presentation by Waterford Township on its proposed Haines Boulevard Redevelopment Plan and by staff on the associated density, Pinelands Development Credits (PDCs) and water supply issues. The Committee endorsed the concepts and encouraged the Township to proceed with adoption of the Redevelopment Plan.

The Committee received an update from staff on potential enhancements to the PDC program, focusing on responses to recommendations made by the building industry and the farm community. The Committee asked staff to proceed with its (staff) recommended revisions to the previous proposal.

Executive Director's Reports

Ms. Wittenberg introduced Mr. Evan Bossett, who was recently hired as the new MIS/GIS Manager.

Mr. Larry Liggett said staff continues to work on alternatives to address the data generated by the Kirkwood-Cohansey study. He said that a drought warning was issued for 14 counties in the state and four counties are under a drought watch.

Commissioner Ashmun noted that the Highlands Coalition took aerial shots of reservoirs in North Jersey. She said the pictures can be viewed on the Coalition's website and the pictures show the severity of the drought.

Mr. Chuck Horner updated the Commission on the following:

- Shamong Township has submitted an application for the development of a cemetery. He said the Township has been searching for a parcel to develop for quite awhile. The parcel they have chosen is located in a Pinelands Village along Route 541.
- Staff is in the process of determining whether railroad upgrades are considered a maintenance activity or development and if the activities would require application to the Commission. He said the Interstate Commerce Commission Termination Act of 1995 states that so as long as the maintenance does not interfere with the

operation of the railroad, the rail company must comply with the standards of the Comprehensive Management Plan (CMP).

Commissioner Ashmun asked about the nature of the upgrades to utility right-of ways referenced in the September 9th Commission meeting minutes.

Mr. Horner said that in 2006 a vegetation management plan was created for the three major utilities in the Pinelands to develop a method of maintaining the right-of-ways to deliver reliable energy while keeping the requirements of the CMP in mind. He said some of the utilities are finding it necessary to develop access roads to the right-of ways. Access roads are not covered under the vegetation management plan. Mr. Horner said the vegetation management plan may need to be revised in the future to incorporate access roads. The vegetation management was developed as a pilot program, and the Commission is obligated to review the pilot in 2019.

In response to questions raised by Commissioner Lloyd about development associated with railroads, Mr. Horner specified what types of railroad development activities require application to the Commission. He also said the main concern with the replacement of railroad ties is related to threatened and endangered species.

Mr. Paul Leakan said the Commission held its Annual Pinelands World Water Monitoring Challenge on Friday, October 21st at Batsto Village. He said the event received positive feedback from teachers and students in attendance. He said Commissioner Prickett stopped in at the event.

Mr. Leakan said that thanks to Commissioner DiBello the Commission was provided funding assistance from the National Park Service and is using the funds to produce a 2017 Pinelands wall calendar.

Commissioner Prickett said he attended World Water Monitoring Challenge, and it was great. He commended Tony McNichol, Cultural Resource Planner, for his presentation on the history of the Pinelands.

Chairman Earlen asked for an update on the interpretive center.

Mr. Leakan said architectural drawings need to be provided to the Department of Treasury. He said Split Rock Studios is preparing shop drawings that will be used to fabricate the exhibits.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending the approval for the demolition of three buildings and the construction of an 11,502 square foot emergency services building for the Camden County Improvement Authority.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 2006-0398.002)(See Resolution # PC4-16-38). Commissioner Lohbauer seconded the motion.

Commissioner Prickett asked if any of the structures to be demolished are on the National Register of Historic Places and the process for determining if a cultural resource survey is necessary. He also asked if there were any pictures of the structures to be demolished.

Mr. Horner said that Mr. McNichol, the cultural resource planner for the Commission, reviewed the application and determined that the three structures to be demolished had no historical significance and a cultural resource survey was not required. Mr. Horner said that all major development, including minor development applications located in Villages and Pineland Towns, are reviewed by the cultural resource planner for historic significance. He said archeological sites and indicators such as wetlands are reviewed to facilitate the decision in determining the need for a survey. Mr. Horner passed around photographs of the structures to be demolished on the proposed development site.

Commission Ashmun said she was disappointed that Pinelands Development Credits were not required to be purchased.

The Commission adopted the resolution by a vote of 11 to 0.

Public Comment on Agenda Items and Pending Public Development Applications

No members of the public spoke.

Ordinances Not Requiring Commission Action

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

- Jackson Township Ordinance 21-16
- Monroe Township Ordinance O:25-2016 & O:27-2016

No members of the Commission had questions.

Presentation- State of the Bay Report

Ms. Wittenberg introduced Dr. Stan Hales who serves as the Program Director for the Barnegat Bay Partnership. She said the following staff members participate regularly with the Partnership: Joel Mott, Patrick Burritt and Ed Wengrowski.

Dr. Hales said the Barnegat Bay Partnership is publicly funded and represents public interest. The partnership was established through federal law and is a planning entity charged with developing and promoting a Comprehensive Conservation Management Plan (CCMP) to protect and enhance the Barnegat Bay ecosystem. Dr. Hales said the Partnership works with state, federal and non-governmental organizations to solve the Bay's biggest problems. Dr. Hales showed a video on the Barnegat Bay.

After the video was viewed, Dr. Hales said that eutrophication is the biggest challenge in the Bay and he said it's not just the Barnegat Bay but all estuaries. He said what people do on land affects the quality of our water. He said the statewide fertilizer law that has been fully implemented can improve the condition of the Bay. He said the soil restoration law has yet to be implemented, despite passage about five year ago. He said the soil restoration law requires all new development to infiltrate stormwater on-site and could really decrease the negative impacts to the Bay if implemented. He said the website www.jerseyyards.org offers tips to existing homeowners in New Jersey about ways to curb runoff.

A detailed discussion took place about how the Commission could help the Partnership with their goals. Topics raised as part of the discussion were: stormwater basins, water supply and conservation, and land preservation of the watershed. A question was raised about how many acres of the Pinelands Area are located within the Barnegat Bay Watershed.

Dr. Hales handed out copies of the State of Bay 2016 report. Link to the report: http://bbp.ocean.edu/PDFFiles/SOTB%202016/BBP_State%20of%20the%20Bay%20book%202016_forWeb.pdf

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

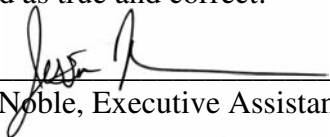
Jason Howell with the Pinelands Preservation Alliance said the off-road vehicle damaged sites located within a watershed are not infiltrating water. He said the State of New Jersey holds private land owners responsible for their lands but the state does not do the same.

Adjournment

Commissioner Prickett said that one of the structures documented in the photos Mr. Horner passed around for Application Number 2006-0398.002 reminded him of the poultry industry.

Commissioner Brown moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 11:05 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: November 14, 2016



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 38

TITLE: Approving With Conditions an Application for Public Development (Application Number 2006-0398.002)

Commissioner Galletta moves and Commissioner Lohbauer 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:

2006-0398.002

Applicant:	Camden County Improvement Authority
Municipality:	Waterford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 14, 2016
Proposed Development:	Demolition of three buildings, 50 years old or older, and the construction of an 11,502 square foot emergency services building.

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 2006-0398.002 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 4, 2016

Nancy Wittenberg
 Executive Director

Sean W. Earlen
 Chairman



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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

October 14, 2016

James Blanda, Executive Director
 Camden County Improvement Authority
 2220 Voorhees Town Center
 Voorhees, NJ 08043

Re: Application # 2006-0398.002
 Block 1205, Lots 2 - 4
 Waterford Township

Dear Mr. Blanda:

The Commission staff has completed its review of this application for demolition of three buildings, 50 years old or older, and the construction of an 11,502 square foot emergency services building. 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 November 4, 2016 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, Waterford Township Planning Board (via email)
- Waterford Township Construction Code Official (via email)
- Waterford Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)
- John Helbig





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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

October 14, 2016

James Blanda, Executive Director
Camden County Improvement Authority
2220 Voorhees Town Center
Voorhees, NJ 08043

Application No.: 2006-0398.002
Block 1205, Lots 2 - 4
Waterford Township

This application proposes demolition of three buildings, 50 years old or older, and the construction of an 11,502 square foot emergency services building on the above referenced 1.4 acre parcel in Waterford Township.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Area. The proposed demolition and development are permitted land uses 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 existing developed and wooded areas. The proposed development will disturb approximately one acre of wooded lands. 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 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 proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, this application proposes to construct a stormwater infiltration basin.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on July 6, 2016. Newspaper public notice was completed on July 7, 2016. The application was designated as complete on the Commission's website on October 3, 2016. The Commission's public comment period closed on October 14, 2016. 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 12 sheets, prepared by Adams, Rehmann & Heggan, Inc. and dated as follows:
 - Sheets 1, 5, 6 & 10 - May 1, 2016; last revised September 29, 2016
 - Sheets 2, 3, 7-9 & 12 - May 1, 2016
 - Sheet 4 - May 1, 2016; last revised July 19, 2016
 - Sheet 11 - May 1, 2016; last revised September 7, 2016
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 demolition and development subject to the above conditions.



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Governor

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Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

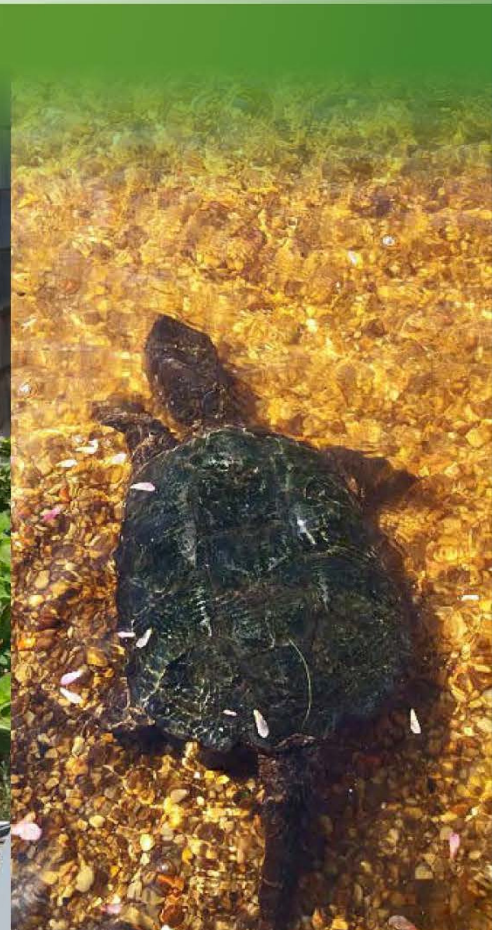
The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office not later than 5:00 PM on November 1, 2016 and include the following information:

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

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



State of the Bay Report | 2016



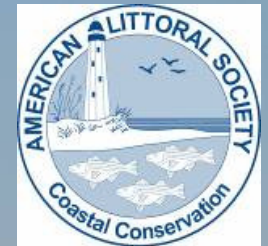
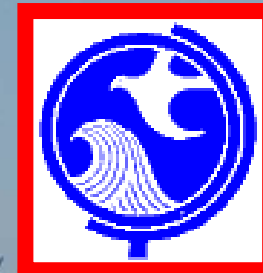
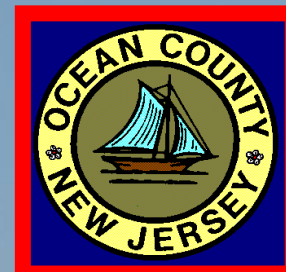


National Estuary Program

- Section 320 of the Clean Water Act established the National Estuary Program in 1987; directs USEPA to convene a “**Management Conference**” to develop plans (CCMP) for attaining and maintaining water quality in an estuary.
- CCMP includes protection of public water supplies; the protection and propagation of native populations of shellfishes, fishes, and wildlife; CCMP allows recreational and other activities; requires control of point and nonpoint sources of pollution; **report status and trends...**



Some of our Partners



National Estuary Program





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16-_____

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1985-0023.003)

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:

1985-0023.003

Applicant: Solar City, Inc., on behalf of the Folsom Borough Board of Education

Municipality: Borough of Folsom

Management Area: Pinelands Village

Date of Report: November 18, 2016

Proposed Development: Construction of a 1.66 acre ground mounted solar array.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1985-0023.003 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

November 18, 2016

Renaldo Torres
 Solar City, Inc.
 100 N. 18th Street, Suite 1900
 Philadelphia, PA 19103

Re: Application # 1985-0023.003
 Block 801, Lot 9
 Borough of Folsom

Dear Mr. Torres:

The Commission staff has completed its review of this application for construction of a 1.66 acre ground mounted solar array on the above referenced parcel. The proposed solar array will be an accessory use to an existing elementary school located on the parcel. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its December 9, 2016 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
 Copy of 9/16/16 Public Comment
- c: Secretary, Borough of Folsom Planning Board (via email)
 Borough of Folsom Construction Code Official (via email)
 Borough of Folsom Environmental Commission (via email)
 Atlantic County Department of Regional Planning and Development (via email)
 Beth-Ann Grasso, PE, PP, CME (via email)
 John Zvanya (via email)





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 18, 2016

Renaldo Torres
 Solar City, Inc.
 100 N. 18th Street, Suite 1900
 Philadelphia, PA 19103

Application No.: 1985-0023.003
 Block 801, Lot 9
 Borough of Folsom

This application proposes the construction of a 1.66 acre ground mounted solar array located on the above referenced 25 acre parcel in the Borough of Folsom. The proposed solar array will be an accessory use to the existing Folsom Elementary School that is located on the parcel.

The proposed solar array will provide eighty percent of the of the total electricity usage demand of the Folsom Elementary School. The proposed solar array will be ground mounted in an existing stormwater management basin on the parcel. The solar panels will be elevated a minimum of two feet above the bottom of the stormwater basin.

STANDARDS

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

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

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

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

The proposed development will be located within an existing grassed stormwater management basin. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

On April 22, 2010, Public Law 2010, c.4 went into effect. Chapter 13:18A-5.2 of that law prohibits the Pinelands Commission from including solar panels in any stormwater management calculation of impervious surface or impervious cover that may be required for an application for development in the Pinelands Area. While the elevated solar panels will occupy 1.66 acres of the parcel, the proposed solar panel mounting posts will disturb less than 5,000 square feet. Therefore, the application was not required to address the CMP stormwater management standards.

The Commission previously approved the construction of a 22,799 square foot building addition to the existing school (App. No. 1985-0023.002). The existing stormwater infiltration basin was designed and constructed to meet the stormwater standards of the CMP for that development. The Commission staff has determined that existing stormwater infiltration basin will continue to meet the stormwater standards after the development of the proposed solar array.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on October 11, 2016. Newspaper public notice was completed on October 14, 2016. The application was designated as complete on the Commission's website on October 24, 2016. The Commission's public comment period closed on November 4, 2016. The Commission received one written comment regarding this application.

Public Comment: The commenter requested a copy of the Executive Director's findings and conclusions. The commenter inquired as to the location and height of the proposed solar array, whether security fencing would be installed and expressed a concern regarding the electrical safety of the proposed solar array.

Staff Response: The commenter will receive a copy of this Executive Director's Report. The proposed solar array will be located in an existing stormwater management basin on the parcel. The applicant has represented that proposed solar array will have a maximum height above the bottom of the stormwater basin of 4 feet. A 6 foot high chain link fence is proposed around the perimeter of the proposed solar array. The CMP does not contain electrical safety standards. The commenter may wish to discuss their concerns regarding electrical safety with an appropriate school or municipal construction code official.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of eight sheets, prepared by Pennoni Associates, Inc. and dated as follows:

Sheets 1-6 & 8 - dated September 15, 2016

Sheet 7 - dated September 15, 2016 and revised to August 4, 2016.

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

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission, received at the Commission office not later than 5:00 PM on December 6, 2016 and include the following information:

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

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

From: <john.zvanya@faa.gov>
To: <appinfo@njpinelands.state.nj.us>
Date: 9/16/2016 3:20 PM
Subject: FW: Application # 1985-0023.003

On the prepared copy that I received, I emailed to the email address which was provided on the application. It got sent back to me undeliverable.. I went to the pinelands web site and saw a different address which I will try this time.

Thanks
JZ

From: Zvanya, John (FAA)
Sent: Friday, September 16, 2016 2:54 PM
To: appinfo@njpinelands.state.nj.us
Subject: Application # 1985-0023.003

I just received the info for the solar facility on Block 801, Lot 9 known as the Folsom school. I would like to receive more information on where the proposed solar facility will be located, height of solar facility, and if it will be fenced for security purposes. Could you please send me the executive directors findings on this proposed task. Also, I do see the survey stakes located in the drainage basin for Folsom school. Are there any provisions in the proposed task for any GFI protection if the basin fills up with rain water and someone decides to walk near the area of concern? I will have a few more questions after I see the plans.

Thanks
John Zvanya
1351 Mayslanding road
Folsom,nj 08037



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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

October 31, 2016

Mike Bradway
Tri-County Sportsmen Motorcycle Club, Inc.
P.O. Box 146
Port Elizabeth, NJ 08349

Re: Application # 1988-0757.055
Dual Sport Ride
November 5 and 6, 2016
City of Estell Manor,
City of Vineland, Dennis,
Maurice River & Upper Townships

Dear Mr. Bradway:

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: City of Estell Manor Clerk (via email)
Dennis Township Clerk (via email)
Upper Township Clerk (via email)
Maurice River Township Clerk (via email)
City of Vineland Clerk (via email)
Lorraine McCay (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1283

Application #: 1988-0757.055

Applicant: Tri-County Sportsmen Motorcycle Club, Inc.

Event Name: Dual Sport Ride

Event Date: November 5 and 6, 2016

Municipalities: City of Estell Manor, City of Vineland, Dennis, Maurice River & Upper Townships

Management Area: Forest Area, Pinelands Village, Rural Development Area

Lands Utilized

Belleplain State Forest, Whibco of New Jersey, Inc.

Approved Route Map

Received in electronic format on October 27, 2016

October 31, 2016

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

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ Two routes, each beginning and ending at Franckle Lane on Weatherby Road in Port Elizabeth
- ♦ 160 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.



State of New Jersey
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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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

October 31, 2016

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

Re: Application # 1982-3054.065
 Pine Barrens 500
 November 11-13, 2016
 Barnegat, Bass River,
 Little Egg Harbor, Manchester,
 Mullica, Pemberton, Shamong,
 Stafford, Tabernacle,
 Town of Hammonton, Washington,
 Waterford, Winslow
 & Woodland Townships

Dear Mr. O'Connor:

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

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

Sincerely,

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

Enc: Off-Road Vehicle Event Route Map Approval

- c: Town of Hammonton Clerk (via email)
- Mullica Township Clerk (via email)
- Bass River Township Clerk (via email)
- Pemberton Township Clerk (via email)
- Shamong Township Clerk (via email)
- Tabernacle Township Clerk (via email)
- Washington Township Clerk (via email)



Woodland Township Clerk (via email)
Waterford Township Clerk (via email)
Winslow Township Clerk (via email)
Barnegat Township Clerk (via email)
Little Egg Harbor Township Clerk (via email)
Manchester Township Clerk (via email)
Stafford Township Clerk (via email)
Dave Robbins, Superintendent, Brendan T. Byrne State Forest (via email)



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1284

Application #: 1982-3054.065

Applicant: Pine Barrens Adventure Camp, LLC

Event Name: Pine Barrens 500

Event Date: November 11-13, 2016

Municipalities: Barnegat, Bass River, Little Egg Harbor, Manchester, Mullica, Pemberton, Shamong, Stafford, Tabernacle, Town of Hammonton, Washington, Waterford, Winslow & Woodland Townships

Management Area: Agricultural Production Area, Forest Area, Infill Development Area, Pinelands Town, Pinelands Village, Preservation Area District, Rural Development Area, Special Agricultural Production Area

Lands Utilized

Belleplain, Brendan T. Byrne, Bass River, Penn, Greenwood & Wharton State Forests

Approved Route Map

Received in electronic format on October 24, 2016

October 31, 2016

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

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ Three loops beginning and ending at the Hammonton EconoLodge
- ♦ 400 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.



State of New Jersey

THE PINELANDS COMMISSION

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Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

November 4, 2016

Tim Thigpen
Central Jersey Competition Riders
94 Major Road
Monmouth Junction, NJ 08852

Re: Application # 1988-0272.030
Pine Hill Enduro
November 20, 2016
Manchester, Pemberton
& Woodland Townships

Dear Mr. Thigpen:

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: Pemberton Township Clerk (via email)
Woodland Township Clerk (via email)
Manchester Township Clerk (via email)
David Robbins, Superintendent Brendan T. Byrne State Forest (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1285

Application #: 1988-0272.030

Applicant: Central Jersey Competition Riders

Event Name: Pine Hill Enduro

Event Date: November 20, 2016

Municipalities: Manchester, Pemberton & Woodland Townships

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

Lands Utilized

Brendan T. Byrne State Forest

Approved Route Map

Received in electronic format on November 1, 2016

November 4, 2016

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

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ Two loops beginning and ending at the campground in Brendan T. Byrne State Forest
- ♦ 84 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.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

List of Pending Public Development and Waiver of Strict Compliance Applications Accepting Public Comment at the December 9, 2016 Commission Meeting

Public Development Applications

None

Waiver of Strict Compliance Applications

None



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16-_____

TITLE: Setting Pinelands Commission Meeting Dates for 2017

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

WHEREAS, the Open Public Meetings Act requires that the Pinelands Commission establish an annual schedule of regular meetings prior to January 10th of each year; and

WHEREAS, the Pinelands Commission will use the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education in New Lisbon, Pemberton Township, as the regular site for its meetings; and

WHEREAS, the Pinelands Commission may need to find an alternate, temporary meeting location within the Pinelands Area for its meetings throughout the year; and

WHEREAS, any meeting that will be scheduled at a location other than the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised in accordance with the requirements of the Open Public Meetings Act; 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 Pinelands Commission shall conduct its meetings on the following dates in 2017 beginning at the specified time at the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, New Jersey, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

- | | |
|---------------------------------------|---------------------------------------|
| Friday, January 13, 2017 (9:30 a.m.) | Friday, July 14, 2017 (9:30 a.m.) |
| Friday, February 10, 2017 (9:30 a.m.) | Friday, August 11, 2017 (9:30 a.m.) |
| Friday, March 10, 2017 (9:30 a.m.) | Friday, September 8, 2017 (9:30 a.m.) |
| Friday, April 7, 2017 (9:30 a.m.) | Friday, October 13, 2017 (9:30 a.m.) |
| Friday, May 12, 2017 (9:30 a.m.) | Friday, November 3, 2017 (9:30 a.m.) |
| Friday, June 9, 2017 (9:30 a.m.) | Friday, December 8, 2017 (9:30 a.m.) |

BE IT FURTHER RESOLVED that the Executive Director is directed to publish notice of this schedule in the Commission's official newspapers, file copies of the schedule with the Secretary of State of the State of New Jersey and Pinelands county and municipal clerks, post a copy of the notice in the Commission's offices and to post the annual schedule on the Commission's web page (www.nj.gov/pinelands).

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
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Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Susan R. Grogan 
 Chief Planner

Date: November 30, 2016

Subject: No Substantial Issue Findings

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

Medford Township Ordinance 2015-5 - amends Section 203, “Definitions”, and Section 513, “Fences and Walls”, of the Township’s Ordinance. Section 203 is amended to establish definitions for the following terms: Fence; Fence, Open; Fence, Solid; and Gate. Section 513 is amended to clarify and supplement the existing regulations regarding fences and walls, including new provisions for deer fences.

Medford Township Ordinance 2015-9 - amends the Township’s Land Development Ordinance by revising permitted uses in the Historic Village Commercial (HVC) District. The list of principle permitted uses in this district is amended to include: training facilities for instructional wine making; limited breweries, restricted breweries (brewpubs), nano- and micro-distilleries in accordance with the applicable ABC laws. The list of accessory permitted uses is amended to include wholesale distribution and tastings by limited breweries, restricted breweries (brewpubs), nano- and micro-distilleries in accordance with the applicable ABC laws. The HVC District is a nonresidential zone located in the Pinelands Regional Growth Area.

Medford Township Ordinance 2016-9 – amends the Township’s Land Development Ordinance by adding existing single family detached dwelling units as a permitted use in the RHC (Restricted Highway Commercial) District. The RHC District is a nonresidential zone located in the Pinelands Regional Growth Area.

Ocean Township Ordinance 2016-3 - amends Chapter 168, 203, 209, and 410 of the Township's Code by establishing, repealing or modifying provisions related to: the setback of fences; procedures for certificates of occupancy; variance expirations; undersized lots; definitions; zoning boundaries; permitted and conditional uses; accessory buildings, including tools and utility sheds; swimming pools; storage of recreational vehicles and equipment; decks; parking requirements; vehicle body repair shops, convenience stores, and places of worship; and bulk and lot size regulations. Within the Pinelands Area, Ordinance 2016-3 deletes landfills, landscape nurseries and garden centers as conditional uses in the Forest Area District, broadens the variety of institutional uses permitted in the Pinelands Village District and establishes minimum combined side yard setback requirements in the Preservation District, Forest Area District and Pinelands Village District. The ordinance also revises definitions for the terms "clear-cutting" and "floodplain".

Ocean Township Ordinance 2016-10 - amends Ordinance 2016-3 by further revising the definitions of "clear-cutting" and "floodplain" to bring them back into conformance with the Comprehensive Management Plan.

Stafford Township Ordinance 2016-21(A) - amends the Township Zoning Map by rezoning 18 lots from the Neighborhood Medical Commercial (NMC) Zone to the existing R-90 (Residential) Zone. The rezoned lots comprise an area of approximately 3.78 acres and are all located within the Pinelands Regional Growth Area. The majority of the affected lots contain existing single-family dwellings.