

# The PINELANDER

NEWSLETTER OF THE NEW JERSEY PINELANDS COMMISSION • SUMMER 2008

## Pinelands Commission advances proposal to require clustering of residential development in Pinelands-designated Forest and Rural Development areas

NEW LISBON, N.J. – During its July 11 meeting, the Pinelands Commission advanced a proposal aimed at better protecting Pinelands resources by mandating the clustering of residential development in Pinelands-designated Forest Areas and Rural Development Areas.

The proposal would amend the Pinelands Comprehensive Management Plan (CMP), the rules that govern land-use, development and natural resource protection in the million-acre Pinelands Area, by requiring municipalities to incorporate the clustering provisions into their zoning ordinances.

“These changes will go a long way toward reducing the potential negative impacts that residential develop-

ment may have on areas that contain high water quality resources and wetlands, and provide habitat for many rare plants and animals,” said John C. Stokes, Executive Director of the Pinelands Commission. “By requiring the clustering of residential development in Forest and Rural Development Areas, we can help to preserve and maintain the essential character of the Pinelands environment while discouraging scattered and piecemeal development.”

Clustering is a style of development that allows reduced minimum lot sizes in exchange for the preservation of open space or other desirable features of a property. Clustering

does not necessarily change the number of homes, but the individual lot sizes are smaller than that which would occur under a conventional lot layout. Development can be directed toward appropriate locations of a property, such as areas close to roads and other infrastructure, while natural resources such as critical habitat for rare plant and animal species can be protected.

The Commission proposes to require the clustering of residential development in the Pinelands-designated Forest Areas and Rural Development Areas on one-acre lots. The open

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## Robert Jackson of Del Haven, Cape May County joins the Pinelands Commission as a new gubernatorial appointee

Robert Jackson of Del Haven, Cape May County has joined the Pinelands Commission as a new gubernatorial appointee on the panel.



Jackson

New Jersey Governor Jon S. Corzine nominated Jackson to fill one of seven gubernatorial seats on the Commission, and the nomination was approved by the state Senate on June 12. He attended his first meeting as a Commission member on June 13.

After attending his first Commission meeting, Jackson said he was impressed by the complexity of the matters that the Commission considers in overseeing land-use, development and natural resource protection in the million-acre Pinelands Area of southern New Jersey.

“A lot of people don’t realize how complex this is, and I’m impressed by the Commission’s balance,” Jackson said. “I look forward to learning more and seeing how I can fit in.”

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## Pinelands Commission approves \$867,666 expenditure to preserve 450 acres in Atlantic, Burlington, Gloucester and Ocean counties

The New Jersey Pinelands Commission's Permanent Land Protection Committee has dedicated \$867,666 to preserve 450 acres in Atlantic, Burlington, Gloucester and Ocean counties in the Pinelands. During its meeting on May 30, the Committee approved the expenditure from the Pinelands Conservation Fund to preserve the land in partnership with local governments and nonprofit organizations.

"These properties contain exceptional Pinelands habitat that connects adjacent properties that are already preserved and will form a large, contiguous area of undisturbed land in each of the four counties," said John C. Stokes, Executive Director of the Pinelands Commission. "Preserving these properties in perpetuity will further strengthen the Pinelands protection program, which has successfully safeguarded the region's environmentally sensitive areas while steering growth toward appropriate areas."

The Permanent Land Protection Committee approved funding for the preservation of nine properties in multiple planning areas that it has deemed to have significant environmental resources. The funding is contingent upon the execution of a purchase contract, supported by a certification of fair market value, by September 26, 2008. These areas include:

- The Clarks Landing Area in Galloway Township, Atlantic County (one project totaling 20 acres, up to \$11,667 allocated to the New Jersey Conservation Foundation);
- The Elwood Corridor Area in Mullica Township, Atlantic County (one project totaling 63 acres, up to \$116,667 allocat-

ed to the New Jersey Conservation Foundation);

- The Agricultural Production Area (one project totaling 30 acres in Buena Borough, Atlantic County and Franklin Township, Gloucester County, up to \$93,333 allocated to the Unexpected Wildlife Refuge);

- The Preservation Area in Bass River Township, Burlington County (two projects totaling 61 acres, up to \$78,333 allocated to the New Jersey Conservation Foundation);

- The Medford and Evesham Sub-regional Planning Area in Burlington County (one project totaling 73 acres in Medford Township, up to \$233,333 allocated to the Rancocas Conservancy); and

- The Forked River Mountains in Ocean Township, Ocean County (three projects totaling 103 acres, up to \$334,334 allocated to the Ocean County Natural Land Trust).

Including the \$867,666 expenditure from the Pinelands Conservation Fund and the cost-share funding from local governmental and nonprofit organizations, more than \$2.6 million worth of properties will be preserved. Specific details regarding each property will be released upon completion of contract negotiations.

The nine properties represent the second round of funding that the Commission's Permanent Land Protection Committee has allocated for land acquisition through the Pinelands Conservation Fund (PCF). In September 2007, the Committee approved funding for the preservation of 12 properties. Since that time, the purchase of three of those properties have either closed or are in the process of being closed. They include:

- The Capri property in Buena Vista Township, Atlantic County, a 70-acre parcel located south of U.S. Route 40 in the headwaters of the South River. (\$10,000 from the PCF to Buena Vista Township);

- A 700-acre parcel located on Cologne Avenue north of U.S. Route 322 in Hamilton Township, Atlantic County. (\$300,000 from the PCF to Atlantic County); and

- The Sarama Homes property, an 11-acre parcel located on County Route 571 in the Toms River Corridor in Jackson Township, Ocean County. (\$175,000 from the PCF to the Ocean County Natural Land Trust).

Of the remaining nine properties targeted for acquisition through the first round of the Pinelands Conservation Fund, three have been withdrawn because purchase contracts could not be negotiated with the property owners and six are close to being acquired. The Permanent Land Protection Committee also agreed to give the grantees for the six latter properties an extension to satisfy grant conditions by July 25, 2008. These projects include three properties totaling 1,591 acres in the Forked River Mountains in Lacey and Ocean townships in Ocean County, as well as a 163-acre parcel in the Toms River Corridor in Jackson Township, Ocean County, a 5-acre parcel in the Toms River Corridor in Jackson Township, Ocean County and a 10-acre property in the Medford and Evesham Sub-regional Planning Area in Medford Township, Burlington County.

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## Robert Jackson joins the Commission as a new gubernatorial appointee

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Jackson served as the Mayor of West Cape May from 2001-2005. He is currently the Legal Redress Chairman of the Cape May County National Association for the Advancement of Colored People (NAACP) and is the President of the Board of Cape Human Resources. In addition, he is a

member of the New Jersey Natural Areas Council. An avid surf fisherman, Jackson has a background in marine environmental studies and is a former owner of a surf fishing center.

Jackson fills a gubernatorial seat previously held by Robert Hagaman of Mullica Township, Atlantic County. A former Mayor of Mullica Township, Atlantic County, Hagaman joined the

Commission in December 2002.

The Pinelands Commission consists of 15 members: seven appointed by the Governor of New Jersey, one appointed by each of the seven Pinelands counties and one appointed by the U.S. Secretary of the Interior. Members of the Commission serve staggered, three-year terms and do not receive compensation for their service.



## Commission OKs funds to preserve 450 acres of land in four counties

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The Pinelands Conservation Fund 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 Fund is dedicated to three types of projects: \$6 million for permanent land protection (\$4.2 million of which has been allocated); \$3.5 million for conservation planning and research projects; and \$3.5 million to support community planning and design initiatives.



## Commission advances proposal to require clustering of development in Forest and Rural Development Areas

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space created as a result of clustering would be permanently protected through deed restriction. Generally, the protected land will be owned by a homeowners association, a nonprofit organization or the municipality.

The amendment also would establish bonus density provisions for clustered development in the Forest and Rural Development Areas in order to encourage the consolidation of small lots and the protection of larger areas of open space. Permitted residential densities average one unit per 28 acres in the Forest Area and one unit per 5 acres in the Rural Development Area. The proposed density bonuses depend on the size of the tract and the municipal zoning designation.

In those rare cases where agricultural lands exist within that portion of the property to be protected through clustering, an agricul-

tural easement may provide for continued agricultural use and expansion of that use up to 50 percent if certain conditions are met.

The proposed amendments are a major outgrowth of the Pinelands Commission's comprehensive, five-year review of the Pinelands Comprehensive Management Plan (CMP). The CMP has guided land-use and development in the state-designated Pinelands Area since it took effect on January 14, 1981.

The Commission's vote on the proposal authorizes its staff to begin the rule amendment process. A rule proposal is expected to be published in the New Jersey Register in September, which will be followed by a 60-day public comment period and a public hearing.

A copy of the proposed rule amendments will be available for review on the Commission's Web site: [www.nj.gov/pinelands](http://www.nj.gov/pinelands).





# Franklin E. Parker, pioneer of Pinelands protection, passes away

*“He stayed there until everything was done and was done right,” colleagues recall*

New Jersey lost one of the pioneers of Pinelands protection earlier this year.

Franklin E. Parker, who served as the first chairman of the Commission from 1979 to 1988, passed away on February 1.

“Frank Parker was one of the great citizens of New Jersey, the United States and the planet,”

Commission Chairperson Betty Wilson said. “The Pinelands Commission and the Pinelands Comprehensive Management Plan owe their very existence to his leadership.”

“Franklin Parker was one of the chief architects of the Pinelands protection effort,” added John C. Stokes, Executive Director of the Commission. “As the Commission’s first chairman, he guided the agency from its infancy with remarkable skill, patience and resiliency, all in an effort to ensure that the Pinelands protection program was built on solid ground.”

A resident of Mendham, Morris County and a graduate of the University of Virginia Law School, Mr. Parker used his legal expertise to help preserve open space. His involvement in conservation issues began in the 1960s when he and other Morris County residents organized to fight a proposal to turn a valuable wetlands and wildlife habitat into a regional airport. His



**Franklin E. Parker**

efforts helped to create the Great Swamp National Wildlife Refuge, which contains 7,600 acres of swamp woodlands, upland forests, and marshes in Basking Ridge, New Jersey. Mr. Parker also served as a trustee on numerous nonprofit, land-conservation organizations.

In 1978, Congress passed the National Parks and Recreation Act, which designated 1.1 million acres of New Jersey’s Pinelands as the country’s first National Reserve. The following year the New Jersey Legislature passed the Pinelands Protection Act, which authorized the creation of a 15-member Commission comprised of federal, state and local representatives to devise and implement a land-use plan to protect the region and its unique natural, cultural and historic resources. Then-New Jersey Governor Brendan T. Byrne selected Franklin E. Parker to direct this critical task as Chairman of the Commission.

Under Mr. Parker’s watch, the Pinelands Comprehensive Management Plan, the rules that govern land-use, development and resource protection in the million-acre Pinelands preserve, was developed and adopted in 1981. The Pinelands protection effort is now considered among the most successful land-use and natural resource protection programs in the country.

“He never let acrimony take place on the Commission, nor did he let anyone politicize anything that we were doing,” Candace McKee Ashmun, who has served as a member of the Pinelands Commission since its inception in 1979, said of Mr. Parker. “From the start, he said we were all one Commission trying to get to one place. He set the tone, and it lasted. What also struck me is that he never gave up. He stayed there until everything was done and was done right.”

In more recent years, Mr. Parker was active in working with the Trust for Public Land on land conservation projects.

Mr. Parker served as the first president of the New Jersey Conservation Foundation, a nonprofit land conservation organization. In 2003, the foundation purchased a 9,400-acre property in the heart of the Pinelands in Woodland Township, Burlington County, and dedicated the site as the Franklin Parker Preserve. In addition, Mr. Parker was inducted into the Pinelands Preservation Alliance’s Pine Barrens Hall of Fame in September 2006.





## Pinelands Commission proposes to increase fees for reviewing development applications

NEW LISBON, N.J. – During its meeting on April 11, the Pinelands Commission voted to propose amendments to the Pinelands Comprehensive Management Plan that would increase fees to review development applications in the Pinelands.

“These proposed fee increases are modest and reasonable, and they will help to recoup a portion of the rising costs that are incurred by the Pinelands Commission in its statutorily mandated review of development applications in the Pinelands,” said John C. Stokes, Executive Director of the Pinelands Commission.

Since April 2004, the Pinelands Commission has charged application fees as a means to cover a portion of the costs associated with reviewing development applications and related services that support the development application process. In Fiscal year 2007, the Commission expended approximately \$1,479,000 on its application review functions and recouped \$713,000 in

application fee revenue. While expenses have remained relatively stable during the past few years, ranging from \$1,422,000 to \$1,501,000 annually, the percentage of those costs recouped through application fees has dropped, mainly because the number of applications submitted each year has decreased. In Fiscal Year 2008, it is estimated that fee revenues will cover only 32% of the Commission’s permit-related expenses.

During this same period of time, the Commission has had to assume greater responsibility for the review of storm water management plans associated with development applications. The Commission also is increasingly asked to review non-standard wastewater treatment technologies that applicants propose as a means to allow more development on an individual parcel of land. Thus, even though the number of development applications submitted for Commission review has dropped in the last several years, the amount of staff time devoted to most application

reviews has increased. These circumstances have caused the Commission to re-examine its application fee rates and propose numerous changes designed to more equitably distribute the permitting expenses and to increase the percentage of Commission permit-related expenses recouped through fees.

Prior to charging application fees, the Commission relied on a combination of legislative appropriations, interest income and other miscellaneous revenues to fund its permitting applications. Since legislative appropriations represented the vast majority of the available funding, these costs were borne by the taxpayers of New Jersey rather than by the developer, property owner or beneficiaries of the development.

The Commission is proposing to assess a \$200 fee for single family dwellings; increase rates for residential subdivisions; increase rates for linear development; increase rates for mining operations; assess a very modest fee for public development; assess a surcharge for “alternative” wastewater technology reviews and maintain current rates for commercial and industrial developments.



## New road signs posted along roadways in the Pinelands National Reserve

New Pinelands National Reserve road signs have been installed at 15 locations in the reserve as part of an effort to raise awareness and appreciation of the 1.1 million-acre region in southern New Jersey.

Posted in early March, the road signs carry the Pinelands National Reserve logo, which features a pitch pine cone bough, as well as the message, “Keep it Clean and Green.” The signs were created as part of a project being undertaken

by the New Jersey Pinelands Commission, New Jersey Department of Environmental Protection’s Division of Parks and Forestry and the National Park Service.

The new road signs measure 4-foot high and 6-foot wide. They complement existing Pinelands National Reserve road signs that were posted on the Garden State Parkway and Atlantic City Expressway in 2006. The regional



Fifteen road signs were recently installed in the Pinelands. Photo/Paul Leakan

road sign project is being funded by a federal transportation enhancement grant.



## State unveils new brochure highlighting the treasures of the 1.1-million-acre Pinelands National Reserve

NEW LISBON, N.J. – The natural, cultural and historic treasures found in the 1.1-million-acre Pinelands National Reserve take center stage in a new brochure that was unveiled during the Pinelands Commission’s May 9th meeting.

“This brochure will serve as a vital tool to help people navigate and better understand an area of southern New Jersey that is unlike any other place in the world,” said John C. Stokes, Executive Director of the Pinelands Commission. “The more people discover what makes the Pinelands so special, the more they will want to protect this region.”

The Pinelands Commission, the National Park Service (NPS) and the New Jersey Department of Environmental Protection’s Division of Parks and Forestry teamed up with a writer and designer from the NPS’ Harpers Ferry Center to produce the brochure. The three agencies are partners in the Pinelands Interpretive Program. Congress called for the creation of a Pinelands interpretive and educational program in 1988 to “enhance public understanding, awareness and appreciation of the natural and cultural resources” of the Pinelands. The project has resulted in the creation of Pinelands-themed wayside exhibits and kiosks that have been installed at six state forest areas in the Pinelands and other locations, as well as new Pinelands road signs that have been posted along roadways throughout the region.

The new brochure was funded through a cooperative agreement between the partners, including \$25,000 from the NPS Pinelands Interpretive Office and a \$13,000 NPS Challenge Cost Share Program grant that the Commission has

matched with in-kind services. Copies of the brochure can be obtained at Bass River State Forest, Belleplain State Forest, Brendan T. Byrne State Forest, Double Trouble State Park, the Forest Resource Education Center, and Wharton State Forest, or by contacting the Pinelands Commission at (609) 894-7300 or [info@njpines.state.nj.us](mailto:info@njpines.state.nj.us).

“The National Park Service is very pleased to have partnered with the Pinelands Commission and New Jersey Division of Parks and Forestry on the development of the first-ever, official NPS brochure for the Pinelands National Reserve,” said Philip G. Correll, Project Director, National Park Service, Pinelands Interpretive Program. “The brochure is important in the effort to raise awareness among both residents and visitors about the rich natural and cultural resources found in the Pinelands.”

The front side of the brochure features a colorful, photographic collage of Pinelands landscapes, as well images of plants and animals such as the Pine Barrens tree frog, a common yellowthroat (bird), an insect-eating pitcher plant and the rare Pine Barrens gentian (plant). It also explores the close relationship between the Pinelands’ natural resources and its culture. A chronology of human activity in the region, and a diagram of the 17-trillion-gallon Kirkwood-Cohansey aquifer system are also displayed.

The other side of the brochure features a



A total of 245,000 copies of the new Pinelands National Reserve brochure were printed. They are available at parks, forests and nature centers throughout the Pinelands.

large map that details the Pinelands National Reserve boundary, and charts the location of major roads, state parks, forests, wildlife management areas and wildlife refuges. The map also provides information about recreational opportunities offered at popular Pinelands destinations, including addresses, phone numbers and web sites for those locations.





## Commission completes comprehensive assessment of Pinelands ecosystem

Pinelands Commission scientists recently completed a comprehensive review of landscape and watershed conditions throughout the Pinelands to ensure that important natural areas, including those that provide habitat for threatened and endangered plant and animal populations, are protected.

The report, entitled "An Ecological Integrity Assessment of the New Jersey Pinelands," evaluates the current ecological status of the 938,173-acre Pinelands Area and the ecosystem it supports. The study shows that the Pinelands protection program, which preserves environmentally-sensitive areas while steering growth toward appropriate areas, has successfully maintained characteristic Pinelands habitat in a vast majority of the region.

Results of the landmark project can be used to evaluate current Pinelands management area and zoning designations, and help to

identify areas best suited for clustering development, as well as providing a regional basis for reviewing individual projects. Other possible applications include developing habitat-conservation plans, identifying important areas for acquisition, preparing cumulative watershed-impact assessments and undertaking a comprehensive evaluation of wetland integrity throughout the Pinelands.

Pinelands Commission planners have begun reviewing possible applications of the findings in the assessment.

The report was authored by Robert A. Zampella, Ph.D., Nicholas A. Procopio III, Ph.D., Mariana U. Du Brul, and John F. Bunnell. It can be downloaded from the Science section of the Pinelands Commission's web site ([www.nj.gov/pinelands](http://www.nj.gov/pinelands)).



## Pinelands Friendly Yard and Garden Fair set for September 20th

The Pinelands Commission, the Pinelands Preservation Alliance, and the New Jersey Audubon Society are developing a "Back Yard Habitat Protection Program" for Pinelands residents.



Rhododendron

The program seeks to raise awareness of the Pinelands' unique botanical heritage and provide information about native plants and practices that homeowners can use to protect that heritage. To help accomplish the goals of this program, a **Pinelands Friendly Yard and Garden Fair** will be held on Saturday, **September 20, 2008**, from 11 a.m.-4 p.m. at the Woodford Cedar Run Wildlife Refuge, located on 4 Sawmill Road in Medford Township.

The event will feature Mike McGrath, the host of WHYY Radio's "You Bet Your Garden," as well as nature walks, assistance with garden design from a professional landscape architect, and native Pinelands plants for purchase.

## 19th annual Pinelands Short Course draws record crowd

The 19th annual Pinelands Short Course drew a record crowd of 622 registrants, shattering last year's record of 450.

Held on March 1 at Burlington County College (BCC), the event featured a total of 30 presentations, including 20 new programs and numerous popular topics from the past.

The program is open to all who are interested in learning about the history, culture and unique ecology in the Pinelands.

The Short Course is sponsored by the

Pinelands Commission and BCC, which has hosted the event since 2004.

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

The 20th annual event is scheduled for March 7, 2009. For more information, log on to the Pinelands Commission's web site. The address is [www.nj.gov/pinelands](http://www.nj.gov/pinelands).



Attendees at the 19th annual Pinelands Short Course had an opportunity to hold live snakes.

Photo/Paul Leakan



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## Commission launches wildfire safety project in Barnegat and Stafford

The Pinelands Commission and New Jersey Forest Fire Service recently launched a new initiative aimed at identifying and implementing specific measures to mitigate wildfire hazards and risks in Barnegat and Stafford townships.

The two townships are located entirely within the Pinelands National Reserve, which is home to fast-draining, sandy soil and expansive pine and oak forests, where more than 600 wildfires occur each year. Barnegat and Stafford have an extensive history of wildfires, and have high-risk “wildland urban interfaces,” defined as areas or zones where structures and development meet with undeveloped wildland or vegetative fuels.

The Pinelands Commission and New Jersey Forest Fire Service

have begun working with the two townships to identify wildfire hazards and risks within the two municipalities.

The two agencies will prepare mitigation measures that the communities could undertake to respond to identified hazards and risks, develop an action plan, identify available resources and help the municipalities implement those measures.

Examples of these mitigation measures include creating and/or maintaining existing fuel breaks (or areas that are free of vegetation that otherwise would enable fire to advance closer to structures); using fire-resistant



This aerial photo, taken in July 2008, shows a forested area that burned during the May 2007 wildfire at Warren Grove. The fire reinforced the need to mitigate wildfire risks in at-risk, Pinelands communities such as Barnegat and Stafford. Photo/Paul Leakan

roofing and siding when building or remodeling; cleaning gutters and roof surfaces of leaves and debris; and planning alternate escape routes if an evacuation is necessary.