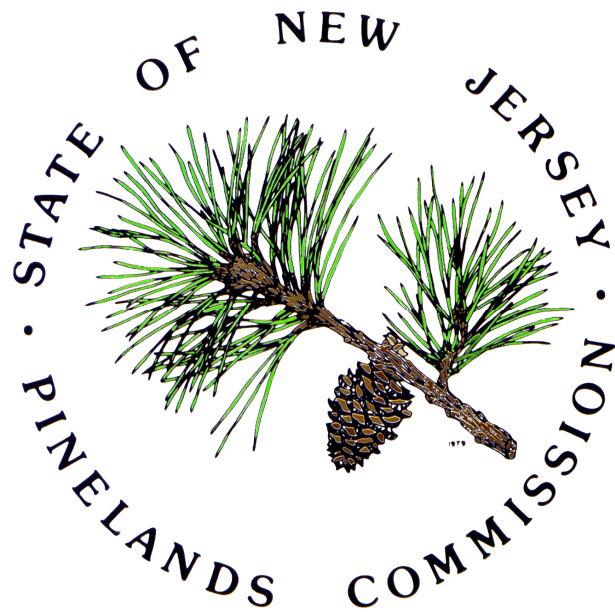


Management Report for October, November & December 2012



Updates are in *italics*

For more information:
Pinelands Commission
P.O. Box 359
New Lisbon, NJ 08064
<http://www.nj.gov/pinelands>

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I. PLANNING

A) CMP AMENDMENTS

No amendments pending.

B) CONFORMANCE: Attachment #1 summarizes ongoing conformance items

1. **Ordinances/plans received this quarter:** 12 (31 this FY; average FY=100)
2. **Interpretations/consultations/assistance this quarter:** 32 (67 this FY; average FY=150)
3. **Status of municipal clustering/ forestry responses:**
 - Adopted: 37 out of 47
 - PCF Reimbursement: \$20,000 to 2 municipalities (Hamilton & Mullica)
 - Extensions Granted: 1 (Pemberton)
 - Meetings Attended: None

C) SPECIAL PLANNING PROJECTS

1. Pine Barrens Byway: *On October 25, 2012 staff met with Tim Hart at the Ocean County Cultural and Heritage Commission offices in Toms River. Mr. Hart has agreed to become the lead person in running the byway operations and has made good progress in the current quarter. Using his own finances, he filed for incorporation of the byway, obtained a corporate seal and opened a checking account. He also drafted by-laws and a tentative budget for the organization. A meeting will be held during the winter to apprise the executive committee of the recent developments.*

Mayor Giberson of Port Republic has been greatly distracted by the Hurricane Sandy, but will make an effort to get donations for the byway's operations.

2. Alternative septic system pilot program: *DEP has resumed processing generic treatment works approvals (TWAs), required for county health departments to approve the Pinelands alternative technologies. The DEP published notice of the TWA on December 24-27th in several newspapers having circulation in the Pinelands. The public comment period closes on January 28, 2013.*

3. Hammonton wastewater recharge project: *Commission staff issued a letter to Hammonton on December 3, 2012 requesting a status update and construction schedule for proposed drip irrigation infiltration enhancements. The letter also confirmed that the Commission is establishing an escrow budget for the Commission to retain a water quality consultant. We are meeting with Hammonton officials on January 18, 2013 to further discuss the matter.*

4. College Master Plans:

a. Stockton: *A draft of a proposed alternative permitting process MOA was presented to the P&I Committee at its September 28th Committee meeting. A public hearing was held on the proposed MOA in the evening on October 2, 2012 at the Galloway Township Municipal Building. Written comment was received on the MOA until close of business on October 5th. The Commission staff is in the process of reviewing the comments that were submitted.*

5. Roadside Maintenance: *The new and revised Standards and rule revision proposed by the State Soil Conservation Committee (SSCC) were published in the NJ Register on July 2, 2012 and August 6, 2012. The revised Standards include a subsection of the Standard for Permanent*

Vegetative Cover for Soil Stabilization which specifically addresses “Pinelands National Reserve Specifications”. *The Vegetative Committee of the State Soil Conservation Committee met in November and December to review public comments on the revised vegetative standards and make limited edits. Commission staff participated in that process.* Regarding the Roadside Management BMPs appended to the county streamlining MOA, county efforts to implement the BMPs are at varying stages and ongoing.

6. Landfill Closure:

a. Individual Closures

(1) **Estell Manor Landfill:** Staff, with the assistance of USGS, has completed its review of the proposed Remedial Action Selection Report / Remedial Action Workplan. Comments on the plan were provided to the City’s consultant on December 20, 2011. Most significantly, the consultant was requested to re-run data and transport modeling using model input values that are more consistent with USGS data for the K/C aquifer. Staff has again provided review comments to the Estell Manor’s landfill consultant, and met with the consultant and USGS to provide assistance in resolving report deficiencies in the workplan report. The consultant is awaiting funding authorization from the municipality. At the consultant’s request, Staff and USGS held a second meeting with the City’s landfill consultant in August 2012 to provide technical guidance toward resolving report deficiencies. *The Town’s consultant has advised that they have resumed work on the workplan and are preparing responses to the Commission’s review comments.*

(2) **Winslow Township Landfill:** Staff were informed that NJDEP may be reconsidering the choice of an impervious cap and may be exploring alternatives to landfill capping. See II.B.3. Estell Manor City’s landfill consultant advised staff at an August 2012 meeting, that his firm has a continued interest in acquiring and remediating the Winslow Landfill in a manner that would not involve installation of an impermeable cap. Staff suggested that the consultant pursue the matter with Winslow and DEP. *No new action as of December 31, 2012.*

(3) **Hamilton Township Landfill:** The “Groundwater Remedial Investigation Workplan” was submitted for review on 12/08/11. *No new action as of December 31, 2012.*

b. Comprehensive Study: With the approval of solar placement on the Stafford landfill, approximately \$170,000 was to be made available for a Pinelands-wide comprehensive landfill study. The Commission has engaged USGS to perform a Rapid Assessment of Pinelands Area Landfills. Project coordination meetings have been held between NJDEP, USGS and Pinelands staff. USGS is about to begin reviewing NJDEP landfill data files and Commission staff is providing USGS with landfill GIS coverages. Staff and USGS are currently engaged in the Rapid Assessment of Pinelands Area Landfills project. *USGS continues to review NJDEP data. USGS conducted supplemental landfill monitoring-well sampling at the Berkeley Township, Woodbine, and Weymouth landfills in December 2012.*

D) ECONOMIC MONITORING

1. Annual Report: The 2010 Annual Report was completed in the summer of 2011. Due to the resignation of the person assigned to this project, work has been delayed. *Completion of the 2011 and 2012 Reports, originally scheduled for late 2012, is now anticipated in early 2013.*

E) PERMANENT LAND PROTECTION

1. Pinelands Development Credit Program (Oct-December 2012): *2 original LOIs issued with potential for 8 rights and preservation of 167.13 acres; no severances; 25 rights sold (price range from \$8,500 to \$9,500 per right with mean sales price of \$9,440 and median sales price of \$9,500 per right). The Pinelands Commission redeemed 10 rights on three projects. The November 15, 2012 PDC Bank Board meeting was canceled due to lack of a quorum.*

2. Farmland Preservation program: *The Burlington County Farmland Preservation Program retired 6.75 PDCs through the acquisition of an easement on a 139 acre farm in Tabernacle. This was done to satisfy remaining permit requirements (0.25 PDCs) related to the lifting of a deed restriction on lands along County Rt. 530 needed for a road widening project (App #1997-0585.002). Additional farms preserved: Stevenson (68 acres in Pemberton Township's APA; 4.75 PDCs retired); Black Dog Industries (45 acres in Pemberton Township's APA; 1.50 PDCs retired); Bush (60 acres in Pemberton Twp., APA, 2.75 PDCs retired); and Brick (Medford Twp. 664 ac. in SAPA & 4 ac. PAD; 4.75 PDCs retired)*

3. Pinelands Conservation Fund: *Pinelands Conservation Fund: As of December 31, 2012, the Commission has approved the allocation of \$9.5 million to 33 projects in the Pinelands Area. Of these 33 projects, 29 have proceeded to closing, resulting in the permanent protection of 6,670 acres.*

F) OTHER PLANNING ITEMS

1. Water supply:

- a. K/C Planning:** A staff working group has been formed and will make recommendations on implementing the K/C study. The group has begun meeting monthly with USGS to understand the implications. (*See IV Science A.*)1. Buildout analysis continues. Mr. Liggett attended Steering Committee meetings and made a presentation on buildout to the P&I Committee.
- b. State Water Supply Advisory Committee:** The new plan is on hold to ensure consistency with the new State Strategic Plan.
- c. New Water Supply Rules:** Mr. Wengrowski attended a DEP briefing on 11/22/10. *No new action for items a., b., and c. as of December 31, 2012.*

2. Cultural resources: 24 (189 this fiscal year) cultural resource activities undertaken:

- a.** 12 (121) applications reviewed
- b.** 0 (0) forestry inquiries
- c.** 1 (33) surveys reviewed
- d.** 0 (1) CAFRA reviews
- e.** 0 (0) Preliminary Investigation
- f.** 1 (15) site coordination with other agencies/meetings & phone conferences (*Cedar Bridge Tavern consultation with Ocean County officials*)
- g.** 1 (7) coordinated reviews w/SHPO
- h.** 3 (17) Municipal/consultant inquiries (*Response to local historical society inquiry from Winslow Township*)

Advocacy of Archaeological Survey and Excavation within the Pinelands: A meeting was held on April 3, as well as follow-up discussions, with Erin Leswing, a graduate student at Monmouth University, regarding possible summer archaeological field school at the 18-

20th century site of Washington in Washington Township - to be undertaken by Monmouth University, presumably in late July and August. Commission staff is coordinating with Monmouth University and Wharton State Forest to bring this research project to fruition. Because of scheduling conflicts of professors, consideration of field school initiation postponed until next summer.

Dr. Richard Veit of Monmouth University requested the Commission's aid in securing access to a "Contact Period" site in Tabernacle Township (a Native American site that exhibits evidence of interactions with European settlers). This site was discovered in the early 1990s as part of a cultural resource survey for a county road widening.

Commission staff is attempting to contact the parcel owners, who now live in Florida.

Cultural resource reviews have now been completed for a total of six areas identified by Pinelands municipalities as possible redevelopment areas. These include Waterford (Atco), Egg Harbor City (Antwerp Avenue and the former Rittenberg school site) and, in the quarter ending 9/30/12, two areas in Hamilton (Hamilton Mill complex and Old Harding Highway) and one in Galloway (White Horse Pike).

3. DEP wastewater planning rules/County implementation:

■ **County Plans:** *Since mid-2012, staff has worked with staff from NJDEP and each of the seven Pinelands counties to coordinate the sewer service area (SSA)/future wastewater service area (FWSA) mapping for the Pinelands Area. The goal of the coordinated effort is to ensure that the counties' SSA/FWSA mapping is fully consistent with the CMP and the April 2012 MOU. While the process is not yet complete, significant progress has been made toward achieving this goal and all Pinelands counties have already presented versions of their maps for public hearing.*

4. Agricultural Advisory Committee: *No new action as of December 31, 2012.*

5. Interchange 44: (Garden State Parkway and Pomona Road is proposed for expansion) (add southbound access to GSP and northbound exit from GSP) (See II. B) 4.). Staff has determined that it is highly probable there will be negative secondary impacts from the expansion on the surrounding Rural Development Area. Atlantic County, which will address the impacts for the GSP, has been offered three alternatives:

- a. Accept the likelihood and "memorialize" the zoning for a 1 ½ mile area as was done at Exits 58 and 69;
- b. Purchase and deed restrict only the larger parcels in the 1 ½ mile area; or
- c. Provide us with funding (in escrow) to hire a consultant to investigate the scope of any secondary impacts. Then appropriately eliminate the impact other than an expression of "concern".

Presentation to P&I Committee was made on 9/28/12 of a process that Atlantic County will be conducting to do some blend of a. and b. above. *No new action as of December 31, 2012.*

6. Forest Advisory Committee: A meeting of the Forest Advisory Committee was held on December 20, 2011. The meeting focused on Southern Pine Beetle infestation and forest management. There was general agreement that there needs to be a comprehensive statewide plan to address both the SPB infestation as well as other forestry issues. The need for funding to support such planning efforts was discussed but no specific solutions were identified. *No new action as of December 31, 2012.*

G) PLAN REVIEW

1. *The Plan Review Committee met once in November and once in December.*
2. *The Plan Review web page (<http://www.state.nj.us/pinelands/cmp/planreview/index.html>) is fully updated with scanned copies of written public comment and summarized verbal comments from public comment meetings.*
3. Meetings:
 - *November 9, 2012: The Committee and staff reviewed the public comments submitted during the public comment period and a timeline for completion of remaining Plan Review tasks. They discussed items to consider for inclusion in a first-round “efficiency” rule proposal.*
 - *December 14, 2012: The Committee and staff discussed exemptions to be included in a first-round “efficiency” rule proposal. They also began considering the larger issues that may be addressed in the second-round “substantive” rule proposal.*
4. *Staff is drafting the first-round rule proposal and the chapters of the Plan Review Report.*

II. DEVELOPMENT APPLICATIONS

A) APPLICATION ACTIVITY

		July/Aug/Sept	Oct/Nov/Dec
New applications received for the last two quarters with a comparison to last year:	2012	91	90
	2011	100	93
Total applications active for the last two quarters with a comparison to last year:	2012	633	594
	2011	698	618
“No Call-ups” issued for the last two quarters:	By mail	63	76
	By fax	60	50
Certificates of Filing issued for the last two quarters:		51	44
“Call-ups” issued for the last two quarters:		29	24
Streamlined permitting actions taken during the last two quarters:	LRO	6	3
	MOA	6	1

B) NOTABLE DEVELOPMENT APPLICATIONS

1. **Winzinger Mining Application, Woodland Township** (App. No. 1980-0062.001): On February 13, 2007, the Commission received an application that proposes mining a site in the

Township. A Certificate of Filing for the proposed mining operation was issued, noting that it has not been demonstrated that the proposed mining use was consistent with the applicable threatened and endangered species standards and that it appeared the proposed mining use constituted a new mine and was therefore not a permitted use in the Pinelands Preservation Area. *By letter dated December 11, 2012, the Commission staff public hearing was rescheduled to January 29, 2013. It is anticipated that the public hearing will proceed on that date.*

2. **Hamilton Mall, Hamilton Township** (App. No. 1985-0708.001): On October 23, 2008, the staff received an application for a proposed 138,227 square foot addition to the mall (Application No. 1985-0708.007). A Certificate of Filing requiring the development and implementation of a stormwater basin rehabilitation plan for five existing basins was issued. On April 26, 2012, the Commission staff issued a letter indicating that the final site plan approval for Phase 1 issued by the Atlantic County for the proposed development could take effect. On June 8, 2012, the Commission staff received a stormwater basin remediation plan approved by the Township Planning Board engineer. On July 19, 2012, the Commission staff issued a letter indicating that the submitted remediation plan fulfilled the requirement of the municipal approval. The required stormwater basin remediation is ongoing. *No new action as of December 31, 2012.*
3. **Winslow Township Landfill** (App. No. 1984-1404.004): On January 13, 2009, Commission staff met with a representative of NJDEP and a consultant hired by NJDEP to discuss the capping of the Winslow Township landfill which is located adjacent to the State's Winslow Township Wildlife Management Area. An impermeable cap is proposed. On September 11, 2009, the staff issued a letter to the applicant requesting threatened and endangered species surveys and advised of the current CMP stormwater management requirements that pertain to this application. Between May 14, 2010 and February 23, 2011, the applicant submitted the completed threatened and endangered species survey. The staff is in agreement with the negative results of the T&E species surveys. It is the Commission staff's understanding that NJDEP is finalizing the plan for an impermeable cap. Staff was again contacted by a landfill consultant who has expressed an interest in pursuing an alternative closure plan (in lieu of impermeable capping) for the Winslow Township landfill. DEP has authorized looking at alternatives if the Commission concurs. We're awaiting submission of a report that would identify proposed alternative closure strategies. *No new action as of December 31, 2012.*
4. **Garden State Parkway Interchanges 44 (Pomona Road, App. No. 1997-0257.006)**: On March 8, 2012, we received an application to improve interchange 44. By letter dated June 5, 2012, we advised the applicant, of the information necessary to complete an application for Interchange 44. As required by the CMP, that letter also raises the question of potential secondary land use impacts and the need to address those potential impacts. On July 10, 2012, the staff met with representatives of the Turnpike Authority and the County to discuss the issue of secondary land use impacts. On August 15, 2012, the Turnpike Authority submitted additional information. On September 28, 2012, Atlantic County appeared before the Commission's Policy and implementation Committee to discuss an approach to addressing secondary impacts. On that date, the County also submitted certain application information regarding the County's agreement with the Turnpike Authority to address secondary impacts. *By letter dated December 27, 2012, the staff advised that the application was complete and consistent with all standards of the CMP, except for the applicant addressing secondary impacts. To complete an application with the Commission, it remained for the applicant to reach an agreement with Commission staff regarding the methodology for addressing secondary impacts. (See I. F) 4.)*

5. **South Jersey Industries (App. No. 2012-0056.001):** Pre-application discussions have been held regarding provision of natural gas service to an existing coal fired power plant (BL England). The natural gas pipeline could originate in the Pinelands Area and exit into the Pinelands National Reserve. The concerned plant is located in the Pinelands National Reserve. The pre-application meeting was held on April 17, 2012. Three alternative routes were discussed for the pipeline. On June 26, 2012, a follow up pre-application meeting was held. At that meeting the applicant indicated that, within the Pinelands Area, they had selected a route for the gas main that would primarily follow existing roadways. The primary issue raised by the application is the location of the proposed gas main in a Pinelands Forest Area. Because of the proposed location, it must be demonstrated that the gas main is primarily intended to serve the needs of the Pinelands. On July 24, 2012, we received an application for the proposed development. On July 26, 2012, a meeting was held with the applicant to further discuss the proposed development. On August 23, 2012, the staff sent a letter requesting certain information to complete the application. *On October 4, 2012, a coordination meeting among all State agencies involved in the proposed project was held at NJDEP offices in Trenton. The purpose of the meeting was to coordinate the State review and approval process for the proposed project. See Section III. A.V. for additional information regarding the MOA.*
6. **Ocean County (Robert Miller) Airport (App. No. 1985-0949.020):** *Commission staff has been in discussions with the County regarding two issues at the Airport: an increase in the local population of sickle-leaved golden aster and the timing of tree clearing for a firebreak associated with the construction of the Reptile Habitat Management Areas. Staff has recently obtained information from the County that demonstrates that, although the number of Sickle-leaved golden aster plants located in the area of the proposed crosswind and parallel runway project has increased, implementation of that project does not alter the conclusion in the June 8, 2012 Memorandum of Agreement (MOA) that there will not be an irreversible adverse impact to the local population of Sickle-leaved golden aster at the airport. There is an extremely large and healthy population of Sickle-leaved golden aster at the airport that continues to flourish as a result of the establishment and maintenance of extensive grassland habitat there. With regard to the timing of tree clearing, the County was able to demonstrate that given that the clearing activities would not result in any soil disturbance, there was no threatened or endangered snake concerns regarding implementation of such clearing activities.*
7. **Stafford Township, Ocean Acres/Rt. 72 Stormwater Basin (App. No. 1993-0732.012):** *On October 3, 2012, the staff met with the Mayor and the Township Administrator to discuss the construction of a seven acre stormwater basin on the south side of Rt. 72. The purpose of the proposed basin was to address certain flooding issues associated with the Ocean Acres residential development on the north side of Rt. 72. The proposed stormwater basin on the south side of Rt.72 would be located in a Pinelands Forest Area and would not be a permitted land use.*

C) OFFICE OF ADMINISTRATIVE LAW MATTERS

1. **Monthly activity:** 0
2. **Pending OAL matters:** None

D) VIOLATIONS

1. **Quarterly activity:** 12 reports received; 24 violation letters sent; 8 cases resolved.
2. **Notable violations:**
 - a. **Commercial Development, Maurice River Township** (App. No. 1991-1011.001 & .002): This violation concerns vegetation clearing and construction of buildings without application to the Commission. A Certificate of Filing was issued for the proposed development on February 1, 2012. By letter dated May 21, 2012, we responded to multiple submissions by the applicant regarding the application. On June 4, 2012, the Commission staff participated in a conference call with the Planning Board Attorney and the applicant's representatives. On June 8, 2012, we received a letter from the applicant representatives requesting information regarding the application. On September 20, 2012, the Commission staff received notice that the Township Land Use Board approved the proposed development. The Commission staff is awaiting receipt of the necessary information from the applicant to complete its review of the municipal approval. *Upon staff review of the municipal approval, we issued a letter on December 7, 2012 scheduling a Commission staff public hearing to review an issue raised by the concerned municipal approval. The issue concerns submission of proposed deed restriction of certain lands to meet the groundwater quality (septic dilution) standard. The applicant requested that the hearing date be rescheduled. The hearing date was rescheduled to April 4, 2013.*
 - b. **Shooting Range, Lacey Township** (App. No. 1982-3059.002): This violation concerns expansion of an existing shooting range without application to the Commission. *No new action as of December 31, 2012.*
 - c. **Commercial Development, Hamilton Township** (Application No. 1987-0973.001, .002 & .004): This violation concerns establishment of a commercial use without application to the Commission. *No new action as of December 31, 2012.*
 - d. **Commercial Development, Waterford Township** (App. No. 1987-1138.002): This violation concerns establishment of a commercial use and clearing violation on this parcel. Staff issued a letter dated May 6, 2010 indicating that although the proposed revegetation plan is acceptable to the Commission staff, provided it is acceptable to the municipality. The parcel still contained debris, vehicles and equipment that must be removed. *No new action as of December 31, 2012.*
 - e. **Buena Vista Township:** By letter to Buena Vista Township dated January 8, 2010 (App. No. 2009-0089.001), Commission staff indicated that an application is required for development that has occurred within the NJ Transit right-of-way and on municipally owned property. Information was submitted by the applicant on December 7, 2011 and December 15, 2011. On February 15, 2012, the staff issued a letter to the applicant requesting additional information to complete the application. On September 27, 2012, the staff met with the Township Administrator to discuss the information necessary to resolve this matter. *On November 1, 2012, the applicant submitted information regarding the application.*

The staff met with officials from Buena Vista Township on July 27, 2010, regarding the installation of stormwater management swales that were previously required for the installation of sidewalks along Route 40. That project was approved by the staff pursuant

to the Memorandum of Agreement between Buena Vista Township and the Pinelands Commission (App. #2004-0319.001). On May 20, 2011, the staff issued a letter requesting certain information to complete the application. Additional stormwater information was received by the Commission on September 15, 2011, November 7, 2011, December 7, 2011 and December 15, 2011. On February 9, 2012, the Commission staff asked for clarification of the submitted stormwater management information. On September 27, 2012, the staff met with the Township Administrator to discuss the information necessary to resolve this matter. *On November 1, 2012, the Township submitted information to address stormwater management. By letter dated December 31, 2012, the staff requested additional information regarding proposed stormwater management.*

- f. Jackson Township, Municipal Firing Range (App. No. 2000-0630.002):** On October 19, 2009 and November 5, 2009, the Commission received an application and information for the placement of a 1,200 square foot trailer at an existing municipal shooting range. Development had occurred on the site in violation of the application requirements of the Jackson Township land use ordinance and the CMP. On February 13, 2012, the Commission staff received a letter from the applicant inquiring as to the status of the application. On February 28, 2012, the staff issued a letter to the applicant advising that the information previously requested in a Commission June 24, 2010 letter remained necessary to complete the application. *No new action as of December 31, 2012.*
- g. Barnegat Township, Commercial Use (App. No. 1988-1177.002):** By letter dated February 1, 2012, we advised a property owner of an approximately 5 acre wetlands buffer clearing violation. On March 15 and April 16, 2012, our staff met with the property owner and representatives of the Township to discuss the matter. By letter dated April 26, 2012, we summarized the agreements reached at our meeting and asked the property owner to contact our office when wetlands were delineated. By letter dated June 15, 2012, we confirmed the wetlands mapping and suggested a course of action to resolve the violation. On July 19, 2012, the Commission staff met with representatives of the applicant and the Township to further discuss the matter. On September 19, 21 and 28, 2012 the applicant submitted information addressing the proposed resolution of the violation. That information is currently under review. *By letter dated November 13, 2012, the Commission staff recommended revisions to the proposed restoration plan.*
- h. Woodland Township, Prince Street and Cedar Drive (App No. 2005-0041.002):** By letter dated April 17, 2012, the Commission staff received a report of a land disturbance along the side of Prince Street. On May 23, 2012, the Commission staff conducted a site inspection with representatives of the Township. At that site meeting, an approach was agreed upon to address the land disturbance violation. An agreement was also reached regarding how the Township could proceed with addressing the issue raised by the elevation of the edge of the constructed road and the elevation of the existing road shoulders. By letter dated June 20, 2012, the Commission staff confirmed the results and agreements reached at the site inspection. On August 24, 2012, the Commission staff received a threatened and endangered (T&E) plant survey completed by the Township along the road shoulder areas of the concerned roads. The survey was undertaken to address certain proposed shoulder grading/filling/disturbance that was not previously approved by the Commission. The Township has determined that in certain areas, the edge of new pavement, whether existing or proposed, is significantly higher than adjacent existing grade. This drop-off between the edge of pavement and existing grade creates a public safety hazard. The submitted survey identified populations of two T&E plants adjacent to the concerned roads. On September 25, 2012, we received a letter from a

member of the public indicating that the Township had mowed a shoulder area along Cedar Drive where a T&E plant population is known to exist. All submitted information is currently under review. *By letter dated December 26, 2012, the staff responded to the T&E Survey submitted by the Township. The staff's letter provided guidance and options for the Township's consideration regarding how to resolve both the traffic safety issue and the T&E plant issue. The staff's letter also responds to the letter received on September 25, 2012 from a member of the public.*

- i. Barnegat Township, Offsite Commercial Advertising Signs (Billboards):** On March 20, 2012, the Commission staff received an inquiry regarding four billboards along Route 72. The CMP requires that the four concerned billboards be removed. After a site inspection and a review of available information, it appears that four billboards had been removed by a party and then recently new billboard structures had been constructed in their place by a second party. By letter dated May 14, 2012, we wrote to all concerned parties and requested the removal of the four concerned billboards. On June 6, 2012, we received an application for "transferable billboard rights" for the four concerned billboards from one of the concerned parties. *By letter dated November 16, 2012, the staff advised that, based on the review of all submitted information, the ownership of the previously existing billboards was in dispute. The letter further indicated that until the ownership dispute was resolved by the two concerned parties, the application for transferable billboard rights remained incomplete. That letter also indicated that the four recently constructed billboards must be removed. On November 28, 2012, the staff received a letter from one of the concerned parties withdrawing their application for the transferable billboard rights. By letter dated December 17, 2012, the staff responded indicating that although the application was considered withdrawn, the responsible party must still remove the four recently installed billboards.*
- j. Pemberton Township, Spring Lake Blvd. (App. No. 1995-1510.002):** *The staff received information and a letter from a member of the public on August 27, 2012 regarding the placement of asphalt millings along the shoulders of Spring Lake Boulevard. On September 28, 2012, the staff met with representatives of the Township to discuss this matter and the use of asphalt millings for other Township roads. By letter dated November 15, 2012, the staff advised the Township that according to NJDEP, the use of asphalt millings without a paved top surface is not generally appropriate. The staff letter asked the Township to advise the Commission staff how it intended to resolve the matter.*
- k. Shamong Township Park (1987-0959.004):** *On December 22, 2008, an application was submitted for expansion of existing Township recreational facilities. By letter dated February 18, 2009, the staff advised the Township that existing recreational facilities were developed on the parcel without completing an application with the Commission. The existing recreational facilities and the newly proposed recreational facilities were both proposed on open space acreage created by two existing residential developments, Saddlebrook Ridge and Stony Creek. To partially address the issue of whether the existing and proposed recreational facilities were a principal use or an accessory use, the Township proposed to impose a deed restriction prohibiting future development on the remaining 19.1 acres of the 27.1 acre open space parcel. A Report on an Application for Public Development was issued by the Commission staff on December 24, 2012. The Commission staff recommended that the Pinelands Commission approve the application with conditions at its January 11, 2013 meeting.*

- l. Sweetwater Casino, Mullica Township (App. No. 1983-4234.002):** *On October 25, 2012, the staff met with Mayor James Brown, Township staff and other private parties interested in re-developing the Sweetwater Casino, a restaurant previously destroyed by fire.*

- m. Barnegat Township, Storm Damaged Vehicle Storage Area, (App. No.1985-00588.019):** *On November 26, 2012, the staff received the initial report that vehicles were being stored on a 112-acre parcel in the Township. By letter dated November 30, 2012, the staff advised the owner of the concerned parcel that the storage of vehicles on the parcel constituted a violation of the application and permitted use requirements of the Township land use ordinance and the CMP. On December 7, 2012, members of the Commission staff met on the site with representatives of the Township, the company that has leased the land to store the vehicles and the property owners. At the site meeting, it was represented by the leasing company that approximately 5,000 vehicles were present on the parcel. On December 7, 2012, the Commission staff also received a complaint filed on December 6, 2012 in Ocean County Superior Court by the Township. Thereafter, the company that leased the land has agreed not to bring any additional vehicles onto the parcel while the interested parties discuss resolution of the matter.*

- n. Arawak Paving, Woodbine (App. No. 1990-1124.003):** *On December 14, 2012, the staff received a request for a pre-application conference for a proposed asphalt plant on a 66 acre parcel. The pre-application conference has been scheduled for January 8, 2013.*

- o. Egg Harbor City Bike Path (App. No. 2012-0119.001):** *On September 25, 2012, the staff met with City officials to discuss development of a City wide bicycle path. After conducting a site inspection, the staff sent a letter to the City on November 30, 2012 providing initial review of the proposed bike path route, identifying a couple potential issues and providing guidance as to resolving/avoiding those issues.*

E) OTHER NON-APPLICATION REGULATORY PROGRAMS ITEMS

- 1. Hamilton Stormwater Basins:** *In 2008 the Great Egg Harbor Watershed Association notified the Commission that several stormwater basins in Hamilton Township did not appear to be functioning as designed and was causing downstream flooding of nearby roads and streams. As of April 20, 2011, the Township had approved a plan proposing the remediation of an existing basin serving a retail store (Walmart) in an existing shopping center. The Township also approved a plan for the modification of existing basins serving an existing residential subdivision (Timber Glen Phases III & IV). Staff is working with an applicant on a proposed stormwater basin remediation plan for Consumer Square. On September 14, 2011, the staff sent a letter to the owner of Hamilton Commons shopping center requesting that the owners address remediation of failing stormwater basins on the parcel. *On December 7 and 11, 2012, a representative of Hamilton Commons submitted stormwater information and requested guidance in formulating a proposed remediation plan for the Hamilton Commons basins. The remediation of the Walmart basin has been completed. Timber Glen has initiated remediation activities on its stormwater basins.**

- 2. Southern Pine Beetle:** *By letter dated June 28, 2011, the Commission advised NJDEP that the Commission's Executive Director, in consultation with the Chairperson of the Commission, had determined that a public safety issue was raised by the destruction of pine trees. That letter authorized NJDEP to cut down trees on up to 300 acres in the Pinelands Area*

through September 30, 2011. By memorandum dated July 28, 2011, the Commission staff provided NJDEP with a modified process for application for Southern pine beetle suppression on private lands. By letter dated October 3 2011, the Executive Director extended NJDEP's prior authorization to cut down pine trees on up to 300 acres in the Pinelands Area through December 31, 2011. By letter dated November 23, 2011, the Executive Director advised NJDEP that the proposed offsite removal of pine trees from one specific 12 acre site could be undertaken provided that the offsite removal was completed by December 31, 2011. By letter dated December 23, 2011, the Executive Director granted an extension until April 15, 2012 for tree cutting and offsite tree removal for just the one 12 acre site. By letter dated June 22, 2012, the Executive Director further advised NJDEP that, after consultation with the Chairperson of the Commission, NJDEP was authorized to undertake SPB suppression efforts (tree cutting) on up to a maximum of 20 acres near Quaker Bridge Road in Wharton State Forest. This authorization also allowed NJDEP to remove the cut trees from the site. *On December 18, 2012, the New Jersey Department of Environmental Protection, State Forestry Services, submitted information concerning twelve areas, totaling 45.5 acres, of confirmed SPB infestation in Belleplain State Forest.*

- 3. Woodland Township:** On January 19, 2012, the staff met with The Township's Mayor and Clerk to discuss the development potential of a 123 acre Township owned parcel that fronts on Rt. 72. The Township was interested in discussing the development potential of the concerned parcel. By letter dated April 4, 2012, the staff provided the Township with an overview of the development potential of the parcel. *No new action as of December 31, 2012.*
- 4. Hammonton: Cedar Creek Flooding:** On June 28, 2012, the staff attended a meeting with representatives of Hammonton, NJDEP, NJDOT and Atlantic County to discuss removal of accumulated sediments from the concerned creek to address flooding that is occurring on multiple State, County and municipal roads in Hammonton. The City Engineer outlined proposed approaches to address the flooding problem. Based on the results of that meeting, the City Engineer will be outlining a proposed approach to the problem. *No new action as of December 31, 2012.*
- 5. Hamilton Township:** On July 18, 2012, the staff received a letter from Hamilton Township officials regarding a major storm event that occurred in the Township on June 29 and 30, 2012. The letter proposed to establish two temporary emergency vegetative debris management facilities in the Pinelands Area portion of the Township. The two facilities were necessary to address a public safety issue raised by vegetative debris resulting from the storm. By letter dated July 26, 2012, the staff advised Township officials that the temporary location of two vegetative debris management facilities on two specific parcels in the Pinelands Area to address a public safety issue did not require application to the Commission provided the facilities were removed by September 26, 2012. *No new action as December 31, 2012.*
- 6. NJDEP Wetlands Permitting Meeting:** *On October 24, 2012, the staff met with representatives of NJDEP to discuss and coordinate enforcement of the New Jersey Freshwater Wetlands Protection Act in the Pinelands Area. In 1993, the Commission entered into an MOA with NJDEP. That MOA assigned responsibilities and established procedures for administration of the Wetlands Protection Act in the Pinelands Area.*
- 7. Hammonton Airport (App. No 1982-3657.017):** *The Town is proposing improvements to and expansion of the existing airport. The staff has issued five letters providing guidance regarding zoning and development/environmental standards. The most recent Commission staff letter dated December 5, 2012, provided additional guidance regarding the permitted*

extend of clearing in the Preservation Area that would be associated with the airport improvements.

- 8. NJDEP Enduro Meeting:** *On November 13, 2012, the staff attended a meeting that the New Jersey State Parks Department convened at Batsto. Groups that require recreation permits for off-road events, including endures, were also invited to attend. The purpose of the meeting was for NJDEP to introduce their new “pilot program” for enduros. NJDEP has mapped all potential roads/trails/fire cuts within Wharton State Forest and have pre-determined which trails, fire cuts and roads are acceptable to NJDEP for use in enduro events. Wharton plans to issue a five-year permit to all groups and to keep them on the pre-approved trails. NJDEP plans on implementing this procedure in all state forests once all roads and trails have been mapped.*

III. INTERGOVERNMENTAL MEMORANDA OF AGREEMENT

A) MOAs UNDER REVIEW

- 1. Ancora Wastewater Conveyance MOA:** In 2007, the Commission entered into an MOA with the N.J. Department of Human Services(DHS) and the N. J. Department of Environmental Protection to resolve a longstanding wastewater problem at Ancora. The MOA allows the Ancora facility to abandon its onsite wastewater treatment system and connect to the Camden County Municipal Utilities sanitary sewer interceptor. To offset the loss of water from the surficial aquifer, the MOA required that an alternative water supply to the existing onsite Kirkwood-Cohansey wells will be developed. Ultimately, DHS decided to connect to the New Jersey American Water supply wells. It is the staff’s understanding that construction of the water main commenced on June 27, 2011. Because construction of the water main was behind schedule, information was received on August 24, 2011 regarding a proposed stormwater conveyance mitigation project as required by Item #14 of the MOA. On November 18, 2011, the staff issued a letter indicating that the proposed stormwater conveyance mitigation project met the requirements of the MOA and requested that the Pinelands Commission be advised when the project is complete. *A meeting was held on November 27, 2012 between staff and DHS staff to discuss infiltration and phragmites issues that had arisen at the location of the proposed stormwater conveyance mitigation project. At the meeting, staff advised the applicant on how to resolve both issues.*
- 2. County/Municipal Permit MOA:** At its July 9, 2010 meeting, the Commission approved a proposed MOA with the seven Pinelands Area counties. By letter dated August 5, 2010, the Commission staff sent the MOA to each of the seven Pinelands Area counties and requested that the counties sign and return the MOA to the Commission. The staff will now initiate work on pursuing adoption of the MOA by Pinelands Area municipalities. The staff is currently evaluating the most effective means to both implement the MOA with Pinelands municipalities and integrate the roadside management practices included in the seven county MOAs into the municipal MOAs. As of September 30, 2012, the Commission has received signed MOAs from Atlantic, Camden, Burlington, Gloucester and Ocean counties. *No new action as of December 31, 2012.*
- 3. NJDOT:** The Commission received a request in November 2008 for a Permit Streamlining MOA. The staff asked NJDOT to identify the classes of projects that could potentially be subject of the MOA. Several meetings have been held. NJDOT was encouraged to prepare a

draft MOA patterned after the existing County permitting MOAs that the Commission approved. On July 21, 2011, the NJDOT submitted a draft MOA. On February 15, 2012, the Commission staff met with representatives of NJDOT to discuss the proposed MOA. On June 4, 2012, the Commission received a revised draft MOA from the NJDOT. *On October 31, 2012, the Commission staff met with NJDOT officials to provide comments concerning the proposed MOA. On December 21, 2012 the Commission staff received a revised draft MOA. The draft is currently under review.*

4. **NJDEP, Forestry:** The NJDEP is pursuing an MOA with the Commission to streamline review of forestry activities on public and private lands. At its September 10, 2010 meeting, the Commission voted to approve a proposed MOA. On October 13, 2010, the Commission staff attended a meeting with representatives of NJDEP. At that meeting, NJDEP expressed conceptual concerns with the Commission adopted MOA. On November 22, 2010, NJDEP provided a significantly revised draft of the MOA to the Commission for review. On February 24, 2011 and March 23, 2011, the staff met with representatives of NJDEP to further discuss possible revisions to the MOA. *No new action as of December 31, 2012.*
5. **Proposed Memorandum of Agreement with the Board of Public Utilities - B.L. England Retrofit:** Commission staff has attended meetings with representatives of South Jersey Natural Gas regarding a fuel source retrofit of the B.L. England power plant located in Upper Township, New Jersey within the Pinelands National Reserve. South Jersey Gas is proposing a gas main through Forest, Rural and Pinelands Village Management Areas in the State Pinelands Area in order to provide natural gas to the plant. Installation of public service infrastructure is only permitted in a Forest Area if the installation of such infrastructure is intended to primarily serve only the needs of the Pinelands. Given that the power generated by the B.L. England plant serves more than the needs of the Pinelands, a Memorandum of Agreement with the Board of Public Utilities will be required to permit the fuel source retrofit of the plant. Staff is waiting for submission of detailed plans for the proposed gas main. *No new action as of December 31, 2012.*

B) OTHER MOA REQUESTS

1. **Stockton State College:** See section I.C.4

IV. SCIENCE

A) KIRKWOOD-COHANSEY STUDY

1. *The USGS hydrologic modeling report was published, which was the last USGS report to be completed. Commission staff can now summarize the modeling report and finish formatting the final Kirkwood-Cohansey summary report for distribution.*
2. *The Commission pond-vegetation study was published in the journal Ecohydrology.*

B) ENVIRONMENTAL MONITORING

1. *CAMCO monitoring: Science Office and Planning staff met to discuss the eventual transfer of responsibility of this project and the Monroe monitoring project to Planning staff.*
2. *Monroe monitoring: Monthly effluent data provided by the Monroe Municipal Utility Authority was entered into the Commission database.*

3. *Forest-Plot and Intermittent-Pond Monitoring: The October, November, and December rounds of forest-plot water-level measurements and pond-water level measurements were completed. Continuous water-level data was downloaded from the data loggers installed in seven ponds.*
4. *Long-term anuran surveys: The 2012 data were entered and proofed.*
5. *Pinelands-wide water-quality monitoring: The October round of Pinelands-wide water-quality sampling was completed and samples were given to Rutgers Division of Pinelands Research for nutrient analysis. A December round was planned for nutrients, but was postponed until January 2013 due to weather.*

C) OTHER SCIENCE PROJECTS

1. *Wetland-buffer Project: A request for a no-cost extension was submitted to the EPA.*
2. *Forest Characterization Project: This project was put on hold.*
3. *Right-of-way Vegetation Monitoring: Plant-survey data collected from forest plots adjacent to 24 ROW spans were entered and proofed. Science staff assisted Regulatory Programs staff with various vegetation-management issues and with the Regulatory Programs ROW inspection program.*
4. *Pond-vulnerability Project: Staff completed a literature review of published plant data found in Pinelands ponds, and a checklist of all potential vegetation species was compiled. The compilation of an inventory of Pinelands ponds is ongoing. Staff continued to evaluate proposed damselfly and dragonfly survey methods at two current study ponds.*
5. *Created-wetland Study: This is a new EPA-funded study to be initiated in January 2013. A resolution to accept an EPA funding award for the proposal, "Comparing the Functional Equivalency of Natural and Created Wetlands," was passed by the Commission at their November meeting. Science staff completed and submitted the quality assurance project plan required by the EPA. A Commission-USGS contract for the USGS portion of the study was prepared, and the contract was approved by the Personnel and Budget Committee and the Commission at their December meetings.*
6. *Miscellaneous accomplishments:*
 - a. *Two presentations on Pinelands-related research were given as part of the Commission Pinelands Research Series. Presenters and the titles of their talks for this quarter were: Ron Smith on the Spatial Ecology and Habitat Selection of the Timber Rattlesnake (*Crotalus horridus*) and Peter Oudemans on Plant diseases in cultivated and native habitats of the New Jersey Pine Barrens. Communications Office staff assisted with posting a web page to list the talks given as part of the series and to post .pdf versions of the available talks.*
 - b. *The Research Technician (Rebecca French-Mesch) and Research Scientist (Sarah Smith) positions were filled.*
 - c. *Participated in LEAN committee meetings regarding general Regulatory Program application review and the specific review of applications dealing with the landscaping standard.*
 - d. *Assisted Information Technology staff in providing location data for timber rattlesnakes studied at the Sanctuary Development to NJDEP.*
 - e. *Gave presentations on fish and water quality to students for World Water Monitoring Day at Batsto Village.*
 - f. *Attended the NJ Water Monitoring Summit at the Rutgers Ecocomplex.*
 - g. *Completed and submitted a Water-quality Indices Questionnaire for use by the NJDEP Bureau of Freshwater and Biological Monitoring.*

- h. Provided technical assistance to USGS regarding the identification of Pinelands reference sites based on land-use, water-quality, and biological-monitoring for use in a USGS chemical-mixtures study.*
- i. A draft Science Office Program chapter was completed for Plan Review.*
- j. Science and Regulatory Programs staff attended the first working group meeting for the Statewide Habitat Connectivity Project at the Rutgers Ecocomplex.*
- k. Science staff attended the Society of Wetlands Scientists Mid-Atlantic Chapter 2012 Conference held at Rutgers University in New Brunswick.*
- l. Assisted a Rowan University student with her research on Pine Barrens treefrogs.*
- m. Provided photographs of Pinelands snakes and salamanders to American Museum of Natural History staff.*
- n. Attended a conference call with Executive staff and DAGs regarding solar panels and rare birds at the Stafford landfill.*

V. LITIGATION

A) STATE COURT CASES

1. **D.D. Residential v. Pinelands (Hamilton Township), Appellate Division.** The Hamilton Township Planning Board granted final approval and an extension of zoning protection to an amended site plan that D.D. Residential submitted for phases IV and V of its proposed Planned Unit Residential Development (“PURD”) called Hamilton Greene. The Pinelands Commission (“Commission”) issued a call-up letter, questioning whether the proposed development qualified as a PURD and whether it was consistent with the overall density requirements in a Regional Growth Area. D.D. Residential requested that the matter be transferred to the OAL for a hearing. After a hearing, the Administrative Law Judge (“ALJ”) issued a decision in favor of the Pinelands. Both parties filed exceptions to this decision. On October 8, 2010, the Pinelands Commission passed a resolution adopting a 47-page Final Decision that affirmed the Commission’s action in calling up the Township’s approval of D.D. Residential’s application for an amended final site plan approval and an extension of the period of zoning protection. The Final Decision further affirmed the Commission’s action in finding the Township’s approval to be inconsistent with the CMP and the Township’s certified land use ordinance. The Final Decision, however, modified the ALJ’s decision in that the Final Decision provided different bases for the affirmance. D.D. Residential appealed. The Appellate Division has yet to set a briefing schedule. DAG Conklin was handling the appeal until her retirement. The appellant submitted a motion to the Commission to settle the record on appeal. The Commission denied this motion at its June meeting. The appellant has appealed this denial. A letter brief in opposition to appellant’s motion was filed on behalf of the Commission. Appellant’s motion was denied. Oral argument was conducted April 30, 2012. The Appellate Decision issued its decision holding that the Commission acted within its authority in setting aside the development approval granted by the Hamilton Township Planning Board on May 6, 2004 to D.D. Residential. D.D. Residential subsequently filed a notice of petition for certification with the New Jersey Supreme Court, asking it to review the Appellate Division’s decision in this matter. *The parties are engaged in settlement discussions.*

B) FEDERAL COURT

None

C) OTHER LITIGATION MATTERS OF INTEREST

None

VI. LEGISLATION

A) NOTABLE BILLS:

SI451/A2426 - Revises law concerning meetings of public bodies to provide public with greater access to meetings and information.

VII. PUBLIC PROGRAMS

A) COMMUNICATION

1. Web site: *The Home page was the most viewed page of the Commission's Web site during the October, November and December 2012 monitoring period. The page recorded 5,416 hits (or views) in October, 4,514 hits in November and 4,227 hits in December. Other pages are the Pinelands National Reserve page (898 hits in October, 624 hits in November and 507 hits in December), the Pinelands Comprehensive Management Plan page (676, 549 and 463), the Land Use and Planning page (663, 454 and 435), the Applicant Services page (543, 447 and 378), the Visiting & Recreation page (363, 284 and 216), the Information Center page (540, 354 and 320), the About the Commission page (489, 379 and 374), the Pinelands Image Library (334, 273 and 235), the Educational Resources page (412, 275 and 225), the Pinelands Development Credit Bank home page (584, 582 and 484), the Science office page (487, 372 and 273) and the Pinelands Municipal Council page (314, 230 and 216). Other pages or documents with high numbers include the Plan Review Public Comments .pdf (23,793 hits in October, the online version of the Pinelands Comprehensive Management Plan (9,715 hits in October) and the November Pinelands Commission meeting packet (17,248 hits). In December, the Commission's staff designed and launched a new web page for the Science Office's Created Wetlands Study.*

2. Press releases this quarter: *A release was issued October 26, 2012 to highlight the annual Pinelands World Water Monitoring Day event in Batsto. A release was issued on November 27, 2012 to announce the Commission's efforts to preserve of a 200-acre parcel in Medford and Shamong. A release was issued on December 20, 2012, announcing the swearing in of Joseph DiBello as the new federal representative on the Commission.*

3. Inquiries this quarter: *A total of 28 media inquiries and 162 general inquiries were handled this quarter. Of the general inquiries, 50 inquiries came via e-mail, 97 came via telephone and 15 came by mail. Most of the inquiries pertained to Commission projects.*

4. Open Public Records Act this quarter: *A total of six requests for government records were received and processed under the Open Public Records Act this quarter.*

B) PUBLICATIONS

1. Pinelander: *The Winter Pinelander, the Commission's official newsletter, is being written and designed.*

2. Annual Report: *The 2012 Annual Report will be written, designed and printed by March 2013.*

C) EVENTS AND OUTREACH

1. Pinelands Short Course: *The 24th annual Pinelands Short Course will be held on March 23, 2013 at Burlington County College in Pemberton. It will feature a total of 33 education presentations, including 18 new courses. The college will sell food and coffee from its cafeteria for the first time. Two Commission staff members, Chief Scientist John Bunnell and Regulatory Programs Specialist Robyn Jeney, will deliver presentations. The event brochure has been mailed, and it is available on the Commission's website.*

2. Local Officials Seminar: *The annual Pinelands Orientation for Newly Elected and Appointed Officials will be held in summer 2013.*

3. Pinelands-themed World Water Monitoring Day event: *Commission staff carried out the annual World Water Monitoring Day event at Batsto Lake on October 26, 2012. During the event, a total of approximately 200 students learned about the importance of water quality and efforts to protect the natural resources in the Pinelands.*

4. Educational Outreach:

a. *During the quarter, staff delivered four Pinelands overview presentations, educating a total of 390 people.*

D) INTERPRETIVE PROGRAM

1. PNR brochure: *Staff continued to track the distribution of the Pinelands National Reserve brochure.*

2. Pinelands Summer Speaker Series: *No new action as of December 31, 2012.*

3. Exhibits in the Pinelands Technical Center: *Commission staff has begun researching possible grant opportunities to fund the fabrication and installation of Pinelands-themed exhibits in the Richard J. Sullivan Center.*

VIII. INFORMATION MANAGEMENT

A) GEOGRAPHIC INFORMATION SYSTEM

1. System planning and development:

- *The GIS office continued the ongoing work of reorganizing and consolidating data layers and creating metadata. This work is a long-term effort and will continue through the end of the fiscal year and beyond.*
- *ArcGIS On-Line – minimal activity - see item #4 below.*

2. Pinelands Data Layer Maintenance: *As part of the on-going operational requirement of keeping our GIS data current, the following layers were updated:*

- **Zoning**
Berlin Township: Ordinance 2012-1

Manchester Township: fixed zoning discrepancies as outlined in July 12, 2012 meeting with Manchester Officials

Stafford Township: Compared Stafford's zoning map to the certified map and identified any discrepancies.

Egg Harbor Township: Ord# 39-2012

Mullica Township: Ordinance 8-2012

Weymouth Township: Ordinance 503-2012 (50 % complete as of 12/28/2012)

Hamilton Township ordinance 1722-201

Evesham Township Ordinance 20-7-2012

- **Other**

Downloaded the 2010 soils data for each Pinelands County from USDA SSURGO, combined into single layer, and made available to staff.

3. LOIs for PDCs: *Eight applications were analyzed involving 18 lots, 8 of which required photo interpretation.*

4. Public Access to Maps and Data: *The State Office of Information Technology created a Pinelands user account in its ArcGIS Online domain so development and beta testing can begin. No other activity was undertaken in this reporting period.*

5. Analysis / Map Products:

- *Began work on producing the 16 maps for the main section of the Long term Economic Monitoring report. Will be complete by mid-January.*

B) MANAGEMENT INFORMATION SYSTEM

1. System planning and development:

- PCIS: Completed the development, testing and installation of an on-screen reviewer In-Box to replace the current paper Clock Report. Several modifications were made based on feedback from the reviewers.*
- Developed an on-screen report so supervisors can review items flagged as "No Response Required"*

2. Database QA/QC:

- *Continued work on the Permanent Land Protection data by reviewing NJ Parcel Map on a county by county basis for preserved lands. MIS added 121 new records to the Deed Restrictions table, representing 784 acres. To date, 43,334 deed restrictions have been added to PCIS.
(NOTE: The Ocean County Boy Scout Council lands have not yet been entered as we are awaiting the master plan for the proposed "expansion of the shooting range" to be submitted so that we can determine the actual extent of "preserved land" versus "open space".)*
- *Researched PDC Bank sales data and made corrections regarding "First Time Sales" vs. "Resales" vs. "Transfers".*
- *Researched early severances that were recorded by the Burlington County Pinelands Development Credit Exchange and made minor corrections to more accurately reflect the transactions that occurred.*

3. Operations:

- *We ordered 14 dual-monitor computers to replace older equipment, per the fiscal 2013 budget. Most of the new computers are for the Regulatory Programs staff and will allow one monitor to be used for displaying maps and plans while the other monitor displays PCIS and documents. The PCs that are being replaced will be “handed down” to other staff or used as spares where needed.*
- *Completed creating new reports and modifying existing reports for the PDC Bank based on fiscal year instead of calendar year.*
- *Began creating reports for “Plan Review”. So far, 49 reports have been created.*

IX. OPERATIONS

A) FACILITIES

1. Maintenance:

- *RJS Center –Painted the south and west side stairwells. Added topsoil to the areas that were washed out around the flag pole and flower bed.*
- *Barn –Removed a large tree from the barn area due to Hurricane Sandy. Installed shelving in the Science office.*

B) FINANCIAL MANAGEMENT

1. Application fees: FY 2013 budget amount \$425,000; received through December \$255,683.34.

2. Audit/Accounting: *Completed the DRAFT FY 2012 Annual Financial Statements, Notes and Schedules. In early 2013, we will release a Request for Proposal for accounting services to review and finalize these documents in preparation for the Commission’s annual audit. The audit is expected to begin in March.*

3. Budget: *Submitted FY 2014 budget request documents to the Office of Management and Budget.*

4. Procurement: *4 RFQs were issued (Toners, UPS, Computers, and Monitors); no RFPs were issued.*

5. Miscellaneous:

- *The Commission’s insurance policies were renewed in November. Staff is investigating the need for a separate crime/employee dishonesty policy.*
- *Sharp Electronics has been contacted several times regarding problems with the new multi-function copier in the RJS copy room. The replacement of the copier in the Fenwick Manor is on hold until these problems are solved.*

C) HUMAN RESOURCES: See Attachment #2 for employee notes

1. Benefits: *Open Enrollment for dental and the Flexible Spending Plan benefits was held during the month of December. A change in prescription benefits will be effective January 1, 2013 for NJ Direct 10.*

2. Miscellaneous:

- a. *Union negotiations with CWA are continuing.*
- b. *The annual performance evaluation process is complete.*
- c. *Two of the three recruitments have begun their positions in October. The last one is starting at the Commission on January 7, 2013.*
- d. *A representative from the Deferred Compensation Plan held meetings with staff. It was successful with all slots filled by interested staff members.*
- e. *The efficiency study is well underway.*
- f. *A Department of Labor and Workforce Development Survey was completed.*
- g. *Staff participated in Lee National Denim Day to raise funds for breast cancer.*
- h. *Interim evaluations are due at the end of January.*

X. PINELANDS MUNICIPAL COUNCIL

A) MEETINGS

- 1. **Last meeting:** *The Municipal Council met on November 28, 2012 and was attended by Nancy Wittenberg.*
- 2. **Upcoming meeting:** *The Council is scheduled to meet on January 29, 2013 at the Manchester Township Municipal Building*

ATTACHMENT #1

ONGOING CONFORMANCE ACTIVITY October-December 2012

MUNICIPALITY	TOPIC
Barnegat	<p>Letter received from mayor requesting consideration of zoning changes (expansion of RGA; rezoning from RL/AC – residential – to commercial zone; sewer service for existing mobile home parks); meeting held 3/9/05. Met with new master plan subcommittee on 3/3/06. Meeting held on 3/31/08 at Township’s request to discuss extension of sewer to existing mobile home parks and increased commercial development opportunities, potentially through a Pinelands Village designation. Request for another meeting on the same issues received 10/23/08. Staff met with Township representatives on 12/10/08 to discuss these rezonings as well as the EIA management area changes.</p> <p>2. Rezoning of lots from RC (Conservation) to RH (Residential High), within the RGA: Ordinance 2010-5 received on 3/19/10. Staff began review of the ordinance and gathering data on development in Ocean Acres approved since August 2005. Staff attended a joint meeting of the Township Council and Planning Board on April 22, 2010. Following a public hearing, the Township Council did not adopt the rezoning. More recently, the Township indicated it intended to adopt the rezoning. Ordinance 2012-12 was adopted on 5/7/12 and received by the Commission for review. Finding letter sent 5/29/12, determining ordinance required formal Commission review and approval. Public hearing held 6/27/12. Issues identified with Township’s newly adopted zoning map (incorrect zoning boundaries within Ocean Acres). Discussed with Township Engineer. <i>Township adopted a corrected zoning map on 10/15/12. A public hearing was held on that new map (Ordinance 2012-22) on 11/7/12. A report recommending certification</i></p>

MUNICIPALITY	TOPIC
	<i>was provided to the P&I Committee for discussion at its 1/4/13 meeting.</i>
Berlin Borough	1. <i>An ordinance establishing a new zoning district within the Pinelands-Area portion of the Borough was received and is under review by staff. The zone is intended to provide affordable housing opportunities within the Borough pursuant to the Fair Housing Act and as part of the settlement of litigation.</i>
Buena Vista	1. Comar Redevelopment Area: met with Township redevelopment planner on 4/25/07 to discuss concept plans for new redevelopment area incorporating the Wilmad and Comar facilities (approximately 170 acres in the Rural Development Area). Copy of Redevelopment Plan received on 12/9/08; notice of adoption received 1/14/09. Issues identified with maximum permitted height and impervious coverage, given location of Redevelopment Area in a Rural Development Area. Township has requested and been granted several extensions of the Commission's review period in order to adopt an amending ordinance. A meeting was held with the mayor to discuss this and other rezoning matters on May 5, 2009. Various information related to Comar was provided to the Township's new planner in September 2010. Awaiting Township's adoption of amendments to the Redevelopment Plan.
Dennis	1. Clustering/forestry: Commission staff attended a joint meeting of the Planning Board and Township Committee on 3/22/12 to answer questions about the clustering amendments. The Township is expected to form a subcommittee to facilitate further discussions.
Egg Harbor City	1. Request for review of constraints in Easterly portion of Pinelands Town. Letter sent 5/7/07 on likely wetlands buffer requirements; suggested City file applications for development for specific parcels to confirm requirements. Pursuant to City's request, a proposal to establish wetlands buffers by ordinance is under review. 2. Development of airfield in Forest Area: request received from City on 2/24/11 to examine feasibility of use of lake area "airfield" by state police, including development of buildings and parking areas. Options discussed by staff. Response provided to the City on 3/8/11 indicating that unless the City is able to document the existence and use of airport facilities on the parcel in question in 1981, the use is not permitted in a Pinelands Forest Area. Request for management area change (40 acres from Forest to Pinelands Town) received on 4/21/11. Response provided 6/14/11, indicating that the proposed management area change is inappropriate. Meeting held with City representatives on 11/2/11 to discuss several potential sites for a new or expanded airfield. Staff is awaiting more detailed information from the City, including the required acreage for the facility. 3. Recreation complex: request for change in management area designations received 4/14/11. City is proposing to redesignate 30 acres from Forest to Pinelands Town along Philadelphia Avenue. Offsetting management area change also proposed. Response provided 6/14/11, indicating that staff would support the proposed redesignation, with exact boundaries of offset area still to be determined.
Egg Harbor Township	1. Builders remedy litigation: the owners of a parcel in the RG-1 Zone have filed a builders remedy lawsuit against the Township. Staff met with both parties and the master appointed by the Court on 11/21/08 to discuss zoning, PDC and affordable housing issues. Information on potential zoning solutions provided to court master on 12/11/08. Reviewed draft implementing ordinance at request of court master and provided comments on 6/17/10. Copy of Ordinance 32-1010 received on 11/17/10, with notice of public hearing scheduled for 12/8/10. Comments provided to Township and court master re: PDC issue on 11/17/10. Numerous drafts of a settlement agreement and ordinance have since been reviewed and staff has provided suggested revisions, most recently on 5/21/12. Adopted implementing ordinance and housing plan amendment received. <i>Public hearing held 11/7/12; no comments received. Recommendation for certification is on the Commission's agenda for 1/11/13.</i> 2. Affordable housing: draft ordinance implementing the 20% set aside required in A-500 received 7/16/09. Meeting held with Township representatives on 9/24/09 to discuss implications for PDC program and density. Township will

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	<p>provide a list of affordable housing projects under consideration so that staff can prepare options (densities; required PDC %'s; ordinance amendments) for the Township's review. This information from Township was received on 10/27/09. Court master requested meeting with staff and the Township be held by 4/1/11; no date scheduled as yet. New draft of affordable housing ordinance received 9/19/11; comments and suggested revisions provided 9/29/11. Copy of Ordinance 37-2011 received on 12/7/11, with notice of public hearing and second reading on 12/20/11. The ordinance requires a 20% affordable housing set aside for all residential development, as well as the use of PDCs for 25% of all market rate units. Email sent to the Township on 12/7 indicating concerns with the lack of revisions to existing density and PDC provisions in the municipal code. Copy of adopted ordinance (37-2011) received on 12/29/11. Finding letter sent 1/20/12. Public hearing held 2/22/12. The Commission conditionally certified the ordinance on 4/13/12. The Township's response to the conditions, in the form of Ordinance 22-2012, was received on 7/9/12. No substantial issue finding letter sent 7/20/12. The Builders League of South Jersey has challenged the Township's adoption of Ordinance 37-2011.</p>
Galloway	<p>1. Redevelopment designation for White Horse Pike Corridor Phase II, Pomona Road - Determination of Need report received on 1/6/11. 2. Management area redesignations: met with Township Planner in June 2011 to discuss extension of sewer to recreation areas now in RDA, along with other adjustments from RDA to RGA and APA to PT. Reviewed proposals for sewer extension in late February/early March 2012. Received draft map changes for APA to PT rezonings on 3/15/12. Comments provided to the Township 3/23/12.</p>
Hamilton	<p>1. Clustering: staff is working with the Township on its response to the clustering amendments, including modifications to various provisions (bonus density; net densities). Draft master plan amendment reviewed; comments provided 11/17/11. The Planning Board has formed a subcommittee to continue working on the matter. Commission staff met with the subcommittee on 2/4/12 and subsequently provided data (buildout, RDA and FA density prescriptions) to the Township. The Planning Board adopted a master plan amendment on 5/17/12. The Township Committee subsequently adopted Ordinance 1722-2012, a copy of which was received by the Commission on 6/29/12. Public hearing held 8/8/12. Recommendation for conditional certification was reviewed by the P&I Committee on 9/28/12. <i>The Commission conditionally certified Ordinance 1722-2012 on 10/12/12. The Township adopted and submitted its response to the conditions for certification in the form of Ordinance 1731-2012. A no substantial issue finding for Ordinance 1731-2012 was made on 11/21/12.</i></p>
Hammonton	<p>1. In lieu recreation fees: ordinance adopted in August 2006 but not submitted to Commission until 1/22/07. \$5,000 per lot fee under review; awaiting supporting analysis from Town. Town has since indicated it will be making additional revisions to the ordinance. Provided Town with sample ordinances of other municipalities to use in developing a new ordinance 3/23/07. Multiple extensions requested by the Town and granted, most recently through 10/29/08. Awaiting adoption of revised ordinance.</p>
Jackson	<p>1. Master Plan: Planning Board is beginning its reexamining the Township Master Plan. New consultant hired; meeting held with Commission staff on 7/31/08 to discuss project status and possible impacts of Navy Lakehurst on the Township's Regional Growth Area. As of 10/31/08, staff is still awaiting more detailed information from the Township on approved projects within the Regional Growth Area, as well as rezoning proposals for the RGA, RDA and Pinelands Village of Legler. Draft Land Use Plan maps received 12/30/08. Meeting with Township representatives on master plan and EIA management area changes held on 12/31/08. Airplane noise incompatibilities in RGA noted. Discussion of noise impacts and possible zoning changes to be scheduled upon the Township's completion of its response to the May 2006 CMP amendments (stormwater). The Township made a presentation to the P&I Committee on 4/24/09. The Committee asked for additional information and consideration of other options which staff will pursue. The Township's draft master plan was received on May 22, 2009,</p>

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	<p>together with a notice indicating it may be adopted by the Planning Board on June 1, 2009. Revised draft of master plan received 7/22/09. Adopted master plan received 8/31/09. Finding letter sent 9/29/09. A meeting with Township representatives was scheduled for November 4, 2009 but was postponed at the Township's request. In January, the Township requested a February meeting. Commission staff agreed via email to meet in February but the Township never responded. Commission staff attempted to schedule the meeting in early February but again the Township never responded. In lieu of a meeting with Township representatives, Commission staff prepared and sent a letter in April 2010 which comprehensively addressed the Township's 2009 Master Plan. No response from the Township as of 9/24/10. After learning that the Township's Planning Board may be in the process of reviewing ordinances intended to implement the 2009 Master Plan, Staff requested the opportunity to review and comment upon the same prior to their adoption. The Township never responded to staff's request to be permitted to comment prior to adoption. Instead, the Township adopted a series of implementing ordinances in November. Staff requested a copy of the Township's Zoning Map as revised by the implementing ordinances but never received one. A letter determining that, without a revised Zoning Map, the implementing ordinances were incomplete for purposes of the Commission's review was issued on December 1, 2010. Two meetings with Township representatives were held, the first on December 22, 2010 and the second on February 8, 2011. Subsequently, three Finding Letters were sent to the Township. One of which determined that nine of the Township's implementing ordinances presented no issues with respect to CMP standards; another determined that six of the Township's implementing ordinances presented no substantial issue with respect to CMP standards; and, the third determined that a Township ordinance eliminating all conditional uses, including PDC use and higher density residential development, within the RG-2 and RG-3 Regional Growth Zones presented a substantial issue with respect to CMP standards. The Township has requested and been granted an extension of the Commission's review period for the final ordinance mentioned above until July 31, 2011. In mid-September, the Township requested and was granted a second extension of the Commission's review period for the final ordinance mentioned above until November 14, 2011. The Township is expected to adopt an ordinance which will designate all, or most of, the RG-2 and RG-3 Regional Growth Zones as commercial zoning districts, which will include a PDC-use obligation. Staff provided the Township with a model ordinance establishing a nonresidential PDC program for the lands formerly within the RG-2 and RG-3 Zones. The Township has been granted a final extension through June 29, 2012 in order to allow it to adopt an ordinance substantially similar to the model ordinance provided by staff. A meeting with Township officials took place April 4th to discuss proposed changes the Township wished to make to the model ordinance the Commission sent to it in November 2011. The Township's proposed changes and the options available to it are under review at this time.</p>
Manchester	<p>1. Expansion of Whiting (Pinelands Town): draft ordinance rezoning six lots from Forest to Town received 10/1/04; potential t&e issues identified and under review; adopted ordinances received 2/7/05 and 3/8/05. Discussed t&e concerns and possible alternatives to rezoning with Mayor 8/31/05. Letter sent 10/3/05.</p> <p>2. Clustering/density transfer: Staff has researched and drafted comments regarding the Township's proposal to implement cluster development or a density transfer plan to facilitate limited amount of development in the area. Maps and receiving area recommendations (including elimination of one or more existing receiving areas, expansion of others) were provided to the Township in May, 2006. Discussed with new Township Administrator and resent maps and recommendations mid-November. Draft master plan amendment received 11/21/06. Adopted master plan received 1/29/07. Draft ordinance received 11/21/2007; comments provided 12/6/07. Letter from PPA/Herpetological Associates raising issues received 12/13/07. Met with Township on 5/7/10 to discuss FA density transfer program, designation of new receiving areas and mandatory clustering. Draft ordinance, including FA/PT rezonings, received</p>

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	<p>6/22/10. Comments/questions provided to the Township re: zoning map revisions. Revised clustering/density transfer ordinance provided to the Township on 3/7/11, along with suggested revisions to zoning map changes. Adopted master plan amendment and Ordinance 11-025 received on 12/16/11 and 12/13/11, respectively. Finding letter sent 1/5/12. Public hearing held 2/1/12. Preparation of resolution and report to the Commission delayed while Township adopts an additional amendment to correct minimum lot size requirements for clustering in the Forest Area as specified in Ordinance 11-025. Correcting ordinance (12-015) adopted and received on 7/26/12. Public hearing held 9/10/12. <i>The P&I Committee discussed the ordinance and the Executive Director's recommendation for certification on 10/26/12. Action by the full Commission was postponed pending resolution of an issue concerning the boundary between the Preservation and Forest Areas. Commission staff met to discuss the issue with representatives of Manchester Township and the property owner on 11/29/12, and then with representatives of PPA on 12/19/12.</i></p> <p>2. Township initiated discussion of expanding affordable housing opportunities in Beckerville Village. Met with Township and applicant 12/6/06 to discuss zoning and water quality issues. Draft ordinance received on 11/21/07 which would add age-restricted affordable apartments as a permitted use in Beckerville at a density of 5 units per acre. Response sent to Township 12/6/07 reiterating that water quality/wastewater treatment issues must be addressed first. Issue raised again by Township on 2/15/11; staff reiterated the need for a solution to the wastewater issue before proceeding with any zoning changes for Beckerville. Master plan amendment adopted on 12/5/11 recommends creation of new BVMF (Beckerville Village Multi-Family) Zone. No implementing ordinance has been adopted or provided for review. In response to an inquiry from the Township and the applicant (Homes for All), staff requested that the applicant provide details on any proposed wastewater solution. Received draft ordinance permitting density of 5 units per acre on Homes for All parcel on 9/28/12. <i>Response to Township provided on 10/12/12, outlining issues with the lack of a wastewater solution and the number of new units that would be permitted in Beckerville.</i></p>
Maurice River	<p>1. Economic development: met with Township representatives on 6/7/11 to discuss development standards in various commercial zones, possibility of redevelopment designations, streamlined permitting, etc.</p> <p>2. Clustering: received draft of 2012 Master Plan Report on 8/20/12. Comments provided to the Township 8/31/12. Received adopted Master Plan Report and implementing ordinance (#620) on 10/10/12. <i>Finding letter sent; public hearing held on 12/5/12. Recommendation for conditional certification provided to P&I Committee for discussion at its 1/4/13 meeting.</i></p>
Medford	<p>1. Revisions to Route 70 Smart Growth Redevelopment Plan/Medford Crossings South: Ordinance 2007-16 received 6/28/07. Township proposed to eliminate PDC obligation at Medford Crossings South redevelopment project by exempting affordable units. Staff advised Township representatives on 7/24/07 that affordable units could be exempted from PDC obligation only if such an exemption were coupled with a mandatory minimum percentage of PDC use for the 292 market rate units in the project. Township requested and was granted several extensions of the Commission's review period (most recently through 11/1/08) to provide an opportunity for further discussion of PDC issues and resolution of various litigation issues. No response to staff's requests for status since that time. On 3/14/11, staff learned that the Township is now in discussions with a new redeveloper for the site and is again proposing the adoption of revisions to the Redevelopment Plan which would significantly reduce or entirely eliminate any obligation for PDC use. The Township was again advised that such an ordinance would be inconsistent with the CMP and could not be recommended for certification. Discussions held with Township Solicitor on 3/21/11 and 3/22/11 and information provided re: PDC sales prices on 3/22/11.</p>
Monroe	<p>1. Rezoning proposal: Township forwarded copies of a proposal it received involving redesignation of lands from APA to RGA on 5/10/12. Comments provided to the Township; unlikely they will pursue the management area changes.</p>

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Mullica	<p>1. Clustering: met with Planning Board on 11/2/11 to discuss issues with clustering regulations. Received list of questions from the Township on 1/11/12. Response sent 2/13/12. Draft ordinance received 6/18/12. Adopted Ordinance (7-2012) received 7/30. Finding letter sent 8/2. Public hearing held 9/10. <i>The Commission fully certified Ordinance 7-2012 on 11/9/12.</i></p> <p>2. Expansion of Elwood Village: rezoning proposal prepared by the Township involving expansion of Elwood Village along Route 30 to incorporate old Devonshire Inn property. Offset proposed through rezoning of other lots from Elwood Village to the Forest Area. Attended Planning Board meeting on 11/2/11 to discuss issues. Draft ordinance and maps received 6/18/12. Adopted ordinance (8-2012) received 7/30. Finding letter sent 8/2. Public hearing held 9/10. <i>The Commission fully certified Ordinance 8-2012 on 11/9/12.</i></p>
Ocean	<p>1. Landfill Redevelopment Plan – adopted ordinance (2011-1) received on 2/28/11. Redevelopment Plan allows for solar energy facilities to be developed at the Southern Ocean Landfill site, within a Pinelands Forest Area. Extension requested by the Township until such time as the Commission adopts the recently proposed solar facility amendments to the CMP. Extension granted on 3/15/11. Requested status update from the Township; municipality indicated it would be requesting an additional extension. <i>Extension of Commission’s review period granted through 4/16/13.</i></p> <p>2. Solar facilities ordinance (2010-8) received 1/20/11. Finding letter issued on 2/22/11, indicating ordinance was not consistent with the CMP because it permitted solar facilities as a principal use in the Preservation and Forest Areas. Township requested and was granted an extension of the Commission’s review period until 7/15/11 in order to provide an opportunity for adoption of amendments. Township has since repealed Ordinance 2010-8.</p>
Pemberton	<p>1. Browns Mills Redevelopment/Revitalization Study: Township has received a grant and hired a consultant. Meeting with consultant held 2/1/08. Maps and other information on parcels, wetlands buffers and projects subsequently provided to consultant. Draft of conceptual site plan for Browns Mills redevelopment received 7/21/09. Draft of Browns Mills Strategic Revitalization and Redevelopment Study received 4/8/10. Draft of Ordinance 5-2010, adopting amendments to the 1995 Browns Mills Town Center Redevelopment Plan, received 4/19/10. Copy of 1995 Browns Mills Redevelopment Plan and adopting ordinance (8-1995) requested 4/19/10 and received 4/22/10. All documents under review. Staff met with the Township’s planners on 5/19/10 to discuss the 1995 Redevelopment Plan, recent amendments and additional plans for the revitalization of Browns Mills. Meeting held with the Township, at Mayor’s request, on 4/14/11. Received notice that Browns Mills Revitalization Plan was adopted by the Township earlier this year; awaiting receipt of adopted ordinance. Adopted ordinance (12-2011) received on 12/19/11 and under review.</p> <p>2. 2009 Master Plan: draft of new master plan received 6/9/09. Meeting held with planning consultants on 6/18/09 to review proposed zoning and management area changes and affordable housing issues. Drafts of implementing ordinances received, including rezonings and management area changes within the Pinelands area, on 11/10/09. Draft of amended zoning map received 12/9/09 and under review. Adopted ordinances received 1/15/10. Adopted Master Plan received 2/25/10. All adopted documents under review. More detail on rezoning boundaries requested and received 3/22/10. List of issues identified for the Township and under discussion. Met with Township Planner on 3/8/12 to discuss clustering amendments as well as zoning changes and master plan. Received response to Master Plan/zoning map issues on 6/13/12. Township also indicated an interest in an additional FA-APA zoning change. Advised municipality that progress would need to be made on clustering ordinance before review of other zoning changes could commence.</p> <p>3. Clustering: Met with the Township on 3/8/12 to review clustering regulations and need for municipal adoption of an ordinance. Received letter from the Township with list of issues and questions on 6/1/12. Reviewed and responded via email. Received letter and draft ordinance on 9/5/12. Comments provided 9/18/12. Received and reviewed revised draft ordinance on 9/19/12. <i>Received</i></p>

MUNICIPALITY	TOPIC
	<p><i>notice from the Township that the clustering ordinance (17-2012) had been adopted on 12/19/12. Awaiting certified copy.</i></p> <p>4. Solar facilities ordinance: received draft ordinance 8/13/12. Applies to entire municipality, with specific Pinelands references incorporated. Comments provided 9/13/12, indicating ordinance was not fully consistent with CMP standards. Adopted ordinance received 9/24/12. Finding letter sent 10/9/12, again indicating ordinance could not be recommended for Commission approval in its current form. <i>The Township has agreed to amend its solar ordinance in accordance with staff's recommendations. Adoption of the revised ordinance is expected to take place in January or February 2013.</i></p>
Plumsted	<p>1. Clustering: staff met with Township representatives and a developer with a project in the Rural Development Area during the summer (2011). The Township has proposed modifications to the clustering amendments, including the use of yield plans and larger lots (1.5 acres). Draft ordinance received 11/21/11 and under review. Comments provided to the Township 1/25/12. Adopted ordinance (2012-04) received 5/4/12. Finding letter sent; public hearing held on 6/13/12. The Commission conditionally certified the ordinance on 9/14/12. The Township's response is due 1/12/13. <i>A copy of the Township's response, in the form of adopted Ordinance 2012-17, was received on 1/2/13.</i></p>
Shamong	<p>1. Clustering: <i>After several meetings, numerous emails and discussions, and several extensions, the Township adopted its clustering ordinance (2012-9) on 12/18/12. An adopted copy of the ordinance was received on 1/3/13. Finding letter to be drafted.</i></p>
Southampton	<p>1. Solar/Wind ordinance (2010-11) received on 8/20/10. Letter emailed to Township on 9/20/10 indicating concerns with applicability of ordinance in APA and RDA. Solar/Wind ordinance (2011-7) again received from the Township. Letter sent 6/17/11 identifying concerns with applicability of the ordinance in APA and RDA, discussing the Commission's proposed solar rules and requesting the Township delay adoption. Received copy of 2011 Land Use Plan Amendment, addressing alternative energy facilities, on 8/8/11. Comments provided 8/17/11. A revised draft solar/wind ordinance, specific to the Pinelands Area, was received on 6/26/12. Adopted ordinance (2012-8) received on 9/5/12 and under review. <i>A no-substantial issue finding letter was issued for Southampton's revised solar ordinance (2012-8) on 11/15/2012.</i></p>
South Toms River	<p>1. Original certification: Model ordinance language provided to the Borough on 8/16/12. Draft master plan received 8/26/12. Comments provided 9/13/12. Borough Council adopted a resolution confirming its intent to seek Commission certification of its master plan and land use ordinances on 9/17/12. <i>The Planning Board was scheduled to adopt the revised Master Plan on 12/18/12.</i></p>
Washington	<p>1. <i>On 11/21/2012, a no-substantial issue finding letter was issued for Ordinance 2012-07, which implements the Commission's recently adopted forestry and wetlands management rules.</i></p>
Waterford	<p>1. <i>The Township's December 2010 Master Plan and Ordinances 2012-13, 2012-14 and 2012-15 were received and reviewed by staff. Ordinance 2012-13 revises various portions of the Township's Code in order to implement the December 2010 Master Plan. Among other things, Ordinance 2012-13 permits solar facilities in certain portions of the Waterford. Ordinance 2012-14 amends the Township's Zoning Map by rezoning the Archway School from RDA to RGA. Two other zoning changes implemented by Ordinance 2012-14 require corresponding management area changes. Ordinance 2012-15 implements the Commission's recently adopted forestry, wetlands management, and residential cluster development rules. All three ordinances and the Township's Master Plan were determined to raise substantial issues with respect to the CMP on 10/24/2012. A public hearing to receive testimony on the same was held on 11/7/2012. The CMP P&I Committee will review the staff's recommendation on 1/4/2013.</i></p>
Weymouth	<p>1. Draft ordinance (472-2008) requiring use of contiguous commonly owned lands prior to use of noncontiguous lands under the Forest Area density transfer program received 3/24/08. Comments provided to Township solicitor on 4/30. Discussed in detail with Planning Board Engineer on 5/8. Adopted ordinance received 6/12.</p>

MUNICIPALITY	TOPIC
	<p>Finding letter issued on 7/7/08 indicating ordinance raises a substantial issue requiring Commission's formal review and approval. Meeting with Township representatives to discuss purpose of ordinance and its implications to be scheduled. Township has since repealed the ordinance and will reconsider the issue as part of an upcoming master plan review.</p> <p>2. Ordinance 468-2008 establishing a contribution in-lieu of providing recreational facilities for certain residential developments and providing regulations for recreational facilities received and reviewed. Finding Letter issued determining that Ordinance 468-2008 presented a substantial issue and requesting supporting analysis for the fee in question. Extension of Commission's review period requested and granted through 7/11/08. Awaiting adoption and submission of revised ordinance.</p> <p>3. 2011 Master Plan/clustering: adopted on 7/13/11 and provided to Commission. Met with Planning Board members and other Township representatives on 9/14/11 to discuss clustering, density transfer and master plan recommendations. Draft ordinance received; comments provided. Additional ordinance revisions drafted by Commission staff and provided for the Planning Board's consideration on 1/6/12. Received copy of Ordinance 503-2012 on 2/10, with adoption scheduled for 4/4/12. Received adopted copy of Ordinance 503-2012 on 4/17/12. Received revised zoning map. Finding letter sent; public hearing held on 9/10/12. <i>The Commission fully certified Weymouth's master plan amendments and Ordinance 503-2012 on 11/9/12.</i></p>
Winslow	<p>1. RGA zoning changes: met with Township representatives on 8/13/12 to discuss possible revisions to zoning plan in the RGA along Route 73. Received map identifying areas under consideration 8/17/12. Under review to determine impacts on residential density and PDCs. <i>Commission staff provided several alternatives for the Township's consideration in December. A meeting is being scheduled for late January.</i></p>
Woodland	<p>1. Expansion of Duke's Bridge infill area: rezoning proposal received 4/8/08. Meeting with Township held 5/7/08.</p> <p>2. Expansion of Rt. 72 infill area to incorporate municipally owned lands: rezoning proposal received 3/31/08. Meeting with Township held 5/7/08. Waiting for tax map and ownership information from municipality before proceeding to develop rezoning options. Tax map/ownership information received 10/23/08. Meeting held with Township representatives on 2/15/11 to discuss plans for Master Plan Reexamination. Parcel data and other information subsequently provided to the Township. On December 14th, staff met with the Township's professionals to discuss its proposed 2011 Master Plan Reexamination Report and its 2011 Master Plan. Staff explained its concerns with the proposed zoning changes and is working with the Township's professionals on revisions. At the Mayor's request, an additional meeting was held in January 2012 for purposes of discussing commercial development opportunities on municipal property partially located in the HB (Infill) Zone.</p>

Attachment #2
EMPLOYEE ACTIONS
October, November, & December 2012

A. DEPARTING EMPLOYEE(S)

Name	Title	Office	Effective Date	Hire Date
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B. VACANCIES / RECRUITMENT(S)

Title	Office	Status
Director Special Programs	Executive	Not Budgeted
Community Planner*	Executive	Not Budgeted
GIS Administrator	Land Use/Tech. Prgms.	Not Budgeted
Planner - Economic	Land Use/Tech. Prgms.	Not Budgeted
Resource Planner	Land Use/Tech. Prgms.	Hired Joseph Sosik; Start Date 1/7/13
Office Assistant (part time)	Land Use/Tech. Prgms.	Not Budgeted
Planning Assistant (part-time/Econo. Monit. Prgm.)	Land Use/Tech. Prgms.	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Coordinator of Environmental Services	Regulatory Programs	Not Budgeted
Research Scientist	Science	Not Budgeted
Research Scientist	Science	Not Budgeted
Research Scientist*	Science	Hired Sarah Smith; Start Date 10/15/12
GIS Specialist*	Science	Not Budgeted
Research Technician**	Science	Hired Rebecca French-Mesch; Start Date 10/15/12
Business Specialist	Business Services	Not Budgeted
Principal Office Assistant	Business Services	Not Budgeted
Principal Applicant Services Rep.	Regulatory Programs	No Replacement; Hiring Freeze
Principal Applicant Services Rep.	Regulatory Programs	No Replacement; Hiring Freeze
Undetermined (2 Full Time and 1 Part Time)	Unassigned	Not Budgeted

*Funded by the Pinelands Conservation Fund

**Funded by an EPA Grant (Assessing the Ecological Integrity of Intermittent Ponds & Their Vulnerability to Land-Use Impacts)

C. OTHER NOTES

Name	Title	Office	Notes
Michelle Russell	Human Resources Specialist	Executive	Working a part-time schedule
Barry Brady	Planner 1-Cultural Resource	Land Use & Tech. Prgms.	Working a part-time schedule
John Repa	Project Support Assistant	Regulatory Programs	Working a part-time schedule
Stacey Roth	Senior Counselor	Executive	Donated Leave and Family Leave
Rhonda Ward	Environmental Specialist	Regulatory Programs	Intermittent Family Leave
Dawn Rago	Business Specialist	Business	Intermittent Family Leave