



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



PHILIP D. MURPHY  
 Governor  
 TAHESHA L. WAY  
 Lt. Governor

LAURA E. MATOS  
 Chair  
 SUSAN R. GROGAN  
 Executive Director

General Information: Info@pinelands.nj.gov  
 Application Specific Information: AppInfo@pinelands.nj.gov

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA  
 Friday, January 10, 2025 - 9:30 a.m.

**This meeting will be held in-person and virtually.**

Richard J. Sullivan Center for Environmental Policy and Education  
 Terrence D. Moore Conference Room  
 15C Springfield Road  
 New Lisbon, New Jersey

Watch the meeting on the Pinelands Commission YouTube channel via the following link:

<https://www.youtube.com/watch?v=EeKMv5V6KR0>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 862 1554 3044

1. Call to Order

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

2. Adoption of Minutes

- December 13, 2024 Open and Closed session

3. Committee Chairs' and Executive Director's Reports

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

A. Permitting Matters

- Office of Administrative Law
  - None
- Review of Local Approvals
  - None
- Public Development Projects and Waivers of Strict Compliance:

Resolution Approving With Conditions (1) Application for Public Development:

- Application No. 1981-1833.080 - Stockton University  
Construction of 1,250 linear feet of six foot wide pedestrian walkways  
Galloway Township

B. Planning Matters

- Municipal Master Plans and Ordinances
  - None
- Other Resolutions
  - None
- CMP Amendments
  - None

5. Public Comment on Public Development Applications and Waivers of Strict Compliance *Where the Record is Not Closed*

A. Public Development Projects

- Application No. 1981-1833.082 – Stockton University  
Construction of a replacement sanitary sewer pumping station  
Galloway Township
- Application No. 1996-1133.006 – Barnegat Township  
Construction of an elevated potable water storage tank  
Barnegat Township
- Application No. 2024-0086.001 – City of Estell Manor  
Paving of approximately 2,000 linear feet of the Linwood, Maryland and 13<sup>th</sup> Avenue  
rights-of-way to a width of twelve feet  
City of Estell Manor

B. Waiver of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Barnegat Township Ordinances 2024-29 & 2024-33
- Chesilhurst Borough Ordinances 4-2024 & 2024-5
- Maurice River Township Ordinance 749
- Medford Township Ordinances 2024-4A, 2024-4B, 2024-4BB
- Mullica Township Ordinances 2024-18 & 2024-22
- Stafford Township Ordinance 2024-38

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

**Upcoming Meetings**

Fri., January 31, 2025 Policy & Implementation Committee Meeting (9:30 a.m.)  
Fri., February 14, 2025 Pinelands Commission Meeting (9:30 a.m.)

To ensure adequate time for all members of the public to comment, we will respectfully limit comments to **three minutes**. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.

Pinelands Commission and Committee meeting agendas are posted on the Commission's Website and can be viewed at [www.nj.gov/pinelands/](http://www.nj.gov/pinelands/) for more information on agenda details, e-mail the [Public Programs Office](mailto:Info@pinelands.nj.gov) at [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov).

PINELANDS COMMISSION MEETING

MINUTES  
December 13, 2024

*All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: [https://www.youtube.com/watch?v=Avbd\\_mjsveQ](https://www.youtube.com/watch?v=Avbd_mjsveQ)*

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Dan Christy, John Holroyd, Jerome H. Irick, Mark Lohbauer, Mark Mauriello, William Pikolycky, Jessica Rittler Sanchez, Douglas Wallner and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Alexis Franklin.

Commissioners Absent

Theresa Lettman and Jonathan Meade.

Call to Order

Chair Matos called the meeting to order at 9:34 a.m.

DAG Stypinski read the Open Public Meetings Act Statement (OPMA).

Executive Director (ED) Grogan called the roll and announced the presence of a quorum. Eleven Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

## Minutes

Chair Matos presented the minutes from the Commission's November 8, 2024 meeting. Commissioner Irick moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes from the November 8, 2024 Commission meeting were adopted by a vote of 11 to 0.

## Committee Reports

Chair Matos provided a summary of the November 22, 2024 Policy and Implementation Committee meeting:

The Committee approved the minutes of the October 25, 2024, meeting.

Staff reviewed the Executive Director's report on Hamilton Township Ordinance 2085-2024, adopting a site-specific redevelopment plan for a former industrial site in the Forest Area. Committee members moved to recommend certification of Ordinance 2085-2024 to the full Commission.

The Committee heard a presentation on off-road vehicle ordinances in the Pinelands and discussed a draft model ordinance. The Committee offered recommendations regarding language within the draft ordinance. When finalized, the model ordinance could be distributed to Pinelands municipalities as a resource. Municipalities would not be required to adopt the model ordinance.

Committee members heard public comments including a request for future discussion on wetlands delineation and comments in support of the Commission offering resources relating to regulating off road vehicles within the Pinelands.

## Executive Director's Report

ED Grogan provided information on the following matters:

- The New Jersey Department of Environmental Protection released its Visiting Vehicle Use Map for Wharton State Forest. NJDEP staff offered to meet with staff to review logistics and discuss how the road closures will affect the Commission's staff access to its research sites.
- Staff continues to work with the Property Management and Construction office on the Request For Proposal and award process for a design consultant related to the Fenwick Manor rehabilitation project. The project is slightly delayed; however, staff remain hopeful the bid will be awarded shortly and contracts signed so that staff can begin to work directly with the project consultants.

ED Grogan advised the Commission and members of the public that the Commission would be holding a closed session at the end of the meeting to discuss personnel matters. She also noted that there is no public hearing scheduled for the Black Run rule proposal. ED Grogan said the rule proposal is almost complete and the next step in the process is to send the rule to the Governor's office, which should happen before the new year. The Commission must first vote to authorize the proposed amendments which will be listed on a future Committee meeting agenda. She said the proposal must be formally published in the New Jersey Register. A public hearing and public comment process will be outlined at that time.

Chuck Horner, Director of Regulatory Programs, provided information on the following regulatory matters:

- The Executive Director consulted with Chair Matos regarding an emergency authorization request from Stockton University for the replacement of an elevated potable water storage tank used by the university and for fire suppression. The potable water storage tank was in danger of failing. Stockton University completed an application for the replacement of the water tank, but an ongoing issue with a conservation deed restriction at the University caused a delay. On December 6<sup>th</sup>, a letter was issued to Stockton University granting an emergency authorization to begin development. Public comment on the application will be accepted at the Commission's January monthly meeting and formal action by the Commission is expected at the February monthly meeting.
- On December 16<sup>th</sup>, staff is scheduled to meet with the Hamilton Township Administrator and Mayor and the applicant related to township's application to cap its landfill and the development of a solar energy facility. Staff previously provided a suggested approach by which the project could demonstrate consistency with the Commission's threatened and endangered (T&E) animal species protection standards. The meeting is an attempt to move the application forward.
- In 2015, staff issued a Certificate of Filing for the construction of 73 single family dwellings in Hamilton Township. A preliminary site plan approval was issued some seven years ago but construction never occurred. More recently, Hamilton Township issued final site plan approval for the project. Staff met with the applicant on December 4<sup>th</sup> because the project is not consistent with the stormwater management requirements and T&E species standards of the Comprehensive Management Plan (CMP).

Gina Berg, Director of Land Use Programs, provided an update on the following Land Use Programs matters:

- The NJDEP finalized draft rule amendments for Pinelands Infrastructure Trust Fund projects. The proposal will be issued in the late spring.
- Staff continues to make progress on the following rule amendments: "Gap" approval process; vegetation management in Electric Transmission Rights-of-Way; and accessible trail development.

- Staff provided a presentation on the Pinelands Management Area boundary assessment for climate risks to the Vulnerability Assessment Work Group that is part of the Interagency Council on Climate Resilience.
- The State Agriculture Development Committee released a summary report of the new statewide formula for valuing farmland easements and plans to publish the rule in early 2025.

Brad Lanute, Chief Planner said on December 4<sup>th</sup>, the State Planning Commission approved the release of the Preliminary Draft of the New Jersey State Development and Redevelopment Plan: [https://www.nj.gov/state/bac/planning/documents/update-to-state-plan/Draft%20Preliminary%20SDRP%20\(SPC%20Approved%2012.4.2024\).pdf](https://www.nj.gov/state/bac/planning/documents/update-to-state-plan/Draft%20Preliminary%20SDRP%20(SPC%20Approved%2012.4.2024).pdf)

He said the State Planning Commission will hold several public hearings across the state and kick off the Cross-Acceptance process.

He added that at the January P&I Committee meeting, staff will have reports and recommendations on two municipal ordinances and will also provide an overview of the State Plan process. Staff are also planning to provide an annual municipal conformance review which will highlight some trends observed in the last year.

Commissioner Pikolycky asked when the State Planning Commission expects to release the final State Plan.

Chief Planner Lanute said adoption is targeted for the fall of 2025.

Stacey Roth, Chief, Legal and Legislative Affairs provided an update on the Clayton Sand Company litigation matter appealing the Kirkwood-Cohansey rules. She said the Commission filed its response brief in late November. She said Winslow Township filed its amicus brief, but it contained arguments that had no bearing on Clayton's appeal and included documents that were not part of the record. The Commission filed a motion to strike and Winslow Township will need to refile its amicus brief. Currently, we are waiting for the Court to act on the Commission's request for permission to submit an "overlength" brief and for Clayton Sand Company to file its reply.

Paul Leakan, Communications Officer, provided an overview of the Commission's 2025 Pinelands National Reserve calendar that features a new map and QR code.

### Planning Matters

Chair Matos introduced a resolution to certify Hamilton Township Ordinance 2085-2024.

Commissioner Lohbauer made a motion Issuing an Order to Certify Hamilton Township Ordinance 2085-2024, Adopting a Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2 (See Resolution # PC4-24-23). Commissioner Irick seconded the motion.

Chief Planner Lanute said Hamilton Township Ordinance 2085-2024 was adopted by the Township in September and adopts a redevelopment plan for Block 237, Lots 1 and 2. He said the redevelopment area is approximately 105 acres and is the site of a former, but now vacant, industrial building. The existing industrial building predates the CMP and contains approximately 31,000 square feet. Between 1955 and 2010, dyes and other solutions were manufactured at the site. He said the redevelopment area is located in the Township's Forest Area-70 (FA-70) District, which is within the Pinelands Forest Area (see attached Exhibit #1). He said the Township has been actively seeking a tenant that could return the site to active use. However, this has been a challenge because the prior industrial use was non-conforming and has since been deemed abandoned under the CMP. Additionally, the Township's FA-70 District reflects the limited uses that the CMP permits in a Forest Area, which include forestry, agriculture, campgrounds and low-intensity recreation.

During the past year, the Township was approached by a developer that was interested in reusing the site and existing building as a cannabis cultivation facility. The redevelopment plan allows a small, already disturbed portion of the site (outlined in yellow on Exhibit 1) to be used as Class 1 Cannabis facility. Township is seeking to utilize the CMP's municipal flexibility provision to provide a limited opportunity for the facility to engage in activities defined by the CMP as "agricultural products processing" that are not permitted in Pinelands Forest Areas. Such activities could consist of processing or packaging cannabis or, depending on the methods, drying or curing cannabis. He noted that agricultural products processing activities would be limited to no more than 10 acres of the overall parcel.

He said the CMP has always allowed Pinelands municipalities to refine and adapt the various standards and provisions of the CMP and tailor them to local conditions, provided the goals and objectives of the CMP continue to be achieved. He said staff is recommending certification of Ordinance 2085-2024.

Lastly, he noted that there is ongoing remediation at the site with oversight from the NJDEP. Remediation will continue until DEP groundwater quality standards are met. The redeveloper is aware of the remediation status of the site.

Commissioner Asselta asked why the Commission is approving this considering the ongoing remediation at the site.

ED Grogan said staff is not asking the Commission to approve any development but rather to certify an ordinance adopted by the Township. She said the applicant still needs to complete an application with the Commission and meet all of the environmental standards of the CMP before any development can occur.

The resolution was adopted by a vote of 11 to 0.

#### Public Comment on Development Applications and Items Where the Record is Open

Public comment was not provided.

### Ordinances Not Requiring Commission Action

Chief Planner Lanute said the Land Use Programs Office reviewed five ordinances last month that raised no substantial issue. Two ordinances were from the Borough of Medford Lakes and were focused on strengthening protections on the demolition of Log Cabin Structures both within and outside the Borough's historic district. These ordinances were reviewed to ensure that they met the CMP cultural resource standards.

He said the other three ordinances implemented the 2023 Kirkwood-Cohansey water management rules as well as the 2023 NJDEP stormwater rule amendments. The deadline to adopt the Kirkwood-Cohansey water management rules was December 4<sup>th</sup> of this year. All but three municipalities have met that deadline. Staff is currently working with the three remaining municipalities, and anticipates adoption will occur in the early months of 2025.

### Other Resolutions

Chair Matos introduced a resolution scheduling Pinelands Commission meeting dates in 2025.

Commissioner Pikolycky made a motion Scheduling Regular Pinelands Commission Meeting Dates for 2025 (See Resolution # PC4-24-24). Commissioner Lohbauer seconded the motion.

ED Grogan said the Commission will meet on the second Friday of each month.

Commissioner Lohbauer said after polling the Climate Committee members, it was decided that climate matters should be combined with the P&I Committee agendas. He noted difficulty in gaining a quorum for the meetings since most of the members are also members of the P&I Committee. He said nonetheless, discussion of CMP amendments to address future climate change impacts in the Pinelands Area remains a priority.

The resolution was adopted by a vote of 11 to 0.

### General Public Comment

John Volpa of Evesham Township said he is a founding member of the Black Run Preserve and past Chair of the Friends of the Black Run. He provided the details on how the open space land came to be the Black Run Preserve and the importance of protecting the headwaters of the Black Run watershed. He said that protection would start with a Forest Area designation by the Commission, followed by purchase and preservation. (See attached comments)

Harry Harper of Pemberton Township said the Commission needs preserve more land. He said the Pemberton Township Planning Board voted against the Pole Bridge development project. He said Commission staff muddied the waters by trying to assist the Planning Board by providing a wetlands determination. He said the letter was confusing and went against the Commission's wetlands standards. He said the Township needs the Commission's help to save the property.

Lisa Berg of Evesham Township said she is speaking on behalf of several neighbors who live on Kenilworth Road and Tomlinson Mills Road who are against the construction of a parking area that is part of the accessible trails proposal at the Black Run Preserve in Evesham Township. She said the traffic will have a negative effect on their quality of life, there are known T&E plant species in the area and the illegal dumping of trash is already a problem. She said that she and her neighbors have raised these same concerns with the Evesham Township Environmental Commission.

Amy Golden of Voorhees Township thanked the Commission and ED Grogan for making the Black Run rule proposal a priority. She said the Black Run Preserve is special and unusual and invited Commissioners for a private tour.

Jason Howell of the Pinelands Preservation Alliance said the release of NJDEP's Visiting Vehicle Use Map for Wharton State Forest and the denial of the Pole Bridge development application by Pemberton Township's Planning Board are good news for the Pinelands. He said the Commission needs maintain a list of qualified T&E consultants rather than have an applicant choose their own T&E consultant to perform the study. He said this will regain the public's trust and eliminate the conflict of interest. He added that the Commission's Science staff should be consulted in reviewing T&E studies and wetlands delineation. He said the CMP should be updated in the next round of amendments to require use of the Pinelands wetlands manual when delineating wetlands.

Max Murphy, lifelong Pine Barrens resident, thanked the Commission for moving forward with the Black Run rule proposal. He said the headwaters of the Black Run must be protected because they provide an ecosystem for many diverse wildlife and act as a natural sponge alleviating the damage from floods. He said the redesignation from a Rural Development Area to a Forest Area will also protect drinking water for much of South Jersey.

Jonathan Duff of Southampton Township said he is speaking on behalf of Shamong Township residents who are against a roundabout that Burlington County is proposing. He said residents are not in favor of the roundabout. He said the County will be applying to the Commission for the development. He is in favor of protecting the headwaters of the Black Run. He said Pemberton Township residents voted out the town council because of the warehouse constructed in the Birmingham section of the Pemberton which is outside of the Pinelands Area.

Robin Miller of Clementon said she visits the Black Run Preserve often. She raised concerns about the importance of clean drinking water, the wildlife at the Black Run Preserve and the trees.

Erik Heyman of Cinnaminson Township thanked the Commission for its commitment to redesignate the Black Run from a Rural Development Area to a Forest Area. He said the Black Run Preserve provides open space to many residents in South Jersey.

Hana Katz, a volunteer with Deer Park Fire Company, said she recently responded to the fire that was burning near the Black Run Preserve and saw the impact it had on the wildlife and

ecosystem. She said the region does not need more housing and she supports the redesignation of the Black Run from a Rural Development Area to a Forest Area.

Paul Funk of Camden County said he visits the Black Run Preserve often. He said natural places are innocent living things that have no defense from developers. He urged the Commission to help protect the Black Run Preserve.

Tara Rozanski of Collingswood said she is an employee at Whitesbog. She noted how important it is for children to interact with nature. She said the Pinelands ecosystem is unique and diverse and she supports the preservation of more land.

Ben Dziobek of Climate Revolution Action Network said he supports the protection of the lands adjacent to the Black Run Preserve. He said it is vital to the state's future and to the surrounding bodies of water. He said people have observed contractors spraying stakes and marking locations for future development. He urged the Commission to take the necessary steps to preserve this land.

Mary Counsel, Voorhees Township, said New Jersey is the most densely populated state in the nation and the Pinelands are the lungs of the state. She said we need to preserve more of the Pinelands and not vote for the development.

Kristen Strehle, a resident of Massachusetts, said she grew up in New Jersey and remembers fighting for the rattlesnakes when the Sanctuary development was being proposed. She said she has taught and lived all over the country but Black Run Preserve remains one of her favorite places. She said the results of radical conservation work in preserving land has stopped projects. She said the headwaters of the Black Run need to be protected.

#### Closed Session

DAG Stypinski read a resolution to retire into closed session. Commissioner Lohbauer made a motion to enter into closed session. The motion was seconded by Commissioner Rittler Sanchez and all voted in favor. The Commission met in closed session beginning at 11:10 a.m.

#### Return to Open Session

Commissioner Pikolycky made a motion to To Authorize the Executive Director to enter into New Collective Negotiations Agreements with the Communications Workers of America, Local 1040, for the Period Beginning July 1, 2023 and Ending June 30, 2027 (See Resolution # PC4-24-25). Commissioner Lohbauer seconded the motion.

ED Grogan said during closed session, the Commission reviewed the terms of a contract for the three employee bargaining units. The employee bargaining units voted to ratify the contract on December 6, 2024. She said by voting on this resolution, the Commission would be authorizing her to sign the agreements.

The resolution was adopted by a vote of 11 to 0.

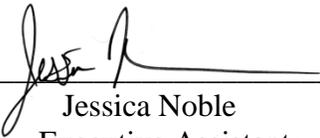
Adjournment

Commissioner Lohbauer thanked and commended NJDEP's Commissioner Shawn LaTourette for keeping his promise and releasing a vehicle use map for Wharton State Forest this year.

Commissioner Lohbauer also noted that Commissioner Irick was recently recognized for his outstanding work as a volunteer and community leader by the Buena Historical Society.

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Pikolycky seconded the motion. The Commission agreed to adjourn at 11:45 a.m.

Certified as true and correct:

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

Date: December 18, 2024

# Hamilton Township Ordinance 2085-2024

-  Redevelopment Area
-  Parcel Boundaries
-  Developed/Cleared Area

Executive Director's Report  
Hamilton Twp. Ord. 2085-2024  
11/22/20224  
Exhibit #1





2377 ELWOOD  
RD

Blueberry Road

Pinelands Commission Meeting  
12-13-24  
BRP Headwaters

My name is John Volpa, Evesham Township resident, Founder of the Black Run Preserve, and past chair of the Friends of the Black Run Preserve. I retired from the Board of Trustees in May therefore, I speak as a private citizen.

The Black Run Preserve has long been recognized for its largely unspoiled Pine Barrens flora and fauna. In fact, it was the Pinelands Commission's first Chief Scientist, Dr. Robert Zampella, who referred to what became the BRP and its Headwaters as "pristine Pine Barrens".

As special as this Evesham Township owned open space is, the land had not been treated as if it were special. Instead, over decades, it had become a dumping ground for all manner of refuse, a haven for bonfires, drinking, and drugs. Illegal ORV use was common and it continues to leave its mark in the Aerohaven section; stopping any chance for natural restoration to take hold.

What did take hold was the desire of local citizens to care for the land: to protect it, restore it, and utilize it for sustainable recreational activities. In 2007, Black Run Preserve was officially named and the Friends of the Black Run Preserve formed in 2012. During those seventeen years, over a thousand volunteers conducted numerous clean-up events, installed infrastructure, constructed, mapped, marked, and maintained over nineteen miles of multi-use trails. Volunteers participate in a variety of committees that conduct restoration projects, citizen science projects, a diverse number of educational programs and community events.

The BRP's peace and pristine beauty inspires volunteers to such great heights. Because of those accomplishments, the BRP's public health, economic, and ecological value is recognized across the region. The BRP's social infrastructure has enabled thousands of people to utilize its Pine Barrens true value as a portal to wellness and peace.

Now, before this commission is the opportunity to make a crucial first step to ensure the Headwaters are preserved and protected from development. If the Headwaters ever became a part of Evesham Township open space, then I like to imagine how the Black Run Preserve could grow by 700+ acres.

This year, the Evesham Township Environmental Commission received ANJEC's Environmental Achievement Award for its 2023 Open Space & Recreation Plan Element of the Master Plan. The following is an OSRP excerpt:

"The Evesham Headwaters Area consists of both wet forests and upland forests. It is the location where the headwaters of both Barton Run and Black Run begin, and it is also a region of the highest recharge to groundwater within Evesham Township. The habitats in this area have been documented as having very high integrity, according to Pinelands Commission studies, meaning that the creeks are pristine Pineland waters, and the forests are highly diverse. Several

endangered and threatened species have been documented in this Area. The area is adjacent to land that has been preserved by Evesham Township. Its status within the Pinelands Rural Development Area does not offer significant protection from development on the upland locations within the Area. Development has occurred south of this region and, with the township nearly built out in other locations, this is perhaps the most threatened part of Evesham, making preservation and protection of this area paramount.” The OSRP goes on to recommend the acquisition of the Evesham Headwaters as a top priority.

The Headwaters are the ecological key to the future of the BRP. If it has a chance to remain “pristine”, it must start with its designation as Forest Area. I urge the PC to redesignate the Evesham Headwaters as Forest Area. Such action will be a major step toward its preservation. Then local government, nonprofits, and government agencies can work together to purchase it, ensuring its preservation, protection and accessibility for future generations to enjoy.



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

**NO. PC4-24- 23**

**TITLE:** Issuing an Order to Certify Hamilton Township Ordinance 2085-2024, Adopting a Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2

**Commissioner Lohbauer moves and Commissioner Irick seconds the motion that:**

**WHEREAS**, on March 8, 1985, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Hamilton Township; and

**WHEREAS**, Resolution #PC4-85-10 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and codified Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

**WHEREAS**, Resolution #PC4-85-10 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

**WHEREAS**, on September 16, 2024, Hamilton Township adopted Ordinance 2085-2024, adopting a Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2 located within the Township's Pinelands Forest Area; and

**WHEREAS**, the Pinelands Commission received a certified copy of Ordinance 2085-2024 on September 19, 2024; and

**WHEREAS**, by letter dated October 4, 2024, the Executive Director notified the Township that Ordinance 2085-2024 would require formal review and approval by the Pinelands Commission; and

**WHEREAS**, a public hearing to receive testimony on Ordinance 2085-2024 was duly advertised, noticed and remotely held on November 6, 2024, at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

**WHEREAS**, the Executive Director has found that Ordinance 2085-2024 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

**WHEREAS**, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2, is in conformance with the Pinelands Comprehensive Management Plan; and

**WHEREAS**, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2085-2024 and has reviewed the Executive Director's report; and

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

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

**NOW, THEREFORE BE IT RESOLVED** that

1. An Order is hereby issued to certify that Hamilton Township Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2, dated August 2024, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Hamilton Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

**Record of Commission Votes**

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*				
Asselta	X			Lettman			X	Rittler Sanchez	X			
Avery	X			Lohbauer	X			Wallner	X			
Christy	X			Mauriello	X			Matos	X			
Holroyd	X			Meade			X					
Irick	X			Pikolycky	X							

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 13, 2024



Susan R. Grogan  
Executive Director



Laura E. Matos  
Chair



State of New Jersey  
THE PINELANDS COMMISSION  
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General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## Report on Hamilton Township Ordinance 2085-2024, Adopting the Site-Specific Redevelopment Plan for Block 237, Lot 1 & 2

November 22, 2024

Hamilton Township  
6101 Thirteenth Street  
Mays Landing, NJ 08330

### Findings of Fact

#### I. Background

The Township of Hamilton is located in the south-central portion of the Pinelands Area in Atlantic County. Pinelands Area municipalities adjacent to Hamilton Township include the Townships of Mullica, Galloway, Egg Harbor, Weymouth and Buena Vista as well as Estell Manor City, Folsom Borough and the Town of Hammonton, all of which are located in Atlantic County.

On March 8, 1985, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Hamilton Township.

On September 16, 2024, the Hamilton Township Committee adopted Ordinance 2085-2024, approving the Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2, dated September 2024. The associated redevelopment area is located within a Pinelands Forest Area. The Pinelands Commission received a certified copy of Ordinance 2085-2024 on September 19, 2024.

By letter dated October 4, 2024, the Executive Director notified the Township that Ordinance 2085-2024 would require formal review and approval by the Pinelands Commission.

#### II. Master Plans and Land Use Ordinances

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

- \* Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lots 1 and 2, dated August 2024, introduced on August 19, 2024 and adopted on September 16, 2024.

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

**1. Natural Resource Inventory**

Not applicable.

**2. Required Provisions of Master Plans and Land Use Ordinances Relating to Development Standards**

Ordinance 2085-2024 adopts the Site-Specific Redevelopment Plan for Block 237, Lot 1 & 2, dated September 2024. The associated redevelopment area is approximately 105.2 acres and is the site of a former, but now vacant, industrial building (see Exhibit #1). The existing industrial building predates the CMP and contains approximately 31,000 square feet. The redevelopment area is bordered by the Atlantic City Expressway to the south and southwest, privately-owned, forested lands to the northwest; and the Makepeace Lake Wildlife Management Area from the northeast to the southeast. A shooting range at the Makepeace Lake Wildlife Management Area is located directly across Elwood Road from the redevelopment area. The entirety of the redevelopment area is located in the Township's Forest Area-70 (FA-70) District, which is within a Pinelands Forest Area.

The Township has been actively seeking a tenant for the existing facility that could ameliorate the blighted conditions of the site and to return it to active use. This task has faced barriers as the prior non-conforming industrial use has been deemed abandoned under the CMP. This status prevents the reestablishment of the prior non-conforming industrial use at the site (N.J.A.C. 7:50-5.2). The Township's FA-70 District is reflective of the limited uses that the CMP permits in a Forest Area. The district permits agriculture, agricultural commercial establishments, campgrounds, forestry, low-intensity recreation, places of worship, and schools. Single-family dwelling units are also permitted at a density of one dwelling unit per 70 acres. Re-establishing a non-residential use at this site has remained a challenge due to these constraints.

The redevelopment plan adopted by Ordinance 2085-2024 seeks to effectuate the redevelopment of the former industrial building as a Class 1 Cannabis (cultivation) facility. The redevelopment plan establishes an overlay zone encompassing the entire redevelopment area. The underlying zoning regulations of the FA-70 District remain applicable to the redevelopment area except as modified by the redevelopment plan. The overlay zone conditionally permits Class 1 Cannabis (cultivation) facilities and provides a variety of associated conditional use standards.

A notable conditional use standard limits any Class 1 Cannabis facility to those activities consistent with the definitions of "Agricultural or Horticultural Purpose or Use" and "Agricultural Products Processing Facility" as provided in Chapter 203 of the Township Code. These two definitions align with those contained in the CMP. Importantly, while the CMP permits agricultural uses in Forest Areas, it does not permit agricultural products processing facilities in that management area. The Township's FA-70 District reflects those limitations.

However, drawing upon the CMP's municipal flexibility provisions, the Township is providing a limited opportunity for a Class 1 Cannabis Cultivator licensee to engage in the full range of activities permitted under that license, including those that would fall under the CMP definition of agricultural products processing.

Class 1 Cannabis Cultivator licenses are established by state law (N.J.S.A. 24:6I-37), and activities authorized under a Class 1 Cannabis Cultivator license are further described under the Personal Use Cannabis Rules adopted by the Cannabis Regulatory Commission (N.J.A.C. 17:30-10.2). As interpreted through the regulations of the CMP, some of the activities authorized under the Class 1 license are considered agricultural activities (i.e., propagating, germinating, planting, cultivating, growing, or harvesting cannabis), while others are considered agricultural products processing activities (i.e., processing or packaging cannabis or, depending on the methods, drying or curing cannabis). Under the redevelopment plan, these later processing activities would be permitted within the redevelopment area.

Recognizing the size of the parcel and the Township's targeted focus on rehabilitating the vacant industrial building, the redevelopment plan limits the location of any development associated with a Class 1 Cannabis facility to an approximately 10-acre area that has been previously developed/cleared as depicted in the redevelopment plan (see Exhibit #2). This is an important constraint that would limit agricultural products processing activities to no more than 10 acres of the overall redevelopment area.

The remaining conditional use standards include minimum distance requirements from other cannabis facilities, schools, and places of worship; requirements that cultivation take place in enclosed heated and air-conditioned buildings; requirements for air treatment and ventilation to mitigate odor; and various security requirements.

The overlay zone also permits various uses accessory to a Class 1 Cannabis facility including administrative offices, environmental equipment, parking, trash enclosures, fencing, signage, and any other accessory buildings incidental to a permitted principal use. The sale or consumption of food, beverages, alcohol, or tobacco, as well as a marijuana consumption area are expressly prohibited.

Lastly, it is noted that Section XII (Relationship of the Redevelopment Plan to Other Plans) of the redevelopment plan incorrectly references the redevelopment area as being in the Pinelands Regional Growth Area rather than the Forest Area. This is clearly a clerical error, as the remainder of the redevelopment plan correctly acknowledges the redevelopment area's location in the FA-70 District within the Forest Area. Furthermore, Section XII has no impact on the land development standards contained in the redevelopment plan and, therefore, should not warrant further amendment for the purposes of Commission certification.

Pinelands municipalities have long had the ability to refine the various standards and provisions of the CMP and tailor them to local conditions, provided CMP goals and objectives continue to be achieved. In this case, Hamilton Township has chosen to adopt an ordinance that allows a limited opportunity for redevelopment of an existing nonresidential structure in its Pinelands Forest Area. Under the ordinance, redevelopment may only consist of agriculture and the processing of agricultural products. Furthermore, the standards adopted by Ordinance 2085-2024 confine the redevelopment to the previously disturbed portion of the site. This represents an appropriate exercise of municipal flexibility, one that meets the objectives of the CMP.

Ordinance 2085-2024 and the Site-Specific Redevelopment Plan for Block 237, Lot 1 & 2, are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

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

All development in the redevelopment area remains subject to the application requirements and procedures in the Township's certified land use ordinance, including the need to obtain a Certificate of Filing from the Pinelands Commission and to meet the minimum application submission requirements.

This standard for certification is met.

**4. Requirement for Municipal Review and Action on All Development**

All development in the redevelopment area remains subject to the municipal development review procedures in the Township's certified land use ordinance.

This standard for certification is met.

**5. Review and Action on Forestry Applications**

Not applicable.

**6. Review of Local Permits**

All development in the redevelopment area remains subject to municipal development review procedures in the Township's certified land use ordinance.

This standard for certification is met.

**7. Requirement for Capital Improvement Program**

Not applicable.

**8. Accommodation of Pinelands Development Credits**

Not applicable

**9. Referral of Development Applications to Environmental Commission**

All development in the redevelopment area remains subject to the municipal development

review procedures in the Township's certified land use ordinance, including the referral of any application within the Pinelands Area portion of the Township to the Township Environmental Commission for review and comment.

This standard for certification is met.

#### **10. General Conformance Requirements**

Ordinance 2085-2024 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

#### **11. Conformance with Energy Conservation**

Not applicable.

#### **12. Conformance with the Federal Act**

Ordinance 2085-2024 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

#### **13. Procedure to Resolve Intermunicipal Conflicts**

The redevelopment area subject to Ordinance 2085-2024 does not affect lands adjacent to any other municipalities. Intermunicipal conflicts are not anticipated. Therefore, this standard for certification is met.

### **Public Hearing**

A public hearing to receive testimony concerning Hamilton Township's application for certification of Ordinance 2085-2024 was duly advertised, noticed and held on November 6, 2024 at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcast live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. Oral testimony was provided by the following individual:

Brooke Fisher of the Great Egg Harbor River Watershed Association thanked the Pinelands Commission for the work on this redevelopment plan. She stated that redevelopment makes a lot of sense and would be an improvement on what is already there. She asked whether there would be any updates to the stormwater management practices on the site and if any of the forested area of the parcel will be deed restricted as a condition of the new use.

Written comments on Ordinance 2085-2024 were accepted through November 8, 2024. No written comments were received.

## **Executive Director's Response**

In response to Ms. Fisher's questions, any proposed development within the redevelopment area under either the redevelopment plan or the underlying zoning will require application to the Pinelands Commission. Any such application will be required to demonstrate consistency with the minimum environmental standards of the Pinelands CMP, including those for stormwater management. The Commission received an application for the development of a Class 1 Cannabis Facility at the site in January 2024. However, it has not yet been determined what existing stormwater facilities are contained on the site and what additional development will be proposed in the 10-acre area. Therefore, it is hard to predict what, if any, additional stormwater management improvements will be required onsite to meet CMP standards. In terms of whether there is any requirement to deed restrict the remaining forest lands on the parcel, the redevelopment plan contains no such requirements. The remainder of the site, outside the 10-acre area, will remain available for agriculture and other uses permitted in the Township's FA-70 District.

## **Conclusion**

Based on the Findings of Fact cited above, the Executive Director has concluded that Hamilton Township Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lots 1 and 2, complies with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 2085-2024 of Hamilton Township.

SRG/DBL/KLE/CHA  
Attachments

# Hamilton Township Ordinance 2085-2024

-  Redevelopment Area
-  Parcel Boundaries
-  Developed/Cleared Area

Executive Director's Report  
Hamilton Twp. Ord. 2085-2024  
11/22/20224  
Exhibit #1





2377 ELWOOD  
RD

Blueberry Road



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24- 24

**TITLE:** Scheduling Regular Pinelands Commission Meeting Dates for 2025

Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:

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

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

**WHEREAS**, any meeting to be held at a location other than the Pinelands Commission’s Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised in accordance with the requirements of the Open Public Meetings Act; and

**WHEREAS**, the public can attend all regular Commission meetings in person or livestream the meetings through the Commission’s YouTube channel. Public comment can be provided in person or by dialing the phone number and entering the code displayed on the meeting agenda and the YouTube screen during each meeting. An agenda will be posted on the Commission’s website at [www.nj.gov/pinelands/](http://www.nj.gov/pinelands/) in advance of each meeting; and

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

**NOW, THEREFORE BE IT RESOLVED** that the Pinelands Commission shall conduct its meetings on the following dates in 2025, beginning at 9:30 a.m., unless notice is otherwise provided in accordance with the Open Public Meetings Act:

Friday, January 10, 2025  
Friday, February 14, 2025  
Friday, March 14, 2025  
Friday, April 11, 2025  
Friday, May 9, 2025  
Friday, June 13, 2025

Friday, July 11, 2025  
Friday, August 8, 2025  
Friday, September 12, 2025  
Friday, October 10, 2025  
Friday, November 14, 2025  
Friday, December 12, 2025

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

### Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman			X		Rittler Sanchez	X			
Avery	X				Lohbauer	X				Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd	X				Meade			X						
Irick	X				Pikolycky	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 13, 2024

Susan R. Grogan  
Executive Director

Laura E. Matos  
Chair



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

**NO. PC4-24- 25**

**TITLE:** To Authorize the Executive Director to enter into New Collective Negotiations Agreements with the Communications Workers of America, Local 1040, for the Period Beginning July 1, 2023 and Ending June 30, 2027

**Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:**

**WHEREAS**, the prior Collective Negotiation Agreements (CNAs) between the Pinelands Commission and its three employee bargaining units (Non-Supervisory, Professional and Supervisory) expired on June 30, 2023; and

**WHEREAS**, the three bargaining units are represented by the Communications Workers of America (CWA), Local 1040; and

**WHEREAS**, negotiations for new CNAs for the term July 1, 2023 through June 30, 2027 commenced on June 13, 2023 between the Commission's negotiating team and the employee bargaining unit negotiating team, which included representatives of the CWA, Local 1040, and employees from two of the three bargaining units (CWA Local 1040 Negotiating Team); and

**WHEREAS**, new CNAs have been successfully negotiated between the Commission and the CWA Local 1040 Negotiating Team; and

**WHEREAS**, the attached Memorandum of Understanding represents the complete and final understanding on all bargaining issues between the Commission and the CWA Local 1040 Negotiating Team, for the period of July 1, 2023 through June 20, 2027; and

**WHEREAS**, the attached Memorandum of Understanding will apply to all three of the Commission's bargaining units; and

**WHEREAS**, on October 29, 2024, the Executive Director briefed the Commission's Personnel & Budget Committee on the terms reflected in the attached Memorandum of Understanding; and

**WHEREAS**, Commission employees represented by the CWA, Local 1040 voted on December 6, 2024 to ratify the attached Memorandum of Understanding; and

**WHEREAS**, the Commission has reviewed the attached Memorandum of Understanding and finds its terms to be acceptable; and

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

**NOW, THEREFORE BE IT RESOLVED that:**

1. The Pinelands Commission hereby authorizes the Executive Director to execute CNAs, consistent with the attached Memorandum of Understanding, with all of the Commission’s three employee bargaining units.
  
2. The Pinelands Commission hereby authorizes the Executive Director to implement the terms of the attached Memorandum of Understanding with regard to the Commission’s employees who are members of its three bargaining units.

**Record of Commission Votes**

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman			X		Rittler Sanchez	X			
Avery	X				Lohbauer	X				Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd	X				Meade	X		X						
Irick	X				Pikolycky									

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 13, 2024





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Susan R. Grogan  
Executive Director

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Laura E. Matos  
Chair

**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**THE NEW JERSEY PINELANDS COMMISSION**  
**AND**  
**THE COMMUNICATIONS WORKERS OF AMERICA**  
**(NON-SUPERVISORY, PROFESSIONAL, AND SUPERVISORY UNITS, LOCAL 1040)**

Whereas, the collective bargaining agreements for employees of the New Jersey Pinelands Commission in the Non-Supervisory, Professional, and Supervisory units expired on June 30, 2023; and

Whereas, the parties have negotiated certain changes in the terms and conditions of employment and are desirous of entering into successor agreements,

Now, therefore, the negotiators set forth the following Memorandum of Understanding.

**1. All provisions of the 2019-2023 contracts will be incorporated into new contracts, except as set forth below.**

**ARTICLE 4. SALARIES**

**A. Salary**

(1) The annual salary of each full-time employee will be in accordance with the salary range corresponding to his or her title (see Appendix A). Salaries will be pro-rated for part-time employees. New employees will be hired at the minimum of their range, except that the Employer, at its discretion, may place a new employee on a higher level if the employee's education and experience significantly exceed the minimum requirements.

(2) All employees will receive across-the-board salary increases as follows: ~~2% as of July 1, 2019, 2% as of July 1, 2020, 2% as of July 1, 2021, and 2% as of July 1, 2022.~~

3.5% as of July 1, 2023

3.5% as of July 1, 2024

3.5% as of July 1, 2025

3.5% as of July 1, 2026

**B. Merit Increases**

~~Beginning as of 2019, e~~ Each employee with at least one year of service who is not at the maximum of his or her salary range and whose overall performance achieved or exceeded expectations in the most recently completed final evaluation issued during the 12-month period prior to July 1 ~~meets or exceeds expectations~~ will receive an annual merit increase in salary effective July 1 of each year. It is understood that merit increases are not guaranteed to all

employees, but are intended for performance that achieves or exceeds expectations. The amount of the merit increase will be equal to the lesser of (a) 2.25% of the employee's base salary or (b) the amount needed to reach the maximum of the range. The increases will be included in the first regular pay of the new fiscal year for the pay period that includes July 1.

## ARTICLE 7. SICK LEAVE

### G. Notification

Employees reporting sick leave shall notify their supervisor as early as possible, but not later than one (1) hour prior to the start of the work day, or at a reasonable time in case of emergency. Such notice shall be made via email to the supervisor's work email address and shall include the following information: The supervisor will notify employees of one specified phone number to call when an employee calls out. Subsequent to this notification under this paragraph the employee reporting sick leave must notify the supervisor of:

- (1) Personal certification for a sick day. The date and time of the reported sick leave (e.g., full day of sick leave, delayed arrival, or early departure due to sick leave, etc.).
- (2) The telephone number where the employee may be contacted during sick leave.
- (3) The expected duration of sick leave, if known.

Supervisors may, at their discretion, request that employees notify them of sick leave by text or phone call to a designated phone number. Such text or phone notifications do not relieve the employee of the obligation to provide an email containing the information required in (1) – (3) above.

The Human Resource Specialist may also follow up as necessary to verify medical excuses, confirm an employee's expected date of return to work, discuss FMLA or NJFLA or for any other legitimate business reason.

## ARTICLE 9. BEREAVEMENT LEAVE

### A. Bereavement Leave for Immediate Family

When an employee experiences a death in his or her immediate family, he or she will be permitted ~~to~~ two (2) working days of bereavement leave at his or her regular rate of pay.

### B. Definition of Immediate Family

The immediate family is defined as spouse, father, domestic partner under law and civil unions, mother, stepfather, stepmother, stepchild, minor child under legal guardianship, sister, brother, son, and daughter spouse, domestic partner under the law, father, mother, mother-in-law, father-in-law, stepmother, stepfather, grandfather, grandmother, grandchild, sister, brother, sister-in-law, brother-in-law, son, daughter, foster child, stepchild, or other child under legal guardianship.

### **~~C. Bereavement Leave for Additional Family Members~~**

~~Employees will be permitted one (1) working day of bereavement leave in the event of death of the following family members: grandparent, grandchild, sister-in-law, brother-in-law, non-minor child under legal guardianship.~~

### **~~D C. Verification~~**

~~Reasonable verification of the event may be required by the Commission.~~

## **ARTICLE 10. INSURANCE**

### **Section B. Health Insurance**

~~(1) Employees shall contribute to their health insurance benefits in accordance with C. 78, P.L. 2011. Employees shall have the right to select any of the health insurance plans offered to Local Employers by the Division of Pensions and Benefits, located within the Department of Treasury.~~

~~(2) Employees shall contribute to their health insurance benefits as follows:~~

~~(a) Employees who choose to enroll in a health insurance plan other than those listed in (b) below shall contribute to their health insurance benefits in accordance with N.J.S.A. 52:14-17.28c.~~

~~(b) Employees who choose to enroll in the NJ DIRECT plan, the NJ DIRECT 2019 plan, or another health insurance plan whose annual premium is equal to or lower than the annual premium for the NJ DIRECT plan shall contribute to their health insurance benefits in accordance with Appendix C, attached hereto and incorporated herein.~~

~~(3) The Employer will deduct employee health benefit contributions from employees' pay on a pre-tax basis pursuant to a Section 125 premium-only plan.~~

~~(2) (4) Employees shall pay-contribute 50% of the cost of their dental plan, if elected.~~

~~(3) (5) Opt-out [No change]~~

## **ARTICLE 34. DURATION**

~~This Agreement shall be in full force and effect from the date of signing through June 30, 2023-2027.~~

**2. Appendix A is amended to read as set forth at the end of this Memorandum of Understanding.**

**3. Upon ratification by the parties, a new contract will be drawn up in conformance with this Memorandum of Understanding and will be duly executed by the parties.**

**FOR THE UNION**

  
\_\_\_\_\_

Date of Signing      11/20/2024

**FOR THE EMPLOYER**

\_\_\_\_\_  
\_\_\_\_\_

Date of Signing

**APPENDIX A. TITLES AND SALARY SCHEDULES**

Salary ranges take effect on July 1 at the start of each contract year.

<b>Support Assistants: Custodial and Clerical</b>									
Level	Range #	2023-2024		2024-2025		2025-2026		2026-2027	
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
1	5	\$41,086	\$59,575	\$42,524	\$61,660	\$44,013	\$63,818	\$45,553	\$66,052
2	3	\$37,266	\$54,036	\$38,571	\$55,928	\$39,921	\$57,885	\$41,318	\$59,911
3	1	\$33,802	\$49,013	\$34,985	\$50,728	\$36,209	\$52,503	\$37,477	\$54,341

<b>Support Assistants: Business and Maintenance</b>									
Level	Range #	2023-2024		2024-2025		2025-2026		2026-2027	
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
1	7	\$45,298	\$65,682	\$46,883	\$67,980	\$48,524	\$70,360	\$50,222	\$72,822
2	5	\$41,086	\$59,575	\$42,524	\$61,660	\$44,013	\$63,818	\$45,553	\$66,052
3	3	\$37,266	\$54,036	\$38,571	\$55,928	\$39,921	\$57,885	\$41,318	\$59,911

<b>Technical Assistants: Land Use, Planning, Legal, Public Programs</b>									
Level	Range #	2023-2024		2024-2025		2025-2026		2026-2027	
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
1	13	\$60,703	\$88,020	\$62,828	\$91,100	\$65,027	\$94,289	\$67,303	\$97,589
2	10	\$52,438	\$76,035	\$54,273	\$78,696	\$56,173	\$81,450	\$58,139	\$84,301
3	7	\$45,298	\$65,682	\$46,883	\$67,980	\$48,524	\$70,360	\$50,222	\$72,822
4	5	\$41,086	\$59,575	\$42,524	\$61,660	\$44,013	\$63,818	\$45,553	\$66,052

<b>Specialists: Environmental, Public Programs, GIS, MIS</b>									
Level	Range #	2023-2024		2024-2025		2025-2026		2026-2027	
		Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
1	20	\$85,415	\$123,852	\$88,405	\$128,187	\$91,499	\$132,674	\$94,702	\$137,317
2	15	\$66,925	\$97,042	\$69,268	\$100,438	\$71,692	\$103,953	\$74,201	\$107,592
3	13	\$60,703	\$88,020	\$62,828	\$91,100	\$65,027	\$94,289	\$67,303	\$97,589
4	11	\$55,060	\$79,836	\$56,987	\$82,631	\$58,981	\$85,523	\$61,045	\$88,516

<b>Research Scientists</b>									
<b>Level</b>	<b>Range #</b>	<b>2023-2024</b>		<b>2024-2025</b>		<b>2025-2026</b>		<b>2026-2027</b>	
		<b>Minimum</b>	<b>Maximum</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Minimum</b>	<b>Maximum</b>
1	20	\$85,415	\$123,852	\$88,405	\$128,187	\$91,499	\$132,674	\$94,702	\$137,317
2	16	\$70,271	\$101,894	\$72,731	\$105,460	\$75,277	\$109,151	\$77,911	\$112,971
3	14	\$63,738	\$92,420	\$65,969	\$95,655	\$68,278	\$99,003	\$70,668	\$102,468
4	12	\$57,812	\$83,828	\$59,836	\$86,762	\$61,930	\$89,799	\$64,098	\$92,942

**APPENDIX C**

**EMPLOYEE HEALTH BENEFIT CONTRIBUTIONS**

**CONTRIBUTION WORKSHEET**

Calculate your monthly contribution by following the step-by-step instructions below:

<b>1</b>	Choose the column to the right corresponding to your selected coverage tier and make all entries in that column.	<b>Family</b>	<b>Member/ Spouse or Parent/ Child</b>	<b>Single</b>
<b>2</b>	Enter your annual base salary.	\$	\$	\$
<b>3</b>	Select the multiplier for the applicable year: (a) Multiplier for 2025 . . . . . (b) Multiplier for 2026 and 2027 . . . . .	0.0003158 0.0003007	0.0003521 0.0003353	0.0003401 0.0003239
<b>4</b>	Multiply the amount on Line 2 by the selected decimal fraction on Line 3(a) or 3(b). Enter the result rounded to three decimal places.			
<b>5</b>		5.118	5.667	2.321
<b>6</b>	Subtract the amount on Line 5 from the amount on Line 4 and enter the result rounded to two decimal places. If the result is more than 33.00, enter 33.00 instead. <i>This is your CONTRIBUTION RATE expressed as a percentage.</i>	%	%	%
<b>7</b>	Enter the monthly premium for your plan and selected coverage tier using the appropriate SHBP premium rate chart. *	\$	\$	\$
<b>8</b>	Multiply the amount on Line 7 by the percentage on Line 6 and enter the result. <i>This is your MONTHLY CONTRIBUTION for medical and prescription coverage.</i>	\$	\$	\$

\* To find the premium rate chart that applies to employees of the Pinelands Commission, go to the following web page:

<https://www.state.nj.us/treasury/pensions/hb-active-shbp.shtml>

Click on “Calculate Your Costs,” then click on “Local Government Including Rx.”



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

**NO. PC4-25-\_\_\_\_\_**

**TITLE:** **Approving** With Conditions an Application for **Public Development** (Application Number 1981-1833.080)

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

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

**1981-1833.080**

<b>Applicant:</b>	<b>Stockton University</b>
Municipality:	Galloway Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	December 20, 2024
Proposed Development:	Construction of 1,250 linear feet of six foot wide pedestrian walkways.

**WHEREAS**, the development subject of App. No. 1981-1833.080 is located on 1,586 acre Block 875.04, Lots 1.01-1.08 in Galloway Township;

**WHEREAS**, on September 10, 2010, the Commission approved Stockton University's 2010 Master Plan, which set forth a comprehensive plan for the future development and expansion of the campus in recognition of increased enrollment and projected future growth;

**WHEREAS**, the 2010 Master Plan designated eight specific "Development Areas" on the campus and proposed the permanent protection of 1,257 acres on and proximate to the campus; and

**WHEREAS**, on November 5, 2010, Stockton University recorded a conservation deed restriction on the 1,257 acres located on and proximate to the campus; and

**WHEREAS**, on May 11, 2015, the Commission and Stockton University entered into a Memorandum of Agreement (MOA) establishing a streamlined Commission development application review and approval process for development proposed in the eight "Development Areas;" and

**WHEREAS**, subsequent to entering into the MOA, Stockton University paved Delaware Avenue, a sand road (App. No. 1981-1833.077), constructed a 49 space parking lot and pedestrian walkway (App. No. 1981-1833.078) and constructed a new sanitary sewer pumping station (App. No. 1981-1833.082) on the parcel prior to approval of the development in accordance with the provisions of the MOA; and

**WHEREAS**, the development that occurred and is subject of App. No. 1981-1833.077, App. No. 1981-1833.078 and App. No. 1981-1833.082 is located within the areas subject of the MOA conservation deed restriction area and constitutes a violation of the MOA application and approval requirements; and

**WHEREAS**, by letter dated August 31, 2016, the Commission suspended the MOA following a determination by Commission staff that development had occurred within the deed restricted conservation area; and

**WHEREAS**, the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.2(c)1ii) provides that no application to the Commission shall be deemed complete if an outstanding unresolved violation exists on a parcel until such time that the property owner agrees in writing to take all necessary measures to eliminate the violation in a time period acceptable to the Commission's Executive Director; and

**WHEREAS**, by letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director; and

**WHEREAS**, as of January 2, 2025, Stockton University is in the process of recording a revised conservation deed restriction that will remove certain existing development, such as roads and an

elevated potable water storage tank from the deed restricted conservation areas; and

**WHEREAS**, based upon the January 5, 2024 Stockton University letter and its progress in recording a revised conservation deed restriction, the Executive Director has agreed that this application can be acted upon by the Commission and

**WHEREAS**, the proposed pedestrian walkway subject of this application is not located within the conservation deed restricted areas; and

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that Application Number 1981-1833.080 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

**Record of Commission Votes**

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta					Lettman					Rittler Sanchez				
Avery					Lohbauer					Wallner				
Christy					Mauriello					Matos				
Holroyd					Meade									
Irick					Pikolycky									

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

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

\_\_\_\_\_  
Susan R. Grogan  
Executive Director

\_\_\_\_\_  
Laura E. Matos  
Chair



# State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
Lt. Governor

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

December 20, 2024

Charles West  
Office of Facilities Planning and Construction (via email)  
Stockton University  
101 Vera King Farris Drive  
Galloway NJ 08205

Re: Application # 1981-1833.080  
Block 875.04, Lots 1.01 - 1.08  
Galloway Township

Dear Mr. West:

The Commission staff has completed its review of this application for the construction of 1,250 linear feet of six foot wide concrete pedestrian walkways. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its January 10, 2025 meeting.

**On May 11, 2015, the Commission and Stockton University entered into a Memorandum of Agreement (MOA) designating eight "Development Areas" and establishing a streamlined Commission development application review and approval process. As required by the MOA, Stockton University placed a conservation deed restriction on portions of the above referenced 1,586 acre parcel. The areas subject of the deed restriction are depicted on a plan referenced in the MOA.**

**Subsequent to entering into the MOA, Stockton University paved Delaware Avenue, a sand road (App. No. 1981-1833.077), constructed a 49 space parking lot and pedestrian walkway (App. No. 1981-1833.078) and constructed a new sanitary sewer pumping station (App. No. 1981-1833.082) on the parcel. This development was undertaken prior to approval of the development in accordance with the provisions of the MOA. By letter dated August 31, 2016, the Commission suspended the MOA.**

**The development that has occurred and is subject of App. No. 1981-1833.077, App. No. 1981-1833.078 and App. No. 1981-1833.082 constitutes a violation of the application and approval requirements of the Pinelands Comprehensive Management Plan (CMP). The development subject of App. No. 1981-1833.077 and App. No. 1981-1833.082 occurred within areas subject of the MOA conservation deed restriction. Based upon the development that occurred in the deed restricted areas constituting a violation on the parcel, the Commission has been unable to approve numerous Stockton University development applications that are located both within and outside of the deed restricted areas.**

**The CMP (N.J.A.C. 7:50-4.2(c)1ii) provides that no application to the Commission shall be deemed complete if an outstanding unresolved violation exists on the parcel until such time that the property owner agrees in writing to take all necessary measures to resolve the violation(s) in a time period acceptable to the Commission's Executive Director.**

**By letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director. Stockton University is in the process of recording a revised conservation deed restriction. The revised deed restriction will remove certain existing development, such as roads and an elevated potable water storage tank from the deed restricted conservation areas.**

**The proposed pedestrian walkway subject of this application is not located within the deed restricted areas. Based upon the January 5, 2024 Stockton University letter and its progress in recording a revised conservation deed restriction, the Executive Director has agreed that this application can be acted upon by the Commission.**

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

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

Sincerely,



Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)  
Galloway Township Construction Code Official (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Kyle Humphreys (via email)



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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

December 20, 2024

Charles West  
Office of Facilities Planning and Construction (via email)  
Stockton University  
101 Vera King Farris Drive  
Galloway NJ 08205

Application No.: 1981-1833.080  
Block 875.04, Lots 1.01 - 1.08  
Galloway Township

This application proposes construction of 1,250 linear feet of six foot wide concrete pedestrian walkways located on the above referenced 1,586 acre parcel in Galloway Township.

The proposed pedestrian walkways will connect existing student dormitories to the main campus building.

On May 11, 2015, the Commission and Stockton University entered into a Memorandum of Agreement (MOA) designating eight "Development Areas" and establishing a streamlined Commission development application review and approval process. As required by the MOA, Stockton University placed a conservation deed restriction on portions of the parcel. The areas subject of the deed restriction are depicted on a plan referenced in the MOA.

Subsequent to entering into the MOA, Stockton University paved Delaware Avenue, a sand road (App. No. 1981-1833.077), constructed a 49 space parking lot and pedestrian walkway (App. No. 1981-1833.078) and constructed a new sanitary sewer pumping station (App. No. 1981-1833.082) on the parcel. This development was undertaken prior to approval of the development in accordance with the provisions of the MOA. On August 31, 2016, the Commission suspended the MOA.

The development that has occurred and is subject of App. No. 1981-1833.077, App. No. 1981-1833.078 and App. No. 1981-1833.082 constitutes a violation of the application and approval requirements of the Pinelands Comprehensive Management Plan (CMP). The development subject of App. No. 1981-1833.077 and App. No. 1981-1833.082 occurred within areas subject of the MOA conservation deed restriction. Based upon the development that occurred in the deed restricted areas constituting a violation on the parcel, the Commission has been unable to approve numerous Stockton University development applications that are located both within and outside of the deed restricted areas.

The CMP (N.J.A.C. 7:50-4.2(c)1ii) provides that no application to the Commission shall be deemed

complete if an outstanding unresolved violation exists on the parcel until such time that the property owner agrees in writing to take all necessary measures to resolve the violation(s) in a time period acceptable to the Commission's Executive Director.

By letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director. Stockton University is in the process of recording a revised conservation deed restriction. The revised deed restriction will remove certain existing development, such as roads and an elevated potable water storage tank from the deed restricted conservation areas.

The proposed pedestrian walkway subject of this application is not located within the deed restricted areas. Based upon the January 5, 2024 Stockton University letter and its progress in recording a revised conservation deed restriction, the Executive Director has agreed that this application can be acted upon by the Commission.

### **STANDARDS**

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

#### Land Use (N.J.A.C. 7:50-5.26 & 5.28)

The parcel is located partially in a Pinelands Rural Development Area (approximately 603 acres) and partially in a Pinelands Regional Growth Area (approximately 983 acres). The proposed development will be located in the Pinelands Regional Growth Area portion of the parcel. The proposed pedestrian walkways are a permitted land use in a Pinelands Regional Growth Area.

#### Wetlands Standards (N.J.A.C. 7:50-6.6)

There are wetlands located on the above referenced parcel. The proposed development will be located at least 300 feet from wetlands.

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

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

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

The proposed 1,250 linear feet of six foot wide concrete pedestrian walkways will result in an increase of 7,525 square feet of impervious surfaces.

As indicated above, a 49 space parking lot and pedestrian walkway proposed in App. No. 1981-1833.078 were constructed prior to Commission approval. Subsequently, App. No. 1981-1833.078 was completed with the Commission. However, the Commission has been unable to act on App. No. 1981-1833.078 due to the violations associated with development that occurred within the areas subject of the MOA conservation deed restriction.

Stockton University is currently resolving the violations associated with development that occurred within the areas subject of the MOA conservation deed restriction by recording a revised conservation deed restriction. However, due to the length of time required to resolve the conservation deed restriction issue, the public notice previously completed for App. No. 1981-1833.078 must be redone.

To construct the proposed 49 space parking lot and pedestrian walkway subject of App. No. 1981-1833.078, Stockton University removed approximately 10,000 square feet of paved parking areas and concrete pedestrian walkways.

The removal of the approximately 10,000 square feet of paved parking areas and concrete pedestrian walkways resulted in a reduction in impervious surfaces of approximately 10,000 square feet. App. No. 1981-1833.078 and the 1,250 linear feet of six foot wide concrete pedestrian walkways subject of this Report are located within the same drainage area. In combination, the two applications will result in an overall decrease in impervious surfaces of approximately 2,475 square feet.

There will be no increase in the volume and rate of stormwater runoff after the development of the proposed 1,250 linear feet of six foot wide concrete pedestrian walkways than occurred prior to the proposed development.

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

### **PUBLIC COMMENT**

The applicant has provided the requisite public notice. Newspaper public notice was completed on November 5, 2024. The application was designated as complete on the Commission's website on November 12, 2024. The Commission's public comment period closed on December 13, 2024. No public comment was submitted to the Commission regarding this application.

### **CONDITIONS**

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 20 sheets, prepared by Marathon Engineering & Environmental Services, all sheets dated March 28, 2018.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

**CONCLUSION**

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



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LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
Executive Director

## **PINELANDS COMMISSION** **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on January 7, 2025 and include the following information:

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

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



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 Lt. Governor

General Information: Info@pinelands.nj.gov  
 Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS  
 Chair  
 SUSAN R. GROGAN  
 Executive Director

## MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*  
 Planning Specialist

Date: December 27, 2024

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed 11 ordinance amendments that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

**Barnegat Township Ordinance 2024-29** – amends Chapter 55, Land Use, of the Code of Barnegat Township. The ordinance amends Section 55-123, Performance Guaranty, by revising the standards and procedures for the submission of as-built plans for substantially completed improvements that require the posting of a performance guaranty.

**Barnegat Township Ordinance 2024-33** – rezones two lots (Block 114, Lots 8.02 and 9.02), comprising approximately 8.5 acres, from the Neighborhood Commercial Zone East of the Parkway (CN Zone East) to the adjacent Residential-20 (R-20) Zone. The lots are currently vacant, under common ownership, and located outside of the State-designated Pinelands Area, but within a Regional Growth Area in the Pinelands National Reserve (PNR). In 2013, the Pinelands Commission certified the Township’s land development regulations and zoning plan for the PNR portion of the Township.

**Chesilhurst Borough Ordinance 4-2024** – adopts a Redevelopment Plan for 1000 Industrial Drive (Block 1302, Lot 5), dated May 2024. The redevelopment area is a vacant, 1.49-acre lot located in the Borough’s Industrial (I) Zone within a Regional Growth Area. The redevelopment plan maintains the existing permitted uses and land development standards of the underlying I Zone.

**Chesilhurst Borough Ordinance 2024-5** – amends Chapter 285, Land Development, and Chapter 406, Stormwater Control, of the Code of Chesilhurst Borough in response to two separate state-agency rule adoptions. The ordinance revises stormwater management regulations in response to the New Jersey Department of Environmental Protection (NJDEP) amendments to the statewide stormwater management regulations at N.J.A.C. 7:8, adopted July 17, 2023. The CMP incorporates various

provisions within N.J.A.C. 7:8 by cross-reference. The ordinance also revises water management regulations in response to amendments to the CMP, adopted December 4, 2023.

**Maurice River Township Ordinance 749** – amends Chapter 35, Land Development Regulations, of the Code of Maurice River Township. The ordinance revises the definitions of the terms “Restaurant” and “Village-Oriented Retail Use” to include wineries and breweries.

### **Medford Township Ordinances 2024-4A, 2024-4B, 2024-4BB**

**Ordinance 2024-4A** - repeals and replaces the Township’s Tree Removal and Replacement Ordinance. The ordinance applies to any person planning to remove a street tree with a diameter at breast height (DBH) of 2.5 inches or more or any non-street tree with a DBH of 6 inches or more. The ordinance provides standards for the removal and replacement of trees and details permit application requirements as well as a permit review process. The ordinance establishes thresholds for which removed trees must be replaced as well as the rate of tree replacement per tree removed. If some or all the replacement trees cannot be planted on the site where removal activity has occurred, the applicant shall pay a fee of \$400 per replacement tree that cannot be replanted onsite. Fees will be placed into a fund dedicated to tree planting and continued maintenance of trees. In the Pinelands Area portion of the Township, newly planted trees shall be selected from the list of native species provided at N.J.A.C. 7:50-6.25 and the Pinelands Commission “Native Pinelands Plants for Landscaping” fact sheet. The ordinance provides exceptions for various tree removal activities, including any trees removed on farmland assessed land and any trees removed as part of an approved forestry management plan or forestry stewardship plan.

**Ordinance 2024-4B** - amends Ordinance 2024-4A by revising the definition of the term “Emergency” to specify that an emergency tree may be removed immediately, without a fee, permit or replacement.

**Ordinance 2024-4BB** - amends Ordinance 2024-4A and 2024-4B by replacing the previously defined term “Emergency” with the term “Emergency Tree.” The ordinance also adds a provision that, if approved by Township emergency personnel, an emergency tree may be removed immediately without a fee, permit or tree replacement.

**Mullica Township Ordinance 2024-18** – amends Chapter 200, Stormwater Management, of the Code of Mullica Township. The ordinance revises stormwater management regulations in response to the NJDEP amendments to the statewide stormwater management regulations at N.J.A.C. 7:8, adopted July 17, 2023. The CMP incorporates various provisions within N.J.A.C. 7:8 by cross-reference.

**Mullica Township Ordinance 2024-22** – amends Chapter 144, Land Development, of the Code of Mullica Township. The ordinance re-adopts Ordinance 2024-19 – which revises water management regulations in response to amendments to the CMP, adopted December 4, 2023 – due to a procedural error.

**Stafford Township Ordinance 2024-38** – rezones various lots along Golfview Drive in the Township’s Regional Growth Area to recognize existing lot sizes and development patterns and to correct a prior zoning map error. Approximately 10 acres, comprising 28 lots (Block 44.59, Lots 9-19, 19.01, 20-24, 26, 27, 29-37) and 24 single-family dwelling units, are rezoned from the Recreation Open Space (ROS)

Zone to the Township's existing Residential (R-90) Zone. These lots were previously zoned R-90 prior to 2008.

Approximately 7.5 acres, comprising 2 lots (Block 44.59, Lots 8 and 18.01), are rezoned from the Municipal Land-Park (ML-P) Zone to the Municipal Land (ML) Zone. An additional 0.4 acres, comprising one lot (Block 44.61, Lot 24.02), is rezoned from the ROS Zone to the ML Zone. These latter three lots are owned by the Township, and the zoning change reflects their existing use by the Township's municipal utilities authority.