



PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

State of New Jersey  
THE PINELANDS COMMISSION  
PO Box 359  
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SEAN W. EARLEN  
Chairman  
NANCY WITTENBERG  
Executive Director

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

## MEMORANDUM

To: CMP Policy & Implementation Committee

From: Susan R. Grogan   
Chief Planner

Date: January 16, 2019

Subject: January 25, 2019 Committee meeting

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Enclosed please find the agenda for the Committee's upcoming meeting on January 25, 2019. We have also enclosed the following:

- The minutes from the Committee's November 30, 2018 meeting;
- Draft resolutions and reports on the Stafford Township and Winslow Township ordinances on the agenda; and
- A draft resolution and report on the January 2019 Pinelands Infrastructure Trust Fund Master Plan amendment, as well as copies of all written public comments received on the amendment.

/CS15

cc: All Commissioners (agenda only)



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## CMP POLICY & IMPLEMENTATION COMMITTEE MEETING

Richard J. Sullivan Center  
Terrence D. Moore Room  
15 C Springfield Road  
New Lisbon, New Jersey

January 25, 2019

9:30 a.m.

### Agenda

1. Call to Order
2. Pledge Allegiance to the Flag
3. Adoption of minutes from the November 30, 2018 CMP Policy & Implementation Committee meeting
4. Executive Director's Reports

Stafford Township Ordinance 2018-19, amending Chapter 211 (Zoning) of the Township's Code by revising planned unit development standards in the HMC (Highway Medical Commercial) Zone

Winslow Township Ordinance O-2018-025, adopting the Maressa Redevelopment Plan

5. Pinelands Infrastructure Trust Fund
  - Review of public comments
  - Recommendation for adoption of January 2019 Master Plan amendment
6. Update on an amended Memorandum of Agreement between the Pinelands Commission and the South Jersey Transportation Authority related to the Atlantic City International Airport
7. Public Comment

**CMP POLICY & IMPLEMENTATION COMMITTEE MEETING**

**Richard J. Sullivan Center  
Terrence D. Moore Room  
15 C Springfield Road  
New Lisbon, New Jersey  
November 30, 2018 - 9:30 a.m.**

**MINUTES**

**MEMBERS IN ATTENDANCE:** Chairman Sean Earlen, Robert Barr, Jordan Howell, Ed Lloyd and Richard Prickett

**MEMBERS ABSENT:** Candace Ashmun and Paul E. Galletta

**OTHER COMMISSIONER PRESENT:** Mark Lohbauer (as a non-member of this Committee, Commissioner Lohbauer did not vote on any matter)

**STAFF PRESENT:** Nancy Wittenberg, Stacey Roth, Larry L. Liggett, Susan R. Grogan, Gina Berg, Robyn Jeney, Paul Leakan and Betsy Piner. (Craig Ambrose, with the Governor's Authorities Unit, attended by telephone.)

**1. Call to Order**

Chairman Earlen called the meeting of the Comprehensive Management Plan (CMP) Policy and Implementation (P&I) Committee to order at 9:35 a.m.

**2. Pledge Allegiance to the Flag**

All present pledged allegiance to the Flag.

**3. Adoption of minutes from the September 28, 2018 CMP Policy & Implementation Committee Meeting**

Commissioner Prickett moved the adoption of the September 28, 2018 meeting minutes. Commissioner Barr seconded the motion. The minutes were adopted with all Committee members voting in the affirmative.

**4. Executive Director's Report**

**Medford Township 2018 Housing Element and Fair Share Plan and Ordinance 2018-16, adopting the Stokes Square Redevelopment Plan**

Ms. Grogan said that Medford Township had signed its agreement with the Fair Share Housing Center some time ago and has since adopted its Housing Element and Fair Share Plan, which

documents how the Township intends to meet its affordable housing obligation. She said that obligation will be met mostly outside the Pinelands Area through rezonings and projects on the north side of Route 70. She noted that the Township seemed particularly pleased that it had chosen to provide the bulk of the obligation outside the Pinelands Area but she added that it would not have been a problem for the Commission if these units had been proposed within Medford's Regional Growth Area (RGA). Medford has proposed one rezoning within the Pinelands Area.

Ms. Grogan said Medford has adopted Ordinance 2018-16, approving a Redevelopment Plan for the Stokes Square Redevelopment Area in order to implement one of the recommendations of the Fair Share Plan. She directed the Committee to Exhibit #1 of the meeting packet, depicting the 67-acre site, at the intersection of Stokes and Himmelein Roads, a portion of which contains some commercial development, including an office building and a bank along the road frontage, but the majority of which is vacant wetlands (as depicted in Exhibit 2). She said the Redevelopment Plan will allow a maximum of 120 units of senior apartments with Pinelands Development Credits (PDCs) required for 20 percent of the units. There will be no affordable units in the Stokes Road project; rather a monetary contribution from the developer to the Township's affordable housing trust fund will be used towards affordable housing units to be constructed in another project outside the Pinelands Area. Ms. Grogan directed the Committee to Exhibit # 3 the conceptual site plan, noting all the units will be contained within a single building of no more than 45' in height. She said additional nonresidential development will be permitted in the Stokes Square Redevelopment Area and public sewer and water will need to be extended to both the new apartment building and the existing office building. She said the development will be directed to the uplands area at the northern end of the parcel and at least 50 percent of the remainder of the parcel will be deed restricted open space or agriculture to preserve the scenic vistas of the community. She noted that "Cow Point", an area of permanently preserved open space, is directly across Stokes Road from this Redevelopment Area. Ms. Grogan noted that the increased residential density at this site is significantly greater than what the CMP prescribes for Medford's RGA. She added, as the project will be sewerred, a portion of the site is suitable for more intense development and the Plan mandates significant PDC use, thus CMP standards are met and staff is recommending its approval.

In response to questions from the Committee, Ms. Grogan said this is only one piece of the Township's agreement with the Fair Share Housing Center and the Township will be meeting its affordable housing obligation outside the Pinelands Area. She said the funding agreement between the developer and the Township is not an issue of concern to the Commission. She also said any increase in traffic on Stokes Road will be addressed on the basis of air quality as part of the development application and that the aesthetics of the height of the building is not a CMP standard to be addressed as this is a Regional Growth Area where no height limitations apply.

Ms. Roth added that the existing commercial development is a two-story building at a five-point signalized intersection. She said that is an issue of concern to Medford, not the Commission.

In response to a question from Commissioner Lloyd if the Commission would review the deed restriction for the remainder of the parcel, Ms. Grogan said the Commission will likely not see it until after it has been filed and then the protected lands will be mapped as part of our open space inventory.

In response to Commissioner Prickett's remark that the large proposed parking lot could accommodate many solar panels, Ms. Wittenberg said to require them would necessitate a CMP amendment.

Commissioner Lloyd moved the recommendation to the Commission of certification of Medford Township's 2018 Housing Element and Fair Share Plan and Ordinance 2018-16. Commissioner Barr seconded the motion and all voted in favor.

**5. Review of the Executive Director's recommendation to the Pinelands Commission as to the eligibility of a parcel for acquisition under the Limited Practical use program.**

Ms. Grogan said the applicant for participation in the Limited Practical Use (LPU) land acquisition program had been denied a waiver at the Commission's November 9, 2018 meeting. She said the property is located in the Rural Development Area of Buena Vista Township in the vicinity of a number of parcels acquired by the state. She said staff believes the property meets the eligibility requirements for the program and asked that the Committee recommend its eligibility to the full Commission.

Commissioner Lloyd moved the recommendation to the full Commission of the eligibility of a parcel for acquisition under the LPU program. Commissioner Prickett seconded the motion and all voted in favor.

**6. Update on the Pinelands Conservation Fund land acquisition projects and consideration of extension request.**

Ms. Jeney made a PowerPoint presentation on the Pinelands Conservation Fund (PCF) (*Attachment A to these minutes and posted at:*

<https://www.nj.gov/pinelands/home/presentations/2018%2011%2030%20P&I%20meeting%20Updates%20and%20Extensions.pdf>

Ms. Jeney said, of the four projects approved for PCF grants in 2017, three have closed while the remaining project is making progress but has requested an extension of time to secure certified market value and an executed grant agreement. Ms. Jeney said the Rancocas Conservancy is the applicant for this roughly 200-acre Katz property in Pemberton Township. She summarized the particularly desirable features of this property, noting that, although a PDC deed-restricted property, it has been subjected to much off-road vehicle damage and this current round of PCF funding is focused on preserving those properties that would benefit from better land stewardship to protect them from further such damage.

Ms. Jeney said, in recognition of the value received from the PDCs severed from the parcel, the landowner has agreed to lower the selling price and, in addition, has donated some \$2,500 towards the clean-up of the property through the Rancocas Conservancy Stewardship Fund. She noted that the Conservancy and the Pinelands Preservation Alliance (PPA) will be sponsoring a cleanup event at the site on December 1, 2018.

Ms. Jeney said the Conservancy has requested an extension beyond the current December 1, 2018 deadline to complete the remaining requirements of the project. Ms. Jeney said staff feels sufficient progress has been made for them to meet their objectives by May 31, 2019.

Ms. Jeney confirmed this Committee is authorized to grant an extension and the request does not require action by the full Commission.

Commissioner Lloyd moved the granting of an extension until May 31, 2019 for the Rancocas Conservancy to obtain certified market value and a grant agreement for the Katz property. Commissioner Prickett seconded the motion and all voted in favor.

Ms. Jeney concluded her presentation by saying, with the closing of the Katz property, the current round of the Pinelands Conservation Fund will have preserved some 779 acres.

## **7. Pinelands Infrastructure Trust Fund**

Ms. Berg made a PowerPoint presentation on proposed amendments to the Pinelands Infrastructure Trust Fund (PITF) and efforts to award some \$15 million in funds to appropriate projects (Attachment B to these minutes and posted at <https://www.nj.gov/pinelands/home/presentations/PITF%20Ranking%20&%20funding%20PI%20%2011-30-18.pdf>)

Ms. Berg said the PITF was established in 1985 with a goal of defraying the cost of infrastructure in the RGA while simultaneously offering land value equity to the landowners who had severed PDCs from the sending areas.

Ms. Berg reviewed the amendment process, noting that staff has engaged in extensive outreach by contacting municipalities, counties and utility authorities to determine infrastructure needs. She said the PITF is offered for water/sewer extensions, transportation and stormwater projects. She reviewed the proposed timeline, ranking criteria and funding formula as described in detail on the slides. She said, should the Committee choose to proceed, the next step will be a public hearing on a proposed PITF amendment in early 2019, after which staff will return to this Committee with a final recommendation for the ranking criteria and funding structure. The amendment would then go to the full Commission for approval. Ms. Berg reviewed the remainder of the steps involved in awarding funding for projects.

In response to Commissioner Howell's questions regarding the funding structure, Ms. Berg said the combination of grants and loans would allow the program to be appealing to the applicants while still providing some financial return to the PITF. She said the Commission can change that structure if it wishes. She also noted that during their outreach thus far, staff received no feedback regarding the financing structure.

Mr. Liggett said the program involves a lengthy process so it is not very competitive as a funding source. Staff feels the grants will make the program more appealing but could gauge the interest in grants vs. loans through the public hearing process. He said the previous awards were 40 percent grant, 40 percent loan and 20 percent local contribution but those allocations can be adjusted. He said he was concerned that little input will be received. He said staff had contacted all the RGA municipalities and the municipal utilities authorities but, thus far, there is little interest in the program. He said, during the outreach process, staff found some of the engineers are the same as from the late 1980's. He said he had been told of eight possible projects, but some may be very weak. He said there is no longer the strong demand for sewers as there had been in 1980 but there is a bigger interest in water supply projects. He noted concerns with protecting the Kirkwood-Cohansey aquifer and surface waters and that connecting to a public water supply is a significant expense.

In response to Commissioner Howell's question as to what sort of projects had he seen, Mr. Liggett summarized the following:

- a. Projects involving connecting to the New Jersey American public water supply, an option for municipalities on the western edge of the Pinelands
- b. Ocean County-one of the original PITF projects that was never completed (Manchester and Jackson townships)
- c. Atlantic County-project involving moving utilities at a "nightmare" road intersection with adjacent PDC protected lands
- d. A new development project in Monroe Township requiring public sewer and water
- e. Atlantic County-an acquisition project to preserve land for water recharge for the aquifer
- f. Ocean County-a project in the Dover Road vicinity
- g. Atlantic County: an innovative project involving "mining" an interceptor for reuse on a golf course, an expensive project
- h. Infiltration/inflow (i&i) projects to repair cracked and broken sewer pipes

In response to Commissioner Prickett's question regarding interceptors, Mr. Liggett explained that a sewer system is comparable to the branches of a tree with the local collector (branches) flowing to a series of increasingly larger interceptors. He said most Pinelands sewage flows to large regional treatment plants outside the Pinelands and from there to the Atlantic Ocean.

Mr. Liggett said Atlantic County is where most of the RGA development in the Pinelands occurs and where most of the PDCs are planned to be used. But, he said, the poor health of the casino industry has slowed development and there is little concern with current sewage capacity.

In response to Commissioner Prickett's question regarding injecting treated wastewater back into the ground, Mr. Liggett said there are projects in Buena Borough and Hammonton but currently most treated wastewater is going to the ocean. He said discharge to the ocean is unlikely to occur in the future as, world-wide, there is recognition of the need for groundwater recharge.

Commissioner Lohbauer asked about the status of the osmosis processing plant in Buena Borough and if that technology was being promoted elsewhere.

Mr. Liggett said that most municipalities do not have their own treatment plants; rather, they send their wastewater to large regional county plants. He added that the New Jersey Department of Environmental Protection (NJDEP) is looking at that system.

Mr. Wengrowski said Commissioner Lohbauer was referring to the membrane bioreactor system, similar to a reverse osmosis system but less expensive.

Mr. Liggett said the proposed PITF master plan amendment would offer a bonus for recharge but no entity is treating wastewater at 100 percent. He said one does not want to return slightly polluted wastewater to the groundwater.

Commissioner Lloyd said perhaps the municipal share is the biggest hurdle for a project.

Chairman Earlen said the municipalities will be challenged by upfront costs and debt service.

Mr. Liggett said Hammonton has been trying to repair its aging sewer system and could be a good candidate for a project but it is not in the RGA so is ineligible for PITF funding.

In response to Commissioner Lloyd's question regarding the cost of the eight potential projects that he had listed, Mr. Liggett said the Jackson/Manchester project would require roughly \$4 million in PITF funds while the Atlantic County intersection would be about \$1 million. He said he was unsure of the costs of the other potential projects and it is possible that there would be insufficient projects to use the entire \$15 million.

Commissioner Barr moved the recommendation that staff proceed with a public hearing on amendments to the PITF Master Plan. Commissioner Prickett seconded the motion and all voted in favor.

## **8. Update on the Long-Term Economic Monitoring Program: re-evaluation and recommendations**

Ms. Berg made a PowerPoint presentation on the Long-Term Economic Monitoring (LTEM) Program (Attachment C to these minutes and posted at:

<https://www.nj.gov/pinelands/home/presentations/Re-Eval%20PI%20Nov%202018.pdf>)

Ms. Berg said in May, staff had updated the Committee regarding the status of the re-evaluation process, including the panel discussions, the Rutgers report and the interest in providing the report in digital form on the web site using Socrata software. (The slide presentation from the May 18, 2018 meeting is located at:

<https://www.nj.gov/pinelands/home/presentations/0518%20economic%20monitoring.pdf>)

Ms. Berg provided the Rutgers' recommendations as well as those of staff. She noted that while the Rutgers report recommended studying 53 economic variables, staff recommended the continued study of 23 existing and addition of seven new variables, while researching an additional seven for possible future release and deferring action on the remaining 16.

Ms. Berg said Rutgers recommended continuing the current geographic comparisons and staff concurs. However, she said, staff felt the timing of quarterly report releases combined with increased number of variables recommended by Rutgers and the panels is not viable with the current staff size/resources and the limitations on data availability. Rather, staff is recommending a rolling release of data as they become available- (once the web-based platform is available)- with an annual executive summary or report to provide an overview.

Mr. Liggett said there was interest expressed by panelists and Rutgers in examining tourism but staff was unsure if a single measure exists on which data is collected. Staff put the tourism topic in the "Research" category to determine if it were possible to obtain local results that were meaningful and available on a regular basis.

Ms. Berg said Special Studies are periodically selected as part of the LTEM. She said staff received suggestions for tourism, ecotourism and ecological services.

Mr. Liggett says New Jersey studies ecological services state-wide and staff anticipates working with NJDEP to try to report on them within the Pinelands.

Ms. Berg's final slide provided a work plan timeframe, including the hiring of a new analyst in January 2019, as budgeted.

Ms. Wittenberg said this has been a long, but continuing, process.

Mr. Liggett said the LTEM will continue with rolling release of available data including the additional seven variables.

In response to Commissioner Howell's question as to what would be the benefit of rolling releases of information, Ms. Berg said, for all data, releasing them as they are available will benefit decision makers as they will have the most recent information on which to base those decisions.

Ms. Wittenberg said, in most cases, the Commission is collecting data gathered by others.

Mr. Liggett said currently, our lag time is long, perhaps at least a year, but the goal is to have the most recent data available.

Commissioner Lohbauer said, as a private sector data consumer, he appreciated knowing that data are the most recent available. Also, he urged staff to pursue the recommendations regarding tourism as he felt that is one of the most critical contributors to the Pinelands economy. He said tourism is one element in which the Pinelands stands apart from other areas.

Ms. Berg said for special studies, one must first assure that data are available.

Mr. Leakan noted that a recent copy of his monthly "press clips" had contained an article about NJDEP's release of information related to the number of visitors at various state parks.

In response to Commissioner Lloyd's question if the state park data were available, Ms. Berg said the data could be provided but State park visitor data does not fit the geography used in the report. She was unsure if the inside Pinelands/outside municipalities comparison could be applied.

Commissioner Prickett asked if climate assessment and its effects on the Pinelands economy could be a component of the LTEM report.

Ms. Berg said the Federal Emergency Management Agency (FEMA) has flood data that might be available at a municipal level geography. However, that data does not explain whether the flooding is climate-based, nor could the LTEM report do so as it only reflects available data.

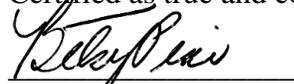
## **9. Public Comment**

Dr. Jonathan Peterson, with the City University of New York, distributed a document (*Attachment D to these minutes*) from which he read a portion asking, "Now that 50 percent of the Pinelands is preserved, what is the future regarding conservation vs. development efforts?"

Ms. Wittenberg announced that an Open House will be held on December 11, 2018 for the new visitors center (*Candace McKee Ashmun Pinelands Education Exhibit*). She said Mr. Jonathan Meade, who may become the Secretary of the Interior's designee to the Commission, is planning to attend. She said she hoped the current Commission members would also attend.

There being no other items of interest, Commissioner Barr moved the adjournment of the meeting and Commissioner Prickett seconded the motion. The meeting was adjourned at 10:50 a.m.

Certified as true and correct:



Betsy Finer,  
Principal Planning Assistant

Date: January 14, 2019





## PCF Updates

**Status**

Of the **4** projects granted PCF allocations:

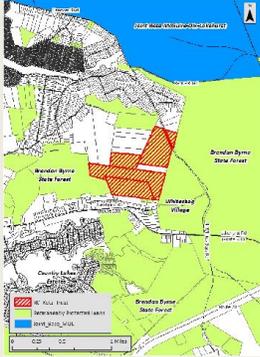
- 🌲 **3** have closed (579 acres)!
- 🌲 **1** has made progress and is requesting an extension



Photo by Paul Leokan, NJPC



## Rancocas Conservancy: Katz



Map prepared by Robyn A. Jeney, NJPC

**Location:**

- Pemberton Township
- Agricultural Production Area
- Adjacent to >37,000 acres of permanently protected lands

**Features:**

- 200 acres (approx.)
- PDC deed-restricted
- Forested wetlands, tributaries, pond
- T&E species habitat
- Paleodune
- Off-road vehicle damage



## Rancocas Conservancy: Katz

Project Details	
Size (est.):	200.49 acres
Total Cost:	\$122,000 (\$609/acre)
Appraised Value:	\$200,000
PCF Allocation:	\$66,667 (33.3% of appraised value)
Ultimate Landowner:	Rancocas Conservancy

Project Status	
Contract?	YES
Appraisal(s)?	YES
CFMV?	requested
Grant Agreement?	NO
Extension Requested?	YES
Extension Recommended?	YES – 5/31/2019



Photos by Paul Leokan, NJPC



## Rancocas Conservancy: Katz

Project Details	
Size (est.):	200.49 acres
Total Cost:	\$122,000 (\$609/acre)
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Project Status	
Contract?	YES
Appraisal(s)?	YES
CFMV?	requested
Grant Agreement?	NO
Extension Requested?	YES
Extension Recommended?	YES – 5/31/2019

**Extend deadline to May 31, 2019?**  
 → certified market value and executed grant agreement

Photos by Paul Leskan, NIPC



## 2017 PCF Available Funds





Initial funds available: **\$500,000**

Allocation Area	Allocated	Paid	Acres
Forked River Mtns	\$ 54,363	\$ 54,363	43.6
Ocean Co. Forest	\$184,815	\$184,815	96.6
Sooy Place Road	\$169,000	\$169,000	438.8
Contingency	\$ 66,667	--	200
<b>Total</b>	<b>\$474,845</b>	<b>\$408,178</b>	<b>779</b>



Photos by Paul Leskan, NIPC



## Pinelands Infrastructure Trust Fund (PITF) Master Plan Amendment for Ranking Criteria and Funding Structure

P & I Committee  
11/30/18

1 11/30/2018

## PINELANDS PROTECTION BOND ACT of 1985



The intended uses of PITF: fund transportation, wastewater treatment, water supply, and other infrastructure systems in Regional Growth and encourage land preservation via PDC severance.

Funding available now is approximately \$15M

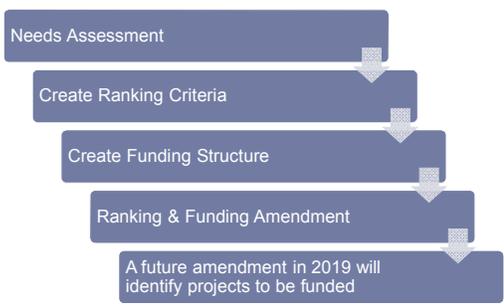
2 11/30/2018

## Pinelands Commission Role

- Commission must propose PITF Infrastructure Master Plan (IMP) Amendments
  - Criteria for projects
  - Funding structure
  - Select projects for funding
- DEP/ WB administers the funding after review and consideration of Commission IMP

3 11/30/2018

## Amendment Process



```

graph TD
    A[Needs Assessment] --> B[Create Ranking Criteria]
    B --> C[Create Funding Structure]
    C --> D[Ranking & Funding Amendment]
    D --> E[A future amendment in 2019 will identify projects to be funded]
  
```

4 11/30/2018

## Needs Assessment



**Outreach**

- Letters (towns, utility authorities, counties) – July & August
- Phone calls – August - October
- Meetings – upon request



**Responses**

- Water and sewer extensions
- Transportation infrastructure
- Other Wastewater (stormwater)

5 11/30/2018

## Ranking Criteria

- Mandatory Requirements (90 points)
- Bonus Factors (70 points, max.)
- Total possible points for any project is 160

6 11/30/2018

### Mandatory Requirements – up to 100 points

- New Development/ New Infrastructure**
  - Regional Growth Area
  - Project will serve new development OR Redevelopment where infrastructure limits growth
  - No points – basic standard for PITF funding
- Local matching funds**
  - 10% of PITF award costs must be matched (more points for higher match)
  - Non-PITF funds (any non-Fed source)
- PDC use**
  - Must serve area zoned for PDC use to encourage success of preservation program
  - More points for greater numbers of potential PDCs
- Level of service**
  - Number of dwelling units to be served
  - More units = more points

7 11/30/2018

### 7 Bonus Factors – can add up to 70 points

- Development meets EPA WaterSense water conservation standards
- Stormwater/green infrastructure practices exceed current CMP requirements
- Non-Kirkwood/Cohansey water source
- Lower cost in PITF funding per residential unit
- Municipal ordinance requires use of PDCs for at least 16.7% of market rate residential units
- Project recharges wastewater to groundwater
- Zoned for residential development at net density >3.7 du/ac

8 11/30/2018

### Proposed Funding Formula

In cases of hardship, the local match may be waived allowing for 50% grant  
Federal funding must be deducted from project costs

9 11/30/2018

### Funding Details

- Eligible Costs**
  - Land acquisition
  - Engineering, planning, legal, other professional services
  - Administrative expenses incident to project
  - Establishment of working capital
- Interest Rate**
  - 1% Proposed
  - Not more than 50% of average Bond Buyer Municipal Index for preceding 26 weeks
  - 30-year
- Restrictions**
  - Federal funding must be deducted from project costs and that portion is not eligible for PITF funding

10 11/30/2018

### Next Steps

- Public hearing on First Amendment in January
- P & I report on public hearing in February
- Commission adopts First Amendment in March 2019
- Request for Project Proposals issued in March 2019
- Second Amendment for Projects recommended for Funding to P & I in June 2019
- Second Amendment Public hearing July 2019
- P & I in August for hearing report
- Commission resolution in September 2019

11 11/30/2018

12 11/30/2018

## Ongoing LTEM Re-Evaluation

November 2018

## Progress to Date

- Interested parties round table
- Experts round table
- Rutgers review & report
- Socrata exploration ongoing

## Re-Evaluation Steps Needed

- Nov 2018 • Evaluate Rutgers recommendations for expanded economic indicators in detail
- June 2019 • Set "final" Variables List, Reporting Frequency & Presentation Format (e.g., Socrata)
- (FY20) • Staff review & recommendation on special study

## Rutgers Recommendations

- Geography
- Reporting Frequency
- Variables or Indicators

## Staff Concerns

Level of Effort vs. Ideal

- Staffing: additional data & processing time
- NPS contract: continued funding for FY 19 = \$298,500 total, +/- 50% to Economic Monitoring
- Learning curve: new reporting mechanism and in-house process
- All changes are additive for tasks, except Fact Book which would be replaced by Socrata
- Pinelands/ Non-Pinelands regional comparison

## Staff Recommendations

- Geography
- Reporting Frequency
- Variables

### Staff Recommended Geography

Retain  
current  
geographies

- Municipal Fact Book
- Pinelands Region
- Southern New Jersey
- State
- Concur with Rutgers

### Staff Recommendations on Report Frequency

Update  
Report  
variables on  
rolling basis

- After processed and reviewed in-house
- Presented through interactive web-based tool
- Change variables/ Add variables?

Annual  
Executive  
Summary or  
Data Brief

- Regional comparisons
- Selected variable highlighted
- Regional comparisons

### Staff Recommendations on Report Variables

Four  
Actions  
on  
Variables

- Existing (23)
- Add (7)
- Research (7)
- Deferred (16)

### Staff Recommendation on Reported Variables

Category Character	# of Variables Proposed	# Existing Variables	# Variables to Add	# Variables to Research	# Variables Deferred
Commercial Variables*	2	0	1	1	0
Economy & Employment Variables	13	9	1	0	3
Economic Development Variables	2	0	0	0	2
Municipal Finance Variables	7	5	0	1	1
Infrastructure Variables	3	0	0	0	3
Land Variables*	4	0	2	0	2
Population Variables	7	5	1	0	1
Preserved Land Variables	3	1	2	0	0
Quality of Life Variables	1	0	0	1	0
Residential & Housing Variables	9	3	0	2	4
Tourism Variables	2	0	0	2	0
<b>Totals</b>	<b>53</b>	<b>23</b>	<b>7</b>	<b>7</b>	<b>16</b>

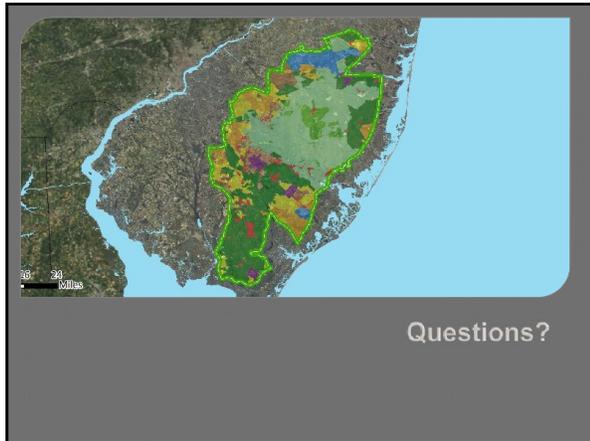
### Staff Recommendation for Special Study

Consider panel &  
other  
suggestions

Select and  
conduct

### Work Plan Timeframe

- Hire New analyst : January
- Socrata (or ESRI): February/March
- Introduce new web-based "Fact Book": March - April
- Ongoing research on re-evaluation variables: January - June
- Selection of Special Study area: next summer/fall



## **The Pinelands at 50% - An opportunity to discuss alternative futures**

Jonathan Peters, Ph.D. – Professor of Economics & Earth and Environmental Science

The City University of New York Graduate School

November 4, 2018

### A Policy Perspectives White Paper:

The Pinelands Commission at their October 2018 monthly meeting announced that the 50% of the lands captured within the Pinelands Commission jurisdiction were now under public ownership, conservation easements, farmland protection or were owned by public trusts. This watershed event creates and opportunity for reflection on the purpose of the Pinelands Commission and the value of public and conserved lands in the State of New Jersey and the Nation. Public and conserved lands have a long history in the United States with varying degrees of use and development allowed within their borders. This variation reflects the diverse public and regional beliefs regarding public lands. At the extremes, the staunch preservations argue for extensive wilderness areas with limited trails and public access while ranching and mining interests have long argued for allowing extractive and extensive private use of public lands via mining claims and grazing permits.

The Pinelands Region sits in a unique area of the United States, with large population centers both North (New York City and Suburbs) and West (Philadelphia and Suburbs) and represents an opportunity for public access to natural areas to the roughly 10% of the Nation's population that lives within a two-hour drive of the Pinelands. This proximity to significant population centers also creates potential pressures for development. One important area to consider is how the regional planners should be guided as to use and access over the next 50 years. The 50% threshold event offers us an opportunity to consider the alternatives. Should the Pinelands Commission continue to push to expand the conservation percentage or should the further focus of Pinelands policy be directed towards balanced growth and economic activity enhancement.

Getting to the 50% was a clear and serious goals for the Pinelands Commission and conservation advocates – and while not a direct policy goal – the reality of a round number creates a natural time for reflection or pause – just like a milestone birthday. The Pinelands district was set aside and the Pinelands Commission created in 1974 and they created the Comprehensive Management Plan (CMP) which was adopted in 1978. At that time, the potential for large scale commercial development loomed large over the Pinelands. A proposed super Jetport had been planned for the Wharton Tract and other projects of scale were pressing in on the largest open spaces on the Eastern Seaboard. With the adoption of the CMP and subsequent land use and policy programs, the Pinelands today hosts a broad range of recreational and commercial activities. Yet all is not well in the Pinelands, with an aging population, financially frail farms, limited job opportunities and generally low local wages. Thus, as we move forward past 50%, can we consider alternative paths that might create more economic vitality while still preserving the natural and cultural resources of the region? Further, can we propose and implement a series of adjustments to our preservation policies that will allow for economic and social stability of the region. Does a Pinelands region with 60% public or conserved lands represent a logical goal or does the focus of public policy need to shift to a balanced growth/preservation model?



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

**NO. PC4-19-**\_\_\_\_\_

**TITLE:** Issuing an Order to Certify Ordinance 2018-19, Amending Chapter 211 (Zoning) of the Code of Stafford Township

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

**WHEREAS**, on October 7, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Stafford Township; and

**WHEREAS**, Resolution #PC4-83-89 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 #PC4-83-89 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 11, 2018, Stafford Township adopted Ordinance 2018-19, amending Chapter 211 (Zoning) of the Township’s Code by revising the standards applicable to planned unit developments in the HMC (Highway Medical Commercial Zone); and

**WHEREAS**, the Pinelands Commission received a certified copy of Ordinance 2018-19 on October 24, 2018; and

**WHEREAS**, by letter dated November 15, 2018, the Executive Director notified the Township that Ordinance 2018-19 would require formal review and approval by the Pinelands Commission; and

**WHEREAS**, a public hearing to receive testimony on Ordinance 2018-19 was duly advertised, noticed and held on December 12, 2018 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

**WHEREAS**, the Executive Director has found that Stafford Township Ordinance 2018-19 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 2018-19, amending Chapter 211 (Zoning) of the Code of Stafford Township, is in conformance with the Pinelands Comprehensive Management Plan; and

**WHEREAS**, the Commission’s CMP Policy and Implementation Committee has reviewed the Executive Director’s report and has recommended that Ordinance 2018-19 be certified; and

**WHEREAS**, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2018-19 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 Ordinance 2018-19, amending Chapter 211 (Zoning) of the Code of Stafford Township, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Stafford 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*			
Ashmun				Howell				Prickett			
Avery				Jannarone				Quinn			
Barr				Lloyd				Rohan Green			
Chila				Lohbauer				Earlen			
Galletta				Pikolycky							

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

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

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Nancy Wittenberg  
Executive Director

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Sean W. Earlen  
Chairman



State of New Jersey  
 THE PINELANDS COMMISSION  
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PHILIP D. MURPHY  
 Governor  
 SHEILA Y. OLIVER  
 Lt. Governor

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

SEAN W. EARLEN  
 Chairman  
 NANCY WITTENBERG  
 Executive Director

**REPORT ON ORDINANCE 2018-19, AMENDING CHAPTER 211 (ZONING)  
 OF THE CODE OF STAFFORD TOWNSHIP**

January 25, 2019

Stafford Township  
 260 E. Bay Avenue  
 Manahawkin, NJ 08050

**FINDINGS OF FACT**

I. Background

The Township of Stafford is located in the southern portion of Ocean County, in the eastern section of the Pinelands Area. Pinelands municipalities that abut Stafford Township include the Townships of Barnegat, Eagleswood and Little Egg Harbor in Ocean County and the Townships of Woodland and Bass River in Burlington County.

On October 7, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Stafford Township.

On September 11, 2018, Stafford Township adopted Ordinance 2018-19, amending Chapter 211 (Zoning) of the Township’s Code by revising the standards applicable to planned unit developments in the HMC (Highway Medical Commercial Zone). The HMC Zone is located in a Pinelands Regional Growth Area. The Pinelands Commission received a certified copy of Ordinance 2018-19 on October 24, 2018.

By letter dated November 15, 2018, the Executive Director notified the Township that Ordinance 2018-19 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 2018-19, amending Chapter 211 (Zoning) of the Code of Stafford Township, introduced on August 14, 2018 and adopted on September 11, 2018.

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. 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 2018-19 amends Chapter 211 (Zoning) of the Code of Stafford Township by revising the standards applicable to planned unit developments in the HMC (Highway Medical Commercial) Zone. Specifically, Ordinance 2018-19 provides that long-term care facilities, assisted living facilities, residential health care facilities, age-restricted independent living and continuing care retirement communities may be permitted as part of a planned unit development. Ordinance 2018-19 also reduces the maximum number of age-restricted, market rate units permitted in a planned unit development from 239 to 125 and specifies that a maximum of 110 assisted living or continuing care retirement community units may be permitted.

The HMC Zone is located along Route 72, in a Pinelands Regional Growth Area (see Exhibit #1). In total, the HMC Zone encompasses approximately 75 acres, the majority of which is already developed for hospital and related uses. Permitted uses in the HMC Zone include hospitals, medical offices and facilities, hotels, schools, restaurants, banks, child care centers, long-term care facilities, assisted living facilities, residential health care facilities and continuing care retirement communities. Planned unit developments that contain offices, retail uses and multifamily dwellings are also permitted. Such planned unit developments require a minimum of 25 acres and are subject to a maximum residential density requirement of 13 units per acre. Ordinance 2018-19 expands the types of residential uses permitted in a planned unit development to include assisted living facilities, age-restricted independent living and continuing care retirement communities but does not change the permitted density. It remains the same at 13 units per acre; thus, Ordinance 2018-19 has no impact on the residential zoning capacity of the Township's Regional Growth Area.

It is worth noting that within Regional Growth Areas, the CMP provides that Pinelands municipalities may permit any use, with the exception of certain waste management facilities, provided residential density and opportunities for the use of Pinelands Development Credits are appropriately accommodated. The CMP also expressly authorizes assisted living facilities as a permitted use in Regional Growth Areas pursuant to N.J.A.C. 7:50-5.34, which sets forth specific standards for such uses. Among these standards is the establishment of a permitted residential density applicable to assisted living facilities. Ordinance 2018-19 satisfies this requirement by establishing a permitted density of 13 units per acre, which while quite a bit higher than required by the CMP for Stafford's Regional Growth Area, is nevertheless appropriate given the intensity of surrounding development, developability of vacant lands in the HMC Zone and availability of infrastructure.

Ordinance 2018-19 is 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**

Not applicable.

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

Not applicable.

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

Not applicable.

**6. Review of Local Permits**

Not applicable.

**7. Requirement for Capital Improvement Program**

Not applicable.

**8. Accommodation of Pinelands Development Credits**

Ordinance 2018-19 adds assisted living facilities, age-restricted independent living and continuing care retirement communities to the list of uses permitted as part of a planned unit development in Stafford Township's HMC Zone. All of these residential uses will be subject to the density and Pinelands Development Credit requirements previously established by the Township for such planned unit developments. Specifically, a maximum density of 13 units per acre is permitted and the redemption of Pinelands Development Credits is required for 30 percent of all market rate units. As noted previously, Ordinance 2018-19 does not increase residential zoning capacity or the number of PDCs that may be used in the HMC Zone. It merely expands the types of residential development that are permitted.

With respect to assisted living facilities in the Regional Growth Area, the CMP specifies that PDC use must be accommodated when the density of such facilities exceeds 8 units per acre. Rather than establishing a base density of 8 units per acre, Ordinance 2018-19 requires that PDC use be a significant component of any assisted living project, regardless of density. Thirty percent of all assisted living facility units will require the redemption of PDCs, whether an assisted living facility is constructed at a density that exceeds 8 units per acre or not. This approach is consistent with the intent of N.J.A.C. 7:50-5.34(a)(2) of the CMP.

Rather than relying on the traditional approach of providing developers with the *option* of using PDCs to increase permitted density, Ordinance 2018-19 *guarantees* a PDC redemption rate of 30 percent for all permitted types of residential development in the HMC Zone. While this 30 percent requirement is not as high a number as would be provided through the more traditional zoning approach where PDCs would account for 33 percent of the total number of permitted units, it is important to remember that the traditional base density/bonus density approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance 2018-19 *guarantees* that PDCs will be redeemed as part of any residential development in the HMC Zone, regardless of the type or number of units that are ultimately built. Given the greater certainty provided by this approach and the relatively high density permitted in the HMC Zone, the Executive Director believes that the 30 percent PDC requirement adopted by Ordinance 2018-19 should be viewed as being consistent with Comprehensive Management Plan standards.

This standard for certification is met.

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

Not applicable.

**10. General Conformance Requirements**

Ordinance 2018-19 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. This standard for certification is met.

**11. Conformance with Energy Conservation**

Not applicable.

**12. Conformance with the Federal Act**

Ordinance 2018-19 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**

Not applicable.

**PUBLIC HEARING**

A public hearing to receive testimony concerning Stafford Township's application for certification of Ordinance 2018-19 was duly advertised, noticed and held on December 12, 2018 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which no testimony was received.

Written comments on Ordinance 2018-19 were accepted through December 19, 2018; however, no such comments were received.

**CONCLUSION**

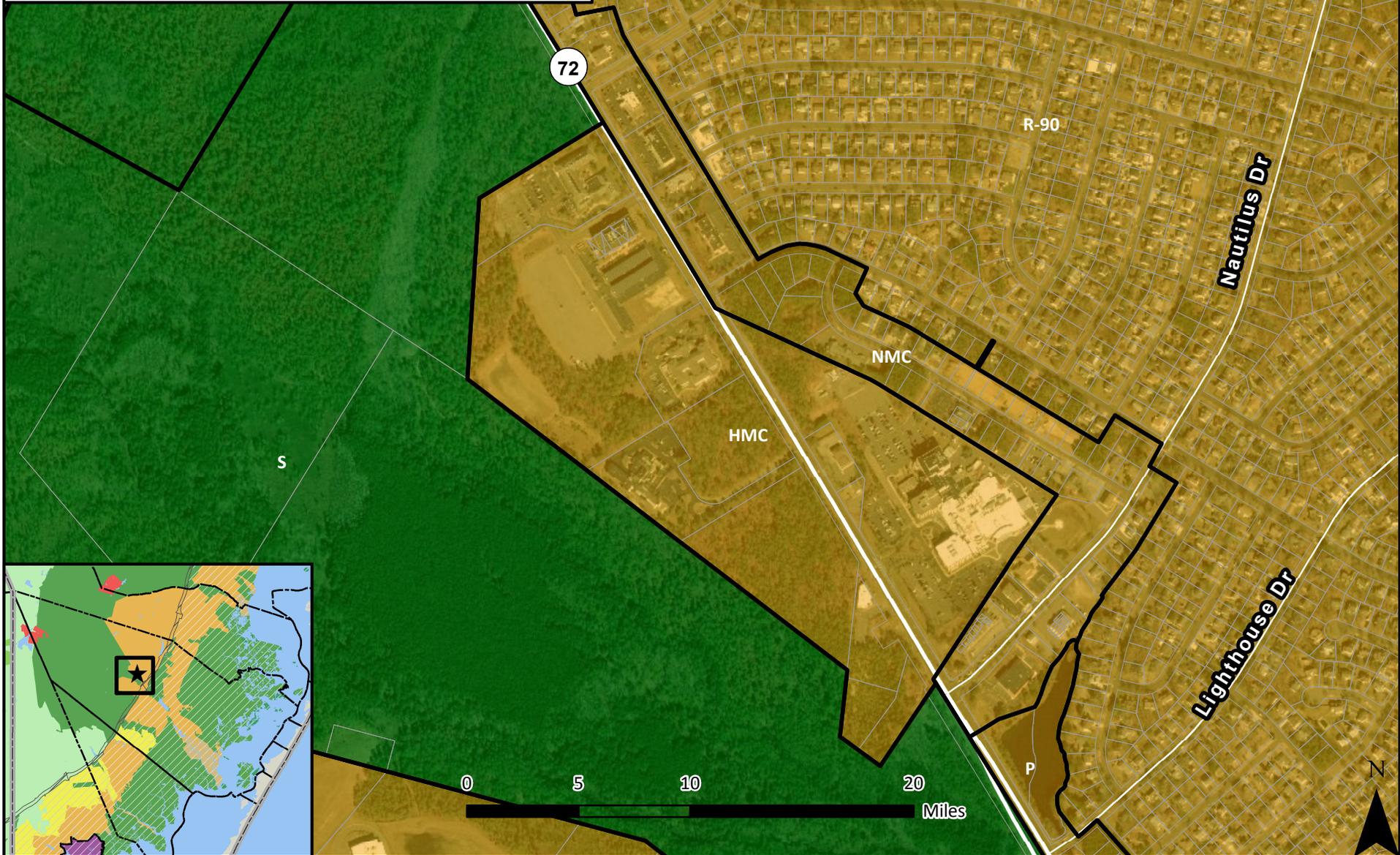
Based on the Findings of Fact cited above, the Executive Director has concluded that Ordinance 2018-19, amending Chapter 211 (Zoning) of the Code of Stafford Township, complies with Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 2018-19 of Stafford Township.

SRG/CST  
Attachment

# Highway Medical Commercial (HMC) Zone

Executive Director's Report  
Stafford Ordinance 2018-19  
Exhibit 1  
1/25/2019

- Existing Zoning
- Parcels
- Pinelands Management Areas
  - Forest Area
  - Regional Growth Area





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

**NO. PC4-19-\_\_\_\_\_**

**TITLE:** Issuing an Order to Certify Winslow Township Ordinance O-2018-025, Adopting the Maressa Redevelopment Plan

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

**WHEREAS**, on April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Winslow Township; and

**WHEREAS**, Resolution #PC4-83-30 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 #PC4-83-30 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 November 20, 2018, Winslow Township adopted Ordinance O-2018-025, approving a redevelopment plan for the Maressa Redevelopment Area in the Pinelands Regional Growth Area; and

**WHEREAS**, the Pinelands Commission received a certified copy of Ordinance O-2018-025 on November 28, 2018; and

**WHEREAS**, by letter dated November 30, 2018, the Executive Director notified the Township that Ordinance O-2018-025 would require formal review and approval by the Pinelands Commission; and

**WHEREAS**, a public hearing to receive testimony on Ordinance O-2018-025 was duly advertised, noticed and held on January 9, 2019 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

**WHEREAS**, the Executive Director has found that Winslow Township Ordinance O-2018-025 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 Winslow Ordinance O-2018-025, adopting the Maressa Redevelopment Plan, is in conformance with the Pinelands Comprehensive Management Plan; and

**WHEREAS**, the Commission’s CMP Policy and Implementation Committee has reviewed the Executive Director’s report and has recommended that Ordinance O-2018-025 be certified; and

**WHEREAS**, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance O-2018-025 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 Winslow Township Ordinance O-2018-025, adopting the Maressa Redevelopment Plan, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Winslow 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*			
Ashmun				Howell				Prickett			
Avery				Jannarone				Quinn			
Barr				Lloyd				Rohan Green			
Chila				Lohbauer				Earlen			
Galletta				Pikolycky							

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

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

---

Nancy Wittenberg  
Executive Director

---

Sean W. Earlen  
Chairman



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PHILIP D. MURPHY  
 Governor  
 SHEILA Y. OLIVER  
 Lt. Governor

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

SEAN W. EARLEN  
 Chairman  
 NANCY WITTENBERG  
 Executive Director

**REPORT ON WINSLOW TOWNSHIP ORDINANCE O-2018-025,  
 ADOPTING THE MARESSA REDEVELOPMENT PLAN**

January 25, 2019

Winslow Township  
 125 South Route 73  
 Winslow Township, NJ 08037

**FINDINGS OF FACT**

I. Background

The Township of Winslow is located on the western fringe of the Pinelands Area, in Camden County. Pinelands municipalities adjacent to Winslow Township's Pinelands Area include the Boroughs of Berlin and Chesilhurst and the Township of Waterford in Camden County, the Township of Monroe in Gloucester County, and the Town of Hammonton and the Borough of Folsom in Atlantic County.

On April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Winslow Township.

On November 20, 2018, Winslow Township adopted Ordinance O-2018-025, approving a redevelopment plan for the Maressa Redevelopment Area in the Pinelands Regional Growth Area. The Pinelands Commission received a certified copy of Ordinance O-2018-025 on November 28, 2018.

By letter dated November 30, 2018, the Executive Director notified the Township that Ordinance O-2018-025 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 O-2018-025, adopting the Maressa Redevelopment Plan, introduced on September 25, 2018 and adopted on November 20, 2018.

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. 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 O-2018-025 adopts a Redevelopment Plan, dated September 20, 2018, for the Maressa Redevelopment Area. This new Redevelopment Area consists of four lots (Block 1502, Lots 10, 25 and 33 and Block 2502, Lot 15) and is located on Route 73 near the municipality's northern border (see Exhibit #1). In total, 105 acres are included in the new redevelopment area, 29 of which were previously located in the PC-2 (Commercial) Zone and 76 of which were in the PTC (Pinelands Town Center) Zone where a mix of residential and commercial uses is required. The entire redevelopment area is currently vacant and located in a Pinelands Regional Growth Area.

The purpose of the Maressa Redevelopment Plan is to facilitate a mix of commercial and residential uses in the Redevelopment Area, with commercial uses along the highway (Route 73) and residential development toward the rear of the parcels. To that end, permitted uses in the Redevelopment Area include single-family dwellings and townhouses, as well as a variety of nonresidential uses including offices, research facilities, hospitals, retail stores, banks, restaurants and gas stations. All such nonresidential uses must be located within 600 feet of the Route 73 right of way. A maximum density of five units per acre is permitted for single-family dwellings. Townhouses are permitted at a density of eight units per acre on Block 2502, Lot 15 and at five units per acre on the other lots in the Redevelopment Area. The acquisition and redemption of Pinelands Development Credits is required for 25 percent of all residential units in the Redevelopment Area. No exemption for affordable housing units has been provided because the Redevelopment Plan does not require that any of the new units be made affordable to low and moderate income households. Any development that occurs within the redevelopment area must comply with all other municipal application requirements and development regulations, as well as the Comprehensive Management Plan.

The Maressa Redevelopment Plan provides an opportunity for development of 594 units in Winslow's Regional Growth Area, nearly 400 more than permitted by the underlying zoning plan. The permitted densities in the Redevelopment Area are significantly higher than that prescribed by the Comprehensive Management Plan, which requires the Township to zone for a density of only 1.125 units per upland acre in its Regional Growth Area. However, the Comprehensive Management Plan does provide municipalities with the ability to zone portions of their Regional Growth Areas for higher densities, provided the lands in question are appropriate for more intensive development, infrastructure exists or can be provided to support the increased density and sufficient opportunities for the use of Pinelands Development Credits are provided. The Maressa Redevelopment Area meets these standards, as detailed below.

In terms of environmental conditions, several of the lots included in the Redevelopment Area do contain a significant amount of wetlands (see Exhibit #2). Field delineation of the wetlands will be required to determine their exact extent as well as required wetlands buffer areas. The Redevelopment Plan acknowledges these wetlands constraints and appropriately permits a variety of housing types as well as the ability to reduce lot area and bulk requirements through cluster development as a means of providing design flexibility for future residential development projects. These measures provide a reasonable opportunity for the permitted densities to be achieved, as is required pursuant to N.J.A.C. 7:50-3.39(a)2vii, while ensuring that CMP wetlands protection standards are met.

With respect to the availability of infrastructure to serve the Redevelopment Area, both water and sewer will be provided. Importantly, a 2017 amended Memorandum of Understanding amongst the Commission, Winslow Township and the Camden County Municipal Utilities Authority sets forth a plan for the provision of water to the Township's entire Regional Growth Area in a manner that ensures protection to the Kirkwood/Cohansey aquifer. The Memorandum of Understanding requires that water from a non-Kirkwood/Cohansey source be provided to serve future development once water demands reach a certain point.

The third condition for approval of increased densities and zoning capacity relates to the accommodation of Pinelands Development Credit opportunities. As discussed in more detail in Section 8 of this report, the Redevelopment Plan requires the use of Pinelands Development Credits for 25 percent of all residential units in the Redevelopment Area, regardless of project density. Thus, Pinelands Development Credit use has not only been accommodated, it has been guaranteed in the Redevelopment Area.

Ordinance O-2018-025 is 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**

Not applicable.

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

Not applicable.

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

Not applicable.

**6. Review of Local Permits**

Not applicable.

## 7. Requirement for Capital Improvement Program

Not applicable.

## 8. Accommodation of Pinelands Development Credits

Ordinance O-2018-025 adopts a new redevelopment plan for a portion of Winslow Township's Regional Growth Area. Based on this plan, 594 units will be permitted in the Maressa Redevelopment Area, with the use of Pinelands Development Credits (PDC) required for 25 percent of all proposed units. No exemption for affordable housing units is provided, as the Township's Housing Element and Fair Share Plan do not call for any such units in the Redevelopment Area. The result is increased residential zoning capacity and opportunities for the redemption of PDCs in the Township's Regional Growth Area. A maximum of 594 new units can be developed, which would require the redemption of 149 rights (37.25 PDCs). These numbers are well in excess of what the Comprehensive Management Plan prescribes for Winslow's Regional Growth Area.

It is important to note that the new Maressa Redevelopment Area standards described above represent a departure from the traditional zoning and PDC strategy outlined in N.J.A.C. 7:50-5.28(a). This section of the Comprehensive Management Plan anticipates that municipalities will establish "base" densities in their various Regional Growth Area zoning districts and then provide opportunities to increase such densities through the use of PDCs. In Winslow's Regional Growth Area, the Comprehensive Management Plan establishes a "base" density of 1.125 units per developable acre and directs the Township to provide for "bonus" density through the use of PDCs to allow for a total of 1.69 units per developable acre. There is nothing in the CMP that prevents municipalities from exceeding these minimum requirements, which is exactly what Winslow Township has elected to do. The Township has chosen to provide for higher density in the Maressa Redevelopment Area as a means of facilitating a mixture of housing types and attracting additional commercial ratables on a major highway. At the same time, the Township has adopted standards to ensure that PDC use will be a significant part of any redevelopment project.

Rather than relying on the traditional approach of providing developers with the *option* of using PDCs to increase permitted density, Ordinance O-2018-025 *guarantees* a PDC redemption rate of 25 percent for all residential development within the Redevelopment Area, regardless of project density. Given the greater certainty provided by the Township's overall approach in terms of PDC use, the Executive Director finds that the PDC requirements adopted by Ordinance O-2018-025 are consistent with Comprehensive Management Plan standards. This standard for certification is met.

## 9. Referral of Development Applications to Environmental Commission

Not applicable.

**10. General Conformance Requirements**

Ordinance O-2018-025 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. This standard for certification is met.

**11. Conformance with Energy Conservation**

Not applicable.

**12. Conformance with the Federal Act**

Ordinance O-2018-025 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 established by Ordinance O-2018-025 does not include lands that are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated and this standard for certification is met.

**PUBLIC HEARING**

A public hearing to receive testimony concerning Winslow Township's application for certification of Ordinance O-2018-025 was duly advertised, noticed and held on January 9, 2019 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which no testimony was received.

Written comments were accepted through January 11, 2019; however, no such comments were received.

**CONCLUSION**

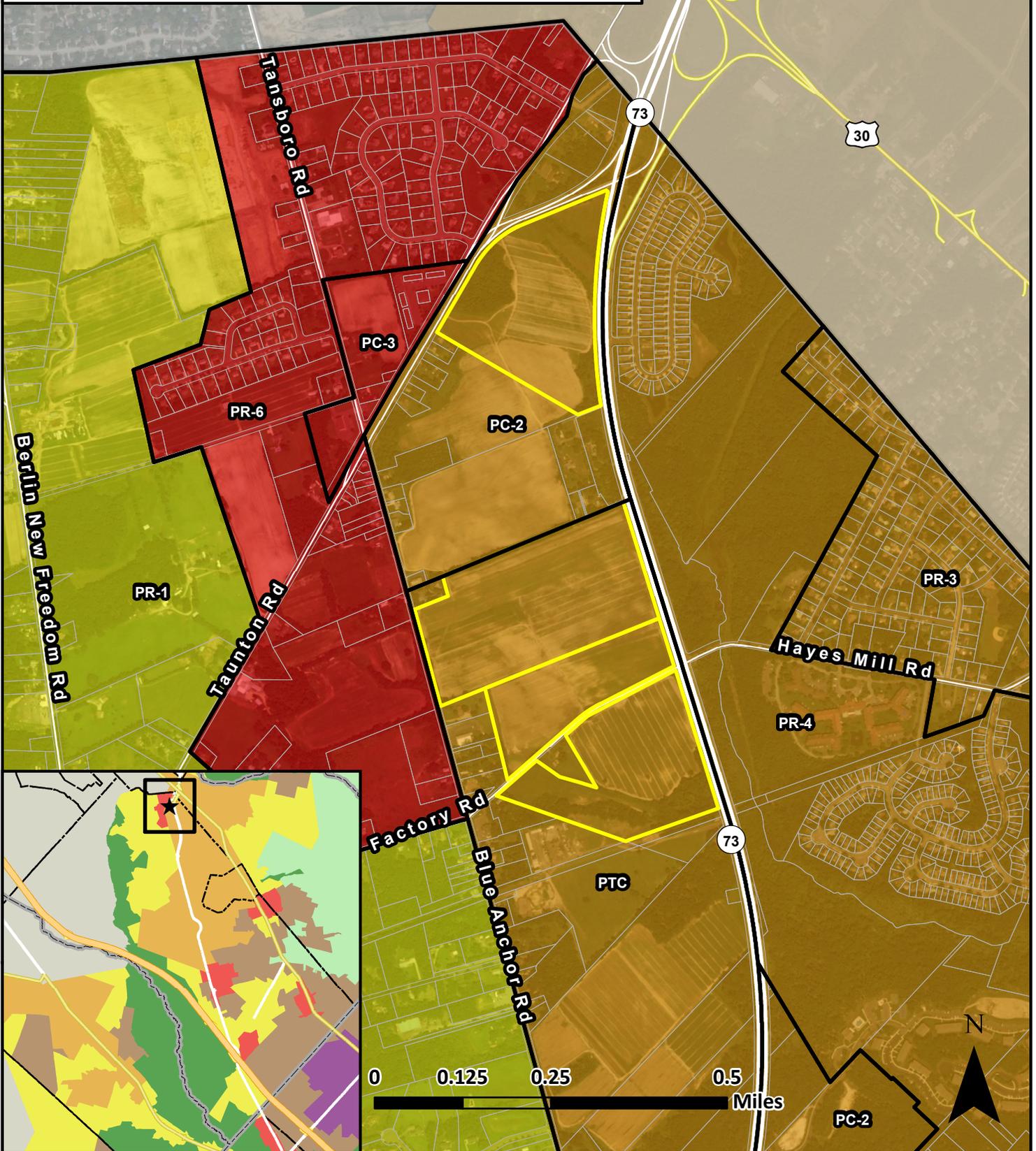
Based on the Findings of Fact cited above, the Executive Director has concluded that Ordinance O-2018-025, adopting the Maressa Redevelopment Plan, complies with Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance O-2018-025 of Winslow Township.

SRG/CWI  
Attachments

# Maressa Redevelopment Plan

Executive Director's Report  
Winslow Ordinance O-2018-25  
Exhibit 1  
1/25/2019

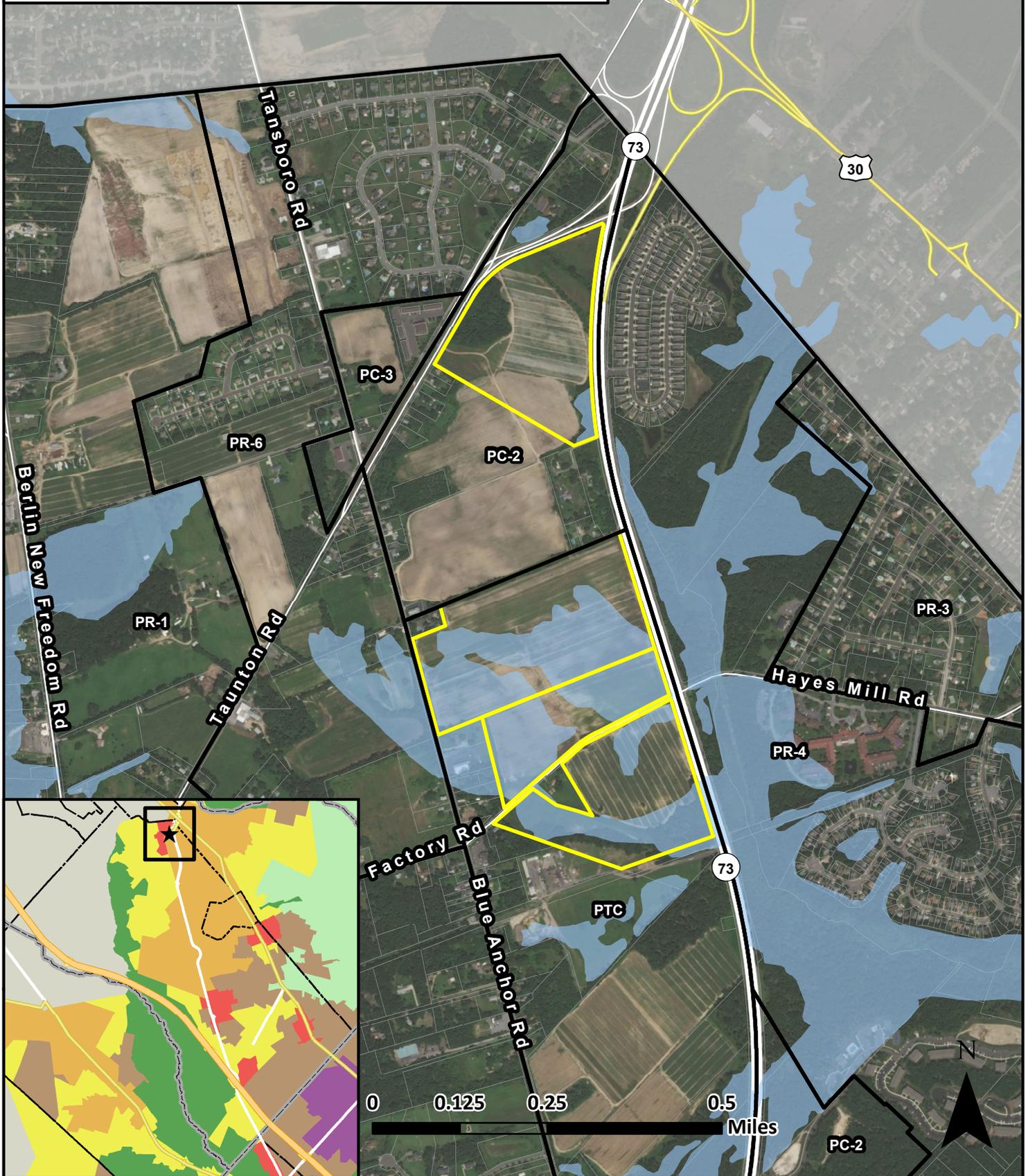
- |   |  |
|---|--|
|  Redevelopment Parcels | <b>Pinelands Management Areas</b>  |
|  Parcels               |  Regional Growth Area   |
|  Existing Zoning       |  Pinelands Village      |
|   |  Rural Development Area |



# Maressa Redevelopment Plan

-  Redevelopment Parcels
-  Pinelands Wetlands
-  Parcels
-  Existing Zoning

Executive Director's Report  
Winslow Ordinance O-2018-25  
Exhibit 2  
1/25/2019





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

**NO. PC4-19-**\_\_\_\_\_

**TITLE:** To Adopt an Amendment to the Pinelands Infrastructure Master Plan

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

**WHEREAS**, P.L. 1985, Chapter 302 (the Pinelands Infrastructure Trust Bond Act) authorized creation of a debt of the State of New Jersey by issuance of bonds in the sum of \$30,000,000 for the purpose of providing grants and loans to local units of government in the Pinelands Area for infrastructure capital projects necessary to accommodate development in the Regional Growth Areas; and

**WHEREAS**, P.L. 1985, Chapter 302 required that the Pinelands Commission adopt an infrastructure master plan to be used in evaluating projects to be financed, to specify funding structure in terms of grants and loans to be awarded, and to recommend the level of funding for selected projects; and

**WHEREAS**, the Department of Environmental Protection adopts regulations regarding grant and loan procedures and regulations regarding allowable costs in N.J.A.C. 7:22 – 6 and 7 to implement the awards specified in the adopted Pinelands Infrastructure Master Plan; and

**WHEREAS**, on January 16, 1987, the Pinelands Commission adopted the original Pinelands Infrastructure Master Plan by Resolution PC4-87-03; and

**WHEREAS**, since that time, the Pinelands Commission adopted a number of amendments to the Pinelands Infrastructure Master Plan, most recently in 2006 through Resolution PC4-06-12; and

**WHEREAS**, the Pinelands Commission awarded all available funding to various wastewater construction projects and to a program that provided a portion of planning costs to Pinelands municipalities for the purposes of preparing utility service plans; and

**WHEREAS**, repayment of loans issued under the Pinelands Infrastructure Master Plan and earlier amendments has resulted in the availability of approximately \$15,000,000 in the Pinelands Infrastructure Trust Fund; and

**WHEREAS**, the Pinelands Commission has conducted outreach among Pinelands municipalities and utility authorities to gauge the needs for infrastructure to support the demands of the Regional Growth Area; and

**WHEREAS**, it is necessary to revise the Pinelands Infrastructure Master Plan to create a framework for ranking new projects and to design a structure for funding that will address the current needs for infrastructure; and

**WHEREAS**, a public hearing to receive testimony on a proposed amendment to revise the project ranking criteria and funding structure was duly advertised, noticed and held on January 3, 2019 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 7:00 p.m.; and

**WHEREAS**, the Executive Director has found that the amendment supports the objectives of the Pinelands Infrastructure Bond Act; and

**WHEREAS**, the Executive Director has submitted a report to the Commission recommending adoption of the January 2019 Pinelands Infrastructure Master Plan amendment; and

**WHEREAS**, the Commission’s CMP Policy and Implementation Committee has reviewed the Executive Director’s report and has recommended that the January 2019 Infrastructure Master Plan amendment be adopted; and

**WHEREAS**, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the amendment 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 amend the Pinelands Infrastructure Master Plan by revising the project ranking criteria and funding structure in accordance with the January 2019 amendment.
2. The Executive Director shall issue a request for project proposals and in the event that projects are submitted to and evaluated by the Commission in accordance with the amended Infrastructure Master Plan, selection of projects and funding awards will be considered in a future amendment.

**Record of Commission Votes**

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

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

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

---

Nancy Wittenberg  
Executive Director

---

Sean W. Earlen  
Chairman



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



PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
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)

SEAN W. EARLEN  
Chairman  
NANCY WITTENBERG  
Executive Director

## **REPORT ON THE JANUARY 2019 PINELANDS INFRASTRUCTURE TRUST MASTER PLAN AMENDMENT TO SET RANKING CRITERIA AND FUNDING STRUCTURE**

The 1985 Pinelands Infrastructure Trust Fund (PITF) Bond Act created an initial source of funding with the goal of defraying the costs of infrastructure in Pinelands Regional Growth Areas while simultaneously offering land value equity to property owners in the Preservation Area, Agricultural Production Area and Special Agricultural Production Area through the use of Pinelands Development Credits (PDC). The PITF Act directed the Pinelands Commission to prepare a Master Plan to evaluate and identify infrastructure projects and to include a funding structure through which the State would administer grants and/or loans for projects that are identified in the Master Plan. The Act allows funding for a wide array of infrastructure projects to support development in the Regional Growth Area. Infrastructure projects may include wastewater (including stormwater and green infrastructure), water supply, or transportation, as long as it serves new development in the Regional Growth Area with the potential to generate demand for PDCs.

The Commission previously adopted a PITF Master Plan and amendments that set forth projects and ranking, and funds were disbursed in the form of loans and grants. Repayment of loans has replenished the Fund. Currently, there is approximately \$15 million available in the Trust Fund. Considering the length of time that has elapsed since the prior funding rounds, the Commission sought input from local governments and utilities regarding current infrastructure needs. Staff reached out via mail, e-mail, web notice, telephone and in-person meetings with local officials and utility authorities. Staff reviewed that input along with historical information to assist with preparation of the proposed PITF Master Plan Amendment.

Several projects are intended to be subsidized and this Master Plan amendment will establish the criteria by which projects will be evaluated and the funding structure through which loans and grants may be offered pending approval by the State legislature. Pending Commission adoption of the January 2019 amendment, Commission staff anticipates issuing a Request for Proposals by mid-March 2019. Following receipt and ranking of project proposals, a second Master Plan amendment will be prepared and provided to the Commission for consideration. That second amendment will include a list of specific projects, ranked in accordance with this January 2019 amendment, and will be forwarded for legislative approval upon resolution of the Commission.

## **PUBLIC HEARING**

A public hearing to receive testimony concerning the PITF Master Plan amendment ranking criteria and funding structure was duly advertised, noticed, and held on January 3, 2019 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 7:00 P.M. Ms. Susan Grogan conducted the hearing. Testimony was given by two members of the public:

1. Mark Demitroff (see Exhibit #1)
2. April Jenkins

Written comments on the PITF Master Plan amendment were accepted through January 10, 2019 and were received from the following individuals:

1. Mark Demitroff (see Exhibit #1)
2. Ian Borden, PP, AICP of Professional Design Services LLC. January 2, 2019 e-mail (see Exhibit #2)
3. Philip Sartorio, Community Development Director, Hamilton Township. January 3, 2019 letter (see Exhibit #3)
4. Albert Yodakis, Director of Public Works, Manchester Township. January 4, 2019 letter (see Exhibit #4)
5. David Harpell, Executive Director, Jackson Township Municipal Utilities Authority. January 7, 2019 e-mail (see Exhibit #5)

## **EXECUTIVE DIRECTOR'S RESPONSE**

One commenter in public testimony and written comments (Exhibit #1) stated that he was opposed to the amendment because it supports redevelopment. The commenter said redevelopment may occur in Pinelands Villages, as they are designated growth areas under the State Development and Redevelopment Plan. The commenter further notes that redevelopment should not be used in the Pinelands Area because no government agency oversees it.

Response: The PITF Act does not allow PITF funding to be used to support development or redevelopment in Pinelands Villages, but only in Pinelands Regional Growth Areas. In addition, any development or redevelopment that is proposed within the Pinelands Area will be required to meet all Comprehensive Management Plan environmental standards as well as CMP land use and intensity standards for development in the applicable management area.

The second commenter giving oral testimony and one commenter who submitted written comments (Exhibit #4) stated support of the amendment without raising any specific issues.

Response: The commenters' support is noted.

One commenter (Exhibit #2) indicates that a lack of sewer and water has hindered development in the Regional Growth Areas of Manchester and Jackson townships. Support is offered for the amendment and the funding structure.

Response: The commenter's support is noted.

One commenter (Exhibit #3) notes that the ranking criteria are acceptable, but questions whether points will be assigned on a scale or only on an "all or nothing" basis. He further states that the funding structure should be modified so that projects which satisfy municipal affordable housing obligations will

receive a higher proportion of grant to loan on a sliding scale so that a greater percentage of affordable housing will result in a higher proportion of the funding to be allocated as a grant.

Response: In response to the question about points assigned to ranking criteria, the draft amendment includes point scales for each of the mandatory factors. As implied by the language of the draft amendment that bonus factors may be awarded “up to 10 points”, proportional points may be assigned to these factors. If funding demand is such that competitive projects must be more closely evaluated, bonus factors will be allocated points on a scale of 0 – 10 points.

As to the comment regarding affordable housing, it is appropriate that municipal affordable housing obligations be addressed in the Regional Growth Areas. The proposed amendment recognizes that the accommodation of affordable housing obligations often necessitates higher density development and awards a greater number of points in the ranking system to projects that would support higher numbers of units and greater numbers of Pinelands Development Credits. Additional points will be awarded for projects that serve areas zoned for residential development at a net density of at least 3.7 units per acre. In addition, the factor associated with local matching funds indicates that financial hardship may be taken into account when considering whether 10 percent of the project funding must come from non-PITF sources. Project proposals will be required to lay out the financial hardship which will be considered in the ranking process. It is conceivable that such financial hardship may be related to a municipality’s need to fund and construct infrastructure for affordable housing projects. No specific change to the funding allocation is recommended for this amendment, but may be part of a future amendment if deemed necessary.

One commenter (Exhibit #5) stated that strains on limited resources caused by new regulatory mandates would hinder new infrastructure in Regional Growth Areas without the availability of the PITF. The commenter supports the ranking criteria and requests that the requirement for local matching funds be limited to no more than 10 percent of project costs, although additional points might be awarded if more than 10 percent in local matching funds are provided.

Response: The proposed amendment would award points for projects with a minimum match of 10 percent in non-PITF funding as the commenter suggests, but also allows some flexibility where financial hardship has been clearly documented in the PITF project proposal. The commenter’s support of the amendment is noted.

### **CONCLUSION**

Based on the background and comments described above, the Executive Director has concluded that the January 2019 PITF Master Plan amendment will support the objectives of the PITF Act. Accordingly, the Executive Director recommends that the Commission adopt the Amendment as proposed.

ATTACHMENTS

gab

MARK DEMITROFF  
822 MAIN AVENUE, VINELAND (RICHLAND), NJ 08360-9346

## RE: PINELANDS VILLAGES

January 03, 2019  
Pinelands Commission  
PO Box 359  
New Lisbon, NJ 08064

Pinelands Infrastructure Master Plan  
Proposed Amendment

Pinelands Commissioners,

Please include this document as testimony for the Pinelands Infrastructure Master Plan Proposed Amendment hearing of January 03, 2019.

## ABSTRACT

Pinelands Villages—now inappropriately deemed as Regional Growth Areas—should not be included as Pinelands Infrastructure Trust Fund (PITF) recipients since “significant” redevelopment will likely become the preferred tool to achieve Pinelands Infrastructure Master Plans’ goals (e.g., Richland Village). The Pinelands Commission (PC) is responsible for all development within its jurisdiction. Redevelopment is development, yet the PC’s ability to review redevelopment is limited in scope. This can’t be. Additionally the PC lacks authority to determine if redevelopment parcels meet the standards of “land in need of redevelopment.” Normally, the Department of Community Affairs (DCA) performs that duty, but by Memorandum of Agreement (MOA, 1999) with the PC, the DCA has no say over Pinelands redevelopment. Also, the 1999 MOA indicated the SPC (*also* DCA, OPA) must “rely on the adopted plans and regulations of the PC to achieve objectives of the [State Development and Redevelopment Plan] SDRP,” and not the other way around. Also troubling, when things go wrong, there doesn’t appear to be an entity to turn to for help. Significant conflicts exist between redevelopment and legal requirements of the Comprehensive Management Plan (CMP). The very planning mechanism sought is in itself flawed within its Pinelands National Reserve (PNR) context.

## DISCUSSION

- 1) PINELANDS HAS AUTHORITY OVER DEVELOPMENT – One of the environmental controls of the CMP is that *all* PNR development is under the purview of the PC. This is true even if jurisdictions overlap, as in the case of Coastal Area Facility Review Act (CAFRA) regulations. According to Attorney General Dow (2011, *see addenda*), “N.J.S.A. 13:18:A-23 and N.J.A.C. 7:7E-3.44 ... provides that “[w]ithin the Pinelands National Reserve, the Pinelands Commission will serve as a reviewing agency for the coastal construction permit applications.”” Redevelopment is a State-constitution authorized land-use management designation. In extension, it seems reasonable that the PC also has management powers over redevelopment (a specific form of development).
- 2) REDEVELOPMENT IS DEVELOPMENT – According to the *Oxford English Dictionary* (2009), redevelopment is defined as “The action or an act of developing again (in various senses),” *specifically* “The redesigning and rebuilding of an urban area, typically after the demolition of existing buildings. (The usual current sense.)” In fact, redevelopment is a form of development. According to the CMP (7:50-2.11 Definitions), *Development* means “change of or enlargement of any use or disturbance of any land...”
- 3) ALL DEVELOPMENT MUST COMPORT TO THE CMP – Herein lies a dilemma. According to Attorney General Dow (2011), “The New Jersey Pinelands Commission’s ... role in municipal redevelopment is only to ensure that any such redevelopment in the Pinelands Area comports with the ...CMP ... adopted in accordance with the Pinelands Protection Act, N.J.S.A. 13:18A-1 *et seq.*” According to the *Oxford English Dictionary* (2009), comport means to agree or endure, so redevelopment must coincide in all and any respect to the CMP. In implementation redevelopment does not agree (*i.e.*, harmonize or accord) in all its respects with the CMP.
- 4) THE STATE PLANNING ACT DOES NOT APPLY TO THE PINELANDS – Hartkopf (2010) noted that the State Planning Act (NJSA 52:18A-196 *et seq.*), which governs the SDRP, was “adopted by the State Legislature in 1985 in response to Mount Laurel II (Fair Housing Act,

NJSA 52:27D-301 also passed in 1985)..... [but] The State Planning Act does not apply (NJSA 52:18A-206) to lands within the federally designated Pinelands (see Pinelands Protection Act, NJSA 13:18A-23 *et seq.*)” Hence compliance with the Sate Plan is not a PC *obligation*, just as COAH requirements are not a PC *obligation* (also Kinsey, 2008: 4 & 6, P.L. 1987, c. 267; N.J.S.A. 13:18A-12.b. and -15). It is also worth noting that this also means the PC is not *obligated* to turn Pinelands Villages into sewerred growth zones as suggested by Leaken (*see* Donio, 2011).

- 5) REDEVELOPMENT IS INCHOATELY REVIEWED – The PC can at best provide a partial examination of a redevelopment plan, their role limited to portions that are covered under the CMP. Also, pursuant to N.J.S.A. 40A: 12A-8b&c, which is cited as statute in current Pinelands redevelopment plans, a redevelopment plan cannot be effected until State approval (when the SPC makes a determination that a redevelopment parcel meets their standards of “land in need of redevelopment).” Yet, as stated earlier in #4, the SPC (*also* DCA, OPA) has no jurisdiction over Pinelands redevelopment. Outside the Pinelands the State Planning Commission (SPC) reviews and endorses redevelopment plans, making recommendations to enhance plan efficiency and effectiveness to insure redevelopment implementation is consistent to Smart Growth plans under the *State Development and Redevelopment Plan* (Hartkopf, 2010). Again, there is a deficiency in that no one performs that function in the Pinelands.
- 6) ONLY PC PLANS AND REGULATIONS CAN BE USED TO REACH SDRP OBJECTIVES – According to MOA (1999: 2, II. D) between the PC and SPC (*also* DCA, OPA), it was recognized that “the SPC will rely on the adopted plans and regulations of the PC to achieve the objectives of the SDRP.” Redevelopment is a tool of the SPC, and not the PC. This is inconsistent with current MOA applicability, and is another reason that redevelopment should not be used in the PNR.

D. This MOA acknowledges the statutory treatment of the New Jersey’s Pinelands under the Pinelands Protection Act and the State Planning Act and recognizes that the SPC will rely on the adopted plans and regulations of the PC to achieve the objectives of the SDRP .

(above) Excerpt from MOA (1999: 2).

7) **REDEVELOPMENT LACKS OVERSIGHT** – Additionally, there doesn't seem to be an entity that has oversight of Pinelands redevelopment law. PC plan endorsement only provides an illusion of due process. In actuality, State redevelopment statutes can be cited but then can be ignored with impunity within the PNR. For example I use Richland Village, where redevelopment was touted as “a prototype for the immediate region as well as the State” (Karabashian/Eddington Planning Group, 2006: 1). The Township began redevelopment at least two-years before the PC gave the municipality permission to move forward. In response to violations in State redevelopment statutes (e.g., issuance of bonds and accumulating real property before they had a plan), I tried to find an entity who had jurisdiction over Pinelands redevelopment. Not a single person could, or can, tell me where to go, including councils for the PC, the Department of Community Affairs (DCA), and the Local Finance Board (LFB). Examples of their responses are provided below:

a – *On multiple occasions the PC indicated they had no such authority;*

The third reason for your appeal request is alleged deficiencies by Buena Vista Township under the New Jersey Local Redevelopment and Housing Law. The Pinelands Commission has no authority to enforce the requirements of this Law. The Commission's authority is limited to its enabling act, the Pinelands Protection Act. The Executive Director's recommended approval

(above) Excerpt from a letter by Pinelands Senior Counselor S. Roth to M. Demitroff denying his appeal to the Office of Administrative Law, May 12, 2010, even though I lived within 200-feet of the parcel in question and was not notified pursuant to N.J.S.A. 40:55D-12.

With respect to the question concerning the review and enforcement of local redevelopment and housing laws, the Executive Director would only submit that the Pinelands Commission's authority is limited to determinations of whether municipal redevelopment plans are consistent with the Pinelands Protection Act and the Comprehensive Management Plan. The Commission does not have the authority to review or enforce local redevelopment and housing laws. To the

(above) Excerpt from CMP Policy & Implementation Committee Meeting, September 24, 2010.

Permitting, of this comment. Public Comment: Additional comments regarding “redevelopment lands” and authority of the Township Engineer to proceed with developing Sawmill Park were offered by the commentor. Staff Response: These matters are not regulated by the Commission.

(above) Excerpt from Pinelands Commission Report on an Application for Public Development, June 24, 2011.

b – *The DCA indicated it has no authority to review or enforce Pinelands redevelopment rules;*

In addition, you inquired as to whether the Office of Smart Growth was aware of six points relating to the project. While we are aware that you have concerns regarding the process by which the Township has conducted their redevelopment activity, that issue must be addressed at the local level. The Office of Smart Growth has not been actively involved in assisting Buena Vista Township in its redevelopment efforts, and as a result is unable to comment on their activities.

(above) Excerpt from DCA’s Acting Executive Director, D. Rendeiro, Office of Smart Growth, response to M. Demitroff’s query, October 1, 2009.

c – *The NJ LFB indicated it has no authority to review or enforce Pinelands redevelopment rules;*

was secured, (or attempted to be secured). Please also be advised that the Board has no jurisdiction over the Pinelands Commission, the Local Redevelopment and Housing Law or the Municipal Land Use Law. It is suggested that you speak to a private attorney concerning the possibility of filing civil action to represent your interests in a court of law.

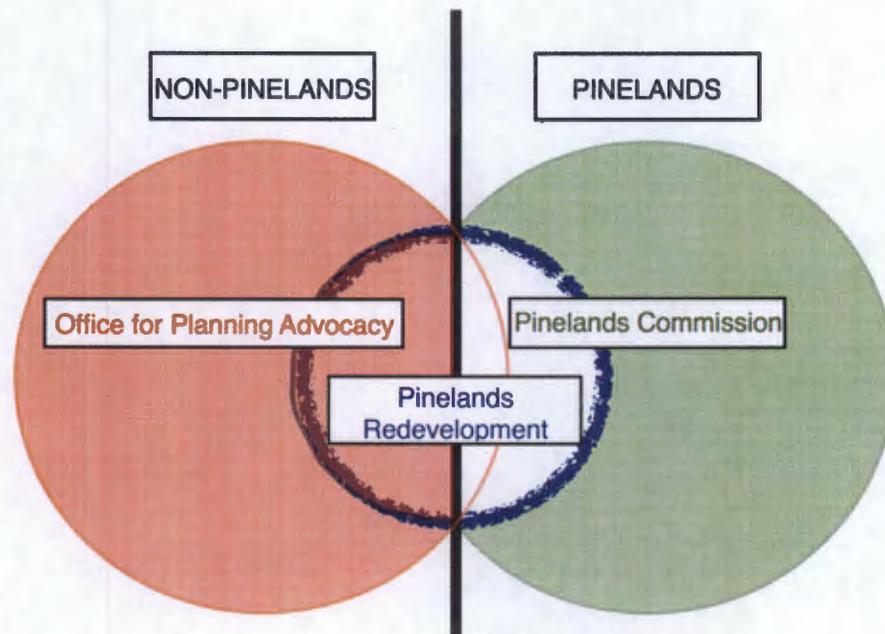
(above) Excerpt from NJLFB Chair, T. Neff, response to M. Demitroff’s query, February 28, 2011.

## SYNTHESIS

Redevelopment is a powerful tool for the land-use planner, and it must be used wisely and fairly. The NJ State Comptroller recently expressed his concern about historical evidence of corruption of the redevelopment process (Boxer, 2010: 6, 13). Many redevelopment ordinances are written by the developer (Boxer, 2010: 16). Boxer indicated that more County and other officials should be “involved at earlier stages of the redevelopment process” and that there should be “fulsome public discussion” of redevelopment dynamics that goes beyond the “modicum of public notice” (Boxer, 2010: 22).

Municipal land-use applications within the PNR cannot have less oversight and jurisdictional accountability than areas outside the Pinelands. As it stands, it appears that only the redeveloper (the municipality) is minding the hen-house (*see #4-7 above*). Reforms are needed so that the mechanism properly fits the PC’s mission to preserve, protect, and enhance the environmental and cultural environment of the Pinelands. Heed NJAPA’s (2006) warning, that “planning professionals should exercise extreme caution when advising clients regarding redevelopment practices.” Redevelopment can be rife with controversy (*e.g.*, eminent domain). We, the Pinelands residents, are the PC’s primary clients - not the developers, and the PC must fully safeguard our individual and societal rights, as well as the Pinelands cultural and environmental ecosystem.

Redevelopment will in all likelihood be a preferred tool of targeted economic growth under PITF in the Pinelands. Yet for all the previous reasons stated above, redevelopment does not comport to the Pinelands Comprehensive Management Plan, and in extension cannot be invoked in the disbursement of PITF. A workable relationship between redevelopment and PITF must be addressed in the final Pinelands Infrastructure Master Plan, yet this component is conspicuously absent from this proposed amendment.



## CONCLUSION

Redevelopment cannot be used anywhere in the Pinelands, until it becomes abundantly clear which entity oversees and which entity enforces Pinelands redevelopment. Not even the Office of the Attorney General was able to resolve those issues (*see attached*). According to the CMP (7:50-1.4 Applicability), "It shall be unlawful for any person to carry out any development in the Pinelands Area which does not conform to the minimum standards of this Plan." Redevelopment does not comport to the CMP (*e.g.*, eminent domain). The 1999 MOA does not provide equal or greater protection to Pinelands resources, nor does it allow the use of non-PC land-use tools. This is important, since the PC, through the CMP, has effectively managed growth, while the SPC (*also* DCA, OPA) has not (Kinsey, 2008). While I am not an attorney, the "hole" story, one of less - not equal or greater protection, points out very real conflicting legal requirements that must be resolved.

Sincerely,

Mark Demitroff

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- MOA, (1999): Memorandum by and between the New Jersey Pinelands Commission and the New Jersey State Planning Commission. June 1, 1999. 11 pp.
- NJAPA, (New Jersey Chapter, American Planning Association), 2006: Position statement on redevelopment planning and exercise of eminent domain. c/o URS Corporation, One Gateway Center, Suite 1000, Newark, NJ, 6 pp.



State of New Jersey  
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CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

PAULA T. DOW  
Attorney General

ROBERT M. HANNA  
Director

November 23, 2011

Via Regular & Certified Mail

Mark Demitroff  
822 Main Ave.  
Vineland, NJ 08360-9346

Re: September 23, 2011 Correspondence to the Office of  
the Attorney General

Dear Mr. Demitroff:

I am in receipt of your September 23, 2011 correspondence to  
the Office of the Attorney General. You asked for a determination  
as to "who has authority over redevelopment within the Pinelands  
National Reserve."

As noted in the August 1, 2011 correspondence sent to you by  
DAG Julie Cavanagh, this office is unable to provide you with legal  
advice or assistance.

That being said, the New Jersey Constitution authorizes  
redevelopment. N.J. Const., art. VIII, § III, ¶ 1. Municipal  
redevelopment is primarily governed by the New Jersey Local  
Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., which  
gives municipalities the authority to designate "areas in need of  
redevelopment." N.J.S.A. 40A:12A-5. The New Jersey Pinelands  
Commission's ("Commission") role in municipal redevelopment is only  
to ensure that any such redevelopment in the Pinelands Area  
comports with the Pinelands Comprehensive Management Plan ("CMP")  
adopted in accordance with the Pinelands Protection Act, N.J.S.A.  
13:18A-1 et seq. See N.J.A.C. 7:50-4.11 et seq. (development in  
municipalities not certified in compliance with the CMP); N.J.A.C.  
7:50-4.31 et seq. (development in municipalities certified in  
compliance with the CMP). The Commission has no authority to  
implement the New Jersey Local Redevelopment and Housing Law.



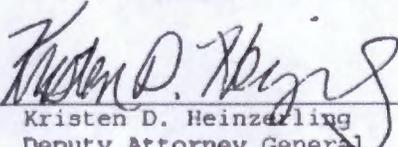
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November 23, 2011  
Page 2

Finally, it should be clarified that, since your letter asks who has authority over redevelopment in the "Pinelands National Reserve," the Commission's authority is limited to the "Pinelands Area" as defined by N.J.S.A. 13:18A-11. See also N.J.S.A. 13:18A-3; N.J.S.A. 13:18A-8. Although the CMP constitutes the management plan called for by the National Parks and Recreation Act of 1978, 16 U.S.C. 5471i(f), the Commission's jurisdiction is limited to those portions of the Pinelands National Reserve that overlap with the Pinelands Area. The New Jersey Department of Environmental Protection has primary jurisdiction over those portions of the Pinelands National Reserve located outside the Pinelands Area within the Coastal Area. See N.J.S.A. 13:18A-23 and N.J.A.C. 7:7E-3.44 which provides that "[w]ithin the Pinelands National Reserve, the Pinelands Commission will serve as a reviewing agency for the coastal construction permit applications."

Sincerely yours,

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Kristen D. Heinzerling  
Deputy Attorney General

C: AAG Kevin Auerbacher  
AAG Robert H. Stoloff  
DAG John Renella  
DAG Christine Piatek

**Piner, Betsy**

---

**From:** Ian Borden P.P., AICP <iborden@pds-nj.com>  
**Sent:** Wednesday, January 02, 2019 10:49 AM  
**To:** Planning, PC  
**Subject:** Planning and Conformance Submissions

Below is the result of your feedback form. It was submitted by Ian Borden P.P., AICP ([iborden@pds-nj.com](mailto:iborden@pds-nj.com)) on Wednesday, January 2, 2019 at 10:49:12

-----  
email: [iborden@pds-nj.com](mailto:iborden@pds-nj.com)

subject: Planning and Conformance Submissions

print\_blank\_fields: 1

Name: Ian Borden P.P., AICP

Affiliation: Professional Design Services LLC

Mailing Address: 1245 Airport Road Lakewood NJ 08701

Phone Number: 7323630060

Message: We represent a number of landowners and developers seeking to development areas within the Regional Growth Zone of Manchester and Jackson Townships, which developments will require the purchase of PDC's. The absence of public water and sewer facilities have hindered the growth of these areas. Please accept these comments in support of the PITF Master Plan Amendment, including the proposed funding structure.

Submit: Submit

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*Philip C. Sartorio, PP/AICP, CFM*  
*Community Development Director*  
*(609)625-4762 x490*  
*Fax: (609)909-1348*  
*psartorio@townshipofhamilton.com*

*6101 Thirteenth Street*  
*Mays Landing, New Jersey 08330*  
*www.townshipofhamilton.com*



*New Jersey's Largest  
Municipality*

January 3, 2019

Nancy Wittenberg, Executive Director  
NJ Pinelands Commission  
PO Box 359  
15 Springfield Road  
New Lisbon, NJ 08064

Re: Comment on proposed amendments to the Pinelands Infrastructure Master Plan

Dear Ms. Wittenberg:

Enclosed are Hamilton Township's comments on the proposed amendments to the Pinelands Infrastructure Trust Master Plan.

As discussed in my meeting with Larry Liggett, Gina Berg and Ed Wengrowski, Hamilton Township is considering applying for funding through the PITF to undertake transportation improvements that are essential for the development have an approximately 475 unit inclusionary development located in the Regional Growth Area of the Township. The development of this project, which has General Development Plan approval, will require the use of over 23 Pinelands Development Credits. Development of this project also helps the Township address a portion of its affordable housing obligation.

Pursuant to the public notice of this hearing, my comments are limited to discussion of the mandatory and bonus factor ranking criteria and the funding award structure.

Thank you for the opportunity to submit these comments.

Sincerely,

*Phil Sartorio*

Philip Sartorio, PP/AICP, CFM

Cc: M. Jacobs, Administrator (encl)

Comments on the draft Pinelands Infrastructure Trust  
Master Plan Amendment:  
Township of Hamilton, Atlantic County NJ

1. Ranking Criteria - Mandatory requirements: Hamilton Township has no issue with the four factors to be evaluated under the Mandatory Requirements. It would, however, be helpful if the Master Plan, or the application form/instructions (when available) included information on how the point points would be allocated and awarded.

- Is each factor worth a maximum of 25 points? Since the plan has an allowance for hardship applications, it would not make sense for factor 3 (local matching funds) to be scored the same as PDC use.
- Will points be given on an all or nothing (or binary) basis or will there be a gradation of points (e.g. will an application for a project that only meets the minimum PDC potential of 12.5 credits be awarded the same amount of points as a project with the potential use of 18 PDCs)?

2. Ranking Criteria - Bonus Factors: Just as with the mandatory requirements it would be helpful to know how the points will be allocated and awarded for the bonus factors.

- Is each factor going to be worth the same amount of points?
- Will a project that just meet the minimum criteria be awarded the same number of points as a project that exceeds the criteria by a significant amount (for example - will a project serving a zone with a net density of 5 units/acre receive be allocated the same or more points than a project with a net density of 3.7 units/acre)?

3. Funding award structure: The Master Plan should include a provision that modifies the PITF loan/grant ratio where the local project is needed for the municipality to satisfy a significant percentage of its affordable housing obligation. For the purpose of these comments, the following changes are suggested:

<u>% of Local Affordable Obligation</u>	<u>Proposed Financing Structure</u>
< 5%	No change to draft
5% - 15%	45% Loan 45% Grant
> 15%	10% Local Match 40% Loan 50% Grant 10% Local Match



Pinelands Infrastructure Trust Fund  
Master Plan Amendment  
January 2019 Exhibit #4

# MANCHESTER TOWNSHIP

1 COLONIAL DRIVE • MANCHESTER, NJ 08759 • (732)657-8121

DEPARTMENT OF PUBLIC WORKS

ALBERT YODAKIS, PE, PP, CPWM  
DIRECTOR OF PUBLIC WORKS

KENNETH T. PALMER  
MAYOR

January 4, 2018

Nancy Wittenberg, Executive Director  
The Pinelands Commission  
15 Springfield Road  
PO Box 359  
New Lisbon, NJ 08064

Re: Pinelands Infrastructure Trust Master Plan Amendment  
Letter of Support

Dear Director Wittenberg:

I have received and reviewed a copy of the draft amendment to the funding allocation and ranking criteria for the Pinelands Infrastructure Trust Master Plan. Please accept this letter as our support of the proposed amendment and financing structure.

The Township is of the opinion that the outlined financing structure will allow municipalities to utilize the proposed funds to complete meaningful projects which will have a positive impact on the Pinelands.

If you have any questions regarding this matter or require any additional specifics to support the township's position, please do not hesitate to contact me.

Very truly yours,



Albert Yodakis, PE, PP, CME, CPWM  
Director of Public Works

**Berg, Gina**

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**From:** Berg, Gina  
**Sent:** Monday, January 07, 2019 4:03 PM  
**To:** Grogan, Susan; Piner, Betsy; Liggett, Larry  
**Cc:** Wengrowski, Ed  
**Subject:** FW: Pinelands Infrastructure Trust Fund

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**From:** David Harpell [<mailto:dharpell@jacksonmua.com>]  
**Sent:** Monday, January 07, 2019 3:58 PM  
**To:** Berg, Gina  
**Subject:** [EXTERNAL] RE: Pinelands Infrastructure Trust Fund

Gina,

I apologize that we did not testify or provide comments earlier on the Pinelands Infrastructure Trust Master Plan Amendment. As we have previously relayed, Jackson MUA is fully supportive of any infrastructure financing that will support the Pinelands Infrastructure Master Plan and the timing of this program is very fortuitous as the NJ I-Bank has limited resources and water and sewer utilities are dealing with many new regulatory mandates including the Water Quality Accountability Act. In short, these funding issues will very likely prevent extending utilities in the Pinelands Regional Growth Areas without a program such as the Pinelands Infrastructure Trust Fund. I personally think the ranking criteria seems reasonable and would like to keep the local match in the 10% range with more points provided for a higher local match.

In short, I think a program such as this is both reasonable and necessary to meet your infrastructure goals.

Respectfully,  
David Harpell  
Executive Director  
Jackson Township MUA  
(732)928-2222 x240

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**From:** Berg, Gina [<mailto:Gina.Berg@pinelands.nj.gov>]  
**Sent:** Thursday, August 30, 2018 9:29 AM  
**To:** David Harpell  
**Subject:** Pinelands Infrastructure Trust Fund

Good Morning,

The Pinelands Commission is seeking input regarding potential projects that might qualify for funding through the Pinelands Infrastructure Trust Fund. Attached is a copy of our letter that requests input about infrastructure needs and gives a brief description of the funding to be made available for projects that support any Pinelands Regional Growth management area. If you have any questions or if you would like to schedule a meeting to discuss potential infrastructure projects and the Pinelands Infrastructure Trust Fund, please contact me via e-mail or through the phone number below.

*Gina Berg*  
Resource Planner

NJ Pinelands Commission  
(609) 894-7300 ext. 136

PINELANDS INFRASTRUCTURE TRUST MASTER PLAN AMENDMENT  
PROJECT RANKING CRITERIA AND FUNDING STRUCTURE  
JANUARY 2019

## **Table of Contents**

<a href="#">Overview</a> .....	3
<a href="#">Objectives</a> .....	4
<a href="#">Ranking Criteria</a> .....	5
<a href="#">Mandatory Requirements</a> .....	5
<a href="#">Bonus Factors</a> .....	6
<a href="#">Financing Structure</a> .....	6
<a href="#">Outline for Project Funding Applications</a> .....	7
<a href="#">Appendix I. Application Form</a> .....	8

## Overview

The Pinelands Infrastructure Fund (PITF) was established in 1985 to help local governments and utility authorities defray the costs associated with supporting the population and economic growth targeted to Pinelands Regional Growth Areas. The Pinelands Infrastructure Bond Act became law on August 23, 1985. Voters subsequently approved a bond issue that allowed \$30 million to fund the PITF. The funds are disbursed through grants and loans for certain types of infrastructure projects that serve the needs of Pinelands Regional Growth Areas. The types of infrastructure that may be funded pursuant to the Act include wastewater treatment and collection systems, stormwater management facilities, water supply systems, and transportation projects. To date, only wastewater projects have been funded.

The Pinelands Commission prepared the original Pinelands Infrastructure Master Plan as required by the PITF Act. The Infrastructure Master Plan accomplished three things. First, it delineated a funding structure for loans, grants, and local matching funds (40%, 40%, and 20%, respectively). Second, it created a ranking system by which proposed infrastructure projects would be judged for funding eligibility. Third, it generated the list of projects that were deemed eligible for the initial round of funding. Projects proposed for funding must first be approved by the Pinelands Commission and are then forwarded to the State Infrastructure Bank for processing and legislative approval.

At this time, the repayment of loans from earlier funding rounds has replenished the PITF and there is approximately \$15 million available to disburse as loans or grants. In July 2018, Commission staff reviewed the program with the CMP Policy & Implementation Committee. Subsequently, the Commission staff reached out via mail, e-mail, web notice, telephone and in-person meetings with local officials and utility authorities to gauge the infrastructure needs of the Regional Growth Areas. Commission staff has also been working to create a new set of ranking criteria by which to evaluate any applications for funding.

The new ranking criteria and funding structure are the subjects of this proposed PITF Master Plan amendment. A future amendment will be prepared to incorporate the list of projects recommended for funding. Following review of this proposed amendment by the Policy & Implementation Committee, a public hearing must be held regarding the amendment. Then, the proposal will return to the Committee for a recommendation to forward it on to the Commission for approval. The amended Master Plan should then be submitted to the Department of Environmental Protection for updating any regulations for consistency with the Water Bank (formerly Environmental Infrastructure Trust) process.

Following adoption of this amendment to the Pinelands Infrastructure Master Plan, the Commission will then announce a Request for Proposals to solicit applications for project

funding. Submitted applications will be ranked by staff and reviewed by the Policy & Implementation Committee. Subsequently, a second Master Plan amendment will be prepared. The second amendment will revise the funding structure, if necessary, and it will include the list of projects to be funded. The second amendment will then proceed through the same route of public hearing, committee review, formal Commission action and submittal to the Water Bank. The list of projects identified in the second Master Plan amendment is intended to proceed through legislative adoption as part of the overall Intended Use Plan prepared by the Water Bank for SFY2020.

## Objectives

The purpose of this Pinelands Infrastructure Trust Master Plan amendment is twofold. First, it proposes to create a new set of ranking criteria for evaluating projects involving wastewater, water supply or transportation to serve the needs of the Pinelands Regional Growth Areas. Second, it proposes a new funding structure to disburse available funds from the Pinelands Infrastructure Trust. The ranking criteria offer an objective means for comparing the relative value of an array of infrastructure projects against goals related to the Pinelands Comprehensive Management Plan and to the Pinelands Infrastructure Bond Act. Specifically, the project must serve development in the Pinelands Regional Growth Areas and any facilities must be located in or serve the Pinelands Area.

The ranking criteria are also intended to measure projects alongside community needs and environmental objectives. Funding will only be awarded to wastewater (including stormwater and green infrastructure), transportation, or water supply projects. The proposed funding structure will require that a portion of the funds be disbursed funds as loans. That structure will allow future funding rounds to be made available as loans are fully repaid.

In addition, the Pinelands Infrastructure Act was intended to enhance the environmental objective of land preservation and value equity through the Pinelands Development Credit (PDC) program. Therefore, any project that receives PITF funding in this round must support new residential development or redevelopment that will need PDCs to be completed. A higher potential for PDC use will result in a higher ranking score.

The remaining objectives of the funding are reflected in the ranking criteria and include consideration of project cost per residential unit, environmental enhancements, and Kirkwood-Cohansey aquifer benefits.

## Ranking Criteria

There are two categories of ranking criteria: mandatory requirements and bonus factors. Mandatory requirements allow any project to earn up to 100 points. Up to an additional 70 points can be earned for bonus factors. Please see the ranking criteria, below.

### Mandatory Requirements

All projects must provide service to a Regional Growth Area. Only infrastructure that allows new residential or mixed use development and redevelopment will be considered. Only project costs associated with facilities and infrastructure inside the Pinelands Area will be eligible for funding. A project may be awarded up to 100 points on mandatory requirements.

#### 1. Level of Service (40 points)

Number of new dwelling units potentially served based on municipal zoning. Higher number of total units will result in greater points awarded.

- 25 -50 residential units = 5 points
- 50 - 100 residential units = 10 points
- 100 - 200 residential units = 15 points
- 200 - 300 units = 20 points
- 300 – 400 units = 25 points
- 400 – 500 units = 30 points
- Greater than 500 units = 40 points

#### 2. Potential for PDC use - based on certified municipal zoning (40 points)

The project may serve areas where PDC use is optional or mandatory. Mandatory use is granted additional points in bonus factors. Potential use of greater numbers of PDCs increases awarded points.

- 5 PDCs (20 rights) = 5 points for voluntary use; 10 points for mandatory use
- 7.5 PDCs (30 rights) = 7 points for voluntary use; 15 points for mandatory use
- 10 PDCs (40 rights) = 10 points for voluntary use; 20 points for mandatory use
- 12.5 PDCs (50 rights) = 12 points for voluntary use; 25 points for mandatory use
- 15 PDCs (60 rights) = 15 points for voluntary use; 30 points for mandatory use
- Greater than 15 PDCs (>60 rights) = 20 points; 40 points for mandatory use

#### 3. Local matching funds (20 points)

Not less than 10% of project funding must come from non-PITF sources, unless a hardship exists and the project otherwise is highly ranked.

- 10% - 25% match = 7 points
- 26% - 40% match = 14 points

Greater than 41% match = 20 points

## Bonus Factors

No more than 70 points total will be awarded for these bonus factors. Each factor may be awarded up to 10 points.

1. Development meets EPA Water Sense standards
2. Best Management Practice enhanced stormwater techniques and green infrastructure that exceeds current Pinelands Comprehensive Management Plan regulations
3. Water supply for development is from a non-Kirkwood/Cohansey water source
4. Project recharges wastewater to groundwater
5. Lower cost per dwelling unit in PITF funding
6. Serves areas where the certified municipal zoning ordinance mandates use of PDCs for at least 16.7% of the market rate units in any residential project
7. Serves areas zoned for residential development at a net density of at least 3.7 units per acre

## Financing Structure

According to the Pinelands Infrastructure Trust Act, the Infrastructure Master Plan sets the funding structure which may be amended periodically. When the funding structure includes a portion of the award to be disbursed as loan(s), the Act requires that the interest rate will not “exceed 50% of the average interest rate of the Bond Buyer Municipal Bond Index for bonds available for purchase during the last 26 weeks preceding approval of the loan....” Terms of the loan or grant agreement shall be specified by the State Treasurer.

The Act limits project costs that would be eligible for award to those remaining after deducting any Federal contribution. The Act indicates that the following costs may be included in the project award:

- Acquisition and development of real estate for use in connection with the project
- Execution of agreements or franchises
- Procurement of engineering, inspection, planning, legal, financial or other professional services
- Administrative, organizational or operating expenses incident to the authorized project
- Establishment of working capital

The Pinelands Infrastructure Master Plan financing structure for disbursement of the loans and grants will be amended as follows:

1. The portion awarded as loans will be 50% of the total project award.
2. The portion awarded as grants will be 40% of the total project award.
3. A local match of 10% of the total project award will be required. In cases where a hardship has been identified, the local match may be waived and the award will be allocated as 50% loan and 50% grants.
4. Loans will carry an interest rate of 1%.

## **Outline for Project Funding Applications**

- I. Application form
  - a. See attached form
  - b. Project Map (all maps must also be submitted in GIS formats)
    - i. Facility and infrastructure location
    - ii. Zoning district boundaries
    - iii. Development to be served boundary
    - iv. Pinelands Management Area boundaries
    - v. Municipal Boundaries
    - vi. Scale
    - vii. Compass Rose
- II. Detailed Proposal
  - a. Facilities, System and Service Area Description
  - b. Block and lot numbers, if applicable
  - c. Municipal Zoning Districts to be served
  - d. PDC Use – total number of residential units to be served (subject to verification)
    - i. Number of units expected as PDC units
    - ii. Assurance of PDC use where voluntary
  - e. Municipal/Regional Benefits (for example, where the project will correct an existing problem or support redevelopment of an area)
  - f. Best Management Practices, Conservation, or Environmental Design Elements of Project
  - g. Costs – including a statement of the local or non-PITF funding match for the project and a statement of Federal funding associated with the project
  - h. Governing body resolution indicating intent to provide local match
  - i. Project Schedule

## Appendix I. Application Form

### I. Applicant Information

Applicant Name

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Applicant Address

---

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Contact Name and Address

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---

Contact Phone Number

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### II. Costs and Financing

Estimated Total Project Cost \_\_\_\_\_

Local Match Funds \_\_\_\_\_

Federal Funds \_\_\_\_\_

PITF Funding Assistance Requested \_\_\_\_\_

### III. Detailed Proposal

Attach project description and map as described in “Outline for Project Funding Applications”

### IV. Resolution of the Governing Body

Attach a copy of the adopted resolution authorizing application and assigning the point of contact