



State of New Jersey
THE PINELANDS COMMISSION
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RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, March 13, 2020

Richard J. Sullivan Center for Environmental Policy and Education

Terrence D. Moore Conference Room

15C Springfield Road

New Lisbon, New Jersey

9:30 a.m.

1. Call to Order

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

2. Adoption of Minutes

- February 14, 2020

3. Committee Chairs' and Executive Director's Reports

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

A. Permitting Matters

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

Resolution Approving With Conditions (2) Application for Public Development:

- Application No. 2020-0004.001- Pemberton Township
Demolition of a single family dwelling, 50 years old or older
Pemberton Township
- Application No. 2020-0005.001- Pemberton Township
Demolition of a single family dwelling, 50 years old or older
Pemberton Township

Resolution Approving With Conditions (3) Applications for Public Development:

- Application No. 2017-0052.002- New Jersey Department of Transportation
Installation of a traffic control system within the U.S. Route 322 right-of-way
Hamilton Township
- Application No. 1988-0841.004- Galloway Township
Installation of public sanitary sewer main and three sanitary sewer pump stations
to service the Gabriel Field and Tartaglio Field recreational facilities
Galloway Township
- Application No. 2019-0080.001- Upper Township
Paving of 347 linear feet within the Iroquois Trail road right-of-way
Upper Township

B. Planning Matters

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

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

A. Public Development Projects

- Application No. 2009-0089.002 – Buena Vista Township
Demolition of a building, 50 years old or older
Buena Vista Township

B. Waivers of Strict Compliance

- Application No. 1983-5274.003 – Kornbluth
Single family dwelling
Jackson Township

6. Master Plans and Ordinances Not Requiring Commission Action

- Berlin Borough Historic Preservation Element
- Berlin Borough Economic Development Element
- Berlin Borough Circulation Element
- Berlin Township Ordinance 2019-1
- Eagleswood Township 2019 Master Plan Reexamination Report
- Stafford Township Ordinance 2019-05

7. Other Resolutions

- To Authorize the Executive Director to Submit an Application to the New Jersey Historic Trust for a 2020 Preserve New Jersey Historic Preservation Fund Grant
- To Approve the Pinelands Commission's 2019 Annual Report

8. General Public Comment

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

10. Adjournment

Upcoming Meetings

Unless otherwise noted, all meetings/events are conducted at the offices of the Pinelands Commission in New Lisbon

Fri., March 20, 2020	Policy & Implementation Committee Meeting (9:00 a.m.)
Fri., March 20, 2020	Land Use, Climate Impacts & Sustainability Committee Meeting (immediately following the Policy and Implementation Committee Meeting)
Fri., April 3, 2020	Pinelands Commission Meeting (9:30 a.m.)

Upcoming Office Closures

Fri., April 10, 2020- Good Friday

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

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

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

MINUTES

February 14, 2020

Commissioners Present

Alan W. Avery Jr., Daniel Christy, Sean Earlen, Jordan P. Howell, Jerome H. Irick, Ed Lloyd, Mark Lohbauer, William Pikolycky, and Chairman Richard Prickett. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Kristina Miles.

Commissioners Absent

Candace M. Ashmun, Jane Jannarone, D'Arcy Rohan Green and Gary Quinn.

Chairman Prickett called the meeting to order at 9:37 a.m.

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

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

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum.

Minutes

Chairman Prickett presented the minutes from the January 10, 2020 meeting. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Irick seconded the motion.

The minutes from the January 10, 2020 meeting were adopted by a vote of 9 to 0.

Committee Chairs' Reports

Chairman Prickett provided an update on the January 24, 2020 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the November 22, 2019 meeting.

The Committee recommended Commission certification of Folsom Borough's 2018 Master Plan Reexamination Report and Ordinance 07-2019.

The Committee reviewed the status of the Alternate Design Wastewater Treatment System Pilot Program and possible CMP amendments including: "graduating" one system from the pilot program; eliminating three additional systems due to lack of installations or underperformance; introducing up to six new technologies; and simplifying reporting requirements.

The Committee received an update on the status of the amendment to the Memorandum of Agreement with Atlantic County for development at Lake Lenape Park and its interest in lifting a portion of the deed restriction to allow a reconfiguration of the docks near the boat ramp. The County is identifying future needs, drafting metes and bounds descriptions and evaluating possible offsets.

The Committee reviewed rulemaking priorities. Staff noted that a retired DAG may be hired to assist with rulemaking. Some of the more urgent Comprehensive Management Plan (CMP) amendments could be ready within the next few months.

The Committee asked staff to schedule a meeting of the Land Use, Climate Impacts and Sustainability (LUCIS) Committee, to be followed by updates at perhaps three successive CMP P&I Committee meetings.

Executive Director's Reports

ED Wittenberg provided an update on the following items:

- The Governor recently released the Energy Master Plan, which can be found on the Board of Public Utilities website. The New Jersey Department of Environmental Protection has scheduled several stakeholder meetings as part of its Protection Against Climate Threats (PACT) initiative. Staff will be attending some of the meetings, and a LUCIS Committee meeting will be scheduled sometime in March.
- The Pinelands Municipal Council continues to be involved in supporting Payments in Lieu of Taxes (PILOTs). Pinelands towns and towns throughout the state are faced with the loss of tax revenue due to the preservation of land. The Council would like to see the program re-established.

Commissioner Pikolycky said the Governor would have to add the item into the budget.

Chairman Prickett said earlier this week, Mayor DeGroff of Woodland Township, sent a letter requesting the Commission's support to encourage Governor Murphy to reinstate the \$250,000 from the Garden State Land Preservation Trust Act. He said the letter was circulated to Commissioners and that he responded to the Mayor in writing.

ED Wittenberg said she has been researching different approaches to address the loss of tax revenue, including how other states handle the issue. She said conversations with the towns and public and private organization buying the land need to occur. She added that the amount of money and where it will come from needs to be discussed. She said she would continue to work with the Pinelands Municipal Council.

Commissioner Lohbauer said Pinelands communities who have dedicated lands to preservation should not be hindered financially. He suggested that the Council attend a future Policy and Implementation Committee to discuss the matter, and the Committee can make a recommendation to the full Commission to endorse action by the Legislature.

Commissioner Irick said he agreed and that he sees communities in South Jersey struggling to support their communities because they cannot create tax revenue due to a high percentage of public lands. He suggested the Executive Director and the Chairman send a letter to the Governor regarding PILOTs.

Commissioner Pikolycky said he would coordinate with the Council and Pinelands mayors about attending a Policy and Implementation Committee meeting.

Commissioner Lohbauer said the Governor recently signed legislation (S2252), expanding the use of electric vehicles. He said he would like to see the Commission install a charging station on the property. He said the bill calls for 500 charging stations around the state.

Commissioner Irick said he would like to see high-use vehicles such as school buses and mail carrier vehicles converted to electric vehicles.

Director Susan R. Grogan provided an update on the following:

- On January 31st, representatives from the Pinelands Preservation Alliance, the Builders Association, and purveyors and private consultants attended a Kirkwood Cohansey stakeholder meeting where draft rules were reviewed by Commission staff. Attendees raised good questions, suggestions and discussion points. Staff will be consulting with U.S. Geological Survey and New Jersey Geological Survey regarding proposed modeling for new wells. In a couple of months, the draft rules will be presented to the Policy and Implementation Committee. The public will have more opportunities to comment on the rules since rule making is a public process.
- In October 2019, the Commission awarded funding to five Pinelands Infrastructure Trust Fund (PITF) projects. Funds were awarded to Winslow Township for a water and sanitary sewer extension project. Winslow Township advised the Commission

that it has withdrawn its application and would be proceeding without PITF funding due to timing constraints.

- Staff is preparing an application for federal designation of the Pine Barrens Byway. The application will include many photographs and letters of support, and it is due by mid-May.
- Staff is preparing a grant application for funds made available by the New Jersey Historic Trust for improvements to Fenwick Manor. The grant is open to state agencies. In order to be eligible, the structure must be on the Register of Historic Places. A special initiative for the 2020 grant round is women's history in New Jersey. Staff will include the important link to Elizabeth White and her ties to Fenwick Manor. A resolution will be presented to the Personnel and Budget Committee and the full Commission in March, authorizing the grant application. The application is due in mid-April.
- Recent legislation will now allow farms preserved through the Pinelands Development Credit (PDC) program to be eligible for grants from the State Agricultural Development Committee (SADC). Staff will provide SADC with a list of PDC preserved farms.

Chairman Prickett suggested that Fenwick Manor be added to the New Jersey Women's Heritage Trail.

Director Chuck Horner provided information on the following regulatory matters:

- On January 22nd, a conference call was held with the Woodland Township Mayor and Administrator. The Township continues to have an interest in economic development along Route 72, where the Township owns 100 acres. The parcel is located in an Infill Area where commercial and residential development are permitted. A threatened and endangered species survey has been completed but not submitted to the Commission.
- Staff will attend court proceedings on February 25th. A property owner in Hamilton Township has cleared land and established a residence without application to the Commission or the Township. The property owner has not filed an application with the County Health Department for wastewater disposal.
- An applicant that is proposing a 9,000 square foot commercial building in Buena Vista Township successfully redesigned its parking lot because it was encroaching in a wetlands buffer.
- A Certificate of Filing was issued for the establishment of soccer fields in an Agricultural Production Area in Shamong Township. Field sports are permitted based on a 2016 Amendment to the Pinelands Protection Act. A township meeting was well attended by residents. Staff has been notified that the applicant plans to withdraw its application.

Paul Leakan, Communications Officer, said there over 350 people signed up for the 31st Annual Pinelands Short Course. He noted that WHYY of Philadelphia is planning to attend and provide news coverage at this year's Short Course.

Public Development Projects and Other Permit Matters

Chairman Prickett presented a resolution recommending approval of a deicing pad at the Atlantic City International Airport.

Commissioner Pikolycky made a motion Approving With Conditions an Application for Public Development (Application Number 1983-5837.058) (See Resolution # PC4-20-04). Commissioner Avery seconded the motion.

Stacey Roth, Chief of Legal and Legislative Affairs, said that South Jersey Transportation Authority's (SJTA) Airport Director, the Airport's Engineer and SJTA's legal counsel are in the audience.

Commissioner Earlen said at the last meeting he requested an update on SJTA's obligations under the amended Memorandum of Agreement (MOA).

Ms. Roth said the deicing pad was part of the original 2004 MOA and was originally proposed at seven acres and has expanded to 12 acres. She provided a handout (attached) that lists each of SJTA's responsibilities and whether the Authority is in compliance. She reviewed each item of the Amended MOA.

She noted that on January 31st Commission staff, SJTA representatives and Atlantic County representatives met at a potential site for the new Grassland Conservation Management Area (GCMA). SJTA has modified its Airport Layout Plan (ALP) and received approval from the Federal Aviation Administration. SJTA is also making progress with regard to the frosted elfin butterfly habitat project. Ms. Roth answered some follow-up questions and said SJTA has fulfilled its monthly reporting requirement. She said she would provide additional information on the new GCMA at an upcoming Policy and Implementation Committee meeting.

The Commission adopted the resolution by a vote of 9 to 0.

Chairman Prickett presented a resolution recommending approval of forestry activities on 899 acres in Ocean Township.

Commissioner Avery made a motion Approving With Conditions an Application for Public Development (Application Number 1984-0514.008) (See Resolution # PC4-20-05). Commissioner Earlen seconded the motion.

Commissioner Avery said representatives from Ocean County Parks are present to answer any questions.

Commissioner Lohbauer commended the applicant for the plan. He appreciated that it was a multi-year plan, which is a good approach for wildfire prevention while maintaining the integrity of the forest. He raised concerns about patch cuts, which he said can later be used as access points for off-road vehicle users. He said the applicant is proposing to use felled

trees to create a barrier, which have sometimes proven to be ineffective. He asked Director Horner if the Commission could request the applicant to use an alternative barrier.

Director Horner said the majority of forestry applications received by the Commission are on private lands. The Commission doesn't receive many applications for forestry on public lands. He said trails are created in order for the harvest work to be completed. He said corduroy roads which are essentially log roads are used to harvest trees in wetland areas. The roads are removed once work is complete. He noted some trees will be left behind to prohibit ORV use. He suggested having a discussion on ORV barriers at a future Policy and Implementation Committee meeting. He added that yes the Commission can work with the applicant about requiring specific barriers.

Commissioner Lohbauer agreed with Director Horner's suggestion of discussing the matter at a future Policy and Implementation Committee meeting. He said he was interested in what the applicant had to say about protecting the forest from ORV use.

Geoffrey Lohmeyer, Ocean County said the project encompasses Wells Mills County Park and surrounding areas owned by Natural Lands Trust. He said the parks department is diligent about closing access to areas with stumps and logs or gates and guardrails to hinder ORV use. In addition, Park personnel work closely with the Ocean County Sheriff's office, which assists with patrolling the area for illegal off-road vehicle users.

Commissioner Avery said Ocean County takes land stewardship seriously. He said it's hard to have a uniform approach when discussing ORV barriers. He said the type of barrier is dependent on the site. He said the Ocean County Freeholders assigned a portion of the open space tax to a maintenance fund for this type of work.

Commissioner Lloyd said Ocean County is clearly doing good work. He said Commissioner Avery should err on the side of caution with regard to this application as a former employee of Ocean County and the Ocean County representative on the Commission.

Commissioner Avery asked how it was any different from a state-appointed Commissioner voting on a state project.

Ms. Roth, the Commission's Ethics Liaison Officer (ELO), asked for confirmation from Director Horner that the application was submitted by Ocean County and not the Natural Lands Trust.

Director Horner said the applicant is Ocean County.

Ms. Roth said it's best that Commissioner Avery recuse from the vote on this application because of his former involvement with the County.

Commissioner Earlen thanked Ocean County for its work.

Commissioner Lohbauer said if Commissioner Avery chooses to recuse from this application he would make a motion to move the application.

Commissioner Avery said he would recuse because the matter just came up and there are sufficient votes to move the application. He said his employment with the County was over a decade ago and we should be encouraging volunteerism in New Jersey not discouraging it.

Commissioner Earlen said he has questions about whether or not he can vote on Burlington County applications.

Ms. Roth said she needs time to review the matter and how it relates to voting on future applications. She added she will need to reach out to the State Ethics Commission.

Commissioner Avery left the dais.

Chairman Prickett asked Director Horner if the forestry plan was revised based on public comment made at the January Commission meeting.

Director Horner advised that the plan had in fact been revised.

Chairman Prickett said he reviewed the application and the plan helps to foster carbon sequestration. He said the Atlantic white cedar population will grow without competition. He said the plan will protect the pine forest from wildfires including the protection of threatened and endangered species and the development in the area.

Commissioner Lohbauer said he made the motion to move the application due to Commissioner Avery's recusal. Commissioner Earlen reaffirmed his second motion.

The Commission adopted the resolution by a vote of 8 to 0. Commissioner Avery recused from the vote.

Commissioner Avery returned to the dais.

Chairman Prickett presented a resolution recommending approval of a Waiver of Strict Compliance for the development of one single family dwelling in Manchester Township.

Commissioner Lohbauer made a motion Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 2019-0138.001) (See Resolution # PC4-20-06). Commissioner Lloyd seconded the motion.

Director Horner said a waiver is required because the property does not meet the minimum lot size required for development using a standard septic system. He said the single family dwelling is proposed in a Regional Growth Area and they have met all the other standards to qualify for a waiver.

The Commission adopted the resolution by a vote of 9 to 0.

Planning Matters

Chairman Prickett presented a resolution related to Folsom Borough.

Commissioner Lohbauer made a motion Issuing an Order to Certify the Folsom Borough 2018 Master Plan Reexamination Report and Ordinance 07-2019, Amending Chapter 170 (Subdivision and Land Development) and Chapter 200 (Zoning) of the Code of Folsom Borough(See Resolution # PC4-20-07). Commissioner Pikolycky seconded the motion.

Director Grogan said Folsom Borough received financial and professional assistance from the Department of Community Affairs (DCA) in creating its new Master Plan. She said DCA has an Office of Local Planning Services that worked with Folsom officials for a number of years in creating the 2018 Master Plan Reexamination Report and Ordinance 07-2019. She noted that the Borough of Woodbine and Pemberton Township have also worked with DCA's Office of Local Planning Services.

She said the goal of the Master Plan and accompanying Ordinance is to create a new commercial zone along the Black Horse Pike. The new zone will include both existing and new development. She said much of the Borough is constrained by wetlands, the rezoning is a better reflection of existing conditions. She said 49 acres will be changed from a Forest Area to a Rural Development Area. She said as an offsetting measure the Borough will rezone 76 acres from the Rural Development Area to the Forest Area.

Commissioner Lohbauer raised concerns that there were no sewers to serve the new development. He asked if septic systems would be adequate for the proposed uses.

Director Grogan said even though the lots have wetlands in the rear portions, they are large lots and would be able to meet the Comprehensive Management Plan's groundwater quality standards.

The Commission adopted the resolution by a vote of 9 to 0.

Public Comment on Public Development Applications and Items where the record is open

Chairman Prickett read the list of Public Development applications up for comment. No one provided comment.

Ordinances Not Requiring Commission Action

Chairman Prickett asked if any Commissioners had questions regarding the ordinances not requiring Commission action.

- Jackson Township 2019 Master Plan Reexamination Report
- Washington Township Ordinance 2019-07
- Winslow Township Ordinances O-2019-024 and O-2019-025

No members of the Commission had questions.

Other Resolutions

Chairman Prickett presented a resolution regarding the Fiscal Year 2018 Audit report.

Commissioner Avery made a motion recommending approval To Accept the Fiscal Year 2018 Audit Report (See Resolution # PC4-20-08). Commissioner Pikolycky seconded the motion.

Commissioner Avery said each year the Commission is audited by the Office of Legislative Services. He said this is the second year the Commission has had no findings.

The Commission adopted the resolution by a vote of 9 to 0.

General Public Comment

Mark Demitroff of Richland Village spoke about the connection between Elizabeth White and the Olmstead Bothers. Mr. Demitroff handed out a copy of a February 7, 2020 letter from the Commission addressed to Mr. Demitroff in response to questions he raised at the January 10, 2020 Commission meeting. The handout also included a copy of November 23, 2011 letter from the Attorney General's office. He said properties in Richland Village are blighted. He continued to express his frustration with the term "redevelopment". He said no one understands redevelopment, including the Local Finance Board and the DCA. He added that he has no due process and redevelopment is the Commission's responsibility. He raised a question about credits at the Buena Borough Municipal Utilities Authority and the extension of sewer into Buena Vista Township.

Commissioner Irick asked if it was appropriate for staff to look into the Commission's responsibility regarding redevelopment.

Director Horner advised the Commission that a copy of the Commission's February 7, 2020 response to Mr. Demitroff was passed out to each Commissioner this morning. Director Horner explained that the Commission reviews and certifies municipal ordinances, zoning plans and redevelopment plans in the Pinelands Area that a municipality adopts. He said the Commission cannot administer the Municipal Land Use Law or the rules and regulations of other agencies.

Commissioner Irick asked if the Commission certifies plans in accordance with the CMP.

Direct Horner said yes.

Commissioner Lloyd said he found Paula Dow's letter to be consistent with Director Horner's letter.

Margit Meissner-Jackson, Ocean County Sierra Club, said Barnegat and Lacey townships are planning for an increase in their residential populations. She said the tree cutting at Bass River State Forest was the wrong decision. She said she received many calls from local residents who are very disappointed with tree clearing. She said there were other options.

Commissioner Lloyd said he had to leave. He apologized.

Commissioner Lohbauer thanked Ms. Meissner-Jackson for raising the Bass River Fire Tower issue. He said he would like to discuss the long term planning goals with the Forest Fire Service, including alternatives to fire towers. He said he doesn't want to be faced with making an emergency decision again.

Commissioner Irick said a recent news article stated that the Pinelands will have a catastrophic wildfire. He said the Commission was supposed to have conversations with the NJDEP after the Commission approved the tree clearing at Bass River State Forest. He said he would like to have a discussion with the Forest Fire Service at a Committee meeting to understand its wildfire prevention approach.

ED Wittenberg said the New Jersey Forest Fire Service was at the meeting this morning to hear about the Wells Mills Forestry plan application. She said she will invite them to an upcoming meeting to provide an update on their plans.

Jay Mounier, Franklin Township, NJ, said he was happy and thankful that farmers with PDC preserved lands will get the same treatment as farms preserved through the County Farmland Preservation Program. He commended the forestry plan for Wells Mills County Park. He said forest management is important for fire prevention but also for the overall health of the forest. He said New Jersey has too many overgrown forests and it's not safe. He said there needs to be more forest management on public and private lands. He said he heard about new legislation from former Commissioner Steve Lee. He said the legislation would require the NJDEP to complete forest stewardship plans on all state forests and wildlife management areas. He noted that there are currently no Pinelands farmers on the Commission.

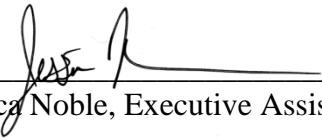
Adjournment

Commissioner Earlen read a provision from the Conflicts of Interest Law for Special State Officers and asked if as a County representative he had to recuse on Burlington County applications.

Ms. Roth said recusal issues are fact-specific, and the mere fact that you live in the County or represent the County does not require recusal.

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Earlen seconded the motion. The Commission agreed to adjourn at 11:53 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: February 26, 2020

SJTA's Responsibilities Under the April 2019 Amended Memorandum of Agreement (MOA)				
	Obligation	Paragraph in Amended MOA	SJTA Compliance to Date	Date of Action
1	6 annual payments of \$500,000	3	Payments received in April 2019 and December 2020	Checks received April 15, 2019 & December 19, 2019
2	Acquire land within the Pinelands, of which at least 62 acres is already cleared and the cleared acreage is located at least 50 meters from any structure or forest edge.	4	SJTA entered into an agreement with Atlantic County for the County to assist it with finding appropriate site. Visit of potential site occurred on January 31, 2020.	MOA between SJTA and AC executed on December 17, 2019.
3	Fund the creation, dedication and long term maintenance of new GCMA	4	SJTA put \$2 million in its 2020 capital budget for establishment of the new GCMA and Frosted elfin butterfly habitat enhancement project.	Occurred in November 2019
4	Execute and File DCR for new GCMA to preserve in perpetuity	4	Must be done 90 days after site for new GCMA is acquired	
5	Fund enhancement of ~12 acre site in northeast quadrant of airport for Frosted Elfin Butterfly through planting of wild indigo	5	SJTA put \$2 million in its 2020 capital budget for establishment of the new GCMA and Frosted elfin butterfly habitat enhancement project.	Occurred in November 2019
6	Obtain FAA's approval to expand the "Forest Preservation Area" located in the northeastern portion of the airport to include not only the 12 acre frosted elfin butterfly site but also the area where frosted elfin butterfly has been documented	5	SJTA received formal approval from the FAA and this 12-acre area has been added to the ALP. The signed ALP was provided to the Commission in November.	Sent November 29, 2019
7	Provide copy of the revised ALP to the PC	5	Copy of revised and approved ALP provided to PC in November.	Sent November 29, 2019

8	Provide resolution from Board acknowledging SJTA's commitment to undertake and complete offsetting measures and provide time line for acquisition and creation of the GCMA and frosted elfin butterfly habitat enhancement project including deadlines below.	6	Resolution 2019-19 was executed by the SJTA on April 5, 2019	Copy of minutes approving the resolution were sent to the Commission on April 10, 2019
9	Acquisition of new GCMA site within 1 year of SJTA's execution of the MOA (April 12, 2020)	6	As noted above, SJTA is working with AC to acquire an appropriate site.	
10	Establishment of new GCMA within 3 years of SJTA's execution of the MOA (April 12, 2022)	6		
11	Completion of Frosted elfin butterfly habitat enhancement project within 2 years of SJTA's execution of the MOA (April 12, 2021).	6	SJTA has another nursery capable of providing the wild indigo plants needed for the site. SJTA has reserved 200 plugs and nursery expects to have 1,500 plugs in June, which has also been reserved for SJTA.	Noted in the December 2019 Status Report
12	SJTA may request one, 6 month extension of 1 year deadline for acquisition of a site for the new GCMA. Request for extension must be submitted in writing by March 11, 2020.)	8		

13	45 days prior to commencing creation of new GCMA or Frosted elfin butterfly habitat enhancement project, SJTA has to submit info to the PC and cannot commence either project until submitted info and received approval from the ED	9 & 10		
14	If SJTA fails to acquire a parcel for the new GCMA within 1 year (or 1.5 years if extension granted), it must make an additional payment to the PC equal to FMV to acquire a GCMA site and the present day value of the costs that would be incurred to create and maintain the GCMA. PC will determine the payment amount based on info submitted by SJTA within 30 days of April 12, 2020 (or September 12, 2020 if extension granted.)	11 & 12		
15	Additional payment in lieu of creating new GCMA shall be provided to PC within 60 days of receipt of payment amount from the PC.	12		

16	Provide monthly status reports delineating steps taken to implement the offsetting measures (new GCMA & Frosted elfin butterfly habitat enhancements.) After acquisition of the site for the new GCMA, duration of submission of status reports may be changed by written authorization of the ED with concurrence of the chair.	18	Status reports have been received for July 2019 through December 2019 and January 2020	
17	MOA Amendment suspended if any of the annual payments not made or time-lines for the creation and maintenance of new GCMA or Frosted elfin butterfly habitat enhancement project are not met.	13		
18	If MOA is suspended for lack of payment or failure to meet deadlines associated with the new GCMA or Frosted elfin butterfly habitat enhancement project, the Commission may demand immediate payment of all remaining \$500,000 annual payments.	17		
19	Attend meeting of the P&I Committee as requested by the Committee to provide an update on efforts to satisfy offsetting obligations.	20		



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February 7, 2020

Mr. Mark Demitroff
822 Main Avenue
Vineland, N.J. 08360

Re: Municipal Redevelopment Plans
in the Pinelands Area

Dear Mr. Demitroff:

I am writing in response to your letter inquiring as to the relationship between municipal "Redevelopment Plans" in the State of New Jersey and the Pinelands Comprehensive Management Plan (CMP).

Although your letter specifically inquires about Buena Vista Township, this letter addresses the relationship of all municipal Redevelopment Plans in the Pinelands Area, including Buena Vista Township's, to the CMP.

In the Pinelands Area, any municipal Redevelopment Plan is subject to the same Pinelands Commission review and certification (approval) process as any other Pinelands Area municipal land use or zoning ordinance. The Commission reviews any Redevelopment Plan for consistency with all requirements of the CMP. Until the Commission certifies (approves) a Redevelopment Plan, it does not take effect. In addition, no actual development that is proposed in a Redevelopment Plan can occur until a development application is approved by the Commission in accordance with the provisions of the CMP.

I also wanted to note that it remains necessary for a municipality/applicant to secure all other approvals or permits that may be required by other agencies in the State of New Jersey.

Except as applicable to the Commission's regulations, I do not have the expertise or knowledge to offer guidance on the role and requirements of the New Jersey Department of Community Affairs and New Jersey municipalities with respect to the designation of redevelopment areas or the adoption, review, approval and implementation of Redevelopment Plans.

I hope this letter clarifies the role of the Pinelands Commission with Redevelopment Plans in the Pinelands Area.



State of New Jersey

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Lt. Governor

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.



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. §471i(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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-20-_____

TITLE: Approving With Conditions Applications for **Public Development** (Application Numbers 2020-0004.001 & 2020-0005.001)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

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

2020-0004.001

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: February 20, 2020
Proposed Development: Demolition of a single family dwelling, 50 years old or older; and

2020-0005.001

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: February 20, 2020
Proposed Development: Demolition of a single family dwelling, 50 years old or older.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 2020-0004.001 & 2020-0005.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun				Irick				Quinn			
Avery				Jannarone				Rohan Green			
Christy				Lloyd				Prickett			
Earlen				Lohbauer							
Howell				Pikolycky							

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Richard Prickett
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
Application Specific Information: AppInfo@pinelands.nj.gov

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

February 20, 2020

David Benedetti (via email)
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Re: Application # 2020-0004.001
Block 398, Lot 17
Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its March 13, 2020 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)
Pemberton Township Construction Code Official (via email)
Pemberton Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)



State of New Jersey
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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

RICHARD PRICKETT
 Chairman
 NANCY WITTENBERG
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

February 20, 2020

David Benedetti (via email)
 Pemberton Township
 500 Pemberton Browns Mills Road
 Pemberton, NJ 08068

Application No.: 2020-0004.001

Location: Block 398, Lot 17
 Pemberton Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.38 acre parcel in Pemberton Township.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Management Area. The demolition of a single family dwelling is permitted in a Pinelands Regional Growth Management Area.

Cultural Resource Standards (N.J.A.C. 7:50-6.155)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on February 4, 2020. The Commission’s public comment period closed on February 14, 2020. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.
3. Reconstruction of a single family dwelling, within five years of its demolition, does not require an application to the Pinelands Commission.

CONCLUSION

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



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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on March 9, 2020 and include the following information:

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

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



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SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

February 20, 2020

David Benedetti (via email)
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Re: Application # 2020-0005.001
Block 393, Lot 35.02
Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its March 13, 2020 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)
Pemberton Township Construction Code Official (via email)
Pemberton Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)



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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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

February 20, 2020

David Benedetti (via email)
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Application No.: 2020-0005.001

Location: Block 393, Lot 35.02
Pemberton Township

This application proposes demolition of a single family dwelling, 50 years old or older located on the above referenced 0.29 acre parcel in Pemberton Township.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Management Area. The demolition of a single family dwelling is permitted in a Pinelands Regional Growth Management Area.

Cultural Resource Standards (N.J.A.C. 7:50-6.155)

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on February 4, 2020. The Commission’s public comment period closed on February 14, 2020. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.
3. In accordance with the CMP (N.J.A.C. 7:50-4.1(a)1), the reconstruction of a single family dwelling, within five years of its demolition, does not require an application to the Pinelands Commission.

CONCLUSION

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



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SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on March 9, 2020 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-20-_____

TITLE: **Approving With Conditions Applications for Public Development** (Application Numbers 1988-0841.004, 2017-0052.002 & 2019-0080.001)

Commissioner _____ moves and Commissioner _____
seconds the motion that:

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

1988-0841.004

Applicant:	Galloway Township
Municipality:	Galloway Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	February 20, 2020
Proposed Development:	Installation of public sanitary sewer main and three sanitary sewer pump stations to service the Gabriel Field and Tartaglio Field recreational facilities;

2017-0052.002

Applicant:	New Jersey Department of Transportation
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	February 21, 2020
Proposed Development:	Installation of a traffic control system within the U.S. Route 322 right-of-way; and

2019-0080.001

Applicant:	Upper Township
Municipality:	Upper Township
Management Area:	Pinelands Forest Area
Date of Report:	February 21, 2020
Proposed Development:	Paving of 347 linear feet within the Iroquois Trail road right-of-way.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1988-0841.004, 2017-0052.002 & 2019-0080.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun				Irick				Quinn			
Avery				Jannarone				Rohan Green			
Christy				Lloyd				Prickett			
Earlen				Lohbauer							
Howell				Pikolycky							

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Richard Prickett
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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

February 20, 2020

Christian Johanson, Township Manager (via email)
Galloway Township
300 East Jimmie Leeds Road
Galloway, NJ 08205

Re: Application # 1988-0841.004
Duerer Street; North Genoa and South Genoa Avenues
Block 473, Lot 13
Block 647, Lot 7
Galloway Township

Dear Mr. Johanson:

The Commission staff has completed its review of this application for installation of public sanitary sewer main and three sanitary sewer pump stations to service the Gabriel Field and Tartaglio Field recreational facilities. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its March 13, 2020 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure
c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Galloway Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Vince Polistina (via email)



State of New Jersey

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PHILIP D. MURPHY
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Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

February 20, 2020

Christian Johanson, Township Manager (via email)
Galloway Township
300 East Jimmie Leeds Road
Galloway, NJ 08205

Application No.: 1988-0841.004
Duerer Street; North Genoa and South Genoa Avenues
Block 473, Lot 13
Block 647, Lot 7
Galloway Township

This application proposes the installation of public sanitary sewer main and three sanitary sewer pump stations to service the Gabriel Field and Tartaglio Field recreational facilities. Approximately 7,705 linear feet of public sanitary sewer main will be installed within the Duerer Street, North Genoa Avenue and South Genoa Avenue rights-of way and 770 linear of sanitary sewer main and three sanitary sewer pump stations will be installed on the above referenced lots containing the Gabriel Field and Tartaglio Field recreational facilities.

STANDARDS

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

Land Use (N.J.A.C. 7:50-3.1(d) and 5.28)

Approximately 230 linear feet of the proposed public sanitary sewer main is located in a Pinelands Regional Growth Area. Public sanitary sewer is permitted in a Pinelands Regional Growth Area.

Approximately 7,475 linear feet of the proposed public sanitary sewer main and three pump stations are located in a Pinelands Rural Development Area and in Galloway Township's R5C zoning district.

Public sanitary sewer is typically not permitted in a Pinelands Rural Development Area. The CMP (N.J.A.C. 7:50-3.1(d)) does, however, provide that municipalities are to be afforded the greatest degree of flexibility and discretion in preparation of land use ordinances so long as the ordinances do not conflict with the ultimate objectives and minimum requirements of the CMP.

When the Commission certified Galloway Township's master plan and land use ordinance on March 6, 1987, the Township created the R5C District in a Pinelands Rural Development Area. The Commission certified ordinance allowed for the provision of public sanitary sewer to service clustered development in a portion of the R5C zoning district as a means to protect an environmentally sensitive area also located in the R5C zoning district.

On October 12, 2017, the Commission certified Galloway Township Ordinances 1969-2017 and 1970-2017. Those ordinances expanded the R5C zoning district to include the the Gabriel Field and Tartaglio Field recreational facilities. The Township ordinances permit the provision of public sanitary sewer to public recreational facilities in the R5C zoning district provided that one acre of delineated environmentally sensitive land in the R5C zoning district is deed restricted for conservation purposes for every acre of land devoted to an existing or proposed outdoor recreational use.

To address the required deed restriction for the existing outdoor recreational use located on 10 acres of Block 473, Lot 13 and 20 acres of Block 647, Lot 7, the applicant proposes to deed restrict for conservation purposes at least 30 acres of Block 532, Lots 2.01 and 3. The 30 acres proposed to be deed restricted for conservation purposes is delineated as environmentally sensitive land in the R5C zoning district.

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

There are wetlands located within 300 feet of Block 473, Lot 13. On May 11, 2007, the Commission approved the development of a recreational facility on Block 473, Lot 13. As part of that application, the applicant demonstrated that if all proposed development maintained a 200 foot buffer to wetlands located on adjacent Block 647, Lot 1, the proposed development would not result in a significant adverse impact on the wetland. The proposed sanitary sewer line and pump stations in the current application will be located at least 200 feet from wetlands located on Block 647, Lot 1.

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

The proposed development will be located within existing paved roadways, grassed road shoulders and grassed recreational fields. The proposed soil disturbance is limited to that which is necessary to accommodate the development.

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on October 9, 2019. Newspaper public notice was completed on October 11, 2019. The application was designated as complete on the Commission's website on January 8, 2020. The Commission's public comment period closed on February 14, 2020. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to

the plan, consisting of 15 sheets, prepared by Polistina Associates, LLC, and dated as follows:

Sheet 1- August 2019

Sheets 2-15- July 31, 2019

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Prior to any development, a copy of a recorded deed restriction (or stamped, receipted deed filed for recordation) imposed on Block 532, Lots 2.01 and 3 must be submitted to the Pinelands Commission.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

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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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on March 9, 2020 and include the following information:

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

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



State of New Jersey

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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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

February 21, 2020

Brenna N. Fairfax (via email)
New Jersey Department of Transportation
PO Box 600
Trenton, NJ 08625

Re: Application # 2017-0052.002
U.S. Route 322
Hamilton Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for installation of a traffic control system within the U.S. Route 322 right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its March 13, 2020 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

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



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
Application Specific Information: AppInfo@pinelands.nj.gov

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

February 21, 2020

Brenna N. Fairfax (via email)
New Jersey Department of Transportation
PO Box 600
Trenton, NJ 08625

Application No.: 2017-0052.002
U.S. Route 322
Hamilton Township

This application proposes installation of a traffic control system within the U.S. Route 322 right-of-way in Hamilton Township.

The proposed development includes the installation of three traffic detectors mounted on 14 foot poles. The three proposed detectors will be located along the U.S. Route 322 right-of-way between U.S. Route 40 to a point 900 linear feet west of Unadachtigo Road. The proposed development will be connected to the New Jersey statewide communication network by a proposed fiber optic communication line installed underground within the U.S. Route 322 right-of-way. The traffic control system will be utilized by the New Jersey Department of Transportation to improve traffic flow and safety at existing signalized intersections along U.S. Route 322.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.26(b)10 & 5.28)

The proposed development is located in a Pinelands Rural Development Management Area and a Pinelands Regional Growth Management Area. The proposed development is a permitted land use in a Pinelands Rural Development Management Area and a Pinelands Regional Growth Management Area.

Wetlands Standards (N.J.A.C. 7:50-6.6 & 6.13)

There are wetlands located within 300 feet of the proposed development. No development is proposed in wetlands. The CMP requires up to a 300 foot buffer to wetlands. The proposed traffic detectors and portions of the underground fiber optic communication line will be located within 300 feet of wetlands.

The CMP permits linear improvements in the required buffer to wetlands provided the applicant demonstrates that certain conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in wetland buffers or that will result in a less significant adverse impact to wetland buffers. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the wetland buffers. The applicant has indicated that the proposed development will improve traffic safety and reduce traffic congestion. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetland buffer.

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

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

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

PUBLIC COMMENT

The CMP defines the proposed traffic control system as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on February 4, 2020. The Commission’s public comment period closed on February 14, 2020. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 12 sheets, prepared by HNTB Corporation, all sheets dated February 3, 2020.
2. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 23 sheets, prepared by WSP USA Inc., all sheets dated December 19, 2019.
3. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
4. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
5. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

6. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on March 10, 2020 and include the following information:

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

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



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General Information: Info@pinelands.nj.gov
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RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

February 21, 2020

Paul Dietrich (via email)
Upper Township
P.O. Box 205
Tuckahoe, NJ 08250

Re: Application # 2019-0080.001
Iroquois Trail
Upper Township

Dear Mr. Dietrich:

The Commission staff has completed its review of this application for paving of 347 linear feet within the Iroquois Trail road right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its March 13, 2020 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Upper Township Planning Board (via email)
Upper Township Construction Code Official (via email)
Secretary, Cape May County Planning Board (via email)



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RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

February 21, 2020

Paul Dietrich (via email)
Upper Township
P.O. Box 205
Tuckahoe, NJ 08250

Application No.: 2019-0080.001
Iroquois Trail
Upper Township

This application proposes paving of 347 linear feet within the Iroquois Trail road right-of-way in Upper Township. Iroquois Trail is an existing gravel road ranging from 17 to 24 feet in width. The 347 linear feet of road will be paved to a width of 24 feet to service existing dwellings.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.23(b)12)

The proposed development is located in a Pinelands Forest Management Area. Public service infrastructure, including roads, is a permitted use in a Pinelands Forest Management Area provided that the road is intended to primarily serve only the needs of the Pinelands. The road will service existing residential development which is located entirely within the Pinelands.

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

The proposed development will be located over existing gravel, vegetated shoulders and within forested land. The proposed development will disturb approximately 2,900 square feet of forested land. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet these standards, the applicant proposes to construct a stormwater infiltration swale.

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

The Commission staff reviewed the application for evidence of cultural resources. Based upon the lack of potential for significant cultural resources in the right-of-way, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on August 12, 2019. The application was designated as complete on the Commission's website on January 31, 2020. The Commission's public comment period closed on February 14, 2020. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by the Upper Township Engineer's Office dated May 20, 2019 and last revised January 3, 2020.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on March 10, 2020 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-20-_____

TITLE: To Authorize the Executive Director to Submit an Application to the New Jersey Historic Trust for a 2020 Preserve New Jersey Historic Preservation Fund Grant

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the New Jersey Historic Trust is offering Capital Level I matching grants through the Preserve New Jersey Historic Preservation Fund in 2020 for a wide range of historic preservation construction projects; and

WHEREAS, agencies and entities of the State government are eligible to apply for grants through this program; and

WHEREAS, to be eligible for a grant, a property must be listed in or eligible to be listed in the New Jersey Register of Historic Places and/or the National Register of Historic Places; and

WHEREAS, for the 2020 grant round, the New Jersey Historic Trust will give special consideration to grant applicants whose properties address and/or embody the themes of the 100th anniversary of the 19th Amendment, and the role of women in New Jersey history; and

WHEREAS, Fenwick Manor is listed in both the New Jersey and National Registers of Historic Places; and

WHEREAS, Fenwick Manor is the family home of pioneering agriculturist and advocate for migrant worker's rights Elizabeth Coleman White and is the architectural centerpiece of the Pinelands Commission campus, making it an ideal candidate for the Historic Trust's 2020 grant round; and

WHEREAS, the Commission wishes to apply for a Capital Level I grant which will be used to preserve the exterior of Fenwick Manor through activities which will include: the removal of all old and exfoliating paint, re-painting of the entire structure, and the stabilization and repair of any damaged exterior features according to the *Secretary of the Interior's Standards*; and

WHEREAS, Capital Level I applicants may apply for grants of \$5,000-\$150,000; and

WHEREAS, Capital Level I grants require the recipient to provide matching funds on a 3:2 basis, with the Historic Trust funding 60 percent of the total project cost and the grantee responsible for the remaining 40 percent; and

WHEREAS, in its Fiscal Year 2016, 2017, 2018 and 2019 adopted budgets, the Pinelands Commission reserved a total of \$120,000 for the rehabilitation of Fenwick Manor, all of which is available to match a Capital Level I grant; and

WHEREAS, the New Jersey Historic Trust requires the applicant to obtain the formal authorization of its governing body for the submission of application and to document the availability and commitment of matching funds; and

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

NOW, THEREFORE, be it resolved that:

1. The Pinelands Commission hereby approves and endorses an application for a Capital Level I grant through the New Jersey Historic Trust and the Preserve New Jersey Historic Preservation Fund for the preservation of National and State Register listed Fenwick Manor.
2. The Pinelands Commission hereby certifies that it will provide all necessary matching funds, up to a maximum of \$120,000.
3. The Executive Director is hereby authorized to submit the grant application and confirm and sign all assurances associated with that application.

Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun				Irick				Quinn			
Avery				Jannarone				Rohan Green			
Christy				Lloyd				Prickett			
Earlen				Lohbauer							
Howell				Pikolycky							

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Richard Prickett
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-20-_____

TITLE: To Approve the Pinelands Commission’s 2019 Annual Report

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

WHEREAS, in September 2006, then Governor Corzine issued Executive Order #37; and

WHEREAS, Executive Order #37 called for the preparation and approval of a comprehensive report concerning the operations of each State authority; and

WHEREAS, the report shall set forth the significant actions of the Commission; and

WHEREAS, since the report is to be done on an annual basis and it includes much of the same information as the Commission's Annual Report, which is required by the Pinelands Protection Act, the two reports have been combined every year since 2007 as a cost savings measure to eliminate waste and promote efficiency as called for in Executive Order #37; and

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

NOW, THEREFORE BE IT RESOLVED that the attached 2019 Annual Report be approved, submitted to the Governor's Authorities Unit and posted on the Commission's web site.

Record of Commission Votes

AYE NAY NP A/R*					AYE NAY NP A/R*					AYE NAY NP A/R*				
Ashmun					Irick					Quinn				
Avery					Jannarone					Rohan Green				
Christy					Lloyd					Prickett				
Earlen					Lohbauer									
Howell					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Richard Prickett
Chairman



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

RICHARD PRICKETT
 Chairman
 NANCY WITTENBERG
 Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Susan R. Grogan 
 Director, Land Use & Technology Programs

Date: February 28, 2020

Subject: No Substantial Issue Findings

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

Berlin Borough Historic Preservation Element - provides goals and objectives for the preservation of historic resources in the Borough. The Element details the history of the Borough and provides an overview of the federal, state, and local regulatory framework for historic preservation. The element also includes an inventory of the historic resources within the Borough.

Berlin Borough Economic Development Element - provides goals and objectives for the general economic policy agenda for the Borough. The element details economic conditions and trends in the Borough and the region. It also reviews the existing land use patterns of the Borough and its impact on economic activity. Lastly, the element provides 28 recommendations for implementing the plan. Of relevance to the CMP is a recommendation for additional mixed used zoning districts as well as a Redevelopment Plan for the Owens Corning site, which is located in the Pinelands Regional Growth Area.

Berlin Borough Circulation Element - provides goals and objectives for the maintenance and upgrading of the Borough's transportation network. The element details the Borough's existing transportation network, travel patterns, as well as state, regional, and local transportation initiatives. Lastly, the element provides nine recommendations for implementing the plan. Of relevance to the CMP, the element recommends revising the Borough's land development ordinance to require sidewalks on both sides of the street for all site plan and subdivision applications.

Berlin Township Ordinance 2019-1 - amends Chapter 200 (Land Development) of the Township's Code by repealing Article V, Zoning Board of Adjustment, whose powers and responsibilities have been transferred to the Township's Joint Land Use Board. The ordinance also revises various sections of the

ordinance by eliminating references to the Zoning Board of Adjustment. Ordinance 2019-1 also repeals Article VIII, Appeals, eliminating the process for appealing land use board decisions to the Township's governing body. Finally, the ordinance amends Section 200-49, Notices to Pinelands Commission, to eliminate notification to the Commission of appeals to the Zoning Board of Adjustment or Governing Body.

Eagleswood Township 2019 Master Plan Reexamination Report - reviews the problems and objectives identified in the Township's Master Plan (2002) and previous Reexamination Report (2008), discusses the extent to which such problems and objectives have been addressed, and identifies changes in conditions, policies and objectives at the local, county and state level relevant to the Township. The Report provides recommendations related to the Eagles Nest Airport, the Route 9 corridor, and the Marine Commercial districts, all of which are located outside of the state-designated Pinelands Area. The Report also includes recommendations for open space and recreation, property maintenance, and buffering and site improvement standards for non-residential uses.

Stafford Township Ordinance 2019-05 - amends Chapter 211 (Zoning) of the Township's Code by repealing and replacing Section 211-35P (Signs). The revised section includes definitions and various regulations for the location, design, and duration of signs. Section 211-35P(10)(b) includes a provision that all properties located within Pinelands Zones shall also be regulated according to Pinelands Commission regulations and the provisions of Section 211-9. Section 211-9G(10) includes regulations specific to signage within the Pinelands Area.