



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

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



RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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

MEMORANDUM

To: Members of the Commission

From: Nancy Wittenberg
Executive Director

Date: July 31, 2019

Subject: Summary of the August 9, 2019 Meeting Packet

Minutes

The July 12, 2019 Commission Meeting minutes and attachments are included in your packet.

Public Development Application

The following public development applications are being recommended for approval with conditions:

1. **Application Number 1981-1470.007/ Ocean County**, Jackson and Manchester Townships, Regional Growth and Rural Development Areas, Two lot subdivision and no additional development.
2. **Application Number 1990-1174.011/ Monroe Township**, Monroe Township, Regional Growth Area, Installation of an irrigation well.
3. **Application Number 2000-0637.003/ Washington Township**, Washington Township, Pinelands Village, Construction of 10 paved parking spaces.
4. **Application Number 2006-0322.002/ New Jersey Department of Transportation**, Dennis Township, Pinelands Forest and Rural Development Areas, Construction of an electronic traffic advisory sign and associated development.
5. **Application Number 2008-0026.002/ New Jersey Department of Transportation**, Egg Harbor City and Mullica Township, Pinelands Rural Development Area and Pinelands Town, Construction of an extension of an existing stormwater drainage system.
6. **Application Number 2008-0026.003/ New Jersey Department of Transportation**, Egg Harbor City, Pinelands Town, Installation of approximately 980 linear feet of sidewalk.

7. **Application Number 2019-0053.001/ New Jersey Department of Transportation,** Maurice River Township, Rural Development Area, Construction of an electronic traffic advisory sign and associated development.
8. **Application Number 1986-1408.008/ Borough of Woodbine,** Borough of Woodbine, Pinelands Town, Improvements to an existing potable water treatment facility.

Waiver of Strict Compliance

There are no Waivers of Strict Compliance applications on this month's agenda.

Letter of Interpretation

One Pinelands Development Credit (PDC) Letter of Interpretation (attached) was issued since the last Commission meeting, allocating 0.50 PDCs to 17.74 acres.

Off-Road Vehicle Event Route Map Approval

No Off-Road Vehicle Event Route Map Approvals were issued since the last Commission meeting.

Planning Matters

Monroe Township's 2018 Housing Element and Fair Share Plan and affordable housing ordinance (O:14-2019) are being recommended for certification at this month's meeting. We are also recommending certification of amended redevelopment plans for the Acme Shopping Center Redevelopment Area and the Williamstown Square Redevelopment Area, both of which are located in Monroe Township's Regional Growth Area.

Master Plans and Ordinances Not Requiring Commission Action

We have included a memorandum on four ordinance amendments that we reviewed and found to raise no substantial issues with respect to Comprehensive Management Plan standards. These amendments were submitted by Buena Vista Township, Monroe Township and Shamong Township.

Closed Session

The Commission may need to convene into closed session.

Please note that future meetings and office closure dates, as well as any Pinelands-related activities of interest, are listed at the bottom of the agenda.

/ PC1



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

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



RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, August 9, 2019

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

- June 14, 2019 (Part 1 closed session)
- July 12, 2019

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
 - Approving With Conditions an Application for Public Development (Application Number 1986-1408.008) (Improvements to an existing potable water treatment facility in Woodbine Borough.)
 - Approving With Conditions Applications for Public Development (Application Numbers 1981-1470.007) (Two lot subdivision in Jackson

Township), 1990-1174.011 (Installation of an irrigation well at Owens Memorial Park in Monroe Township), 2000-0637.003 (Construction of 10 paved parking spaces at the Washington Township Municipal building), 2006-0322.002 (Electronic traffic advisory sign on Route 47 in Dennis Township), 2008-0026.002 (Extension of an existing stormwater drainage system in Egg Harbor City), 2008-0026.003 (Installation of 980 linear feet of sidewalk in Egg Harbor Township & 2019-0053.001 (Electronic traffic Advisory sign on Route 47 in Maurice River Township).)

B. Planning Matters

- Municipal Master Plans and Ordinances
 - Issuing an Order to Certify the 2018 Housing Element and Fair Share Plan of Monroe Township, Ordinance O:14-2019, Amending Chapter 175 (Land Management) of the Code of Monroe Township, Ordinance O:16-2019, Adopting the Acme Shopping Center Redevelopment Plan, 4th Amendment, and Ordinance O:17-2019, Adopting the Williamstown Square Redevelopment Plan, Amendment #1A
- 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. 1989-0089.012** – Hamilton Township Board of Education
Construction of a 16,120 square foot paved parking area at the Hess Education Center
Hamilton Township
- **Application No. 1990-0450.006** – HMS Host Corporation
Demolition and reconstruction of the Forked River Rest Area on the Garden State
Parkway
Lacey Township

B. Waivers of Strict Compliance

- **Application No. 2019-0064.001** – Mandel
Single family dwelling
Manchester Township

6. Master Plans and Ordinances Not Requiring Commission Action

- Buena Vista Township Ordinance 76-2019
- Monroe Township Ordinance O:15-2019
- Shamong Township Ordinances 2019-7 and 2019-8

7. Presentation: Update on the Pinelands Conservation Fund Acquisition Program

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.*) The Commission may convene a Closed Session to receive legal advice concerning the remanded South Jersey Gas transmission line application (Pinelands Development Application No. 2012-0056.001) and following such closed session may reconvene into public session to consider a resolution addressing the remand.

10. Adjournment

Upcoming Meetings

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

Fri., Aug. 23, 2019	Policy and Implementation Committee Meeting (9:30 a.m.)
Fri., Sept. 13, 2019	Pinelands Commission Meeting (9:30 a.m.)

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

Pinelands Commission and Committee meeting agendas are posted on the Commission's Web site 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

July 12, 2019

Commissioners Present

Daniel Christy, Sean Earlen, Jerome H. Irick, Ed Lloyd, Mark Lohbauer, William Pikolycky, Gary Quinn and Chairman Richard Prickett. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Ed Caulfield (by telephone) and Deputy Attorney General (DAG) Kristina Miles.

Commissioners Absent

Candace M. Ashmun, Alan W. Avery Jr., Jordan P. Howell, Jane Jannarone and D'Arcy Rohan Green.

Chairman Prickett called the meeting to order at 9:33 a.m.

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

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were eight Commissioners who participated in the meeting.)

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

Election of the Vice-Chairman

Chairman Prickett said Commissioner Avery currently serves as Vice- Chair of the Commission.

Commissioner Earlen re-nominated Commissioner Avery to serve as Vice Chair.

Commissioner Pikolycky seconded the motion.

Chairman Prickett asked if there were any other nominations and there were none.

The Commissioners all voted in favor of Commissioner Avery remaining as Vice Chair.

Committee Assignment

Chairman Prickett said the list of Committee Assignments for 2019/2020 will be circulated to all Commissioners.

Minutes

Chairman Prickett presented the open session minutes from the June 14, 2019 Commission meeting and part 2 of the closed session minutes. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Christy seconded the motion.

The June 14, 2019 Commission meeting minutes, including part 2 of the closed session minute, were adopted by a vote of 8 to 0.

Chairman Prickett said part 1 of the closed session minutes from the June 14, 2019 Commission meeting will have to be voted on at later date. He said Commissioner Lloyd has to recuse from voting on the part1 closed session because of the South Jersey Gas matter. He said because of the recusal there are not enough votes to adopt the part 1 closed session minutes.

Committee Chairs' Reports

Chairman Prickett provided an update on the June 28, 2019 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the May 31, 2019 meeting.

The Committee discussed and endorsed the Pinelands Infrastructure Trust Fund (PITF) Master Plan Amendment for projects and funding. A public hearing on the amendment will be scheduled for July 31, 2019.

The Committee discussed draft Comprehensive Management Plan (CMP) amendments for coordinated permitting for those private development applications that qualify for Board of Public Utilities preemption from local review.

The Committee discussed draft Kirkwood/Cohansey water management goals and policies.

Executive Director's Reports

ED Wittenberg provided an update on the following items:

- Another union negotiation meeting has been scheduled for July 15th. Once the contract is finalized, it will cover the time period beginning on July 1, 2019 through June 30, 2023.

- The Land Use, Climate Impacts and Sustainability Committee will meet on July 17th.
- A number of staff members met with representatives from ESRI, a company that specializes in GIS mapping software to talk about future GIS needs.
- Commission Staff met with the New Jersey Department of Environmental Protection's (NJDEP) Land Use and IT offices to discuss how NJDEP manages online submissions and permitting. The Commission staff would like applicants to have the ability to make certain submissions in a digital format. The meeting offered valuable insight.
- Staff attended a meeting at NJDEP that was coordinated through Assemblyman Ronald Dancer's office regarding the Prescribed Burn Act, which the Governor signed last year. The NJDEP plans to do rule making. Staff advised the NJDEP that although prescribed burning is exempt from application to the Commission, forestry activities and land management are not exempt from review.

Chairman Prickett asked about the process by which staff reviews off-road vehicle events.

ED Wittenberg said Director Chuck Horner and Brian Szura will provide details on how the recreation permits are reviewed. She said the internal review process for recreation permits was evaluated and changed during the Plan Review process but no changes were made to the CMP.

Director Horner said the CMP requires that an application be filed for recreational vehicle events in the Pinelands. He said these are occasional events where enduro bikes, Jeeps or other off-road vehicles, such as quads, take place in a timed route. He said staff reviews the route to ensure that the motorized vehicles will remain on existing paved or sand roads or fire cuts and that the route is a sufficient width for the type of vehicle. He added that staff reviews the route for consistency with the Threatened and Endangered species standards of the CMP. He also said that in some instances staff does a site inspection, but because the routes are many miles long, it's only done occasionally. As part of the application process, the applicant is required to secure other permits from NJDEP and permission from private land owners.

Director Horner said there have been instances where violations have been reported to the Commission after the event takes place. He said because the Commission does not have enforcement authority, it partners with NJDEP. The NJDEP has issued sanctions on some organizations.

Commissioner Lloyd asked the distance of the events.

Environmental Specialist Brian Szura said the events range from about 70-80 miles and are determined by the national group.

Commissioner Lohbauer asked if the applicant is required to remove the markers from the route after the event is held.

Director Horner said the Commission does not require the removal of the markers. Environmental Specialist Brian Szura said as part of the organization's special use permit issued by the New Jersey Park Service the applicant is required to clean up and remove any signage or markers, including raking any spillover debris from turns.

The Commissioners engaged in a conversation about the best way for the Commission to address violations related to enduro and other off-road vehicle events.

Commissioner Christy asked how violations are addressed, given that the Commission has no enforcement authority.

Director Horner said there is no provision in the CMP that provides the Commission with enforcement authority. He added the Commission cannot issue fines and cannot issue stop work orders. However, the Commission works with the municipal zoning officer, construction code official and the municipal attorney to resolve and address violations related to land development activities.

Stacey Roth, Chief, Legal & Legislative Affairs, said that the Pinelands Protection Act calls for joint regulation of development in the Pinelands between the municipalities and the state. She said the Commission does not have civil administrative penalty assessment, like the NJDEP. She said in instances when the violation is extreme, the Attorney General's Office is able to initiate litigation in Superior Court to seek damages on behalf of the Pinelands.

Ms. Roth said the language in the CMP regarding "route maps" for organized off-road vehicle events is very limited and vague.

ED Wittenberg said that all recreational vehicle permits issued by the Commission include certain conditions.

Mr. Szura added that applicant is required to notify the state police and the towns in which the event will take place. He said the applicant is also required to add the Commission to the insurance policy for the off-road vehicle event. He said that the number of participants for these events range from 100-150.

Chairman Prickett said a number of years ago there was a problem related to an enduro event. He thanked staff for the update.

Commissioner Earlen said it's not the enduro community that is creating the damage in the forest, it's the bad actors.

Chairman Prickett asked about Barnegat Township Ordinance 2019-8, which is noted in the June 28, 2019 No Substantial Issue Findings memo. He said the ordinance amends the stormwater requirements of the Town's code directing stormwater from homes into the street. He said he was under the impression towns preferred to keep stormwater out of the street.

Director Larry Liggett provided background on how municipal ordinances are reviewed. He said each land use ordinance must be reviewed by the Commission before it can take effect. Ordinances are grouped into three categories: those that raise no issue; those with substantial issues that are brought before the P&I Committee and then the Commission for formal approval; and those that raise no substantial issue such as this Barnegat ordinance. Commission staff reviews all major development applications to ensure consistency with CMP stormwater standards. He noted that Barnegat addresses stormwater in two different sections of its land use ordinance. Ordinance 2019-8 was not inserted in the Pinelands stormwater section that requires consistency with the CMP. If there is any conflict with the ordinance and the Pinelands standards, the stricter standard applies. When the Commission reviews major development, it looks at how stormwater is managed so any conflicts can be addressed during that review. Commission staff reviews all major development applications to ensure consistency with CMP stormwater standards. He noted that this ordinance applies only to new development.

Director Chuck Horner provided information on the following regulatory matters:

- Included in this month's packet were two Pinelands Development Credit (PDC) Letters of Interpretation (LOIs) that were issued to Ocean County and allocated nearly 70 PDC's to over 6,500 acres.
- Last month the Commission was provided with an overview about a park expansion in Egg Harbor Township. The Township applied to Green Acres for a grant to expand a municipal park, however the parcel was deed restricted. The Township was able to resolve the matter by transferring the deed restriction to a nearby parcel that it currently owns.
- For many years staff took into consideration the Permit Extension Act when reviewing development applications. Now staff is faced with working with some municipalities that do not consider some parcels to be subject to zoning changes.

Director Liggett provided an update on the following:

- Staff continues to work on drafting rules to implement the Kirkwood-Cohansey aquifer study.
- Staff is preparing for the public hearing on the Pinelands Infrastructure Trust Fund (PITF) that prioritizes the projects and allocates funding. The hearing is scheduled for July 31st. Currently, no public comment has been submitted.
- The staff archeologist has been in contact with the Whitesbog Preservation Trust about a partnership to test the new Ground Penetrating Radar equipment that was recently purchased. The equipment will be used to find remnants of the immigrant villages of Rome and Florence.

Commissioner Irick asked if any consideration was given to include Pinelands Towns and Pinelands Villages as areas in which projects could be awarded PITF monies.

Director Liggett said the issue was raised last year and staff is committed to considering Pinelands Towns as potential PITF areas. In order for that to happen, there would need to be new legislation, a new bond and the voters would have to be in favor of it. He added

that in many ways Pinelands Towns are similar to Pinelands Regional Growth Areas. He said the Villages are different. They were established during the initial conformance process and although sewers are permitted, the Villages were meant to stay less developed.

Commissioner Earlen said he has spoken with several South Jersey legislators who have expressed an interest in adding Pinelands Towns to the Infrastructure Trust Fund.

Commissioner Lloyd left the room so Ms. Roth could provide an update on the New Jersey Natural Gas matter.

Ms. Roth advised the Commissioners that the Pinelands Preservation Alliance (PPA) had made a motion to supplement the record in two of its three appeals involving the Commission's approval of the portion of New Jersey Natural Gas's pipeline project to be located within the Pinelands. Specifically, PPA sought to add the Appellate Division's recent remand order in the South Jersey Gas appeals to the record in PPA's third-party hearing denial appeal and its substantive appeal of the Commission's approval. The Appellate Division issued an Order denying PPA's motion on July 2, 2019.

Commissioner Lloyd returned to the room.

Ms. Roth said she has been involved in a matter with the Science office and the endocrine disruption study. She said the Medford Lakes Colony Club agreed to allow the Commission and its federal partner, the United States Geological Survey (USGS), to conduct water and fish samples back in 2017. Chief Scientist John Bunnell explained the study in great detail to the Colony Club. She said the Colony Club owns the water but not the fish. The lakes were chosen because one of them sits above the sewage treatment plant and is surrounded by development. This May, the Colony Club Homeowners Association advised that they were not permitting staff to conduct the sampling. We are continuing to work with the Colony Club and its representatives and hope to find resolution to the matter.

ED Wittenberg said she really wants to resolve this issue because it involves grant money.

Honoring Commissioner Paul Galletta

Chairman Prickett read a resolution into the record outlining Commissioner Galletta's work at the Commission.

Commissioner Pikolycky moved the adoption of a resolution Expressing the Commission's appreciation to Paul E. Galletta for his service as a member of the Commission between April 2007 and March 2019 (See Resolution # PC4-19-25). Commissioner Earlen seconded the motion.

Commissioners expressed their appreciation for Commissioner Galletta's service on the Commission.

Commissioner Irick suggested that we provide plaques to departing Commissioners.

The Commission adopted the resolution by a vote of 8 to 0.

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

No one from the public offered comment.

Ordinances Not Requiring Commission Action

Chairman Prickett asked if any Commissioners had questions regarding the ordinances not requiring Commission action. He noted that a number of the ordinances deal with flooding issues.

- Barnegat Township Ordinance 2019-8
- Barnegat Township Ordinance 2019-9
- Monroe Township Ordinance O:13-2019
- Washington Township Ordinance 2017-08
- Washington Township Ordinance 2018-4

No members of the Commission had questions.

General Public Comment

Rhyan Grech of the Pinelands Preservation Alliance asked if there was an update on the South Jersey Gas matter now that BL England has closed.

ED Wittenberg said the Commission has discussed a resolution regarding the matter but there were not enough Commissioners present to take action on the matter today.

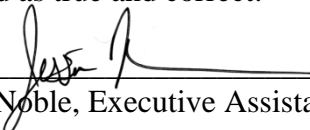
Adjournment

Chairman Prickett asked if there were any updates regarding the Summer Short Course. Communications Officer Paul Leakan said registration remains open and can be done online, over the phone or in person the day of the event.

Chairman Prickett announced that the Land Use, Climate Impacts and Sustainability Committee is scheduled to meet this Wednesday, July 17, 2019 at 9:30 a.m. He also noted that the Pinelands Orientation for Newly Elected Officials is scheduled for July 23rd at 4:00 p.m.

Commissioner Earlen moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 10:52 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: July 22, 2019



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 25

TITLE: Expressing the Commission's appreciation to Paul E. Galletta for his service as a member of the Commission between April 2007 and March 2019

Commissioner Pikolycky moves and Commissioner Earlen seconds the motion that:

WHEREAS, Paul E. Galletta served as Atlantic County's representative on the Pinelands Commission from April 2007 through March 2019; and

WHEREAS, as a lifelong resident of Hammonton and as the co-owner of the Atlantic Blueberry Company, which is one of the largest producers of highbush blueberries in the world, Mr. Galletta brought a wealth of knowledge and expertise about agricultural issues, as well as an important local perspective to the Commission; and

WHEREAS, Mr. Galletta served on the Commission's Policy and Implementation, Permanent Land Protection, Public and Governmental Programs, Plan Review, Memorandum of Agreement Policy Advisory and Agricultural committees; and

WHEREAS, during his tenure, the Commission adopted 14 amendments to the Pinelands Comprehensive Management Plan, completed an in-depth review of the Plan and approved 532 public development applications; and

WHEREAS, during his tenure, the Commission contributed \$9.4 million toward the permanent protection of 8,769 acres of land in the Pinelands; and

WHEREAS, Mr. Galletta guided two outstanding tours of his blueberry farm during the summertime Pinelands Short Course in Hammonton, along with delivering other educational presentations that raised awareness and appreciation of the Pinelands; and

WHEREAS, Mr. Galletta's generosity in donating crates of fresh blueberries to fellow Commission members and staff was always appreciated; and

WHEREAS, the members of the Commission want to recognize Mr. Galletta's significant contributions and express their appreciation for the service that he performed; 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 members of the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 12th day of July, 2019, do hereby express our appreciation to our colleague and friend, Paul E. Galletta, for his commitment to the Pinelands and for his service as a member of the Commission between April 2007 and March 2019.

Record of Commission Votes

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

*A = Abstained / R = Refused

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: July 12, 2019
Richard Prickett
Richard Prickett
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19-_____

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1986-1408.008)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

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

1986-1408.008

Applicant: Woodbine Borough
Municipality: Borough of Woodbine
Management Area: Pinelands Town
Date of Report: July 18, 2019
Proposed Development: Improvements to an existing potable water treatment facility.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1986-1408.008 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
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

July 18, 2019

Borough of Woodbine (via email)
501 Washington Ave.
Woodbine, NJ 08270

Re: Application # 1986-1408.008
Block 65, Lots 1 - 3
Borough of Woodbine

Dear Applicant:

The Commission staff has completed its review of this application for improvements to an existing potable water treatment facility. 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 August 9, 2019 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, Borough of Woodbine Planning Board (via email)
Borough of Woodbine Construction Code Official (via email)
Secretary, Cape May County Planning Board (via email)
Bruce Graham (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

July 18, 2019

Borough of Woodbine (via email)
501 Washington Ave.
Woodbine, NJ 08270

Application No.: 1986-1408.008
Block 65, Lots 1 - 3
Borough of Woodbine

This application proposes improvements to an existing potable water treatment facility located on the above referenced 4.32 acre parcel in Woodbine Borough.

The application proposes the construction of a 200 square foot shed, a 480 square foot garage and an approximately 660 square foot expansion of an existing paved parking lot.

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. 7:50-5.27)

The proposed development is located in the Pinelands Town of Woodbine. The proposed development is a permitted use in a Pinelands Town Management Area.

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

The proposed development will be located in an existing developed and/or maintained grassed area. 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. The applicant proposes to utilize a seed mixture which meets that recommendation.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Legal notice to required land owners within 200 feet of the above referenced parcel was completed on November 16, 2018. Newspaper public notice was completed on November 21, 2018. The application was designated as complete on the Commission's website on July 1, 2019. The Commission's public comment period closed on July 12, 2019. 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 11 sheets, prepared by Van-Note Harvey Associates, Inc., and dated as follows:

Sheet 1 & 3-11 - October 31, 2018; last revised January 31, 2019
Sheet 2 - November 28, 2018; last revised May 30, 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.

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

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

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 August 5, 2019 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. PC4-19-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1981-1470.007, 1990-1174.011, 2000-0637.003, 2006-0322.002, 2008-0026.002, 2008-0026.003 & 2019-0053.001)

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:

1981-1470.007

Applicant: **Ocean County**
Municipality: Jackson Township
Manchester Township
Management Area: Pinelands Regional Growth Area
Pinelands Rural Development Area
Date of Report: July 18, 2019
Proposed Development: Two lot subdivision with no additional development;

1990-1174.011

Applicant: **Monroe Township**
Municipality: Monroe Township
Management Area: Pinelands Regional Growth Area
Date of Report: July 18, 2019
Proposed Development: Installation of an irrigation well at the Owens Memorial Park recreational facility;

2000-0637.003

Applicant: **Washington Township**
Municipality: Washington Township
Management Area: Pinelands Village
Date of Report: July 18, 2019
Proposed Development: Construction of 10 paved parking spaces at the Washington Township Municipal Building;

2006-0322.002

Applicant: **New Jersey Department of Transportation**
Municipality: Dennis Township
Management Area: Pinelands Forest Area
Pinelands Village
Date of Report: July 19, 2019
Proposed Development: Construction of an electronic traffic advisory sign with associated development within the State Route 47 right-of-way;

2008-0026.002

Applicant: **New Jersey Department of Transportation**
Municipality: Egg Harbor City
Mullica Township
Management Area: Pinelands Town
Pinelands Rural Development Area
Date of Report: July 18, 2019
Proposed Development: Extension of an existing stormwater drainage system within the U.S. Route 30 right-of-way;

2008-0026.003

Applicant: New Jersey Department of Transportation
Municipality: Egg Harbor City
Management Area: Pinelands Town
Date of Report: July 18, 2019
Proposed Development: Installation of approximately 980 linear feet of sidewalk within the U.S. Route 30 right-of-way; and

2019-0053.001

Applicant: New Jersey Department of Transportation
Municipality: Maurice River Township
Management Area: Pinelands Rural Development Area
Date of Report: July 18, 2019
Proposed Development: Construction of an electronic traffic advisory sign with associated development within the Route 47 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 1981-1470.007, 1990-1174.011, 2000-0637.003, 2006-0322.002, 2008-0026.002, 2008-0026.003 & 2019-0053.001 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

July 18, 2019

Mark Villinger (via email)
Ocean County
101 Hooper Avenue
Toms River, NJ 08754

Re: Application # 1981-1470.007
Block 22501, Lot 1
Jackson Township
Block 62, Lot 31
Manchester Township

Dear Mr. Villinger:

The Commission staff has completed its review of this application for a two lot subdivision with no additional development. 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 August 9, 2019 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.

The applicant shall obtain any other permits and approvals that may be required for the proposed subdivision.

Sincerely,

Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

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

Secretary, Ocean County Planning Board (via email)

Laura M. Benson, Esq. (via email)

Manchester Township Planning Board (via email)

Manchester Township Construction Code Official (via email)

Manchester Township Environmental Commission (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

July 18, 2019

Mark Villinger (via email)
 Ocean County
 101 Hooper Avenue
 Toms River, NJ 08754

Application No.: 1981-1470.007
 Block 22501, Lot 1
 Jackson Township
 Block 62, Lot 31
 Manchester Township

This application proposes a two lot subdivision with no additional development of the above referenced 355.99 acre parcel in Jackson and Manchester Townships. The division of land is defined as development by the Pinelands Comprehensive Management Plan (CMP).

The parcel is bifurcated by the Jackson Township and Manchester Township boundary. The proposed subdivision will create a 182.63 acre lot and a 173.36 acre lot. The 182.63 acre lot is proposed to be acquired by Ocean County. The 173.36 acre lot will be retained by the current owner.

There is an existing inactive resource extraction operation on the portion of the parcel to be retained by the current owner. There is also an existing access road located within an easement on the parcel. The road provides access to an existing residential community, known as "The Renaissance," located on an adjacent parcel. That residential community is located outside of the Pinelands Area.

STANDARDS

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

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

The parcel is located partially in a Pinelands Rural Development Area and partially in a Pinelands Regional Growth Area. The proposed subdivision is permitted in a Pinelands Rural Development Area and a Pinelands Regional Growth Area. The proposed lots meet the minimum lot size requirements of the Jackson and Manchester Townships certified land use ordinances.

PUBLIC COMMENT

The CMP defines the proposed development 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 July 2, 2019. The Commission’s public comment period closed on July 12, 2019. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. The proposed subdivision in Jackson Township shall adhere to the plan prepared by Adams, Rehmann & Heggan Associates, Inc. and dated January 31, 2019.
2. The proposed subdivision in Manchester Township shall adhere to the plan prepared by Adams, Rehmann & Heggan Associates, Inc. and dated January 31, 2019.
3. The applicant shall obtain any other necessary permits and approvals for the subdivision..

CONCLUSION

As the proposed subdivision 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
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

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 August 5, 2019 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

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

July 18, 2019

Jill McCrea, Business Administrator (via email)
Monroe Township
125 Virginia Avenue
Williamstown, NJ 08094

Re: Application # 1990-1174.011
Block 13001, Lot 28
Monroe Township

Dear Ms. McCrea:

The Commission staff has completed its review of this application for installation of an irrigation well at the Owens Memorial Park recreational facility. 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 August 9, 2019 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, Monroe Township Planning Board (via email)
Monroe Township Construction Code Official (via email)
Monroe Township Environmental Commission (via email)
Secretary, Gloucester County Planning Board (via email)
Marianne G. Risley (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

July 18, 2019

Jill McCrea, Business Administrator (via email)
Monroe Township
125 Virginia Avenue
Williamstown, NJ 08094

Application No.: 1990-1174.011
Block 13001, Lot 28
Monroe Township

This application proposes installation of an irrigation well at the Owens Memorial Park recreational facility located on the above referenced 16.21 acre parcel in Monroe Township.

The proposed irrigation well will be 200 feet deep with a maximum pumping capacity of 175 gallons per minute. The New Jersey Department of Environmental Protection, Division of Water Supply and Geoscience issued a Water Use Registration for a total diversion of up to 100,000 gallons per day for four irrigation wells in the Township. The Water Use Registration authorizes withdrawal from the proposed irrigation well and three existing irrigation wells.

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. 7:50-5.28)

The proposed development is located in a Pinelands Regional Growth Area. The proposed irrigation well is a permitted use in a Pinelands Regional Growth Area.

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

The proposed development will be located within an existing maintained grass area. 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 development 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 June 27, 2019. The Commission’s public comment period closed on July 12, 2019. 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 sketch entitled Owens Irrigation, consisting of two sheets, prepared by Adams Rehmann & Heggan Associates and dated February 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.

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

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

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 August 5, 2019 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

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

July 18, 2019

Dudley Lewis, Mayor (via email)
Washington Township
2436 Route 563
Egg Harbor, NJ 08215

Re: Application # 2000-0637.003
Block 52.01, Lot 6.02
Washington Township

Dear Mayor Lewis:

The Commission staff has completed its review of this application for construction of 10 paved parking spaces at the Washington Township Municipal Building. 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 August 9, 2019 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, Washington Township Planning Board (via email)
Washington Township Construction Code Official (via email)
Secretary, Burlington County Planning Board (via email)
Kevin J. Dixon, PE (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

July 18, 2019

Dudley Lewis, Mayor (via email)
 Washington Township
 2436 Route 563
 Egg Harbor, NJ 08215

Application No.: 2000-0637.003
 Block 52.01, Lot 6.02
 Washington Township

This application proposes construction of 10 paved parking spaces at the Washington Township Municipal Building located on the above referenced 3.21 acre parcel in Washington Township.

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. 7:50-5.27)

The parcel is located in the Pinelands Village of Green Bank. The proposed development is a permitted land use in a Pinelands Village Management Area.

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

The proposed development will be located within an existing maintained grassed area. 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. Based upon the submitted plan, the construction of the proposed parking spaces will not result in disturbance outside of the limits of the proposed development.

PUBLIC COMMENT

The CMP defines the proposed development 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 June 12, 2019. The Commission’s public comment period closed on July 12,

2019. 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 Dixon Associates Engineering LLC, dated November 5, 2018 and last revised May 6, 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.

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

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

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 August 5, 2019 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

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

July 19, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Re: Application # 2006-0322.002
State Route 47
Dennis Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for construction of an electronic traffic advisory sign with associated development within the State Route 47 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 August 9, 2019 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, Dennis Township Planning Board (via email)
Dennis Township Construction Code Official (via email)
Dennis Township Environmental Commission (via email)
Secretary, Cape May County Planning Board (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

July 19, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Application No.: 2006-0322.002
State Route 47
Dennis Township

This application proposes construction of an electronic traffic advisory sign with associated development within the State Route 47 right-of-way in Dennis Township.

The proposed development associated with the traffic advisory sign includes the installation of 12,379 linear feet of fiber optic cable within the State Route 47 right-of-way, construction of 190 linear feet of guiderail, equipment cabinets and a paver pad for maintenance vehicle parking. The applicant also proposes the installation of 1,201 linear feet of overhead fiber optic cable on existing utility poles.

The applicant indicates that the proposed development will be utilized to inform motorists of traffic congestion and to assist the New Jersey Department of Transportation with emergency management and congestion mitigation.

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 & 14 and (N.J.A.C. 7:50-5.27(a))

The proposed development is located partially in a Pinelands Forest Area and partially in the Pinelands Villages of North Dennis and Dennisville.

The proposed electronic sign is located in a Pinelands Forest Area. The proposed electronic sign is a permitted use in a Pinelands Forest Area.

Approximately 4,600 linear feet of the proposed fiber optic cable (public service infrastructure) is located in a Pinelands Forest Area. The proposed fiber optic cable is a permitted use in a Pinelands Forest Area as it is intended to primarily serve only the needs of the Pinelands.

Approximately 7,779 linear feet of the proposed fiber optic cable (public service infrastructure) is located in the Pinelands Villages of North Dennis and Dennisville. The proposed fiber optic cable is a permitted use in a Pinelands Village.

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

There are wetlands located within 300 feet of the proposed development. A portion of the proposed fiber optic cable that is proposed under existing grassed road shoulders will be located in the required buffer to wetlands.

The CMP permits fiber optic cables (linear improvements) in the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer to wetlands. 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 required buffer to wetlands. The applicant has represented that the proposed development is necessary to improve the safety of the existing roadway. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetlands buffer.

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

The proposed development will be located within existing maintained grassed road 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. The applicant proposes to replant non-native lawn grasses along the maintained road shoulder.

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

A cultural resource survey was prepared for this application. It was determined that there were no cultural resources eligible for Pinelands designation within the project area.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on May 18, 2019. The application was designated as complete on the Commission's website on July 1, 2019. The Commission's public comment period closed on July 12, 2019. 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 Michael Baker International, Inc., and dated as follows:

Sheets 1-4 & 6-12 - December 14, 2018
Sheet 5 - July 17, 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. 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.



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

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 August 6, 2019 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

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

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625-0600

Re: Application # 2008-0026.002
U.S. Route 30
Egg Harbor City & Mullica Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for extension of an existing stormwater drainage system within the U.S. Route 30 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 August 9, 2019 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, Egg Harbor City Planning Board (via email)
Egg Harbor City Construction Code Official (via email)
Secretary, Mullica Township Planning Board (via email)
Mullica Township Construction Code Official (via email)
Mullica Township Environmental Commission (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

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625-0600

Application No.: 2008-0026.002
U.S. Route 30
Egg Harbor City & Mullica Township

This application proposes extension of an existing stormwater drainage system within the U.S. Route 30 right-of-way located in Egg Harbor City and Mullica Township.

This application proposes the installation of 8,620 linear feet of stormwater drainage pipe and stormwater inlets within the paved cartway of the U.S. Route 30 right-of-way.

The applicant indicates that the stormwater drainage improvements have been designed to alleviate persistent roadway flooding and will improve highway safety.

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 & 5.27(a))

The proposed development is located in a Pinelands Rural Development Area and the Pinelands Town of Egg Harbor City. The proposed development is a permitted land use in a Pinelands Rural Development Area and a Pinelands Town.

Wetlands Standards (N.J.A.C. 7:50-6.7)

The existing stormwater drainage system discharges to two wetland areas. To demonstrate that the proposed development will not result in a significant adverse impact to those wetlands, the applicant has provided calculations demonstrating that there will be no increase in the volume and rate of stormwater runoff entering the wetland areas after the development than occurred prior to the proposed development.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on June 27, 2019. The application was designated as complete on the Commission's website on July 2, 2019. The Commission's public comment period closed on July 12, 2019. 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 ten sheets, prepared by AECOM USA, Inc., and dated as follows:

Sheets 1 & 8 - January 21, 2019
Sheets 2-6, 9 & 10 - January 18, 2019
Sheet 7 - January 22, 2019
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. 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.



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

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 August 5, 2019 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

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

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625-0600

Re: Application # 2008-0026.003
U.S. Route 30
Egg Harbor City

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for installation of approximately 980 linear feet of sidewalk within the U.S. Route 30 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 August 9, 2019 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, Egg Harbor City Planning Board (via email)
Egg Harbor City 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

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625-0600

Application No.: 2008-0026.003
U.S. Route 30
Egg Harbor City

This application proposes installation of approximately 980 linear feet of sidewalk within the U.S. Route 30 right-of-way in Egg Harbor City.

The application proposes the construction of ten noncontiguous sections of sidewalk, averaging five feet in width, from Hamburg Avenue to San Francisco Avenue.

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. 7:50-5.27(a))

The proposed development is located in the Pinelands Town of Egg Harbor City. The proposed development is a permitted land use in a Pinelands Town.

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

There are wetlands located within 300 feet of the proposed development. The proposed development will be located in the required buffer to wetlands.

The CMP permits sidewalks (linear improvements) in the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer to wetlands. 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 required buffer to wetlands. The applicant has represented that the proposed development is necessary to improve pedestrian safety. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the required buffer to wetlands.

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

The proposed development will be located within existing maintained grass areas. 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. Based upon the submitted plan, the construction of the proposed sidewalks will not result in disturbance outside of the limits of the proposed development.

PUBLIC COMMENT

The CMP defines the proposed development 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 July 2, 2019. The Commission’s public comment period closed on July 12, 2019. 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 three sheets, prepared by AECOM USA, Inc., dated January 22, 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. 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.



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

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 August 5, 2019 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

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

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Re: Application # 2019-0053.001
State Route 47
Maurice River Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for construction of an electronic traffic advisory sign with associated development within the Route 47 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 August 9, 2019 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, Maurice River Township Planning Board (via email)
Maurice River Township Construction Code Official (via email)
Maurice River Township Environmental Commission (via email)
Secretary, Cumberland County Planning Board (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

RICHARD PRICKETT
 Chairman
 NANCY WITTENBERG
 Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

July 18, 2019

Brenna Fairfax (via email)
 New Jersey Department of Transportation
 1035 Parkway Avenue
 Trenton, NJ 08625

Application No.: 2019-0053.001
 State Route 47
 Maurice River Township

This application proposes construction of an electronic traffic advisory sign with associated development within the Route 47 right-of-way.

The proposed development associated with the traffic advisory sign includes the construction of 325 linear feet of guiderail, an equipment cabinet, a paver pad for maintenance vehicle parking and the installation of approximately 255 linear feet of fiber optic cable in the State Route 47 right-of-way. The applicant also proposes the installation of approximately 70 linear feet of overhead fiber optic cable on existing utility poles.

The applicant indicates that the proposed development will be utilized to inform motorists of traffic congestion and to assist the New Jersey Department of Transportation with emergency management and congestion mitigation.

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)13)

In the area of the proposed development, State Route 47 is the boundary between the State Regulated Pinelands Area and the Pinelands National Reserve. In this area, the entire Route 47 right-of-way is located within the Pinelands Area.

The majority of the proposed development is located in the Pinelands Area. A small portion of the proposed development is located outside the State Route 47 right-of-way in the Pinelands National Reserve.

The proposed development in the Pinelands Area is located in a Pinelands Rural Development Area. The proposed development is a permitted use in a Pinelands Rural Development Area.

The proposed development in the Pinelands National Reserve is not subject of this application.

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

The proposed development will be located within existing maintained grassed road 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. The applicant proposes to replant non-native lawn grasses along the maintained road shoulder.

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

The proposed development results in less than 5,000 square feet of disturbance. The CMP provides that the grading, clearing or disturbance of an area of less than 5,000 square feet is defined as minor development. The CMP stormwater management standards do not apply to minor non-residential development proposing grading, clearing or disturbance of less than 5,000 square feet within any five year period. The proposed development is not required to address the CMP stormwater management standards.

PUBLIC COMMENT

The CMP defines the proposed development 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 June 7, 2019. The Commission’s public comment period closed on July 12, 2019. 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 five sheets, prepared by Michael Baker International, Inc., and dated as follows:

Sheet 1 - March 12, 2019
Sheet 2 - March 11, 2019
Sheet 3 - March 27, 2019
Sheet 4 - undated
Sheet B-29 - April 26, 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.

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.



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

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



RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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

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 at the Commission's office no later than 4:00 PM on August 5, 2019 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
 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

LETTER OF INTERPRETATION #2181

July 25, 2019

Gaile & Jeffrey Thies, Sr.
 1194 Dutch Mill Road
 Newfield, NJ 08344

Re: Application # 1998-0256.004
 Block 5802, Lot 22.04
 Dutch Mill and Lake Roads
 Franklin Township

FINDINGS OF FACT

The applicants own the above referenced 70.2 acre parcel in Franklin Township. This acreage is based on the recorded property deed. The parcel is located partially in a Pinelands Rural Development Area (52.46 acres) and partially in a Pinelands Agricultural Production Area (17.74 acres). Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicants are requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this parcel.

PDCs are not allocated to lands located in a Pinelands Rural Development Area.

For the 17.74 acres located in a Pinelands Agricultural Production Area, the parcel consists of 8.46 acres of uplands, 9.27 acres of wetland soils in active field agriculture, and 0.01 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a). The field agriculture in wetlands soils was established prior to February 7, 1979. The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the parcel. There are no easements limiting the use of this parcel to nonresidential uses. A structure accessory to the agricultural use exists on the parcel. No resource extraction operation or other development has been approved for this parcel pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP). The applicant proposes to reserve the right to develop two future single family dwellings on the parcel.

An application for a four lot subdivision of original 84.6 acre Block 5802, Lot 22 and the development of two single family dwellings was previously approved pursuant to the provisions of the CMP (App. No. 1998-0256.002). Block 5802, Lot 22.04, subject of the current LOI application, was created as a result of that subdivision. No development was proposed for this vacant 70.2 acre lot in App. No. 1998-0256.002.

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Pinelands Regional Growth Areas (N.J.A.C. 7:50-5.43). None of these exceptions apply to this parcel.

The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50-5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the CMP; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 8.46 acres of uplands, the parcel would be entitled to 0.43 PDCs. For the 9.27 acres of wetland soils in active field agriculture, the parcel would be entitled to 0.48 PDCs. For the 0.01 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a), the parcel would be entitled to 0.0 PDCs.

Not considering the reserved right for two future dwellings on the parcel, there would be 0.91 PDCs allocated to this parcel.

In addition, N.J.A.C. 7:50-5.43(b)3iii requires that the PDC allocation be reduced by 0.25 PDCs for each reserved right to develop a future single family dwelling on the parcel. Based upon the reserved right to develop two single family dwellings on the parcel, there would be 0.41 PDCs allocated to the parcel.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 0.50 PDCs allocated to the parcel.

No PDCs are allocated to the 52.46 acre portion of this parcel located in a Pinelands Rural Development Area.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making the appeal;
2. the application number;

3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. M. Horner', with a long horizontal flourish extending to the right.

Charles M. Horner, P.P.

Director of Regulatory Programs

- c:
- Secretary, Franklin Township Planning Board (via email)
 - Franklin Township Construction Code Official (via email)
 - Franklin Township Environmental Commission (via email)
 - Secretary, Gloucester County Planning Board (via email)
 - Susan R. Grogan, Executive Director, PDC Bank (via email)



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19-_____

TITLE: Issuing an Order to Certify the 2018 Housing Element and Fair Share Plan of Monroe Township, Ordinance O:14-2019, Amending Chapter 175 (Land Management) of the Code of Monroe Township, Ordinance O:16-2019, Adopting the Acme Shopping Center Redevelopment Plan, 4th Amendment, and Ordinance O:17-2019, Adopting the Williamstown Square Redevelopment Plan, Amendment #1A

Commissioner _____ moves and Commissioner _____
seconds the motion that:

WHEREAS, on September 9, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Monroe Township; and

WHEREAS, Resolution #PC4-83-76 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and 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 #PC4-83-76 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 August 23, 2018, the Monroe Township Planning Board adopted Resolution PB-66-18, approving the Township's 2018 Housing Element and Fair Share Plan; and

WHEREAS, the Pinelands Commission received an adopted copy of Resolution PB-66-18 and the Housing Element and Fair Share Plan on September 14, 2018; and.

WHEREAS, on August 27, 2018, Monroe Township adopted Ordinance O:21-2018, amending Chapter 175 (Land Management) of the Township's Code for purposes of implementing the 2018 Housing Element and Fair Share Plan; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance O:21-2018 on September 4, 2018; and

WHEREAS, by letter dated October 3, 2018, Monroe Township requested an extension of the Commission's review period for Ordinance O:21-2018 in order to provide an opportunity for discussion of the inconsistencies between the ordinance and the Comprehensive Management Plan that had been identified by Commission staff; and

WHEREAS, a meeting attended by Township representatives and Commission staff was held on October 9, 2018 to discuss the identified inconsistencies and possible solutions, after which the Executive Director notified the Township that an extension was granted through January 31, 2019; and

WHEREAS, by email dated January 28, 2019, Monroe Township requested a further extension of the Commission's review period in order to provide additional time to consider various options for resolving the inconsistencies between Ordinance O:21-2019 and the Comprehensive Management Plan; and

WHEREAS, by letter dated January 29, 2019, the Executive Director notified the Township that a second extension was granted through March 31, 2019; and

WHEREAS, by email dated March 14, 2019, Monroe Township requested a third extension of the Commission's review period in order to provide the municipality with an opportunity to draft and adopt additional ordinance amendments; and

WHEREAS, Commission staff met with Township representatives on March 26, 2019 to discuss the amendments and the Township's schedule moving forward, after which the Executive Director notified the Township that a third extension was granted through June 30, 2019; and

WHEREAS, on May 28, 2019, Monroe Township adopted Ordinance O:14-2019, superseding Ordinance O:21-2018 and amending Chapter 175 (Land Management) of the Township's Code by adopting a revised Section 175-89.1 entitled "Affordable Housing" for purposes of implementing the 2018 Housing Element and Fair Share Plan; and

WHEREAS, on May 28, 2019, Monroe Township also adopted Ordinance O:16-2019, adopting the Acme Shopping Center Redevelopment Plan, 4th Amendment, dated April 2019; and

WHEREAS, on May 28, 2019, Monroe Township also adopted Ordinance O:17-2019, adopting the Williamstown Square Redevelopment Plan, Amendment #1A, dated April 2019; and

WHEREAS, the Pinelands Commission received certified copies of Ordinances O:14-2019, O:16-2019 and O:17-2019 on May 31, 2019 and copies of the amended Redevelopment Plans adopted by Ordinances O:16-2019 and O:17-2019 on June 4, 2019; and

WHEREAS, by letter dated June 7, 2019, the Executive Director notified the Township that the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 was duly advertised, noticed and held on June 26, 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 the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 are 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 the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 are 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 the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 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 Monroe Township’s 2018 Housing Element and Fair Share Plan, Ordinance O:14-2019, amending Chapter 175 (Land Management) of the Code of Monroe Township, Ordinance O:16-2019, adopting the Acme Shopping Center Redevelopment Plan, 4th Amendment, and Ordinance O:17-2019, adopting the Williamstown Square Redevelopment Plan, Amendment #1A, are in conformance with the Pinelands Comprehensive Management Plan.

2. Any additional amendments to Monroe 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				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

REPORT ON MONROE TOWNSHIP’S 2018 HOUSING ELEMENT AND FAIR SHARE PLAN, ORDINANCE O:14-2019, AMENDING CHAPTER 175 (LAND MANAGEMENT) OF THE CODE OF MONROE TOWNSHIP AND ORDINANCES O:16-2019 AND O:17-2019, ADOPTING AMENDED REDEVELOPMENT PLANS FOR THE ACME SHOPPING CENTER AND WILLIAMSTOWN SQUARE REDEVELOPMENT AREAS

July 26, 2019

Monroe Township
 125 Virginia Avenue
 Williamstown, NJ 08094

FINDINGS OF FACT

I. Background

The Township of Monroe is located in the western section of the Pinelands Area in Gloucester County. Pinelands municipalities that abut Monroe Township's Pinelands Area include Franklin Township in Gloucester County, Winslow Township in Camden County and the Borough of Folsom and the Township of Buena Vista in Atlantic County.

On September 3, 1983, the Pinelands Commission fully certified the Master Plan and Comprehensive Land Management Ordinance of Monroe Township, now codified as Chapter 175 (Land Management) of the Township's Code.

On August 23, 2018, the Monroe Township Planning Board adopted Resolution PB-66-18, approving the Township’s 2018 Housing Element and Fair Share Plan. The Pinelands Commission received an adopted copy of Resolution PB-66-18 and the Housing Element and Fair Share Plan on September 14, 2018.

On August 27, 2018, Monroe Township adopted Ordinance O:21-2018, amending Chapter 175 (Land Management) of the Township’s Code for purposes of implementing the 2018 Housing Element and Fair Share Plan. The Pinelands Commission received a certified copy of Ordinance O:21-2018 on September 4, 2018.

By letter dated October 3, 2018, Monroe Township requested an extension of the Commission’s review period for Ordinance O:21-2018 in order to provide an opportunity for discussion of the inconsistencies

between the ordinance and the Comprehensive Management Plan that had been identified by Commission staff. A meeting attended by Township representatives and Commission staff was held on October 9, 2018 to discuss the identified inconsistencies and possible solutions. The Executive Director subsequently notified the Township that an extension was granted through January 31, 2019.

By email dated January 28, 2019, Monroe Township requested a further extension of the Commission's review period in order to provide additional time to consider various options for resolving the inconsistencies between Ordinance O:21-2019 and the Comprehensive Management Plan. By letter dated January 29, 2019, the Executive Director notified the Township that a second extension was granted through March 31, 2019.

By email dated March 14, 2019, Monroe Township requested a third extension of the Commission's review period in order to provide the municipality with an opportunity to draft and adopt additional ordinance amendments. Commission staff met with Township representatives on March 26, 2019 to discuss the amendments and the Township's schedule moving forward. The Executive Director subsequently notified the Township that a third extension was granted through June 30, 2019.

On May 28, 2019, Monroe Township adopted Ordinance O:14-2019, amending Chapter 175 (Land Management) of the Township's Code by adopting a revised Section 175-89.1 entitled "Affordable Housing" for purposes of implementing the 2018 Housing Element and Fair Share Plan. Ordinance O:14-2019 supersedes the previously adopted Ordinance O:21-2018 in its entirety.

Also on May 28, 2019, Monroe Township adopted Ordinances O:16-2019 and O:17-2019, adopting amended Redevelopment Plans for the Acme Shopping Center Redevelopment Area and Williamstown Square Redevelopment Areas, respectively. Both Redevelopment Areas are located in a Pinelands Regional Growth Area.

The Pinelands Commission received certified copies of Ordinances O:14-2019, O:16-2019 and O:17-2019 on May 31, 2019 and copies of the amended Redevelopment Plans adopted by the latter two ordinances on June 4, 2019.

By letter dated June 7, 2019, the Executive Director notified the Township that the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following documents have been submitted to the Pinelands Commission for certification:

- * Resolution PB-66-18, adopting the 2018 Housing Element and Fair Share Plan of Monroe Township, approved by the Planning Board on August 23, 2018;
- * Ordinance O:14-2019, amending Chapter 175 (Land Management) of the Code of Monroe Township, adopted on May 28, 2019 and superseding Ordinance O:21-2018 in its entirety;
- * Ordinance O:16-2019, adopting the Acme Shopping Center Redevelopment Plan, 4th Amendment, dated April 2019 and adopted on May 28, 2019; and

- * Ordinance O:17-2019, adopting the Williamstown Square Redevelopment Plan, Amendment #1A, dated April 2019 and adopted on May 28, 2019.

These master plan and ordinance amendments have been reviewed to determine whether they conform 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 Land Use Ordinance Relating to Development Standards

Housing Plan

Monroe Township's 2018 Housing Element and Fair Share Plan contains updated data and analysis on the Township's current and projected demographic, housing stock, and employment characteristics as well as an updated Fair Share Plan for the cumulative period 1987-2025. The Township's Fair Share Plan indicates a rehabilitation obligation of 158 units, a prior round obligation of 439 units, a gap period present need of 400 units and a third round prospective need of 0 units. Also included in the Fair Share Plan are detailed descriptions of the residential development projects, both completed and anticipated, that address the municipality's obligation. In the Pinelands Area, these projects include Summerfields West and Friendly Village, County Village at Whitehall and the Acme Shopping Center Redevelopment Area, all of which are located in the Regional Growth Area. The Township's affordable housing obligation reflects the terms of a May 2018 settlement agreement between Monroe Township and Fair Share Housing Center.

Affordable Housing Requirements

Ordinance O:14-2019 amends Chapter 175 (Land Management) of the Code of Monroe Township by adopting a revised Section 175-89.1 entitled "Affordable Housing" for purposes of implementing the 2018 Housing Element and Fair Share Plan. Included in the new section are design standards for new affordable housing construction, affordable unit controls and administrative requirements for the municipal affordable housing program. Ordinance O:14-2019 also adopts affordable housing set-aside requirements applicable to certain types of residential development in the Township's Regional Growth Area. Specifically, a 15% set-aside is required for all planned residential developments in the RG-PR (Regional Growth – Planned Residential) and RG-RA (Regional Growth – Residential Age-Restricted) Districts. A set-aside requirement of 11.11% applies to mobile home parks in the Regional Growth Area. Ordinance O:14-2019 also confirms the existing 20% set-aside requirement that applies in the Township's RG-MU (Regional Growth – Mixed Use) District. The location of the affected zoning districts is displayed on the Township's Zoning Map (see Exhibit #1). Development in these zones will continue to be subject to the Township's currently certified zoning plan. Permitted densities and residential zoning capacity remain unchanged.

Acme Shopping Center and Williamstown Square Redevelopment Areas

Ordinance O:16-2019 adopts an amended redevelopment plan for the Acme Shopping Center Redevelopment Area, referred to as the Acme Shopping Center Redevelopment Plan, 4th Amendment. This existing Redevelopment Area encompasses 51 acres, approximately 30 of which are currently developed. It is located on the south side of Route 322 (see Exhibit #2) and includes lands in the RG-PR (Regional Growth – Planned Residential) and RG-C (Regional Growth – Commercial) Districts. The amended Redevelopment Plan allows for planned development of a mixed use, mixed income community with access to multiple modes of transportation and to serve as a southern anchor to the Williamstown Central Business District. A mixture of residential unit types (apartments, condos and townhouses) is permitted, together with significant retail space. A minimum of 250 residential units is required as part of any redevelopment project, equating to a residential density of approximately five units per acre.

Ordinance O:17-2019 adopts an amended Redevelopment Plan for the Williamstown Square Redevelopment Area, referred to as Amendment #1A. This existing Redevelopment Area totals 75 acres in size and is located on the north side of Route 322, directly across from the Acme Shopping Center Redevelopment Area. It includes two existing homes and two billboards but is otherwise vacant and heavily wooded. The majority of the area was previously located in the RG-C District, with a small portion (the rear of the redevelopment area) in the RG-PR District. Under the previously certified Williamstown Square Redevelopment Plan, only nonresidential uses were permitted. Amendment #1A significantly revises the redevelopment plan such that a planned, mixed use center consisting of office, retail, commercial and residential uses is now encouraged. Permitted residential unit types include apartments in free-standing or mixed-use buildings, townhouses and duplexes, at a maximum density of 4.75 units per acre. Permitted nonresidential uses include retail businesses and services, business and professional offices, medical offices, restaurants, indoor recreation and day care facilities. A minimum of 350 residential units is required as part of any redevelopment project, as is a minimum of 60,000 square feet of non-residential floor area.

In terms of affordable housing, the amended redevelopment plans adopted by Ordinances O:16-2019 and O:17-2019 both require that 15% of all units be set aside as affordable housing units, if the units are provided as rentals. The required set-aside increases to 20% if the units are provided as for-sale units. Pinelands Development Credits must be acquired and redeemed for 30% of all units in both Redevelopment Areas, excluding any required affordable housing units. 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.

Based on the permitted densities and other standards adopted by the two Redevelopment Plans, a total of 600 residential units will be permitted on approximately 126 acres of land in the Regional Growth Area. The resulting 4.76 unit per acre density and residential zoning capacity are higher than that prescribed by the Comprehensive Management Plan for Monroe's Regional Growth Area. N.J.A.C. 7:50-5.28(a)1 and 3 require the Township to zone for a density of only 3.0 units per upland acre throughout 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 Acme Shopping Center and Williamstown Square Redevelopment Areas meet these standards.

Monroe Township's 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 are consistent with the land use and development standards of the Comprehensive Management Plan. 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:14-2019 amends Chapter 175 of the Township's Code by revising the Pinelands Development Credit requirements applicable to mobile home parks in Monroe's Regional Growth Area. Whereas mobile home parks in the Township's RG-RA District were previously subject to the same 25% PDC requirement as other types of residential development in that zoning district, they will now have a reduced PDC requirement of 10%. As before, affordable housing units will be exempt from the PDC requirement. However, Ordinance O:14-2019 now makes clear that this exemption applies only to those affordable units required by the Fair Share Plan and the Township's 2018 settlement agreement with Fair Share Housing Center. For mobile home parks, a 11.11% set-aside requirement applies. Ordinance O:14-2019 further indicates that the required affordable units may be "transferred" and constructed in an existing mobile home park elsewhere in the Township's Regional Growth Area known as Friendly Village.

To offset the reduction in PDC opportunities that results from the mobile home park revisions described above, the Township has increased PDC opportunities in its two redevelopment areas within the Pinelands Regional Growth Area. In the Acme Shopping Center Redevelopment Area, Ordinance O:16-2019 increases the required percentage of PDCs from 25 to 30%. In the Williamstown Square Redevelopment Area, Ordinance O:17-2019 adds residential development as a permitted use and requires the use of PDCs for 30% of all units. Together, the two redevelopment plans allow for a total of 600 new residential units at a density of approximately 4.76 units per acre. Factoring in an exemption for required affordable housing units, the use of up to 153 rights (38.25 Pinelands Development Credits) will be required. The result is a significant increase in both residential zoning capacity and opportunities for the use of PDCs.

It is important to note that the PDC standards described above represent a departure from the traditional zoning and Pinelands Development Credit 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 Pinelands Development Credits. In Monroe’s Regional Growth Area, the Comprehensive Management Plan establishes a “base” density of 2.0 units per developable acre and directs the Township to provide for “bonus” density through the use of Pinelands Development Credits to allow for a total of 3.0 units per developable acre. There is nothing in the CMP that prevents municipalities from exceeding these minimum requirements, which is exactly what Monroe Township has elected to do. The Township has chosen provide for higher density in the Acme Shopping Center and Williamstown Square Redevelopment Areas as a means of encouraging mixed use development and satisfying the municipality’s affordable housing obligation. In addition, mobile home parks will continue to be permitted at a density (8.0 units per acre) significantly higher than that required by the CMP. At the same time, the Township has adopted standards to ensure that Pinelands Development Credit use will be a significant part of whatever development projects ultimately come to fruition in either redevelopment area and in any new mobile home parks.

Rather than relying on the traditional approach of providing developers with the *option* of using Pinelands Development Credits to increase permitted density, Ordinances O:16-2019 and O:17-2019 *guarantee* a PDC redemption rate of 30% for residential development within the Township’s two Redevelopment Areas, with the exception of affordable housing units. The use of PDCs will also be required for 10% of all units in mobile home parks. Given the greater certainty provided by this approach, the Executive Director finds that the PDC requirements adopted by Ordinances O:14-2019, O:16-2019 and O:17-2019 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

Monroe Township's 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Monroe Township's 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 are 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 areas and zoning districts affected by Ordinances O:14-2019, O:16-2019 and O:17-2019 do 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 Monroe Township's application for certification of its 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 was duly advertised, noticed and held on June 26, 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.

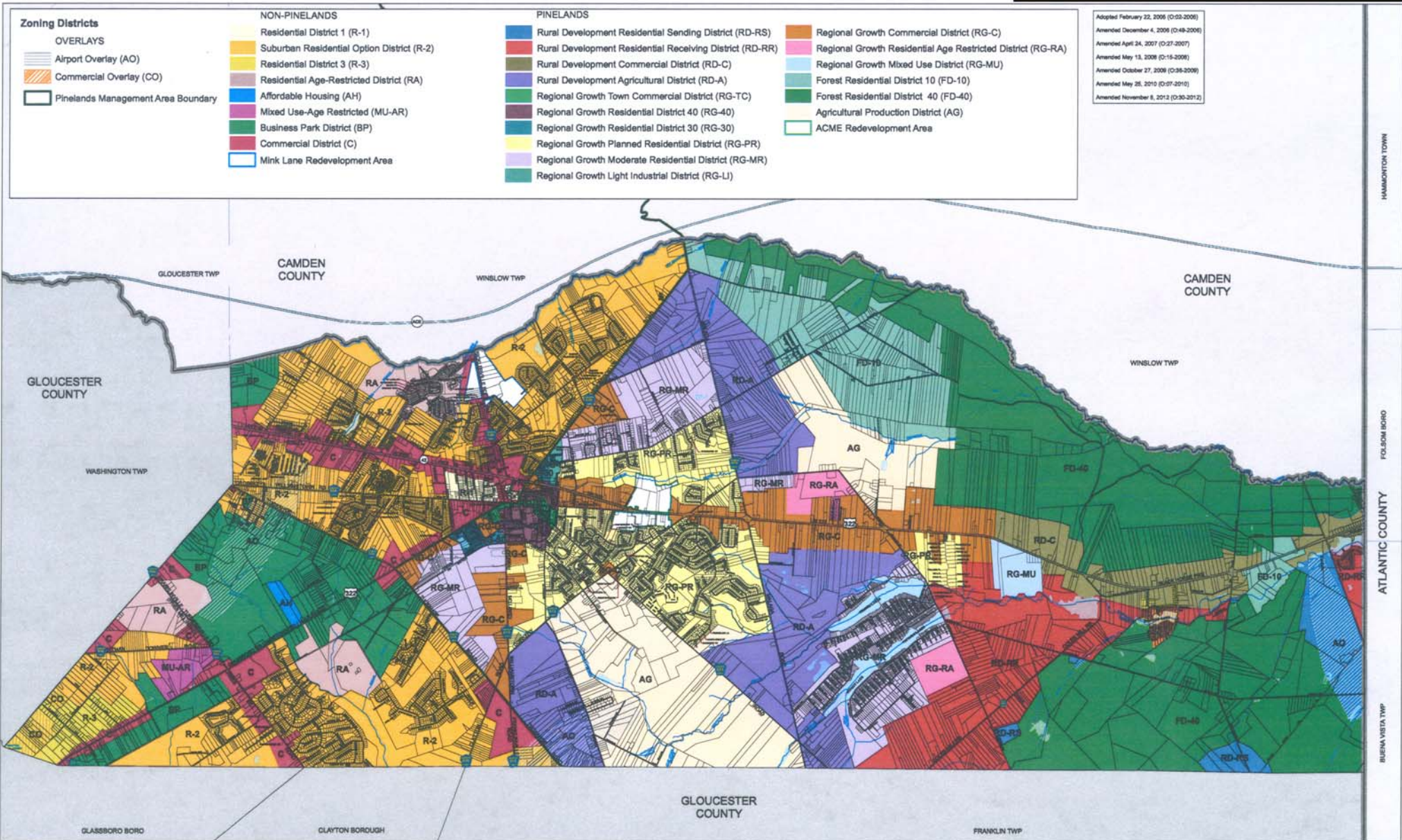
Written comments were accepted through July 3, 2019; however, no comments were received.

CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that the Monroe Township's 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 comply 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 the 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019 of Monroe Township.

SRG/CMO

Attachments



Monroe Zoning
 Date: November 1, 2012
 Drawn By: MSY
 Source: This map was developed using NJ DEP GIS data, but this secondary product has not been verified by NJDEP and is not state authorized. 2008 Tax Map, Roads, Road Name Data, and Stream Name Data provided by: ARH Civil Solutions
 File: M:\GIS PROJECTS\monroe\Zoning 2012\Zoning For Adoption 2012-11.mxd

**MONROE TOWNSHIP ZONING
 GLOUCESTER COUNTY, NJ**



Monroe Township Redevelopment Areas

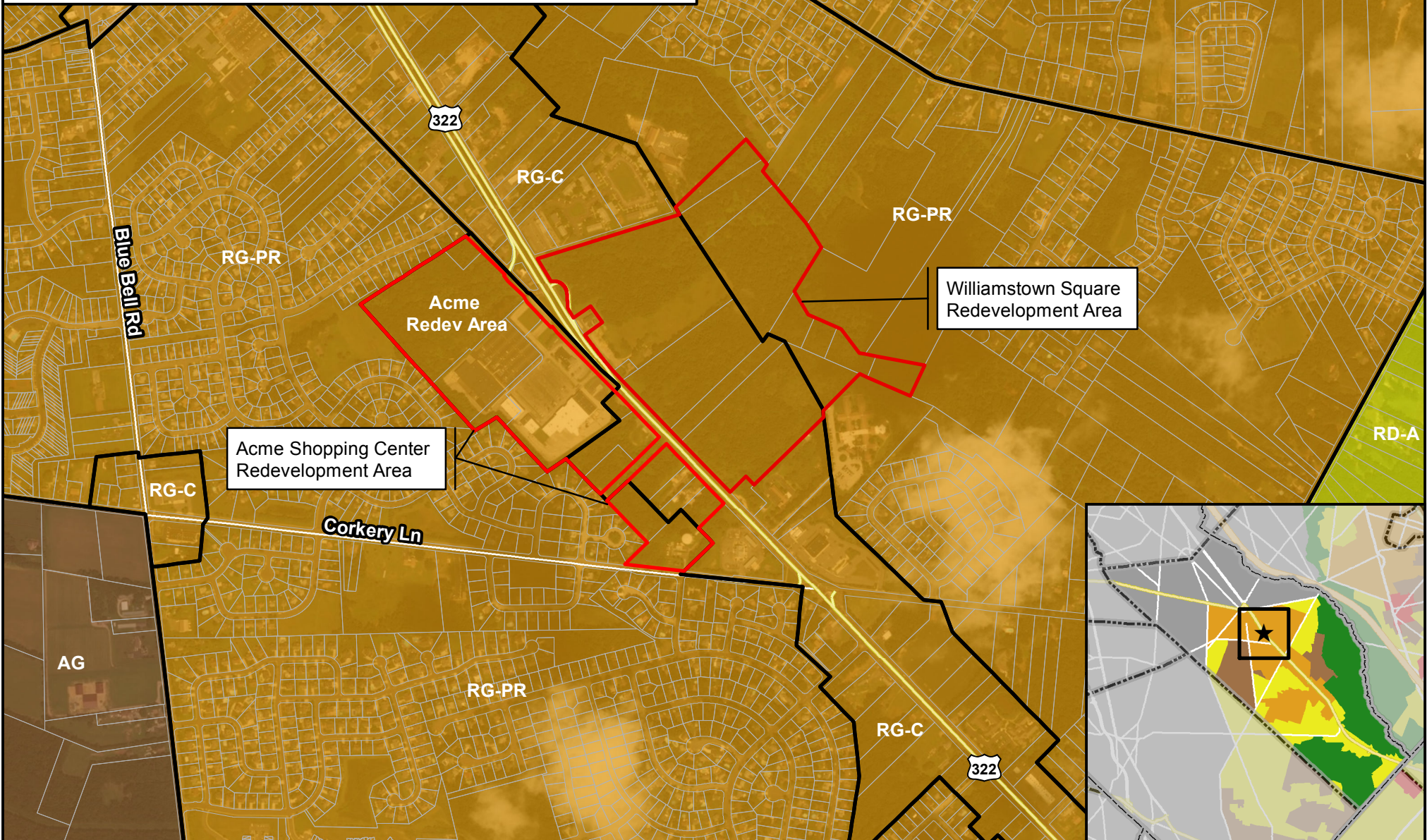
Executive Director's Report
Monroe Ordinances O:16-2019, O:17-2019
Exhibit 2
7/26/2019

Pinelands Management Areas

-  Rural Development Area
-  Agricultural Production Area
-  Regional Growth Area
-  Redevelopment Areas
-  Existing Zoning
-  Parcels



0 0.25 0.5 Miles





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

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




RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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

MEMORANDUM

To: Members of the Pinelands Commission

From: Susan R. Grogan 
Chief Planner

Date: July 31, 2019

Subject: No Substantial Issue Findings

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

Buena Vista Township Ordinance 76-2019 - amends Chapter 115 (Development Regulations) of the Township's Code to permit changeable copy signs and EMC (electronic message center) signs in all zoning districts, rather than only in the Township's Pinelands Village zoning districts. The substantive standards for changeable copy and EMC signs previously adopted by Ordinance 17-2014 remain unchanged, and include a prohibition on the use of such signs for off-site commercial advertising.

Monroe Township Ordinance O:15-2019 - amends Chapter 175 (Land Management) of the Township's Code by adopting revised requirements for recreational facilities and open space in planned unit developments, which are permitted in several of the Township's Regional Growth Area zoning districts. Section 175-125A(6) provides the developer of a planned unit development the option to provide a contribution in-lieu of developing such facilities if the developer determines that meeting the requirements would result in a loss of potential dwelling units on the subject parcel. The required in-lieu contribution remains unchanged at \$5,900 per lot.

Shamong Township Ordinance 2019-7 - amends Chapter 110 (Land Development) of the Township's Code to permit ground-mounted solar energy systems as a conditional use in the RD-1 District. The RD-1 District is located within the Pinelands Rural Development Area.

Shamong Township Ordinance 2019-8 - amends Chapter 110 of the Township's Code by adding procedures and standards for ground-mounted solar energy systems permitted as a conditional use in the RD-1 District. These standards are fully consistent with the requirements for solar energy facilities in the Pinelands Rural Development Area set forth in the CMP (N.J.A.C. 7:50-5.36).