



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
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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: September 4, 2019

Subject: Summary of the September 13, 2019 Meeting Packet

Minutes

The August 9, 2019 Commission Meeting minutes (open and closed session) 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 1989-0089.012/ Hamilton Township Board of Education**, Hamilton Township, Regional Growth Area, Construction of a 16,120 square foot paved access driveway and eleven space parking lot, and the installation of 2,800 square feet of rubberized surface on an existing playground.
2. **Application Number 1990-00450.006/ HMS Host Corporation on behalf of the New Jersey Turnpike Authority**, Lacey Township, Parkway Overlay District underlain by the Pinelands Preservation Area District, Demolition of an existing 15,600 square foot service building and the construction of a 12,675 square foot service building.

Waiver of Strict Compliance

One Waiver of Strict Compliance application is being recommended for approval with conditions. The application proposes the development of one single family dwelling.

Letter of Interpretation

Four Pinelands Development Credit (PDC) Letters of Interpretations (attached) were issued since the last Commission meeting, allocating 13.5 PDCs to 329.34 acres.

Off-Road Vehicle Event Route Map Approval

Two Off-Road Vehicle Event Route Map Approvals (attached) were issued since the last Commission meeting.

Planning Matters

We are recommending approval of an amendment to the Pinelands Infrastructure Trust Master Plan. This amendment follows an amendment in January that established ranking criteria and project categories. This second amendment identifies five public infrastructure projects and the associated funding amounts in the form of grants and loans. The projects include one water distribution system, two projects requesting funding both for water and wastewater systems, one that is solely for wastewater, and one that is a transportation project. The estimated cost in PITF funding is approximately \$15.8 million. We are also recommending that the Commission allow the New Jersey Department of Environmental Protection to use the portion of the PITF funding associated with wastewater projects as a State match to federal funding. Following adoption of the amendment, the priority project list will be forwarded to the Infrastructure Bank and project sponsors will be notified of funding eligibility. Project sponsor agencies may then apply for funding through the New Jersey Infrastructure Bank, which administers the PITF grants and loans.

Master Plans and Ordinances Not Requiring Commission Action

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

Other Resolutions

A resolution to approve the Fiscal Year 2020 Budget is included in the packet. The resolution recommends the adoption of the Pinelands Commission's Fiscal Year 2020 Budgets for the Operating Fund, the Kirkwood Cohansey Aquifer Assessment Fund, Katie Trust Fund and the Pinelands Conservation Fund, with supporting documentation. The FY 2020 Operating Budget is \$5,915,074. The Kirkwood Cohansey Aquifer Assessment fund balance is sufficient to cover the Study's FY 2020 Budget of \$70,000. The Katie Trust Fund consists of \$15,000 in landscape remodeling for the Katie Memorial Garden. The self-supporting Pinelands Conservation Fund FY 2020 Budget totals \$618,255.

Closed Session

The Commission will 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.



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NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, September 13, 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

- August 9, 2019 (open and closed session)

3. Committee Chairs' and Executive Director's Reports

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

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approval
 - None
- Public Development Projects and Waivers of Strict Compliance
 - Approving With Conditions an Application for Public Development (Application Number 1989-0089.012) (Construction of a paved access driveway, 11-space parking lot and the installation of rubberized surface at an existing playground in Hamilton Township).
 - Approving With Conditions an Application for Public Development and Certificate of Appropriateness (Application Number 1990-0450.006)

(Demolition and reconstruction of a service building at the Forked River Rest Area on the Garden State Parkway).

- Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 2019-0064.001) (Single Family Dwelling).

B. Planning Matters

- Municipal Master Plans and Ordinances
 - None
- Other Resolutions
 - To Adopt an Amendment to the Pinelands Infrastructure Master Plan to Set a Project Priority List and Recommend Funding Levels for Each Project
- 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. 1984-1345.008 – Jackson Township
Construction of a 13.7 acre ground mounted solar energy facility at the Legler Landfill Jackson Township
- Application No. 1990-0450.007 – Sunoco Retail/New Jersey Turnpike Authority
Demolition and reconstruction of an existing gas station and convenience store at the Forked River Rest Service Plaza on the Garden State Parkway
Lacey Township
- Application No. 1990-0809.003 – Town of Hammonton
Demolition of a building, 50 years old or older
Town of Hammonton
- Application No. 2018-0036.001 – Atlantic County Department of Regional Planning and Development
Road improvements within the Jimmie Leeds Road right-of-way
Galloway Township
- Application No. 2018-0095.001 – Stockton University
Improvements to the Vera King Farris Drive and Pomona Road intersection
Galloway Township

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Berkeley Township Planning Board Resolution 19-06
- Monroe Township Ordinances O:26-2019, O:27-2019, O:28-2019, O:29-2019 and O:30-2019
- Pemberton Township Ordinances 22-2019 and 24-2019

7. Other Resolutions

- To Adopt the Pinelands Commission's Fiscal Year 2020 Budgets for the Operating Fund, the Kirkwood Cohansey Aquifer Assessment Study Fund, Katie Trust Fund and the Pinelands Conservation Fund

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., Sept. 27, 2019	Policy and Implementation Committee Meeting (9:30 a.m.)
Fri., Oct. 11, 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

August 9, 2019

Commissioners Present

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

Commissioners Participating by Telephone

Candace M. Ashmun & Jane Jannarone.

Commissioners Absent

Daniel Christy, Ed Lloyd, Gary Quinn and D'Arcy Rohan Green.

Chairman Prickett called the meeting to order at 9:35 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 9 Commissioners who participated in the meeting.)

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

Minutes

Chairman Prickett presented the part 1 closed session minutes from the June 14, 2019 Commission meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Irick seconded the motion.

Commissioner Lohbauer asked that a comment he made during the open session be revised in the closed session minutes to reflect what he actually said which was that he questioned the need to discuss the matter in closed session.

Secretary's note: The June 14, 2019 Part 1 Closed Session Minutes were revised to reflect Commissioner Lohbauer's comment.

The part 1 closed session minutes from the June 14, 2019 meeting were adopted by a vote of 8 to 0.

Chairman Prickett presented the July 12, 2019 Commission meeting. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Pikolycky seconded the motion.

The July 12, 2019 Commission meeting minutes were adopted by a vote of 8 to 0.

Commissioner Ashmun joined the meeting by phone.

Committee Chairs' Reports

Chairman Prickett provided an update on the July 17, 2019 Land Use, Climate Impacts and Sustainability Committee meeting:

The Committee was provided with two documents prepared by Commission staff: Possible Climate Change Actions Plan and Potential Impacts of Climate Change on the New Jersey Pinelands.

The Committee discussed next steps including quantifying both the impacts of climate change on the Pinelands and the benefits provided by the Pinelands. The need to identify three or four action items to focus on now was also discussed.

Staff provided an overview of recent solar applications in the Pinelands Area, including a map showing the location and size of each. Possible future speakers were discussed.

The Committee also heard from members of the public on the importance of areas covered by CAFRA, use of permeable materials and limiting fossil fuel infrastructure.

Chairman Prickett provided an update on the July 26, 2019 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the June 28, 2019 meeting.

The Committee recommended certification of Monroe Township's 2018 Housing Element and Fair Share Plan and Ordinances O:14-2019, O:16-2019 and O:17-2019, amending Chapter 175 (Land Management) of the Township's Code with respect to affordable

housing and adopting revised Redevelopment Plans for the Acme Shopping Center and Williamstown Square Redevelopment Areas.

The Committee received an update on Comprehensive Management Plan (CMP) solar energy facility rules and applications.

The Committee received a presentation on the New Jersey Community Solar Pilot Program.

Executive Director's Reports

ED Wittenberg provided an update on the following items:

- Staff has been preparing the FY 2020 Budget, which will be shared with the Personnel and Budget (P&B) Committee that is scheduled to meet after today's Commission meeting. The budget will be presented to the full Commission at the September 13th meeting.
- Staff attended a webinar regarding the New Jersey Department of Environmental Protection's dispute resolution process and third party appeals.
- She met with Commissioner Christy to review Pinelands regulations.
- Staff met with Atlantic County regarding an existing Memorandum of Agreement (MOA) for Lake Lenape Park. The County has indicated the need to amend the MOA and staff has begun that process.

Director Liggett provided an update on the following:

- The Commission continues its review of water monitoring which is conducted in two stream systems in the southwestern portion of the Pinelands: the Great Egg Harbor River and the Mullica River. The stream monitoring results are compared to withdrawals to determine if there are any impacts.
- The Pinelands Infrastructure Trust Fund public hearing was held on July 31st and the only person to attend was the Pemberton Township Municipal Engineer. Staff and the NJDEP continue to work on a solution to allow funds to be allocated to projects involving water supply rather than just wastewater and transportation projects.

Director Chuck Horner provided information on the following regulatory matters:

- The Philadelphia Inquirer recently printed an article about seasonal agricultural employee housing at several Atlantic County farms. The article noted the conversion of agricultural buildings to seasonal agricultural employee housing. He said staff was notified of the issue from either the zoning officer or other sources. He said currently about 10 property owners have been notified by the Commission that an application for a change of use is required for converting an agricultural building into seasonal agricultural employee housing.
- Staff is working with a number of applicants regarding the clustering provision and how it relates to approved subdivisions in the Rural Development Area and the Forest Area. Staff is also working with an applicant regarding a five lot subdivision in Medford Township dating back to the 1990's. As the project is nearing construction, Pinelands Development Credits (PDCs) must be purchased as required

by current zoning. He noted that zoning protections under the Municipal Land Use Law expire after a certain period of time.

Stacey Roth, Chief, Legal & Legislative Affairs, said that at the July Commission meeting she provided information on the Science office's endocrine disruption study and access to Lake Mishe Mokwa. She said the issue has been resolved with the help of the Medford Lakes Borough attorney and a Right of Entry Agreement will be signed by both the Commission and Medford Lakes Colony Club. The Commission will replace the fish two to one.

Ms. Roth provided an update on litigation related to New Jersey Natural Gas (NJNG). She said Chesterfield Township, North Hanover Township and Burlington County reached a settlement with NJNG and as a result Chesterfield Township has withdrawn from the litigation. She said NJNG filed a motion for summary disposition against Bordentown Township alleging they did not have standing to be in the appeal. Substantive briefs and third party appeals from the appellants were filed on July 15, 2019. DAG Miles is drafting response briefs.

Ms. Roth advised the Commission of a violation that has occurred in Southampton Township. She said it's a commercial use on agricultural land including wetlands violations. She said the NJDEP was contacted and issued an Administrative Order/Notice of Civil Administrative Penalty Assessment (AO/NOCAPA). The attorney for the commercial business asked that the Office of Dispute Resolution at the NJDEP handle the matter. She said a conference call is currently being scheduled to discuss the case.

Commissioner Irick asked what type of commercial use has been established at the site.

Ms. Roth said it is landscaping business and added that the parcel is located in an Agriculture Production Area and is deed restricted.

Public Development Projects and Other Permit Matters

Chairman Prickett presented a resolution for improvements to Woodbine Borough's water treatment facility.

Commissioner Pikolycky left the dais and exited the meeting room because he is the mayor of Woodbine Borough.

Commissioner Lohbauer made a motion Approving With Conditions an Application for Public Development (Application Number 1986-1408.008) (See Resolution # PC4-19-26). Commissioner Earlen seconded the motion.

The Commission adopted the resolution by a vote of 8 to 0 with Commissioner Pikolycky recusing from the vote.

Commissioner Pikolycky returned to the meeting.

Chairman Prickett presented a resolution recommending approval for a two lot subdivision in Jackson Township.

Ms. Roth said Commissioner Avery will be recusing from this application because he is a member of the Ocean County Natural Lands Trust Fund and the next application was submitted by Ocean County.

Commissioner Avery left the dais.

Commissioner Lohbauer made a motion Approving With Conditions an Application for Public Development (Application Number 1981-1470.007) (See Resolution # PC4-19-27) Commissioner Earlen seconded the motion.

Chairman Prickett asked if Director Horner could provide additional information about the subdivision.

Director Horner said the County is proposing to create two lots with the subdivision. The subdivision meets the environmental standards and lot size requirements of the CMP. He said there is no standard in the CMP that requires that the lots be deed restricted. He added that one of the lots may be deed restricted in the future through the open space acquisition process.

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

Commissioner Avery returned to the meeting.

Chairman Prickett presented the next resolution recommending approval of six public development applications.

Commissioner Lohbauer made a motion Approving With Conditions Applications for Public Development (Application Numbers 1990-1174.011, 2000-0637.003, 2006-0322.002, 2008-0026.002, 2008-0026.003 & 2019-0053.001)(See Resolution # PC4-19-28). Commissioner Avery seconded the motion.

Commissioner Irick raised a question about Application No. 1990-1174.011 (Monroe Township's irrigation well). He asked if there was a provision in the CMP that would allow the Commission to request that the applicant drill from the Piney Point aquifer rather than the Kirkwood-Cohansey.

Director Horner said the regulations only address wells that withdraw large amounts of water from the Kirkwood-Cohansey. He said in instances with large withdrawals the Commission could require the applicant to address alternative sources. He said that because the proposed well will use less than 100,000 gallons of water a day, the applicant is not required to use a specific aquifer or provide alternatives.

Commissioner Irick said the proposed well can pump 175 gallons per minute which puts it over the 100,000 gallon a day limit.

Director Horner said the NJDEP issued a Water Use Registration for three existing wells in the Township including the proposed well for a total of four wells which are not to exceed 100,000 gallons per day cumulatively.

Commissioner Irick further asked if Monroe Township is required to report its water usage to the NJDEP as part of the Water Use Registration certificate.

Director Horner said staff would find out the answer. He said Commission staff is still recommending approval of the well regardless of the reporting requirements.

Commissioner Irick said that this type of irrigation well should not be using the Kirkwood-Cohansey aquifer and maybe the Commission should consider changing the rules to use the Piney Point aquifer for such wells.

ED Wittenberg added that the Kirkwood- Cohansey rule proposal begins to address the issues Commissioner Irick raised.

Director Horner said that the Township is required to report monitoring results for well usage to the NJDEP on January 31st of each year.

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

Planning Matters

Commissioner Ashmun left the meeting and ended the call.

Commissioner Avery said the subdivision application that he recused on involves a parcel of land that will be acquired by the Ocean County Natural Lands Trust. He said that Commissioner Ashmun, other Commissioners and himself worked on a special project called the Toms River Corridor Plan in the early 2000's. He said that the plan recommended that a number of parcels be acquired and preserved. He said he was pleased to announce that more land was acquired than was actually recommended. He congratulated Commission Ashmun on the completion of the project.

Chairman Prickett presented a resolution related to Monroe Township.

Commissioner Avery made a motion 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 (See Resolution # PC4-19-29). Commissioner Earlen seconded the motion.

Commissioner Irick had a question related to the density of units associated with Monroe Township Ordinance.

Chief Planner Grogan said the density for mobile home parks will remain the same which is eight units per acre. She said the density for mobile home parks has remained the same since the Township was originally certified back in the early 1980's. She said Ordinance O:14-2019 reduces the PDC requirement from 25% to 10% for mobile home parks in the Regional Growth Area.

Chief Planner Grogan explained the other PDC changes associated with the redevelopment areas. She said the Acme Shopping Center Redevelopment Area will increase PDC use from 25% to 30% of the units. The Williamstown Square Redevelopment Area will now permit residential development for a mixed use/cluster type project and require PDC use on 30% of the units excluding the affordable housing units. She said the ordinances allow for some adjustments to PDC requirements and implementation of the town's affordable housing obligation while maintaining consistency with the CMP.

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

Honoring Commissioner Giuseppe (Joe) Chila

Chairman Prickett read a resolution into the record recognizing Commissioner Chila's work at the Commission.

Commissioner Earlen made a motion Expressing the Commission's appreciation to Giuseppe (Joe) Chila for his service as a member of the Commission between February 2016 to January 2019 (See Resolution # PC4-19-30). Commissioner Lohbauer seconded the motion.

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

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.

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

No members of the Commission had questions.

Presentation: Pinelands Conservation Fund Land Acquisition Program

Ms. Robyn Jeney said the Pinelands Conservation Fund (PCF) has completed its 8th round of acquisition projects. She said the PCF was established in 2004 when the Commission entered into a Memorandum of Agreement with the Board of Public Utilities to allow an electric transmission line through the Pinelands where it was not permitted. She said when the Commission enters into a deviation MOA, the CMP requires “measures that will, at a minimum, afford an equivalent level of protection of the resources of the Pinelands that would be provided through a strict application of the standards of” the CMP. She added that often the offset is in the form of a monetary contribution towards permanent land protection. She said in 2005, PCF policies were adopted and allocated six million dollars for land acquisition projects. She said since that time additional money has been added to the Pinelands Conservation Fund. She said the grant projects have to have other funding sources. The PCF land acquisition program provides up to 33.3% of certified market value to projects. She explained the rationale and target areas for acquisition. She reviewed projects by county and provided details of some of the more notable projects. She added that just shy of 10 million dollars remain in the Federal 502 fund. She said when the Pinelands Protection Act was established money was designated for lands considered to have exceptional ecological properties. Legislation required that the Commission designate areas suitable of such acquisition. Many years ago the Commission identified 100,000 acres containing exceptional ecological value in several areas of the Pinelands, mostly in the southern portion of the Pinelands and southeastern Burlington County. About 88,000 of those acres have been acquired and permanently protected using about \$31 million in federal funds, separate from PCF acquisitions. See attached slides for further details.

Commissioner Howell asked how the certified market value is calculated.

Ms. Jeney said for projects over \$200,000 two appraisals are necessary and if the property is less than \$200,000 only one appraisal is needed. She said the NJDEP Green Acres program conducts an economic analysis for the appraisals and certifies fair market value.

Chief Planner Grogan announced that Robyn Jeney is leaving the Commission after 15-years for a position at a non-profit organization.

Chairman Prickett thanked Ms. Jeney for her work at the Commissions including the Off-Road vehicle data that she worked diligently on.

Chairman Prickett asked about the status of the 502 funds.

Chief Planner Grogan said the funds are appropriated by Congress and in the past number of years there has not been a feeling that funds would be released. She explained that the request would need to be initiated by state Legislators and Senators to be included in the federal budget.

General Public Comment

Michael Tamn said there has been public interest in the Pinelands for over 300-years. He provided an article from June 3, 1900 which mentioned an excursion by trail to Browns Mills, NJ. He also circulated an article dated April 4, 2019 from the Philadelphia Inquirer about an old pipeline in Pennsylvania that is leaking. He said the decisions made by the Commission will be around for future generations. Both articles are attached.

Jay Mounier said using the phone system at Commission meetings does not work. Rhyan Grech of the Pinelands Preservation Alliance asked if there was an update on the South Jersey Gas remand. She is curious about timing and future action the Commission may take on a resolution.

Commissioner Howell asked if the FY 20 Budget includes money for a phone system.

Ms. Jessica Lynch explained that although the microphones are new, the overhead speakers are much older. She said she has discussed a new audio system with three different vendors and it is very expensive.

Commissioner Lohbauer said he questioned the need to go into closed session regarding the South Jersey Gas matter in June and he questioned the need today.

DAG Miles said she would be providing additional attorney client privilege advice and there is ongoing litigation risk with discussing the matter in open session. She advised that the Commission can vote to waive its right to attorney client privilege advice.

Resolution to Retire into Closed Session

DAG Miles read a resolution to enter into closed session to discuss the South Jersey Gas matter.

Commissioner Irick made a motion to enter into closed session. Commissioner Avery seconded the motion. The Commission agreed to retire into closed session by a vote of 8 to 0, beginning at 11:15 a.m.

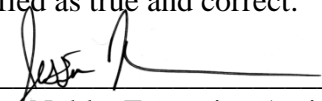
Return to Open Session

The Commission entered back into open session at 11:54 a.m. DAG Miles provided a summary of the closed session. She said the Commission discussed litigation related to the South Jersey Gas matter.

Adjournment

Commissioner Avery moved to adjourn the meeting. Commissioner Earlen seconded the motion. The Commission agreed to adjourn at 11:55 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: August 21, 2019



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 26

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

Commissioner Lohbauer moves and Commissioner Earlen 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	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				R					

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director



Date: August 9, 2019

Richard Prickett
Richard Prickett
Chairman



State of New Jersey

THE PINELANDS COMMISSION

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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)



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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

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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- 27

TITLE: Approving With Conditions an Application for Public Development (Application Number 1981-1470.007)

Commissioner Lohbauer moves and Commissioner Earlen seconds the motion that:

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

1981-1470.007

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.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1981-1470.007 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	X				Irick	X				Quinn				X
Avery				R	Jannarone	X				Rohan Green				X
Christy			X		Lloyd			X		Prickett	X			
Earlen	X				Lohbauer	X								
Howell	X				Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: August 9, 2019

Richard Prickett
Richard Prickett
Chairman



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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)



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SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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.



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General Information: Info@pinelands.nj.gov
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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- 28

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

Commissioner Lohbauer moves and Commissioner Avery 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:

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

20-0053.001

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.

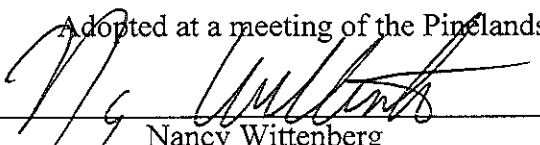
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1990-1174.011, 2000-0637.003, 2006-0322.002, 2008-0026.002, 2008-0026.003 & 2019-0053.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

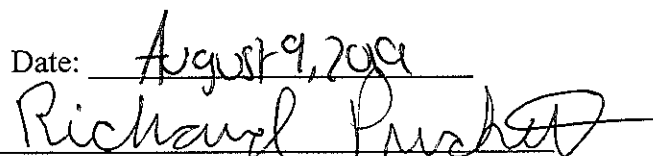
	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				Irick	X				Quinn				X
Avery	X				Jannarone	X				Rohan Green				X
Christy			X		Lloyd			X		Prickett	X			
Earlen	X				Lohbauer	X								
Howell	X				Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission


 Nancy Wittenberg
 Executive Director

Date: August 9, 2019


 Richard Prickett
 Chairman



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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)



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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.



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Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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



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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)



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

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

RICHARD PRICKETT
 Chairman
 NANCY WITTENBERG
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

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.



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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

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

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)



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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
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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.



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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)



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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.



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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.



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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)



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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

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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.



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General Information: Info@pinelands.nj.gov
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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)



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General Information: Info@pinelands.nj.gov
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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

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.



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
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General Information: Info@pinelands.nj.gov
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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 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.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 29

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 Avey moves and Commissioner Earlen 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.

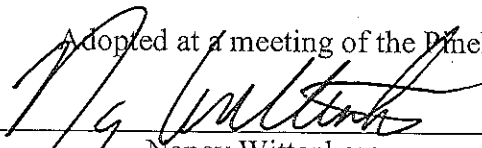
Record of Commission Votes

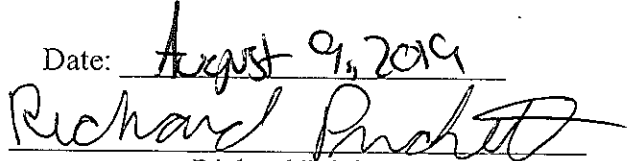
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun				Irick	X			Quinn			X
Avery	X			Jannarone	X			Rohan Green			X
Christy			X	Lloyd			X	Prickett	X		
Earlen	X			Lohbauer	X						
Howell	X			Pikolycky	X						

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 9, 2019


 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.

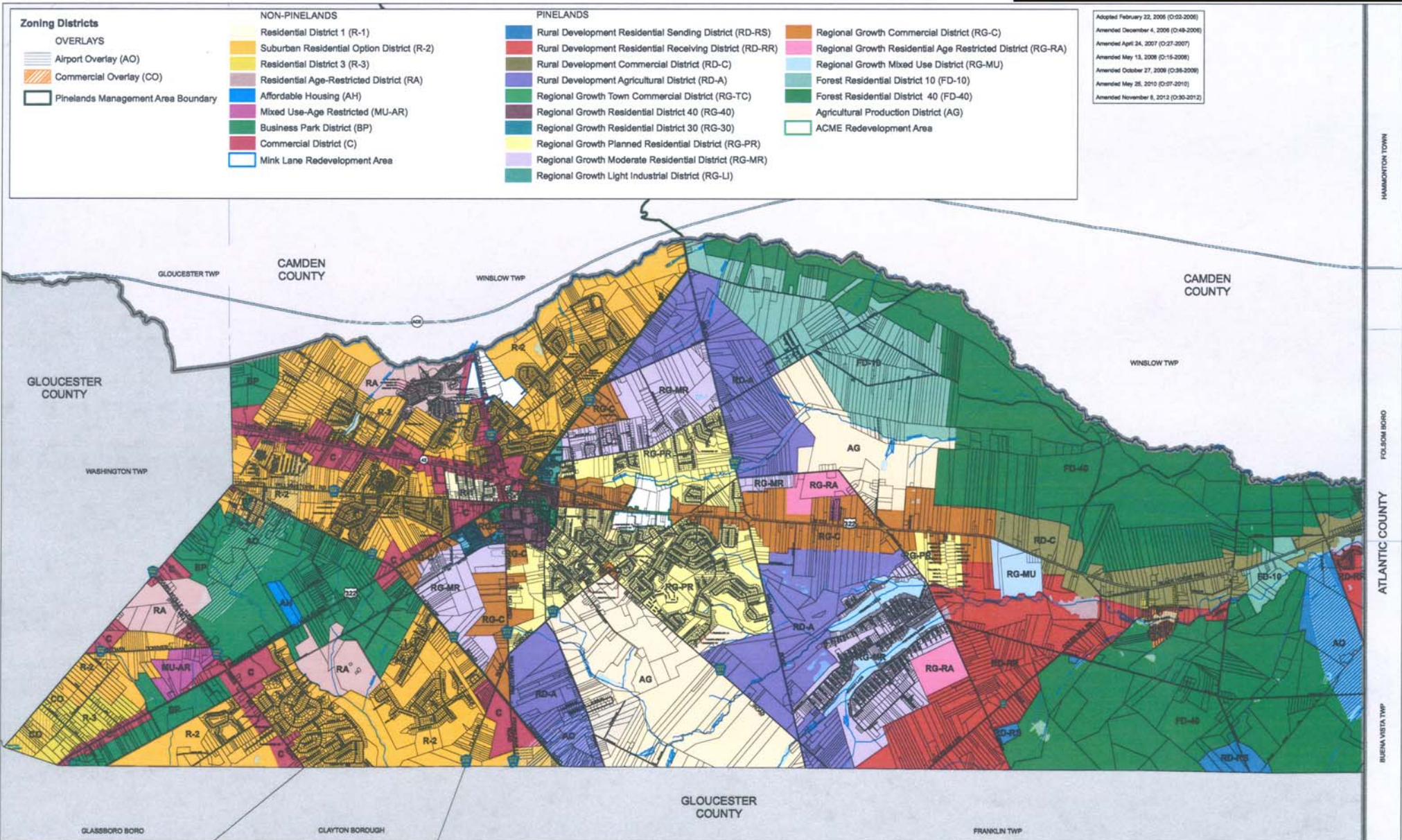
Written comments were accepted through July 3, 2019; however, no comments were received.

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\monroeZoning 2012\Zoning For Adoption 2012-11.mxd

MONROE TOWNSHIP ZONING GLOUCESTER COUNTY, NJ

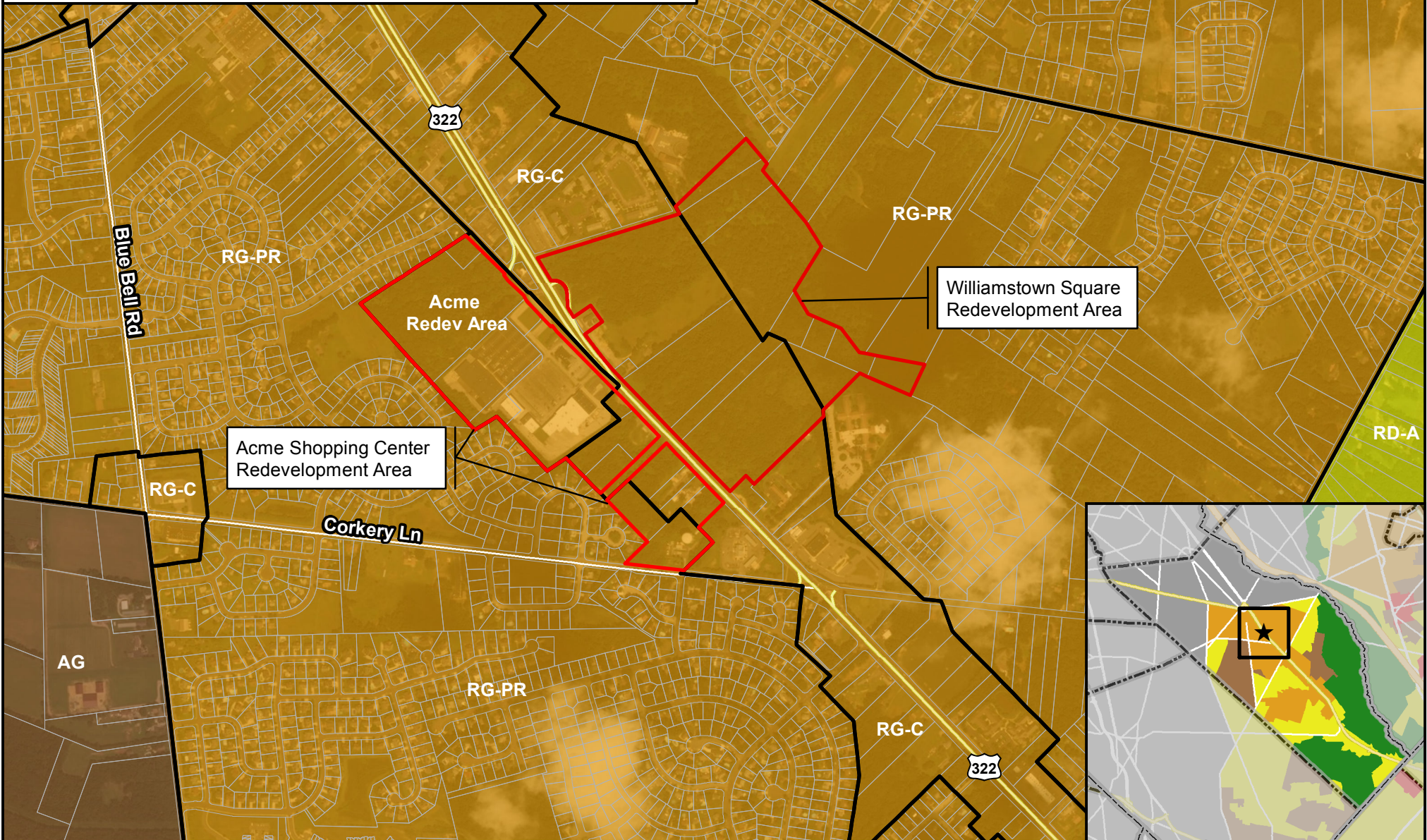
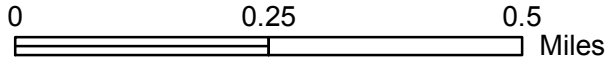


Monroe Township Redevelopment Areas

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





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 30

TITLE: Expressing the Commission’s appreciation to Giuseppe (Joe) Chila for his service as a member of the Commission between February 2016 to January 2019

Commissioner Earlen moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, Giuseppe (Joe) Chila served as Gloucester County’s representative on the Pinelands Commission from February 2016 to January 2019; and

WHEREAS, Mr. Chila served as an alternate on the Commission’s Personnel and Budget Committee; and

WHEREAS, Mr. Chila stepped down from the Pinelands Commission after being elected as Gloucester County’s Surrogate, a job that entails serving the public on all matters regarding estates, guardianships, adoptions and probate issues; and

WHEREAS, during his tenure, the Commission reviewed and approved 211 municipal master plans and ordinances, as well as 103 public development applications; and

WHEREAS, during his tenure, the Commission preserved nearly 1,000 acres of land in the Pinelands through the Pinelands Conservation Fund; and

WHEREAS, Mr. Chila was very committed to and active in the Commission’s efforts to provide balanced opportunities for recreation in the Pinelands; and

WHEREAS, Mr. Chila brought a wealth of experience in local and county government to the Pinelands Commission. He was the Mayor of Woolwich Township for seven years and he served on the Gloucester County Board of Chosen Freeholders for 12 years, including seven years as the Deputy Director; and

WHEREAS, the members of the Commission want to recognize Mr. Chila’s significant contributions and express their appreciation for the service that he performed.

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 9th day of August, 2019, do hereby express our appreciation to our colleague and friend, Joe Chila, for his commitment to the Pinelands and for his service as a member of the Commission between February 2016 to January 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 = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: August 9, 2019

Richard Prickett
Richard Prickett
Chairman



**Pinelands Conservation Fund
Land Acquisition Program:
8,969 acres and counting!**



PCF established with BPU MOA: **\$13 million**



AUGUST 2004

APRIL 2005



PCF policies adopted: **\$6 million** for land acquisition

FEBRUARY 2006



CMCMUA Landfill CMP amendment: **\$4.8 million** for land acquisition

NJ Turnpike Authority MOA: **\$915,000** for land acquisition



NOVEMBER 2008

AUGUST 2009



PCF policies revised: additional **\$2.5 million** for land acquisition

PCF policies revised: additional **\$500,000** for land acquisition



AUGUST 2014



PCF Land Acquisition Policies

Maximum funding: 33.3% of Certified Market Value

Pre-authorized Acquisition Priorities:



Toms River Corridor
&
Southern
Medford/Evesham



Section 502
&
18 Target Planning
Areas



PAD,
FA,
SAPA &
APA



Areas sustaining
off-road vehicle
damage in need of
stewardship



8 rounds of funding



40 completed projects



\$9.42 million spent



8,969 acres permanently protected



10 acquisition partners



6 of 7 Pinelands counties with projects



Atlantic County

7 projects, 3,621 acres

Burlington County

12 projects, 2,026 acres

Camden County

1 project, 78 acres

Cape May County

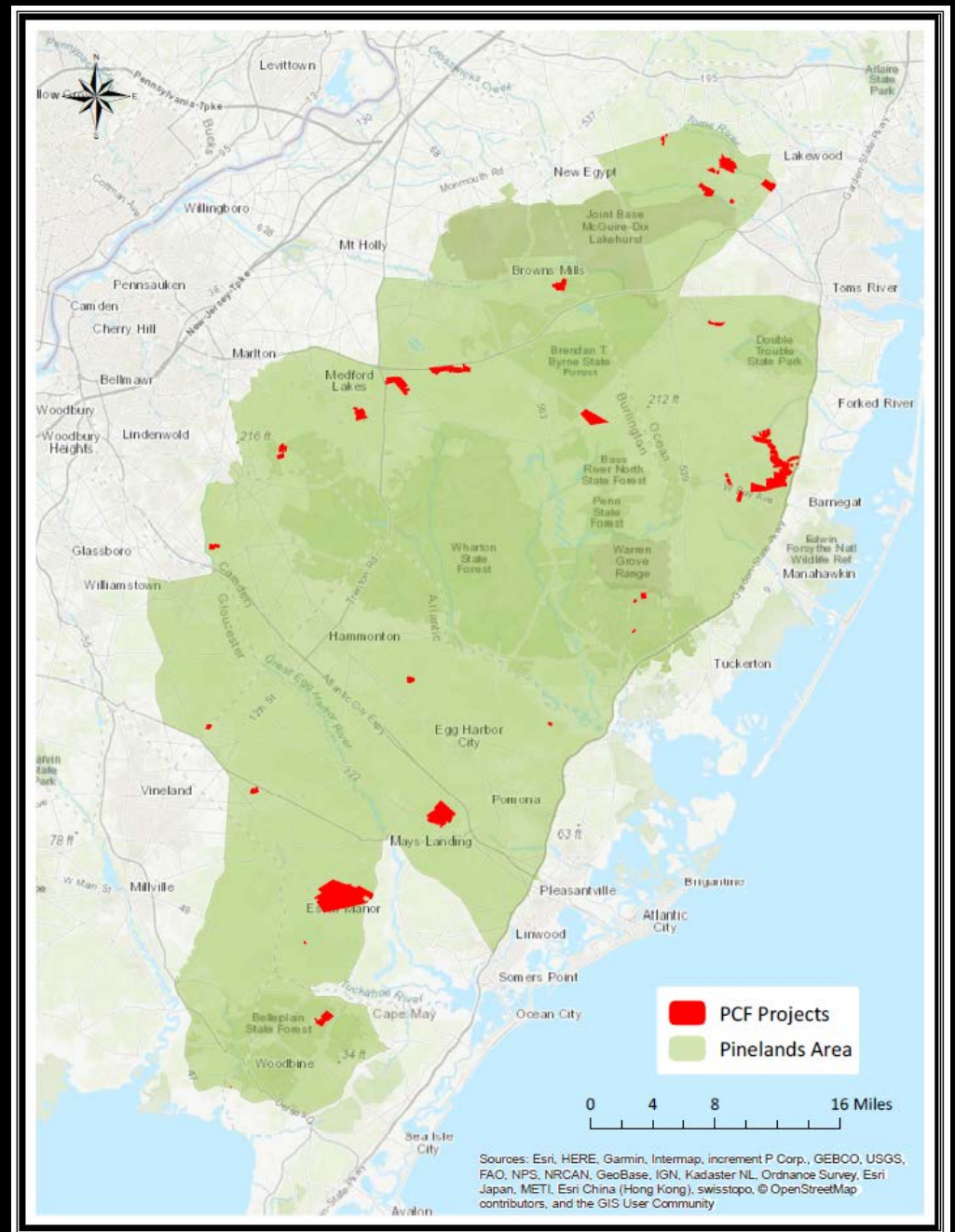
2 projects, 270 acres

Gloucester County

1 project, 30 acres

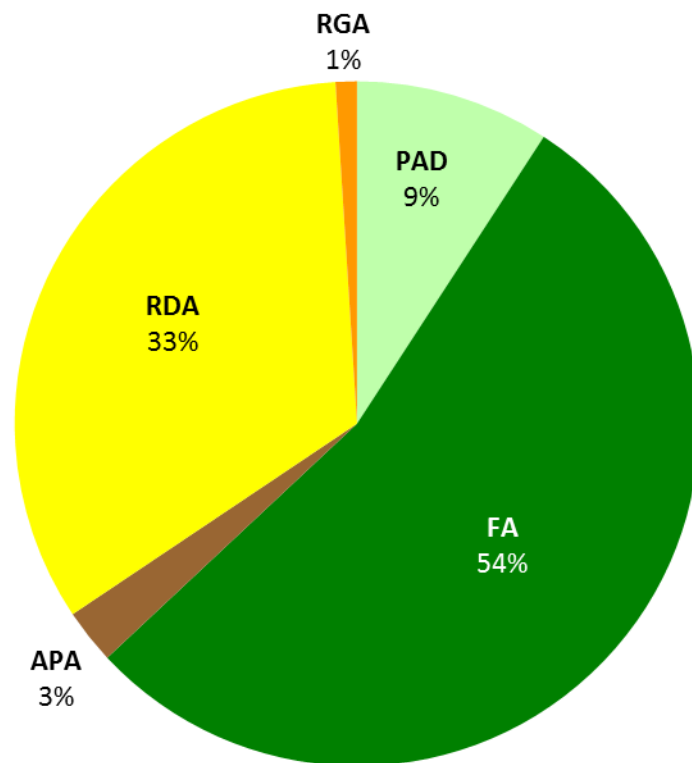
Ocean County

19 projects, 2,943 acres





PCF Acquisition Program Lands Preserved Through 6/30/19



**Total Acres
Preserved:
8,969**



Ocean County Natural Lands Trust: Horner Property

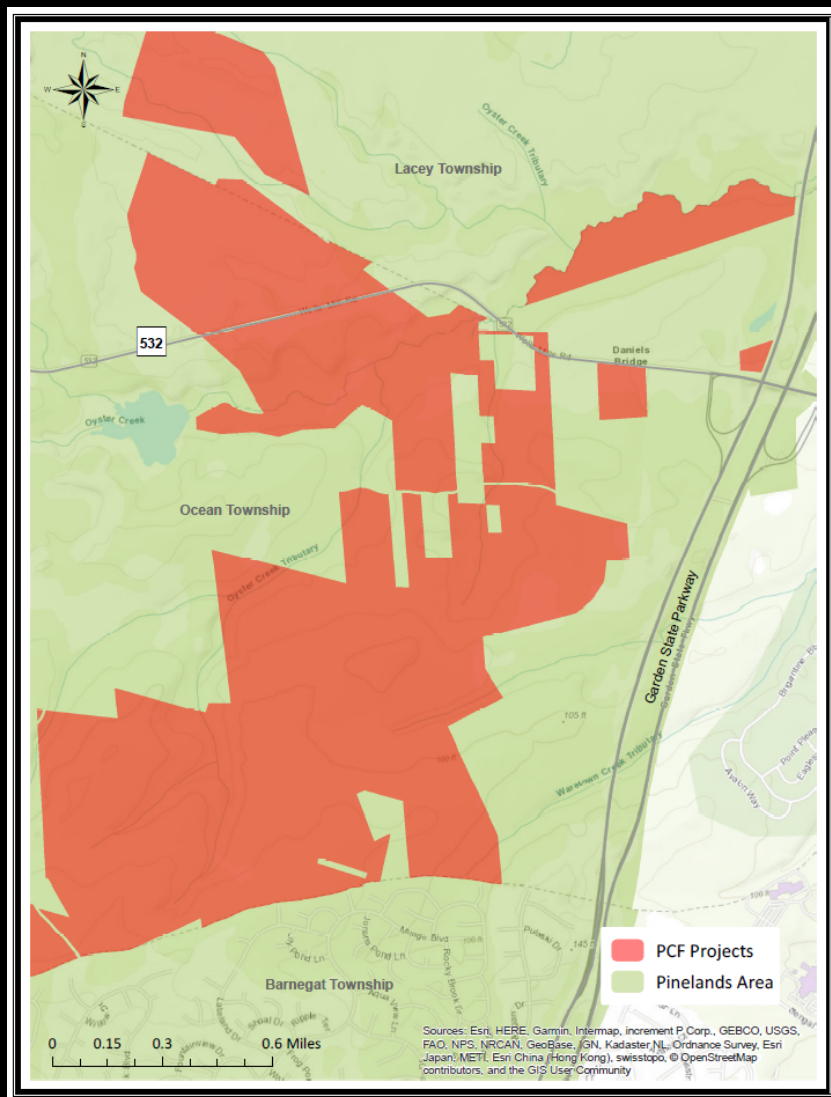


Photo by CRI



Unexpected Wildlife Refuge: D'Alessandro Farm Property



Photo by CRI



Camden County Improvement Authority: Great Egg Harbor River Greenway Project

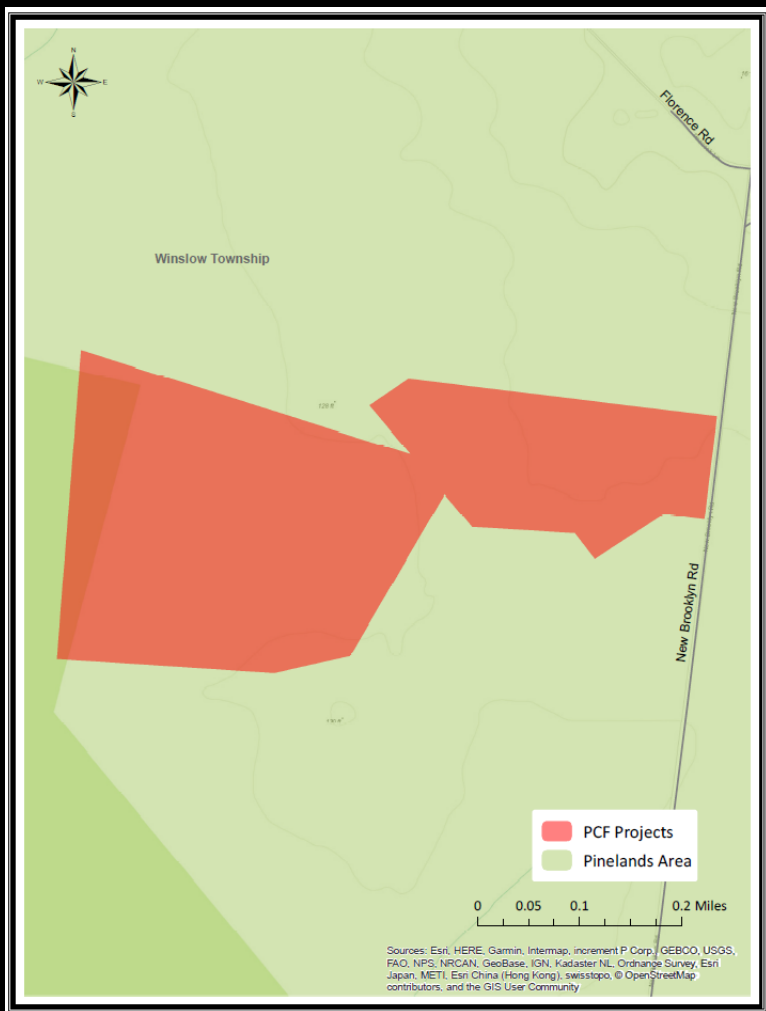


Photo by Camden County (www.camdencounty.com)



Ocean County Natural Lands Trust: Barnegat Hills Project

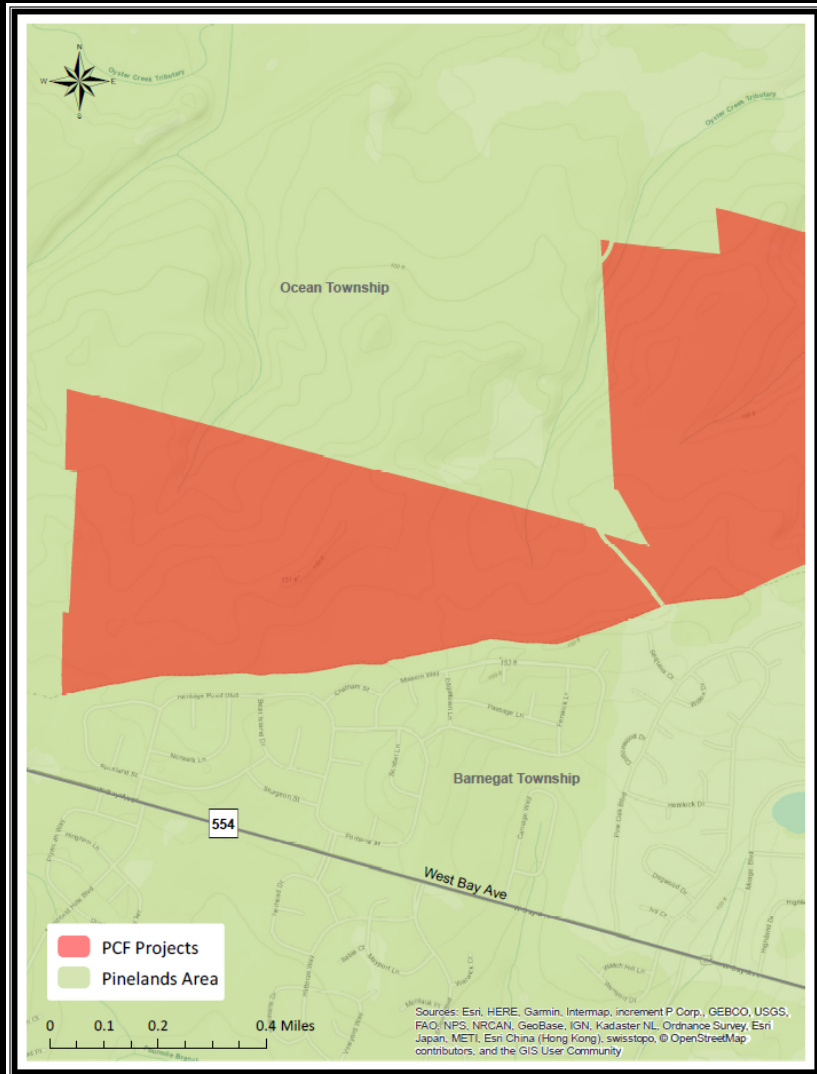


Photo by CRI



The Nature Conservancy: Lenape Farms Property

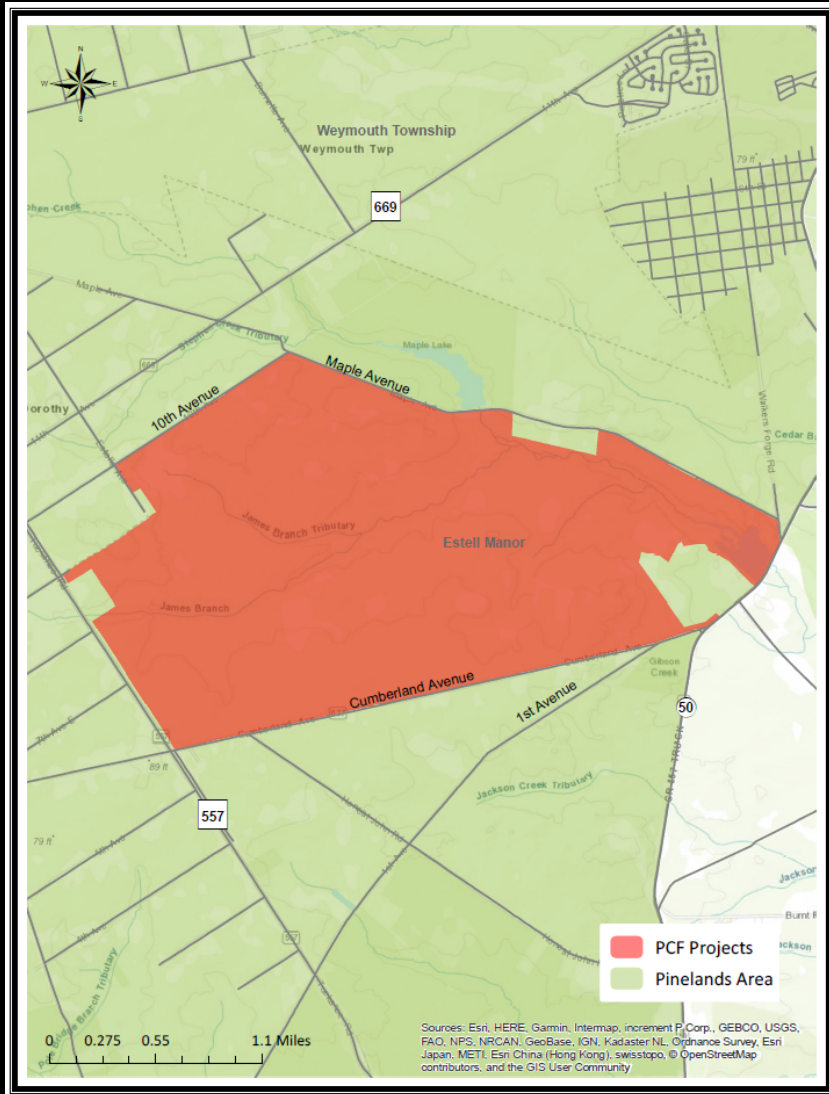


Photo by Paul Leakan, NJPC



NJ Conservation Foundation: Zemel Property

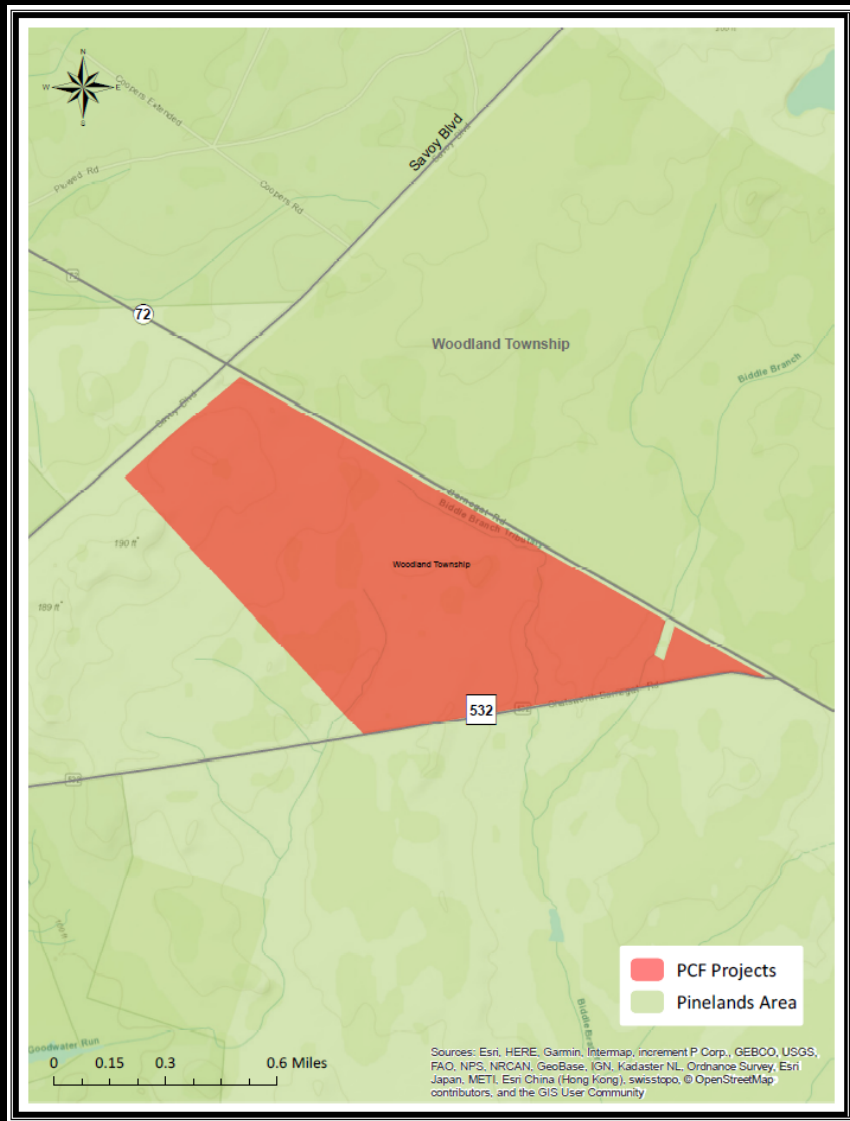


Photo by Chris Jage, NJCF



Trust for Public Land: Bear Swamp Headwaters Project

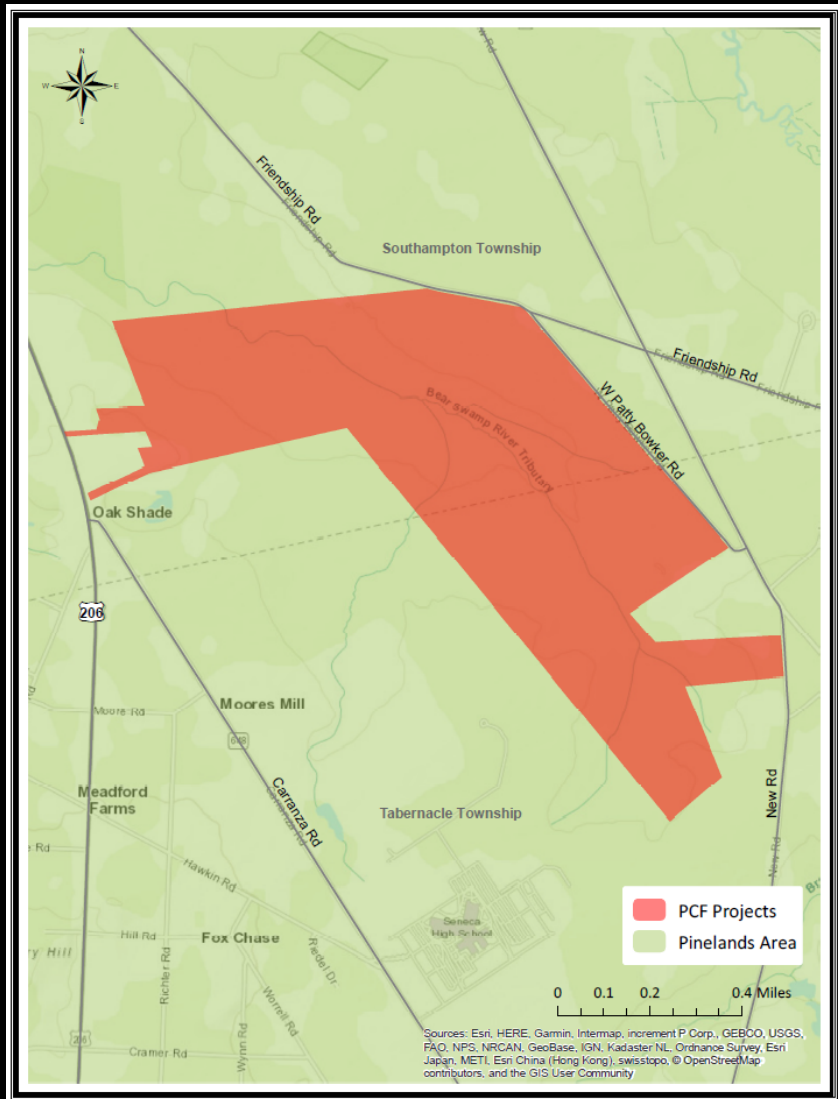


Photo by Paul Leakan, NJPC



Rancocas Conservancy: Katz Trust Property

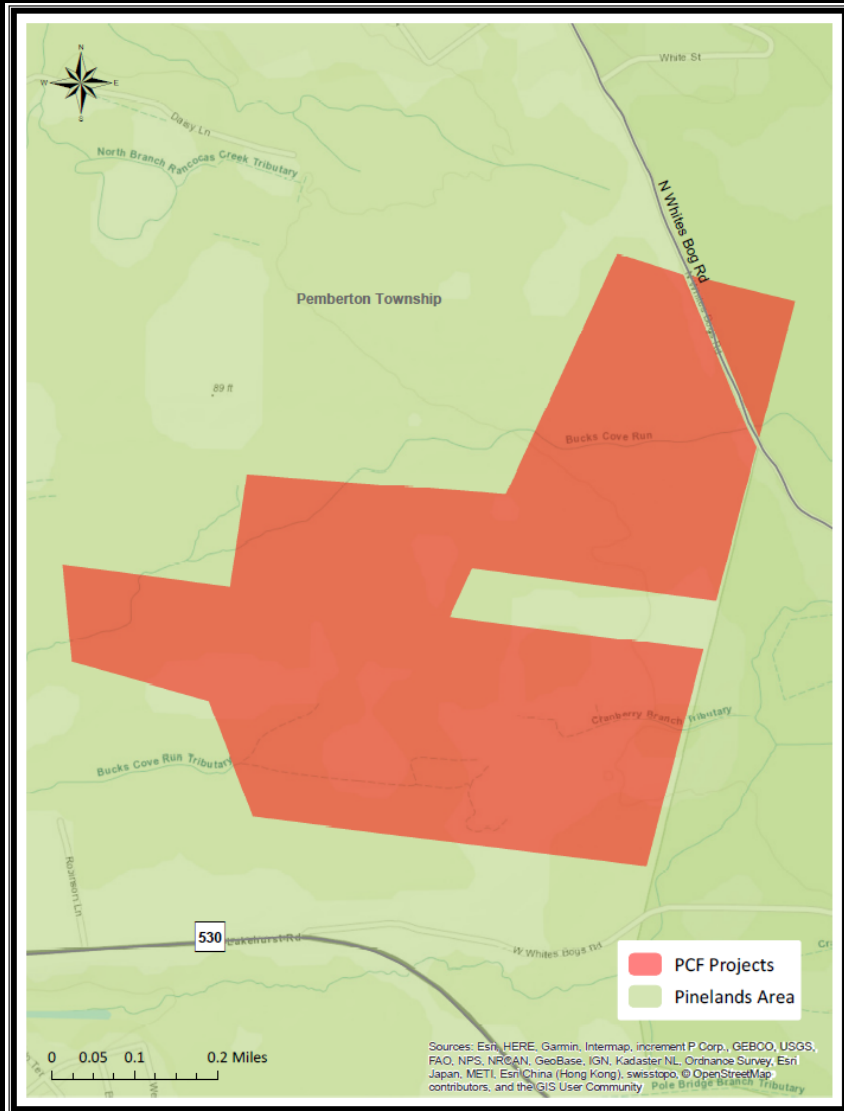


Photo by Paul Leakan, NJPC



Future Land Acquisition Funding Sources



Federal "502" Funds

\$9.5 million remaining under
1978 National Parks and
Recreation Act for
conservation land acquisitions



South Jersey Transportation Authority 2019 MOA

Will provide \$3 million
over 6 years



Permanent Funding Source

Establish ability to accept
private donations

A photograph of a dense forest of tall, slender pine trees. The trees are dark brown with green needles, and the sky is a clear, bright blue. The text "More to come!" is overlaid in the center of the image in a bold, orange font with a white outline.

More to come!

Annual Excursion to Browns Mills

Annual Excursion

**The
Delaware
Valley
Naturalists'
Union.**

On Saturday, May 26, the Delaware Valley Naturalists Union made a very enjoyable excursion by special train to Browns Mills, in the Pines, N. J., where the botanical and ornithological features of that

place were studied.

The old-time hostelry at Browns Mills in the Pines was burned down in recent years and hence the railroad company does not now regularly run passenger trains over the short branch that leads thereto from its main line via Mount Holly and Whiting, but ran a special train on this occasion. This train consisted of five cars. The usual number participating in these annual excursions is about two hundred, but owing to the threatening inclemency of the day only about one hundred and fifty were present on this one.

The union is composed of some thirteen science associations in and near Philadelphia. They are as follows: Bucks County Natural Science Association, Chester County Geological Club, Darlington Botanical Club, of West Chester; Delaware County Institute of Science, Haddonfield Natural Science Club, Lansdowne Natural History Club, Moorestown Natural History Society, Philadelphia Natural History Society, Radnor Science Club, Salem Naturalists' Field Club, Society of Natural History of Delaware, Naturalists' Field Club, of the University of Pennsylvania; Woodstown Naturalists' Field Club.



The union makes annually on or about Decoration Day a field excursion for all the members of the various component societies and holds at the same time a meeting at which scientific subjects are presented by members selected from several of the societies. The various organizations each takes its turn in providing a place for these annual gatherings, to which it invites all its sister associations.

The union was this year the guest of the Moorestown Society, who arranged an admirable programme.

On arriving at Browns Mills the members divided into three sections, one of which took a botanical walk of about two miles under the leadership of Dr. Harshberger and Edward Haines, and another a shorter walk of about one mile under the guidance of Walter Moore and Henry S. Conard, while the third section, under the direction of Dr. Emily G. Hunt and Dr. Samuel S. Haines, took a short walk through the woods to observe the birds.

The three parties returned again about 1 P. M. to Browns Mills, where basket lunch was partaken in the Casino, whose sheltering roof afforded refuge from a rain shower that occurred at this time.

After lunch the members convened, with Theodore D. Rand, president, in the chair, and listened to addresses by the following members:

Dr. J. W. Harshberger, of the University of Pennsylvania, on "What is of the Most Worth in Teaching Botany?"

Lewis Woolman, of Lansdowne, on "The Building and Modelling of Southern New Jersey; a Geological Communication."

William B. Evans, of Moorestown, on "The Crossbills."

Dr. S. S. Haines, of Moorestown, on "The Spring Migration of Birds."

After adjournment of the meeting there was time for some social commingling of the members of the different branches of the union, which is one of the objects of these annual reunions. The return was made from Browns Mills at 5 P. M.

Mariner East 1 pipeline owner agrees to safety study, \$200,000 fine in Berks leak

HARRISBURG — The heavily fined owner of natural gas liquids pipelines across southern Pennsylvania is agreeing to another \$200,000 fine and a study on risks to the Mariner East 1 pipeline.

Lawyers for a subsidiary of Texas-based Energy Transfer LP submitted the paperwork Wednesday to the state Public Utility Commission, whose members must approve a proposed agreement with agency enforcement lawyers before it becomes final.

The case stems from a 2017 leak in Berks County on a section of corroded pipeline. The study must include an analysis of corrosion, structural issues, and other threats to the 1930s-era pipeline.

Energy Transfer's Mariner East 1, 2, and 2X projects are blamed for polluting waterways in dozens of places and causing sinkholes near homes. Pennsylvania's environmental regulators halted Energy Transfer's construction permits, and prosecutors are investigating the projects.

— AP



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19-_____

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1989-0089.012)

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:

1989-0089.012

Applicant:	Hamilton Township Board of Education
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	August 22, 2019
Proposed Development:	Construction of a 16,120 square foot paved access driveway and eleven space parking lot, and the installation of 2,800 square feet of rubberized surface on an existing playground.

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 1989-0089.012 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

August 22, 2019

Ann Marie Fala, Business Administrator
Hamilton Township Board of Education (via email)
1876 Dr. Dennis Foreman Drive
Mays Landing, NJ 08330

Re: Application # 1989-0089.012
Block 995, Lot 1.01
Hamilton Township

Dear Ms. Fala:

The Commission staff has completed its review of this application for construction of a 16,120 square foot paved access driveway and eleven space parking lot and the installation of 2,800 square feet of rubberized surface on an existing playground. 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 September 13, 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, Hamilton Township Planning Board (via email)
Hamilton Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
William B. Edwards, PE (via email)



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 22, 2019

Anna Marie Fala, Business Administrator
Hamilton Township Board of Education (via email)
1876 Dr. Dennis Foreman Drive
Mays Landing, NJ 08330

Application No.: 1989-0089.012
Block 995, Lot 1.01
Hamilton Township

This application proposes construction of a 16,120 square foot paved access driveway and eleven space parking lot and the installation of 2,800 square feet of rubberized surface on an existing playground on the above referenced 48.59 acre parcel in Hamilton Township. The George L. Hess Educational Complex is located on the parcel.

The applicant also proposes the in-kind reconstruction/replacement of existing paved roads, sidewalks and a paved parking lot. The in-kind reconstruction/replacement of those structures does not require application to the Commission.

STANDARDS

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

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

The proposed development is located within a Pinelands Regional Growth Area. The proposed development is a permitted land use in a Pinelands Regional Growth Area.

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

There are wetlands located within 300 feet of the above referenced parcel. All development, including clearing and land disturbance, will be located at least 300 feet from wetlands.

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

The proposed development will be located in an existing developed and 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.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing an underground stormwater infiltration system.

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. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 1, 2019. Newspaper public notice was completed on June 17, 2019. The application was designated as complete on the Commission's website on July 11, 2019. The Commission's public comment period closed on August 9, 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 24 sheets, prepared by Edwards Engineering Group, Inc. all sheets dated April 22, 2019 and last revised June 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.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

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 September 9, 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 an Application for Public Development and Certificate of Appropriateness (Application Number 1990-0450.006)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

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

1990-0450.006

Applicant:	HMS Host Corporation on behalf of the New Jersey Turnpike Authority
Municipality:	Lacey Township
Management Area:	Pinelands Preservation Area District/Parkway Overlay District
Date of Report:	August 23, 2019
Proposed Development:	Demolition of an existing 15,600 square foot service building and the construction of a 12,675 square foot service building at the Forked River Rest Area within the Garden State Parkway 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 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 and Certificate of Appropriateness both conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 and the standards for approving a Certificate of Appropriateness set forth in N.J.A.C. 7:50-6.156 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 1990-0450.006 for public development and a Certificate of Appropriateness 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				Quinn			
				Irick				Rohan Green			
				Jannarone				Prickett			
				Lloyd							
				Lohbauer							
				Pikolycky							

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Richard Prickett
Chairman



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

August 23, 2019

Ray Nielsen
HMS Host Corporation
6905 Rockledge Drive
Bethesda, MD 20817

Re: Application # 1990-0450.006
Garden State Parkway
Forked River Service Area
Lacey Township

Dear Mr. Nielsen:

The Commission staff has completed its review of this application for demolition of an existing 15,600 square foot service building and the construction of a 12,675 square foot service building at the Forked River Rest Area within the Garden State Parkway right-of-way. Enclosed is a copy of a Public Development Application Report. The Report also includes a Certificate of Appropriateness to address cultural resources. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 13, 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, Lacey Township Planning Board (via email)
Lacey Township Construction Code Official (via email)
Lacey Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Christopher J. Borinski, PE (via email)



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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
 AND CERTIFICATE OF APPROPRIATENESS**

August 23, 2019

Ray Nielsen
 HMS Host Corporation
 6905 Rockledge Drive
 Bethesda, MD 20817

Application No.: 1990-0450.006
 Garden State Parkway
 Forked River Service Area
 Lacey Township

This application proposes demolition of an existing 15,600 square foot service building and the construction of a 12,675 square foot service building at the Forked River Rest Area within the Garden State Parkway right-of-way in Lacey Township. The existing service building is 50 years old or older.

STANDARDS

The Commission staff has reviewed the proposed demolition and construction 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. 7:50-5.35)

The proposed development is located in the CMP designated Parkway Overlay District and underlain by the Pinelands Preservation Area District. The proposed development is a permitted land use in the Parkway Overlay District.

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

The proposed development will be located within existing developed, paved and landscaped areas. 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 existing Forked River Rest Area is comprised of pavement and existing maintained lawn areas. The site of the proposed service building is surrounded by existing pavement. The applicant proposes to plant unspecified grass species in seven small discrete areas totaling less than 6,300 square feet, immediately adjacent to the proposed building.

Water Quality Standard (N.J.A.C. 7:50-6.83)

The proposed service building will be serviced by public sanitary sewer.

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

The New Jersey State Historic Preservation Office (SHPO) previously determined that the Garden State Parkway was eligible for the National Register of Historic Places. The SHPO previously determined that existing Garden State Parkway service area buildings are contributing resources to the register eligible Garden State Parkway Historic District.

Based upon the SHPO determination that service area buildings are a contributing resource to the register eligible Garden State Parkway Historic District, the Commission staff has concluded that the 15,600 square foot building subject of this application is an historically significant resource and is, therefore, eligible for Pinelands Designation in accordance with the provisions of the CMP (N.J.A.C. 7:50-6.154).

The CMP (N.J.A.C. 7:50-6.156) requires that a certificate of appropriateness be issued by the Commission that identifies the required treatment of the historically significant resource from among three alternatives:

- preservation of the resource in place, if possible;
- preservation of the resource at another location, if preservation in place is not possible; or
- recordation.

The Commission staff has determined that recordation is the appropriate treatment for the historically significant resource. The standards of the CMP (N.J.A.C. 7:50-6.156(c)3.iii.) specify that the proposed recordation must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Prior to demolition, the building must be recorded according to the Historic American Building Survey standards. The design of the exterior of the replacement building must also conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and be approved by SHPO.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on July 10, 2019. The application was designated as complete on the Commission's website on July 30, 2019. The Commission's public comment period closed on August 9, 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 22 sheets, prepared by CHA Consulting, Inc. and dated March 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. Copies of the recordation shall be provided to the Commission within sixty days of completion. Prior to demolition of the building, a copy of the recordation report shall be provided to the Commission staff. No demolition shall occur until the Commission responds in writing that the submitted recordation report meets the CMP recordation requirements. Prior to its development, the design of the exterior of the replacement building must also conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and be approved by SHPO.

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

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on September 10, 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. PC4-199-_____

TITLE: **Approving** With Conditions an Application for a **Waiver of Strict Compliance** (Application Number 2019-0064.001)

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

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

2019-0064.001

Applicant:	Karen Mandel
Municipality:	Manchester Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	August 22, 2019
Proposed Development:	Single family dwelling.

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 Findings of Fact and Conclusion of the Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 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 2019-0064.001 for a Waiver of Strict Compliance 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*		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 AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

August 22, 2019

Karen Mandel (via email)
 1500 River Avenue
 Lakewood, NJ 08701

Re: Application # 2019-0064.001
 Block 63.05, Lots 18 & 34
 Manchester Township

Dear Ms. Mandel:

The Commission staff has completed its review of the above referenced application for a Waiver of Strict Compliance (“Waiver”) proposing the development of one single family dwelling on the above referenced parcel. Based upon the facts and conclusions contained in this Report, on behalf of the Commission’s Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 13, 2019 meeting.

FINDINGS OF FACT

This application is for the development of one single family dwelling serviced by an alternate design onsite septic system on the above referenced 0.63 acre parcel in Manchester Township. The parcel is located in a Pinelands Regional Growth Area and in Manchester Township’s PR-15 zoning district. In this zoning district, Manchester Township’s certified land use ordinance establishes a minimum lot size of 1.0 acre to develop a single family dwelling that is serviced by an alternate design onsite septic system.

As no Commission accepted alternate design onsite septic system will meet the two parts per million average nitrogen concentration in the groundwater at the property line of the 0.63 acre parcel, the applicant is requesting a Waiver from the groundwater quality standard contained in the CMP (N.J.A.C. 7:50-6.84(a)5iv).

The appropriate resource capability maps and other information available to the Commission staff have been reviewed.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the entire contiguous parcel. The development of a single family dwelling on the parcel will be consistent with the purposes and

provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area as required by N.J.A.C. 7:50-4.65(b).

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on groundwater quality be minimized.

PUBLIC COMMENT

The applicant provided the requisite public notices. Newspaper public notice was completed on June 7, 2019. Public notice to all property owners within 200 feet of the parcel was completed on June 10, 2019. The application was designated as complete on the Commission's website on July 23, 2019. The Commission's public comment period closed on August 9, 2019. One written public comment (attached) was received by the Commission regarding this application.

Written Public Comment: The commenter expressed concern that the applicant previously received a Waiver on another nearby parcel. The commenter also expressed concern regarding the negative effects of development of the parcel, including the impact to existing vegetation, wildlife and stormwater runoff. The commenter is further concerned with the proximity of the proposed septic system to their existing potable water well.

Commission Staff Response: The Commission staff appreciates the commenter's interest in the Pinelands.

The applicant has demonstrated that the proposed dwelling meets the minimum land use and environmental standards of the CMP to qualify for a Waiver. The Commission's Waiver regulations are designed to provide all property owners in the Pinelands Area with at least a minimum beneficial use of a parcel consistent with constitutional requirements.

A Waiver application must include all contiguous lands in common ownership on or after January 14, 1981. The current owner of this parcel was also the owner of another nearby, but not contiguous, parcel that received a Waiver approval in 2003. The two parcels subject of the Waiver applications are separated by a third parcel. The third parcel was never in common ownership with the parcels subject of the two Waiver applications. Since both Waiver applications included all contiguous land in common ownership on or after January 14, 1981, both parcels qualify for a Waiver.

The CMP does not require applications for one single family dwelling to address stormwater management. The commenter may wish to discuss with an appropriate municipal official the Township's stormwater management requirements for one single family dwelling.

The parcel is located in a Pinelands Regional Growth Area. As a regional land use plan, the CMP designates certain areas for development and other areas for conservation. The CMP encourages development in a Pinelands Regional Growth Area. The entire parcel is forested. The proposed development of the 0.63 acre parcel will result in the loss of forested vegetation and any wildlife habitat that may be associated with that vegetation. The Township land use ordinance and the CMP limit vegetation clearing on the parcel to that which is necessary to accommodate the proposed dwelling, septic system and permitted accessory uses and structures. The proposed development is consistent with the CMP threatened and endangered species protection standards.

The Ocean County Health Department administers regulations that specify the minimum distance between a proposed septic system and any existing potable water well. The commenter may wish to discuss the proximity of the proposed septic system to their potable water well with an appropriate County Health Department official.

CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

N.J.A.C. 7:50-4.63(a) sets forth five conditions which must be met for an applicant to qualify for an extraordinary hardship pursuant to that subsection.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is a single family dwelling on a parcel within a Regional Growth Area, Pinelands Town or Pinelands Village which is at least 20,000 square feet, excluding road rights-of-way, in size and is not served by a centralized waste water treatment system. This application is for a Waiver from the groundwater quality standards contained in N.J.A.C. 7:50-6. The applicant is proposing to develop a single family dwelling serviced by an alternate design onsite wastewater treatment system on a 0.63 acre (27,442 square foot) parcel. The parcel contains more than 20,000 square feet, excluding road rights-of-way, and is located in a Pinelands Regional Growth Area. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1v.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous lands. Since the parcel includes all such contiguous land, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Manchester Township's master plan and land use ordinance have been certified by the Pinelands Commission. The Manchester Township certified land use ordinance provides that for residential development not serviced by a centralized wastewater treatment plant on lots between 20,000 square feet and one acre in size in the Township's PR-15 zoning district a dwelling may be constructed without the necessity of a municipal lot size or density variance, provided a waiver of strict compliance is granted by the Pinelands Commission. Based upon this Township land use ordinance provision, the development of a single family dwelling on the parcel will not require a lot area or residential density variance. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C. 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. N.J.A.C. 7:50-4.65(b) sets forth the circumstances which do not comply with N.J.A.C. 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all five conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

As required by N.J.A.C. 7:50-4.62(b), the proposed dwelling will not result in substantial impairment of the resources of the Pinelands or be inconsistent with the provisions of the Pinelands Protection Act, the Federal Act or the CMP in accordance with the criteria set forth in N.J.A.C. 7:50-4.65.

As required by N.J.A.C. 7:50-4.62(c), and with the conditions recommended below, the proposed dwelling will not involve trespass or create a public or private nuisance by being materially detrimental or injurious to other property or improvements in the area in which the parcel is located, increase the danger of fire or endanger public safety.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist.

The CMP (N.J.A.C. 7:50-4.62(d)1iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits (PDCs) whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. As the applicant is obtaining a Waiver from the groundwater quality standard (N.J.A.C. 7:50-6.84(a)5iv.) a condition is included to require the applicant to purchase the requisite 0.25 PDCs.

The CMP (N.J.A.C. 7:50-4.62(d)1ii) also requires the acquisition and redemption of any PDCS that are otherwise required pursuant to N.J.A.C. 7:50-5.27, 5.28 or 5.32. The CMP (N.J.A.C. 7:50-5.27(c)) provides that any local approval in a Pinelands Regional Growth Area which grants relief from density or lot area requirements shall require that PDCs be used for all dwelling units or lots in excess of that otherwise permitted, unless a Waiver for the dwelling unit or lot has been approved by the Commission. Since the applicant qualifies for a Waiver, PDCs are not required for any local approval.

To meet the requirements of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65, the Pinelands Commission staff has determined that the parcel must be developed in accordance with the following conditions:

1. The septic system must be located in an area where the seasonal high water table is at least five feet below the natural ground surface.
2. The proposed dwelling must utilize an alternate design onsite wastewater treatment system authorized pursuant to the CMP on a 1.0 acre lot and approved for use by the Pinelands Commission and the New Jersey Department of Environmental Protection.
3. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein

shall be the sole principal use of the parcel.

4. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, a recorded copy of a deed consolidating Block 63.05, Lots 18 and 34 into one lot must be submitted to the Pinelands Commission.
5. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, the Commission must receive a letter from the Pinelands Development Credit Bank indicating that the requisite 0.25 PDCs have been acquired and submitted to the PDC Bank for redemption.
6. This Waiver shall expire September 13, 2024 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after September 13, 2024 or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
7. Prior to completion of an application with the Commission for development of the proposed dwelling, a copy of a recorded deed containing all of the above conditions shall be submitted to the Pinelands Commission. The deed shall specify that the conditions are being imposed pursuant to a Waiver of Strict Compliance referring to the application number. The deed shall also state that the conditions are enforceable by the Pinelands Commission, Manchester Township, the Ocean County Health Department and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver from the requirements of N.J.A.C. 7:50-6.84(a)5iv.

Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission APPROVE the requested Waiver of Strict Compliance subject to the above conditions.

APPEAL

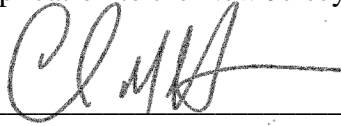
The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted 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 offices no later than 4:00 PM on September 9, 2019 and include the following information:

1. the name and address of the person requesting 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, the Pinelands Commission may either approve the determination of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____



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

Enclosure: 6/13/19 Public comment

- c: Secretary, Manchester Township Planning Board (via email)
- Manchester Township Construction Code Official (via email)
- Manchester Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Ocean County Health Department (via email)
- Betsy Piner (via email)
- John Pressey, regular mail

Pinelands Commission
 PO Box 359
 New Lisbon, NJ 08064
 Re: Pineland Application #2019-0064.001

June 13, 2019

App # 20190064.001

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JUN 13 2019

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To: Whom It May Concern

The purpose of this letter is to express my opposition to Karen Mandel's application to develop block 63.05, lots 18 and 34. ✓

Your commission did approve a separate request for her, approximately one and a half years ago, to build a home on the adjacent and adjoining lots to this which also borders my property. This home is currently up for sale, which indicates to me that she never had the intention to occupy the residence she was approved to build and she developed it with the sole purpose of flipping the property for profit.

Approving the waivers which allowed this construction caused the property to be strip mined of vegetation and trees which had adversely affected the environment and the amount of wildlife we were accustomed to. It also caused my property to constantly become flooded by rainwater runoff from that lot during the smallest of storms.

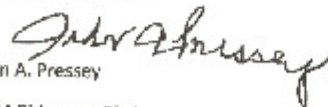
Approving the current request (#2019-0064.001) will surely result in the loss of the remaining vegetation and trees that surround my property which, up until now, was protected by the Pinelands Commission. This will no doubt cause any remaining wildlife such as snakes, birds, turtles, small mammals to flee the area, and cause additional flooding to my property.

It was the ecology and privacy and that was protected by the Pinelands Commission that attracted me to Manchester and caused me to purchase my property which I have shared with this wildlife since 1983.

It seems that more and more of these lots are being allowed to be developed purely for profit gain without regard to the environmental and ecological costs to wildlife habitats that end up destroyed.

Additionally, I have concerns that the only source of water available to me (well water) will become contaminated by septic waste and the use and pesticides and fertilizer run off from these properties, if request #2019-0064.001 is approved.

I respectfully request that you consider my position and deny this request for waiver and allow profits to take a rear seat to wildlife, ecology and the environment. Thank you for your time and consideration regarding this matter.


 John A. Pressey

3164 Ridgeway Blvd.

Manchester, NJ 00759



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 #2182

August 7, 2019

Dara & Doug Emmons
 201 Pointville Road
 Pemberton, NJ 08068

Re: Application # 1984-0500.004
 Block 805, Lot 1
 Pointville Road
 Pemberton Township

FINDINGS OF FACT

The applicants own the above referenced 97.06 acre parcel in Pemberton Township. This acreage is based on the Township tax map. The parcel is located in a Pinelands Agricultural Production Area. 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 the parcel.

The parcel consists of 69.27 acres of uplands, 18.20 acres of wetland soils in active field agriculture, and 9.59 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a). The field agriculture in wetlands 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. A single family dwelling and five structures accessory to an agricultural use exist on the parcel. There are no easements limiting the use of this parcel to nonresidential uses. No resource extraction operation or other development has been approved for this parcel pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP).

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

Plan, 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 69.27 acres of uplands, the parcel would be entitled to 3.55 PDCs. For the 18.2 acres of wetland soils in active field agriculture, the parcel would be entitled to 0.93 PDCs. For the 9.59 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a), the parcel would be entitled to 0.05 PDCs. Not considering the existing dwelling on the parcel, there would be 4.53 PDCs allocated to the parcel.

However, N.J.A.C. 7:50-5.43(b)3ii requires that the PDC entitlement for the parcel be reduced by 0.25 PDCs for each existing dwelling unit on the parcel. Based upon the one existing dwelling, there would be 4.28 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 4.25 PDCs allocated to Block 805, Lot 1.

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



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

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

LETTER OF INTERPRETATION #2183

August 7, 2019

Dara & Doug Emmons
201 Pointville Road
Pemberton, NJ 08068

Re: Application # 1984-0500.005
Block 804, Lots 5.01 & 6.01
Pointville Road
Pemberton Township

FINDINGS OF FACT

The applicants own the above referenced 79.74 acre parcel in Pemberton Township. This acreage is based on the Township tax map. The parcel is located in a Pinelands Agricultural Production Area. 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.

The parcel consists of 61.28 acres of uplands, 3.64 acres of wetland soils in active field agriculture, and 14.82 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a). The field agriculture in wetlands 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. The parcel is vacant. There are no easements limiting the use of this parcel to nonresidential uses. 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 is reserving the right to develop one future single family dwelling on the parcel.

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

Plan, 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 61.28 acres of uplands, the parcel would be entitled to 3.14 PDCs. For the 3.64 acres of wetland soils in active field agriculture, the parcel would be entitled to 0.19 PDCs. For the 14.82 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a), the parcel would be entitled to 0.08 PDCs.

Not considering the reserved right for a future dwelling on the parcel, there would be 3.41 PDCs allocated to this parcel.

However, N.J.A.C. 7:50-5.43(b)3ii 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 a single family dwelling on the parcel, there would be 3.16 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 3.25 PDCs allocated to Block 804, Lot 5.01 and Block 804, Lot 6.01.

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



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Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

LETTER OF INTERPRETATION #2184

August 19, 2019

RTE III Farms, LLC (via email)
166 Flyatt Road
Tabernacle, NJ 08088

Re: Application # 1984-0802.005
Block 903, Lot 22.01
Medford Lakes Road
Tabernacle Township

FINDINGS OF FACT

The applicant owns the above referenced 55.51 acre lot in Tabernacle Township. This acreage is based on the recorded property deed. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this lot.

On December 14, 2000, the Commission issued LOI #1361 allocating 3.75 PDCs to a 152.54 acre parcel comprised of Block 903, Lots 14.01 and 22. On March 9, 2004, the Commission issued Amended LOI #1361 allocating 6.0 PDCs to the 152.54 acre parcel comprised of Block 903, Lots 14.01 and 22.01. Amended LOI #1361 increased the PDC allocation to the parcel based upon the reduction in requested rights to construct future single family dwellings on the parcel from ten to one. Both of these LOIs have expired. On August 2, 2019, the Commission issued Second Amended LOI #1316 for the 152.54 acre parcel. The applicant has now requested separate LOIs, one for Block 903, Lot 22.01, and one for Block 903, Lot 14.01. This LOI is intended to replace the Second Amended LOI #1361 issued on August 2, 2019.

The lot consists of 34.08 acres of uplands, 7.67 acres of wetland in active field agriculture and 13.76 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a). The field agriculture in wetlands was established prior to February 7, 1979. This LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the lot.

There is an existing building located on Block 903, Lot 22.01 utilized exclusively for agriculture. There are no easements limiting the use of this lot to non-residential uses. No resource extraction operation or other development has been approved for this lot pursuant to the provisions of the CMP. The applicant proposes to reserve the right to develop one future single family dwelling on the lot.

CONCLUSION

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

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 34.08 acres of uplands, the lot would be entitled to 1.75 PDCs. For the 7.67 acres of field agriculture in wetlands, the lot would be entitled to 0.39 PDCs. For the remaining 13.76 acres of other wetlands, the lot would be entitled to 0.07 PDCs.

Not considering the reserved right to construct one future dwelling on the parcel, there would be 2.21 PDCs allocated to this lot. However, the CMP (N.J.A.C. 7:50-5.43(b)3iii) requires that the PDC entitlement for the lot be reduced by 0.25 PDCs for each reserved right to build a future dwelling on the lot. Based upon this reduction, there would be 1.96 PDCs allocated to the lot.

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

Therefore, there are 2.0 PDCs allocated to Block 903, Lot 22.01.

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, Tabernacle Township Planning Board (via email)
- Tabernacle Township Construction Code Official (via email)
- Secretary, Burlington County Planning Board (via email)
- Susan R. Grogan, Executive Director, PDC Bank (via email)



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

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

LETTER OF INTERPRETATION #2185

August 19, 2019

RTE III Farms, LLC (via email)
166 Flyatt Road
Tabernacle, NJ 08088

Re: Application # 1984-0802.006
Block 903, Lot 14.01
Medford Lakes Road
Tabernacle Township

FINDINGS OF FACT

The applicant owns the above referenced 97.03 acre lot in Tabernacle Township. This acreage is based on the recorded property deed. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this lot.

On December 14, 2000, the Commission issued LOI #1361 allocating 3.75 PDCs to a 152.54 acre parcel comprised of Block 903, Lots 14.01 and 22. On March 9, 2004, the Commission issued Amended LOI #1361 allocating 6.0 PDCs to the 152.54 acre parcel comprised of Block 903, Lots 14.01 and 22.01. Amended LOI #1361 increased the PDC allocation to the parcel based upon the reduction in requested rights to construct future single family dwellings on the parcel from ten to one. Both of these LOIs have expired. On August 2, 2019, the Commission issued Second Amended LOI #1316 for the 152.54 acre. The applicant has now requested separate LOIs, one for Block 903 Lot 22.01, and one for Block 903 Lot 14.01. This LOI is intended to replace the Second Amended LOI #1361 issued on August 2, 2019.

The lot consists of 69.32 acres of uplands, 13.17 acres of wetland in active field agriculture and 14.54 acres of other wetlands as defined by N.J.A.C. 7:50-6.5(a). The field agriculture in wetlands was established prior to February 7, 1979. This LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the lot.

Amended LOI #1361 issued on March 9, 2004 indicated that one existing single family dwelling was located on the 152.54 acre parcel comprised of Block 903, Lots 14.01 and 22.01. The existing dwelling was located within an existing agricultural building on Block 903, Lot 14.01. On July 16, 2019, Tabernacle Township issued a Certificate of Occupancy indicating that the existing agricultural structure on Block 903, Lot 14.01 is approved for occupancy for farm storage only.

There are no easements limiting the use of this lot to non-residential uses. No resource extraction operation or other development has been approved for this lot pursuant to the provisions of the CMP. The applicant proposes to reserve the right to develop one future single family dwelling on the lot.

CONCLUSION

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

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 69.32 acres of uplands, the lot would be entitled to 3.56 PDCs. For the 13.17 acres of field agriculture in wetlands the lot would be entitled to 0.68 PDCs. For the remaining 14.54 acres of other wetlands, the lot would be entitled to 0.08 PDCs.

Not considering the reserved right to construct one future dwelling on the lot, there would be 4.32 PDCs allocated to this lot. However, the CMP (N.J.A.C. 7:50-5.43(b)3iii) requires that the PDC entitlement for the lot be reduced by 0.25 PDCs for each reserved right to build a future dwelling on the lot. Based upon this reduction, there would be 4.07 PDCs allocated to the lot.

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

Therefore, there are 4.0 PDCs allocated to Block 903, Lot 14.01.

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, Tabernacle Township Planning Board (via email)
 - Tabernacle Township Construction Code Official (via email)
 - Secretary, Burlington County Planning Board (via email)
 - Susan R. Grogan, Executive Director, PDC Bank (via email)



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

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

August 6, 2019

Eugene Jost
Competition Dirt Riders, Inc.
5386 Route 49
Millville, NJ 08332

Re: Application # 2005-0459.029
Ormond Farms Hare Scramble
April 6 & 7, 2019
Maurice River Township

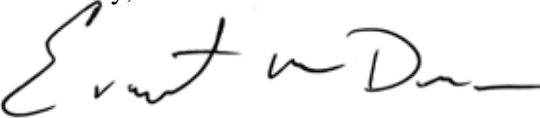
Dear Mr. Jost:

Pursuant to N.J.A.C. 7:50-6.143(a) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Off-Road Vehicle Event Route Map Approval*.

The Off Road Vehicle Event application submitted to the Pinelands Commission indicated that the event was scheduled for April 27 & 28, 2019. The event date was then rescheduled to April 6 & 7, 2019 and held prior to completion of an application with Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. The applicant has completed this after-the-fact application to resolve this violation.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,


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

Enc: Off-Road Vehicle Event Route Map Approval

c: Maurice River Township Clerk (via email)
Dave Bostrom (via email)



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300



Richard Prickett
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1350

Application #: 2005-0459.029
Applicant: Competition Dirt Riders, Inc.
Event Name: Ormond Farms Hare Scramble
Event Date: April 6 & 7, 2019
Municipality: Maurice River Township
Block 117, Lots 13, 17.01 & 38
Management Area: Forest Area, Pinelands Village

Lands Utilized

Ormond Farms located on Hesstown Road

Approved Route Map

8 mile route delineated on the route map received on July 23, 2019

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

August 6, 2019

Date

Please see reverse side for additional information and conditions.

RELEVANT INFORMATION

- ♦ The route utilizes existing sand roads and trails.
- ♦ The route utilizes private property.
- ♦ The Off Road Vehicle Event application submitted to the Pinelands Commission indicated that the event was scheduled for April 27 & 28, 2019. The event date was then rescheduled to April 6 & 7, 2019 and held prior to completion of an application with Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. The applicant has completed this after-the-fact application to resolve this violation.

CONDITIONS

- ♦ No deviation from the Approved Route Map shall occur without prior written approval from the Commission.
- ♦ No private lands shall be utilized without owner permission.
- ♦ No ORV event shall run until all necessary permits, approvals and authorizations have been obtained.
- ♦ In the event of cancellation or postponement, the Pinelands Commission shall be notified of the new date. A copy of the new insurance policy as well as documentation that the municipalities, the State Police, the State Forests, and any private land owners have been notified must also be submitted.



State of New Jersey

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

August 7, 2019

Frank Kaminski (via email)
Meteor Motorcycle Club
987 Ladner Avenue
Gibbstown, NJ 08027

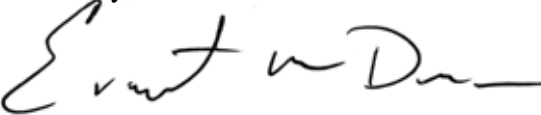
Re: Application # 2005-0459.030
Fall Brawl Hare Scramble
October 5 & 6, 2019
Maurice River Township

Dear Mr. Kaminski:

Pursuant to N.J.A.C. 7:50-6.143(a) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Off-Road Vehicle Event Route Map Approval*.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,



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

Enc: Off-Road Vehicle Event Route Map Approval

c: Maurice River Township Clerk (via email)



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300



Richard Prickett
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1351

Application #: 2005-0459.030
Applicant: Meteor Motorcycle Club
Event Name: Fall Brawl Hare Scramble
Event Date: October 5 & 6, 2019
Maurice River Township
Management Area: Forest Area, Pinelands Village

Lands Utilized

Ormond Farms located on Hesstown Road

Approved Route Map

15 mile route delineated on the route map received on June 14, 2019

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

August 7, 2019

Date

Please see reverse side for additional information and conditions.

RELEVANT INFORMATION

- ♦ The route utilizes existing sand roads and trails.
- ♦ The route utilizes private property.

CONDITIONS

- ♦ No deviation from the Approved Route Map shall occur without prior written approval from the Commission.
- ♦ No private lands shall be utilized without owner permission.
- ♦ No ORV event shall run until all necessary permits, approvals and authorizations have been obtained.
- ♦ In the event of cancellation or postponement, the Pinelands Commission shall be notified of the new date. A copy of the new insurance policy as well as documentation that the municipalities, the State Police, the State Forests, and any private land owners have been notified must also be submitted.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19-_____

TITLE: To Adopt an Amendment to the Pinelands Infrastructure Master Plan to Set a Project Priority List and Recommend Funding Levels for Each Project

Commissioner _____ moves and Commissioner _____ seconds the motion that:

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

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

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

WHEREAS, the Transportation Bank administers grants and loans for allowable costs of transportation projects to implement the award specified in the Pinelands Infrastructure Master Plan; and

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

WHEREAS, since that time, the Pinelands Commission adopted a number of amendments to the Pinelands Infrastructure Master Plan, most recently on February 8, 2019 through Resolution PC4-19-09; and

WHEREAS, the most recent amendment updated the types of projects that may be considered for funding, established revised ranking criteria and set forth the funding structure for projects included on the priority project list; and

WHEREAS, repayment of loans issued under the Pinelands Infrastructure Master Plan and earlier amendments has resulted in the availability of approximately \$15,890,000 in the Pinelands Infrastructure Fund; and

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

WHEREAS, on March 12, 2019, the Pinelands Commission issued a request for project proposals and distributed the proposal to all Pinelands counties, municipalities and utility authorities with Pinelands Regional Growth Area service areas; and

WHEREAS, ten proposals for funding were received totaling \$26,837,420 in funding requests; and

WHEREAS, the total funding requests exceeded the available resources in the PITF; and

WHEREAS, Commission staff evaluated the project proposals, ranked the projects against the criteria of the most recent amendment to the Pinelands Infrastructure Master Plan and prepared a project priority list with recommended funding amounts; and

WHEREAS, five projects have been selected for the project priority list, including the Pemberton Township –Burlington County Institutions water supply improvements, the Manchester Township & Jackson Municipal Utilities Authority sewer and water main extensions, the Monroe Township Williamstown Square transportation improvements, the Galloway Township Pinehurst sewer main extensions, and the Winslow Township sewer and water main extensions; and

WHEREAS, the Executive Director has found that the project priority list appropriately ranks the proposed projects and supports the objectives of the Pinelands Infrastructure Bond Act; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending adoption of the July 2019 Pinelands Infrastructure Master Plan amendment setting the new project priority list and funding awards; and

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

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the amendment and has reviewed the Executive Director’s report; and

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

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

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to amend the Pinelands Infrastructure Master Plan by revising the project priority list in accordance with the July 2019 amendment.
2. The Executive Director shall forward the project priority list to the New Jersey Infrastructure Bank for administration of loan and grant awards.
3. The Executive Director shall notify agencies sponsoring the projects on the adopted PITF priority list.

BE IT FURTHER RESOLVED that

4. The PITF funds allocated to wastewater projects in accordance with the July 2019 amendment may be used by the New Jersey Water Bank as matching funds to federal funds awarded for wastewater projects.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Richard Prickett
Chairman



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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 THE JULY 2019 PINELANDS INFRASTRUCTURE TRUST MASTER PLAN AMENDMENT TO SELECT PROJECTS AND RECOMMEND FUNDING LEVELS

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

In February 2019, the Pinelands Commission adopted an amendment to the Pinelands Infrastructure Master Plan updating the types of projects that would be considered and setting ranking criteria for evaluating the projects. The amendment also established the proportions of funding that would be allocated as grants or loans and required a portion of funding to be matched by the local agency. Following adoption of that amendment, the Commission issued a request for project proposals for potential funding through the PITF.

Ten proposals were received and evaluated against the amended ranking criteria. The total estimated project costs for all ten projects exceeded the funding available through PITF. Thus the projects were ranked according to the criteria of the PITF Infrastructure Master Plan and five projects were prioritized for funding. The five projects and the recommended funding for each project are the subject of the proposed amendment to the PITF Infrastructure Master Plan. The projects include

1. Pemberton Township water supply system improvements
2. Manchester Township/Jackson MUA sewer and water main extensions
3. Monroe Township Williamstown Square transportation improvements
4. Galloway Township sewer main extensions
5. Winslow Township sewer and water extensions

Options for PITF Amendment Adoption and Possible Delays

Subsequent to the Request for Proposals being issued for this round of PITF, the New Jersey Department of Environmental Protection (NJDEP) informed the Commission staff that planned amendments to the Water Bank administrative rules will not occur prior to the next round of

appropriations in January 2020. The projects involving water supply proposed for PITF funding are impacted by the lack of progress in amending the administrative rules at NJAC 7:22. Water supply projects may be included in the PITF priority project list, but will not be eligible to apply for funding appropriation through the Water Bank because the administrative code limits eligibility to only wastewater projects.

The NJDEP further indicated that the Commission could apply for a waiver of the rules at NJAC 7:22. If a rule waiver was granted, then all projects could be processed by the Infrastructure Bank (via the Water Bank and the Transportation Bank sections.) A final determination from NJDEP on their ability to waive the rules limiting PITF funding to wastewater projects has not been made. Unless or until the NJDEP grants a rule waiver or amends the Pinelands sections of the administrative code, the proposed water supply projects cannot receive funding appropriation.

Transportation projects, where loans and grants are administered by the Transportation Bank, are not impacted by the NJDEP rule administrative problem. However, the Transportation Bank only forwards one round of projects per year for legislative appropriation. (The Water Bank forwards several rounds of projects each year.) Delays in adopting the PITF Master Plan amendment could result in the transportation project missing the appropriations deadline for January 2020.

The Commission has several options for proceeding with the proposed amendment to the PITF. The first option is for the Commission to adopt the PITF Master Plan amendment as proposed. It would prioritize five projects with recommended funding levels, including water supply projects, wastewater projects and a transportation project. Project sponsoring agencies for the wastewater projects and the transportation project could then apply to the Water Bank and the Transportation Bank, as appropriate for the type of infrastructure. The water supply projects would remain on the priority list and could apply for funding through the Water Bank when the administrative code is amended. The timeline for amending the administrative code is uncertain.

A second option is to delay the PITF amendment until NJDEP makes a determination on whether to allow a rule waiver. If the waiver is granted, then the Commission could adopt the PITF amendment as is and all projects may proceed to apply for grants and loans with the Infrastructure Bank. If the waiver is not granted, then the Commission may proceed with the third option. It is not clear with this option whether the timing of the PITF amendment and Infrastructure Bank applications would allow the projects to proceed to appropriations in the January 2020 round or whether they would be delayed to a future round. Transportation projects that are not included in the January legislative appropriation will not be included in an appropriations bill until 2021.

The third option would be to re-issue a new Request for Proposals and re-evaluate project proposals submitted previously. The new Request for Proposals would eliminate projects involving water supply. Proposals would be limited to transportation projects and wastewater projects, including sanitary sewer, stormwater, and green infrastructure projects. It is unlikely that pursuing this option will allow projects to proceed to legislative appropriations in the January 2020 round. As noted in option two, transportation projects may be delayed by a year if not included in the January 2020 appropriations bill.

In accordance with the January 2019 PITF Master Plan amendment which expanded funding to the wider array of public infrastructure projects identified by the Pinelands Infrastructure Act, staff recommends adoption of the noticed list of projects and funding levels. The three water supply projects on the priority list will not be eligible for appropriations until amendment of NJAC 7:22 or until NJDEP grants a rule waiver. However, those projects will remain on the PITF priority project list and will

remain eligible to apply for PITF funding through the Water Bank when the administrative code is amended. Applicants may withdraw from the process for any reason, including funding delays.

Pending Commission adoption of the July 2019 amendment, Commission staff anticipates notifying priority project agencies of their eligibility for PITF funding and providing the Project List and Award amendment to the New Jersey Infrastructure Bank. The Infrastructure Bank will administer grants and loans for the eligible projects. The administration process involves the Infrastructure Bank identifying the projects for legislative appropriations which is planned to occur in January 2020. The project agencies must then apply to the Infrastructure Bank to obtain the allocated funding.

PITF funding awards do not constitute development approval by the Pinelands Commission. All project agencies will be notified that it remains necessary to obtain all permits and approvals required by law to proceed, including the Commission's approvals of public development applications and/or review of any associated municipal or county approvals.

PUBLIC HEARING

A public hearing to receive testimony concerning the PITF Master Plan amendment project list and funding allocation was duly advertised, noticed, and held on July 31, 2019 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 A.M. Ms. Susan Grogan conducted the hearing. One member of the public attended. No testimony was given.

Written comments on the PITF Master Plan amendment were accepted through August 7, 2019. No written comments were received.

CONCLUSION

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

Attachments (2)
gab

PINELANDS INFRASTRUCTURE TRUST MASTER PLAN AMENDMENT
PROJECT SELECTION AND FUNDING LEVELS
PC-19-__

Background

The Pinelands Infrastructure Trust Fund (PITF) was created through the Pinelands Bond Act of 1985. Originally, sale of bonds authorized by P.L. 1985, Chapter 302 raised \$30,000,000 for the purpose of providing grants and loans to local units of government for infrastructure projects necessary to accommodate development in Regional Growth Areas of the Pinelands. The Pinelands Commission then prepared and adopted the Pinelands Infrastructure Master Plan and an Infrastructure Financing Plan.

Loans repaid from previous funding rounds, along with the sale of additional bonds, has replenished the PITF. Currently, approximately \$15,890,000 is available for projects approved through the PITF process. Amendment of the Master Plan is necessary to identify and recommend infrastructure projects for funding.

A Pinelands Infrastructure Trust Fund (PITF) Master Plan amendment was adopted by the Pinelands Commission in February 2019. The amendment updated the criteria for ranking proposed infrastructure projects and identified the funding structure as a balance of 50% loans, 40% grant and a minimum of 10% local matching funds. Subsequently, the Commission directed that a request for project proposals should be issued.

A request for proposals was issued on March 12, 2019 and distributed to all Pinelands counties, municipalities, and utility authorities with Pinelands Regional Growth service areas. Ten project proposals were received in response to the request for proposals. Projects ranged from water distribution lines and wastewater collection lines, to transportation improvements and underground storage tank removal. The total cost of all projects submitted was \$34,060,215, far exceeding the amount of money currently available through the PITF. All projects are described below, with funding recommendations in a subsequent section.

Loans and grants are administered by the Infrastructure Bank pursuant to N.J.A.C. 7:22 – 6 and 7 relative to the PITF. Subchapter 6 sets forth the grant and loan procedures. Subchapter 7 defines allowable costs for the projects. The procedures and allowable costs are not the subject of this PITF Master Plan Amendment.

Objectives

The resources available for use in the PITF are approximately \$15,890,000. That amount includes existing funds and \$6,750,000 in bond issues. The funding must be appropriated through legislation. Appropriations refer to the Pinelands Infrastructure Master Plan priority list. This Pinelands Infrastructure Master Plan amendment supports the appropriations of PITF through achievement of the following objectives:

- To establish an updated priority list of infrastructure projects for funding through the Pinelands Infrastructure Bond Act
- To select and rank proposed infrastructure projects against criteria established through the Pinelands Infrastructure Master Plan Amendment completed February 2019
- To adopt the priority list into the Pinelands Infrastructure Master Plan
- To forward the priority list to NJDEP for legislative appropriations and administration of grants and loans

Project Descriptions and Rankings

All project proposals were evaluated against the ranking criteria of the Pinelands Infrastructure Master Plan amendment adopted in February 2019. The ten projects are briefly described, below, and are listed in order of their ranking.

1. Pemberton Township – Burlington County Institutions Water System Improvements

This project would install improvements to an existing water supply system. The proposal is to rehabilitate distribution and storage facilities that form the sole source of public water supply for a portion of the Township’s Regional Growth Area recently designated for redevelopment. The project was evaluated based on two redevelopment plans certified by the Commission on June 14, 2019. Projected demand for 85 full PDCs (340 rights) is based upon a maximum of 1,430 dwelling units in the Rowan College at Burlington County Redevelopment Area and an additional 80 dwelling units in the Former Burlington County Minimum Security and Work Release Center Redevelopment Area. The large number of dwelling units, large mandatory PDC use, residential density, and a lower cost per dwelling unit all contributed to the highest rank for this project.

2. Manchester Township and Jackson Municipal Utilities Authority – Water and Sewer Main Extensions

The project would serve Regional Growth Areas in Manchester Township and Jackson Township. Sewer main would be extended approximately 2 miles along Ridgeway Road and South Hope Chapel Road from a connection in Manchester Township (service by Ocean County Utility Authority). Additionally, water mains would be extended from Jackson Township connection into Manchester Township resulting in interconnection of the municipal water systems. Water system interconnection is expected to reduce usage of an existing Cohansey aquifer public supply well. A portion of the area to be served by the sewer and water extensions is subject of a Pinelands development application with a recent Certificate of Filing (App. No. 1983-5386.002.) Based upon municipal zoning, the project would support potential use of 85.5 PDCs (342 rights) and allow for a total of 1,369 dwelling units (789 in Manchester Township and 580 in Jackson Township.) The large number of dwelling units, mandatory PDC use, residential density, higher local matching funds, and environmental benefit of reduced demand on the Kirkwood-Cohansey aquifer all contributed to the high ranking of this project.

3. Monroe Township – Williamstown Square Transportation Improvements

This project supports a redevelopment area in the Regional Growth Area with road intersection signalization, road widening, and controlled access for a mixed-use development. The project is planned to serve 350 dwelling units and generate mandatory use of 21 PDCs (84 rights). Design is intended to accommodate multiple modes of transportation including auto, bicycle and foot traffic. The redevelopment plan calls for achieving a “Sustainable Neighborhood” through encouragement of LEED silver certification. Also, the development is intended to maximize green space through green roofs, green walls, architectural design, rain gardens and woodlands. The number of dwelling units, mandatory PDC use, moderate cost per dwelling unit (in PITF funding) and green design elements contributed to the ranking of this project. The ranking is based upon the Commission’s anticipated certification of a revised version of the Williamstown Square Redevelopment Plan, adopted by the Township in May 2019. Eligibility for funding may not be met without Pinelands certification of the redevelopment plan.

4. Galloway Township – Pinehurst Sewer Extension

The project proposes to extend 26,000 linear feet of sanitary sewer main to connect with the Atlantic County Utilities Authority system in the Pinehurst section of Galloway Township. The project would allow the development of approximately 938 dwelling units and the use of 41.25 PDCs (165 rights) if the Planned Unit Residential (PURD) standards of the municipal ordinance are applied. The number of dwelling units, a lower cost per dwelling unit (in PITF funding), and residential density raised the ranking of this project. Optional, rather than mandatory, use of PDCs also affected the ranking. Ranking of this project presumed that future development would occur at the permitted PURD density. That density could not be achieved absent public sanitary sewers.

5. Winslow Township – Water and Sewer Main Extensions

This project would design and construct 4,275 linear feet of water main and 4,095 linear feet of sewer main to support a recently designated redevelopment area in the Regional Growth Area. The parcel to be served by the sewer and water extensions is subject of a Pinelands development application with a recent Certificate of Filing (App. No. 2008-0014.002.) Based upon municipal zoning, the parcel to be served has potential for 145 dwelling units and mandatory use of 9.25 PDCs (37 rights). Mandatory PDC use and larger local match funding contribute to the ranking of this project.

6. Monroe Township – Black Horse Pike Water and Sewer Main Extensions

The project would extend water and sewer to a mix of commercially zoned and residentially zoned sections of the Township adjacent to the Black Horse Pike. Approximately 13,000 LF of sewer force main, 8,960 LF of sewer main, and 15,315 LF of water main would be installed to serve commercial development and an estimated 421 dwelling units. Based upon the municipal zoning, there is potential for mandatory use of 21.25 PDCs (85 rights). Although the area to be

served is in a Regional Growth Area, the majority is zoned for commercial development. Ranking of this project reflects mandatory PDC use and residential density, where applicable, but also predominance of commercial development to be served.

7. Egg Harbor Township – Tremont South Sewer Extension

The proposal includes approximately 13,100 LF of sewer main extensions to serve a residentially zoned area where PDC use is optional. The project is estimated to generate 150 dwelling units and potential demand for 12.5 PDCs (50 rights). The lower level of service along with optional PDC use, low residential density, and minimum local match affected the ranking of this project.

8. Atlantic County Utilities Authority – Underground Storage Tank Replacement

This project would remove underground fuel tanks located at five existing pump stations and replace them with above ground storage tanks and containment structures. The five pumping stations serve existing wastewater collection systems in Hamilton Township and Egg Harbor Township. There is no specific development proposed or associated with this maintenance project, although such projects may be necessary to support future development in the sewer service areas of the Atlantic County Utilities Authority. The lack of specific information about potential residential units, PDC use, and other factors related to bonus criteria led to a lower rank for this project.

9. Atlantic County Utilities Authority – Pump Station Upgrades

The project proposes structural, mechanical and electrical upgrades to extend the operation of five pump existing wastewater pump stations. The five pumping stations serve existing wastewater collection systems in Hamilton Township and Egg Harbor Township. There is no specific development proposed or associated with this maintenance project, although such projects may be necessary to support future development in the sewer service areas of the Atlantic County Utilities Authority. The lack of specific information about potential residential units, PDC use, and other factors related to bonus criteria led to a lower rank for this project.

10. Evesham Municipal Utilities Authority

The project would construct an elevated water storage tank to serve existing customers along Hopewell and Kettle Run Roads in Evesham Township located in a Pinelands Rural Development management area, along with an unspecified Regional Growth Area. The application noted that no PDCs will be used for any development served by the proposed water tank. As the service area is in a Rural Development Area and no Regional Growth Area is proposed to be served and no PDC demand is generated by the project, it is ineligible for funding through the PITF.

Project Priority List and Recommended Funding

Given available funding and the rankings described above, five projects are recommended for PITF funding. The table below summarizes the recommended funding levels. Final funding levels will be determined by the New Jersey Infrastructure Bank through administration of NJAC 7:22 – 6 and 7.

Priority Number	Applicant	Project	Total Project Cost	PITF grant	PITF loan	PITF Sum
1	Pemberton	BCI Water system improvement	\$2,929,000	\$1,171,600	\$1,464,500	\$2,636,100
2	Manchester Twp/ Jackson MUA	Water & Sewer	\$7,192,035	\$2,745,011	\$2,745,011	\$5,490,022
3	Monroe	Williamstown Square Transportation	\$3,962,000	\$1,426,320	\$1,782,900	\$3,209,220
4	Galloway	Pinehurst sewer extension	\$3,493,440	\$1,397,376	\$1,746,720	\$3,144,096
5	Winslow	Water & Sewer	\$1,728,940	\$705,281	\$705,281	\$1,410,562
Totals			\$19,305,415	\$7,445,588	\$8,444,412	\$15,890,000



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

State of New Jersey
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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: August 30, 2019

Subject: No Substantial Issue Findings

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

Berkeley Township Planning Board Resolution 19-06 - adopts the 2019 General Reexamination of the Master Plan Report and includes: an update on the major problems and objectives related to land development identified in the previous Master Plan Reexamination Report (2015); an update on the extent to which such problems and objectives have increased or decreased; a discussion of the changes in policies and objectives since the prior report; and a summary of recommended changes to the master plan and municipal land development regulations. Among these recommended changes are adoption of a new Green Buildings and Environmental Sustainability Master Plan element, adoption of an updated zoning map that incorporates all recent zoning amendments and consideration of numerous strategies for improving the Land Development Ordinance for ease of administration and to meet the needs of the Township.

Monroe Township Ordinances O:26-2019, O:27-2019, O:28-2019, O:29-2019, and O:30-2019 - amend Chapter 175 (Land Management) of the Township's Code by revising requirements related to performance and maintenance guaranties, inspections and municipal acceptance of site improvements.

Pemberton Township Ordinance 22-2019 - amends Chapter 190 (Zoning) of the Township's Code to specify that agriculture is a principal permitted use on lots of one acre or more in the R-100 Residential District. The R-100 District is located in the Pinelands Forest Area.

Pemberton Township Ordinance 24-2019 - amends Chapters 159 (Subdivision of Land) and 190 (Zoning) of the Township's Code in response to amendments to the CMP related to definitions, types of development exempt from application to the Commission, notice requirements and provisions for the installation of advanced wastewater treatment systems.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19-_____

TITLE: To Adopt the Pinelands Commission's Fiscal Year 2020 Budgets for the Operating Fund, the Kirkwood Cohansey Aquifer Assessment Study Fund, Katie Trust Fund and the Pinelands Conservation Fund

Commissioner _____ moves and Commissioner _____
seconds the motion that:

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with the continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, the State of New Jersey has appropriated \$2,949,000 to support the Commission's operations during Fiscal Year 2020; and

WHEREAS, the Department of the Treasury informed the Commission that \$687,000 of budgeted health benefits and pension costs will be covered through the State's interdepartmental accounts in FY 2020; and

WHEREAS, the Commission anticipates that additional funding sources of \$1,429,110 will be available to further support the Commission's operations; and

WHEREAS, the FY 2020 Operating Budget anticipates a \$849,964 draw from the Commission's unreserved, undesignated fund balance; and

WHEREAS, the Commission is adopting an Operating Budget for FY 2020 totaling \$5,915,074; and

WHEREAS, the remaining unreserved, undesignated fund balance amount is sufficient to cover unforeseen or emergency expenditures in the near future; and

WHEREAS, the Kirkwood Cohansey Aquifer Assessment Study Fund budget for FY 2020 recommends expenditures of \$70,000, which will be drawn from the Fund Balance for this project; and

WHEREAS, the Katie Trust Fund Garden Budget for FY 2020 recommends expenditures of \$15,000, which will be drawn from the Fund Balance for the Garden project; and

WHEREAS, a financial plan for the Pinelands Conservation Fund (PCF), which designated four programs (Land Acquisition, Conservation Planning and Research, Community Planning and Design and Education and Outreach) within the Fund, was approved by the Commission in April 2005, and revised in August 2009, and revised again in August 2014; and

WHEREAS, during FY 2020, the budget for the Land Acquisition program totals \$8,625; and

WHEREAS, the FY 2020 budget for the Conservation Planning and Research program totals \$351,726; and

WHEREAS, the FY 2020 budget for the Community Planning and Design program totals \$149,604; and

WHEREAS, the FY 2020 budget for the Education and Outreach program totals \$108,300; and

WHEREAS, the total budget for the Pinelands Conservation Fund during FY 2020 totals \$618,255 and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby adopts the attached Fiscal Year 2020 Budgets for the Operating Fund totaling \$5,915,074; the Kirkwood Cohansey Aquifer Assessment Study Fund totaling \$70,000; the Katie Trust Fund Garden Budget totaling \$15,000 and the Pinelands Conservation Fund totaling \$618,255.

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

**PINELANDS COMMISSION
OPERATING BUDGET REVENUES
GENERAL FUND
FISCAL YEAR 2020**

Revenue Source	FY2017 Audited	FY2018 Unaudited	FY2019 Unaudited	FY2020 Anticipated	Notes
State Appropriation	2,799,000	2,649,000	2,799,000	2,949,000	1
State Supplemental Funding (Fringe Benefits)	687,000	687,000	687,000	687,000	2
Miscellaneous Income		600	200	40	
Interest Income	16,700	5,000	25,000	50,000	3
MTMUA Hydrologic Monitoring		0	0	0	
CCMUA Hydrologic Monitoring	9,361	8,000	10,330	0	
EPA Buffer Grant		0	0	0	
NPS - Long Term Environmental Monitoring	142,448	329,750	313,271	192,000	4
NPS - Long Term Economic Monitoring	26,252	328,750	326,058	191,000	4
Drexel - DWRF		0	322,003	0	
EPA - Micro		0	140,379	100,000	
Stockton College MOA		20,000	20,000	0	
Vehicle Auction Proceeds		0	0	0	
Wetlands Permitting		2,000	10,000	4,000	5
Pinelands Application Fees	341,778	340,000	430,000	690,000	6
Utility Companies ROW Program	59,200	59,200	59,200	0	
TOTAL REVENUE	4,081,739	4,429,300	5,142,441	4,863,040	
Microfilm Reserve Anticipated	3,650	3,650	3,650	3,650	7
Computer Reserve Anticipated	18,420	18,420	18,420	18,420	8
Fenwick Manor Painting Reserve Anticipated	80,000	100,000	120,000	120,000	9
Administrative Assessment (PnlDs. Conserv. Fund)	80,000	80,000	60,000	60,000	10
Undesignated Fund Balance Anticipated	370,442	394,468	570,563	849,964	11
TOTAL OTHER INCREASES	552,512	596,538	772,633	1,052,034	
TOTAL REVENUE AND OTHER INCREASES	4,605,671	5,025,838	5,915,074	5,915,074	

**PINELANDS COMMISSION
OPERATING BUDGET EXPENDITURES
GENERAL FUND
FISCAL YEAR 2020**

Expenditure Account	FY2017 Audited	FY2018 Unaudited	FY2019 Unaudited	FY2020 Anticipated	Notes
PERSONNEL					
Salaries & Wages	2,473,235	2,691,781	3,031,731	3,094,758	12
Fringe Benefits	1,392,996	1,594,542	1,808,212	1,822,822	13, 34
TOTAL PERSONNEL	3,866,231	4,286,323	4,839,943	4,917,580	
SUPPLIES					
Printing & Office Supplies	18,866	18,080	31,860	28,705	14
Vehicular Supplies	4,649	6,250	5,750	7,525	15
Household Supplies	7,278	8,450	8,900	9,300	16
Fuel & Utilities	25,725	42,350	42,350	43,000	17
Other Supplies	3,074	5,930	16,599	14,503	18
TOTAL SUPPLIES	59,593	81,060	105,459	103,033	
SERVICES					
Travel	-470	14,900	11,500	6,350	19
Telephone	24,708	30,305	36,325	36,800	20
Postage	5,083	6,650	7,150	6,150	21
Insurance	49,157	51,900	58,200	61,225	22, 34
Information Processing	58,328	77,471	77,410	77,325	23
Household Services	1,881	2,250	2,400	2,600	24
Professional Services	207,979	278,715	630,582	541,333	25, 34
Other Services	22,930	28,640	31,526	30,558	26
TOTAL SERVICES	369,598	490,831	855,093	762,341	
MAINTENANCE & RENT					
Maintenance - Buildings & Grounds	5,341	92,000	42,500	46,500	27
Maintenance - Equipment	7,028	17,700	27,050	21,250	28
Maintenance - Vehicular	1,362	5,750	5,750	5,720	29
Rent - Other	5,872	6,950	6,750	8,050	30
TOTAL MAINTENANCE & RENT	19,603	122,400	82,050	81,520	
IMPROVEMENTS & ACQUISITIONS					
Improvements - Buildings & Grounds	0	0	0	0	
Acquisitions - Vehicles	0	0	0	0	
Acquisitions - Equipment	734	4,619	10,528	28,600	31
Acquisitions - Information Processing Equipment	18,842	40,605	22,000	22,000	32
TOTAL IMPROVEMENTS & ACQUISITIONS	19,576	45,224	32,528	50,600	
TOTAL EXPENDITURES	4,334,601	5,025,838	5,915,074	5,915,074	33

**PINELANDS COMMISSION
OPERATING BUDGET
FISCAL YEAR 2020 NOTES
September 13, 2019**

1. The Governor's budget includes a FY 2020 State Appropriation to the Commission in the amount of \$2,949,000. This is an increase from the FY2019 Appropriation.

2. State Supplemental Funding (Fringe Benefits) totaling \$687,000 helps to offset the Commission's health and pension costs. Since FY 2004, the Department of the Treasury has agreed to help the Commission finance its escalating health benefits premiums through an Interdepartmental Account. Beginning in FY 2009, the amount of assistance was calculated using projected health and pension costs not funded through other sources. Using this calculation, the Commission requested \$838,218 in FY 2012, \$837,927 in FY 2013, \$844,809 in FY 2014 and \$840,455 in FY 2015 but was only approved to receive \$687,000. In FY 2016, only \$687,000 was received and this amount was consistent for FY 2017, FY 2018, FY 2019 and will be for FY 2020.

3. Interest Income is earned in the Commissions checking account and the cash management fund designated for general use. Interest income for the Kirkwood Cohansey Aquifer Study and the Pinelands Conservation Fund is reflected in the budgets for those programs. Interest rates have fluctuated in recent years and have greatly affected interest income over several years and will continue to do so in FY 2020.

4. The Commission is entering its 25th year of the Environmental and Economic Long Term Monitoring programs. This anticipated revenue from the National Park Service is based upon that program's projected expenses during the fiscal year and unspent funds from prior years, which are reimbursed in full.

5. The anticipated revenue from the NJDEP Wetlands Permitting program that the Commission helps to administer reflects the estimated permit fees to be received and is authorized through language in the Appropriations Act.

6. Application Fees of \$690,000 are anticipated to be received during FY 2020. This important component of the Commission's Operating Budget fluctuates tremendously from month to month. This funding source will be closely monitored throughout the fiscal year.

7. The \$3,650 anticipated revenue from the Microfilm Reserve equals the amount being recommended in the expenditure accounts for items relating to permanent record storage, including microfilming and document imaging. The remaining balance in the Microfilm Reserve account will be held in reserve to sustain the future costs of the long term records management project.

8. The FY 2020 anticipated revenue from the Computer Reserve estimated at \$18,420 for Replacement Computers and Replacement Printers.

9. The Fenwick Manor Painting Reserve has been established to earmark funds for the future painting of Fenwick Manor. Funds will be added annually until the project is complete. The current total consists of \$40,000 from FY 2015; \$40,000 from FY 2016; \$20,000 from FY 2017 and \$20,000 from FY 2018. The Project will be moving forward during FY 2020.

10. In April 2005, the Commission adopted a financial plan for the Pinelands Conservation Fund. Included in the plan is an annual assessment of \$20,000 from each of the three programs (see Pinelands Conservation Fund budget note #3). This \$60,000 administrative assessment will finance costs associated with cash management activities, accounting services, procurement services and centralized support services.

11. The projected amount needed from the Undesignated Fund Balance to balance the FY2020 budget deficit is \$849,964.

12. The Commission's authorized staffing level is 66 full time equivalent positions (FTEs). Since FY 2007, unfilled vacancies have steadily increased to a total of 23 unfilled full time equivalent positions, or more than 35% of the authorized staffing level. The FY 2020 salaries and wages budgets (Operating, Kirkwood Cohansey Study and Pinelands Conservation Fund) finance only 43 of the 66 authorized full time equivalent positions.

13. The fringe benefits budget includes expenditures for the employer's share of Social Security (\$197,000), Medicare (\$50,000), disability insurance (\$2,000), flexible savings accounts (\$1,500) and miscellaneous administrative charges (\$1,000). The employer liability of pension related funds is estimated at \$425,000. The Commission's escalating health benefit premiums for active and retired employees are estimated at \$1,250,000 with a \$154,000 reduction for coinsurance payments from staff members. Also included is \$15,000 for dental insurance premiums and \$900 for participation in the Employee Advisory Service. Lastly, \$200,691 of the total fringe benefits budget is projected to be funded by the Kirkwood Cohansey Study (\$13,000) and the Pinelands Conservation Fund (\$187,691) as shown in those budgets.

Upon Commission approval of the FY 2020 Operating Budget, the Executive Director will be authorized to pay the employer share of Social Security and Medicare at an amount not to exceed the budgeted funding of \$247,000.

14. The printing and office supplies budget includes expenditures for printing; office, computer, mailing, copying, and meeting supplies; office and computer equipment with an item cost of less than \$1,000; reference materials; scientific report printing/publication; and service awards. Grant-related expenses account for \$11,000 of this budget.

15. The majority of the vehicular supplies budget covers gasoline for Commission vehicles. Other costs budgeted in this account include replacement tires, supplies used for routine vehicular maintenance and other miscellaneous supplies such as keys, mats, scrapers and first aid kits. In FY 2010, the Commission's fleet was reduced from seven to five vehicles. However, high gasoline prices have offset some of the savings of a smaller fleet.

16. The household supplies budget provides for the purchase of materials to perform minor buildings and grounds maintenance, cleaning supplies, household paper products, basic kitchen supplies, household equipment costing less than \$2,000 and other operating supplies.

17. The fuel and utilities budget covers expenditures for heating fuel, electricity, water and sewer. During the latter part of FY 2016, the Commission was accepted into the State's cooperative purchasing for electricity and heating fuel.

18. The other supplies budget covers expenditures for supplies and equipment (less than \$1,000) supporting map-making, scientific research, fieldwork, and photographic needs. Grant related expenditures are a significant portion (over 96 %) of this account, totaling \$14,303 for FY 2020.

19. The travel budget covers reimbursements to the staff for business mileage on their personal vehicles, tolls and parking, and meal allowances. The majority of the travel budget is used to reimburse Commissioners for business mileage and tolls.

20. The telephone budget includes basic service, toll charges, the service cost of a data circuit, conference calls, and cellular phone service and toll charges.

21. The postage budget finances general postage fees, parcel delivery charges and post office box rental charges. Over the last several years, this account has decreased as more correspondence is sent electronically including public outreach.

22. The insurance budget covers estimated premiums for automobiles, general liability, fire, theft, workers compensation, volunteers and the umbrella liability policy. Through the years, the Commission has realized premium savings by participating in the States Tort Claims Fund and by including the Commission's buildings under the States property insurance.

Upon Commission approval of the FY 2020 Operating Budget, the Executive Director will be authorized to pay the State's insurance broker an amount not to exceed the budgeted funding of \$61,225.00 to cover the Commission's insurance premiums.

23. The FY 2020 budget for information processing includes \$57,475 for software maintenance agreements and data purchases, \$5,000 for payroll processing, \$2,600 for database administration services and \$1,000 for online legal services and \$1,500 for hardware maintenance. Over \$9,750 of this budget is reimbursable through grants or special revenue.

24. The household services budget covers trash removal, alarm (security and fire) monitoring, and exterminating services.

25. The professional services account covers expenditures for legal fees, technical and consulting services, and other miscellaneous services. Estimated costs include \$75,000 for legal fees associated with DAG services, \$150,000 for labor counsel, \$3,000 for the Office of Administrative Law assessment fees. Grant related technical services totaling \$281,732 are budgeted.

26. Expenditures in the other services budget include annual subscriptions (\$1,820), required memberships (\$4,482), and meeting expenses (\$2,500); advertising (\$3,500), research related fees (\$1,356), training (\$15,700), and banking fees (\$1,200).
27. The maintenance buildings and grounds budget for FY 2020 includes Repairs to the Barn Roof, Gutter replacement/repairs and Handicap Parking paver replacement. The remaining amount is available for minor maintenance services (plumbing, electrical, HVAC, etc.).
28. The maintenance - equipment budget provides for the inspection, maintenance and repair of certain building systems and other equipment.
29. The maintenance vehicular budget finances routine maintenance, vehicular fees, and repairs, including any needed body work not performed by the Commission's Maintenance Technician.
30. Since FY 2011, several changes in the rent other budgets have occurred. In FY2011 a smaller postage machine was rented saving thousands in acquisition, rental and maintenance expenses. The FY 2020 budget includes \$500 for the postage meter, \$7,200 for the lease of (2) black and white copiers, \$100 for excess copy charges, and \$250 for the safe deposit box.
31. The acquisitions - equipment budget contains \$26,600 for scientific equipment supporting grant related projects and \$2,000 for unanticipated telephone system expenses.
32. The acquisitions - information processing equipment budget includes the replacement computers and replacement Printers anticipated to be installed in FY 2020.
33. The total estimated Operating Budget expenditures for FY 2020 equal \$5,915,074. During the fiscal year, certain unforeseen and/or emergency expenditures may become necessary. The Personnel and Budget Committee has discussed this issue and recommends that the Executive Director be authorized to exceed the budget of an expenditure category (personnel, supplies, services, maintenance/rent, improvements/acquisitions) by no more than 10% provided that funds are available in other expenditure categories to ensure that the total Operating Budget is not exceeded and provided further that the combined salary budgets for the Operating Fund, Kirkwood-Cohansey Study and the Pinelands Conservation Fund do not exceed \$3,471,141.
34. Several expenditure account budgets include funding for various services and benefits that are reimbursed to the State of New Jersey and are over the Executive Director's authorized contracting limit of \$40,000. These consist of employee health benefits; the employer liability assessed by the Division of Pensions and the Commission's attorney (DAG) fees. Upon Commission approval of the FY 2020 Operating Budget, the Executive Director will be authorized to pay the State of New Jersey for the aforementioned items in an amount not to exceed the budgeted funding.

**PINELANDS COMMISSION
KIRKWOOD COHANSEY AQUIFER ASSESSMENT STUDY
FISCAL YEAR 2020 BUDGET**

	FY2017 Audited	FY2018 Unaudited	FY2019 Unaudited	FY2020 Anticipated	Notes
REVENUE PROJECTIONS					
Interest Income	120	1,000	1,000	2,000	1
Total Revenue	120	1,000	1,000	2,000	
K/C Study Fund Balance Anticipated	48,931	162,792	114,270	68,000	2
Total Revenue/Reserve Anticipated	49,051	163,792	115,270	70,000	

Expenditure Account	FY2017 Audited	FY2018 Unaudited	FY2019 Unaudited	FY2020 Anticipated	Notes
PERSONNEL					
Salaries & Wages	31,974	32,100	26,000	26,000	3
Fringe Benefits	16,627	16,692	13,260	13,000	4
TOTAL PERSONNEL	48,601	48,792	39,260	39,000	
SUPPLIES					
Printing & Office Supplies	-	500	500	-	
Vehicular Supplies	-	-	-	-	
TOTAL SUPPLIES	-	500	500	-	
SERVICES					
Travel	-	50	50	-	
Training	-	-	5,000	-	
Information Processing	450	450	460	-	
Professional Services	-	114,000	70,000	31,000	5
Other Services	-	-	-	-	
TOTAL SERVICES	450	114,500	75,510	31,000	
Total Expenditures	49,051	163,792	115,270	70,000	

**PINELANDS COMMISSION
KIRKWOOD COHANSEY AQUIFER ASSESSMENT FUND
FISCAL YEAR 2020 BUDGET NOTES
September 13, 2019**

1. The funds provided from the Water Supply Fund to prepare the Kirkwood Cohansey Aquifer Assessment and Report are kept in a separate cash account. The interest income estimated at \$2,000 stays within the program and is available to help fund the project. This amount is an increase from the last few years due to interest rates slowly rising. The cumulative interest earnings are accounted for as Fund Balance.
2. It is likely that any remaining Fund Balance existing at the end of the fiscal year will be used to support the Commission's development of water supply policies and/or regulations.
3. The FY 2020 salaries and wages budget finances salary expenses of employees who spend time working on this project and are estimated at \$26,000.
4. The fringe benefits budget represents the chargeable benefits calculated using the OMB issued "Employee Benefit" reimbursement rates for FY 2019. (Rates for FY19 have been made available in Circular Letter 19-04-OMB). The Rates for FY 2020 have not been published at this time.
5. The professional services budget of \$31,000 represents the continued work of USGS needed in preparation of the final report and associated Programming Services.

**PINELANDS COMMISSION
KATIE TRUST FUND
FISCAL YEAR 2020 BUDGET**

Revenue	FY 2018 Unaudited	FY 2019 Unaudited	FY 2020 Anticipated	Notes
Katie Trust Fund Balance Anticipated	20,638	15,000	15,000	1
Total Reserve Anticipated	20,638	15,000	15,000	

Expenditure Account	FY 2018 Unaudited	FY 2019 Unaudited	FY 2019 Anticipated	Notes
Ground Supplies				
Plants & Fencing	9,638	4,000	4,000	2
Total Supplies	9,638	4,000	4,000	
Services				
Professional Services	10,000	10,000	10,000	3
Total Services	10,000	10,000	10,000	
Improvements & Acquisitions				
Acquisitions - Furniture	1,000	1,000	1,000	4
Total Improvements & Acquisitions	1,000	1,000	1,000	
Total Expenditures	20,638	15,000	15,000	

**PINELANDS COMMISSION
KATIE TRUST FUND
FISCAL YEAR 2020 BUDGET NOTES
September 13, 2019**

1. This is the anticipated Fund Balance needed to complete the Garden Project.
2. The Ground Supplies budget of \$4,000.00 represents the estimated cost of the plants is \$3,000.00 and Split Rail fencing added between the Garden and Springfield Road to create a perimeter. The estimated cost for the fence is \$1,000.00.
3. The Professional Services budget of \$10,000 represents the New Path in Concrete, Exposed Aggregate or Flagstone.
4. The Acquisitions – Furniture budget is for 2 Memorial Benches that will be purchased.

**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2020 BUDGET**

Revenue Source	FY2017 Audited	FY2018 Unaudited	FY2019 Unaudited	FY2020 Anticipated	Notes
EPA Grant - Intermittent Ponds	0	0	0	0	
EPA Grant - Natural and Created Wetlands	0	0	0	0	
Interest Income - Land Acquisition	1,500	5,000	6,000	15,000	1
Interest Income - Conservation Planning & Research	4,000	15,000	25,000	70,000	1
Interest Income - Community Planning & Design	1,500	5,000	10,000	34,000	1
Interest Income - Education & Outreach	1,000	5,000	8,000	22,000	1
Total Revenue	8,000	30,000	49,000	141,000	
Cancellation of Prior Year Encumbrances	0	0	0	0	
Reserves for Pinelands Conservation Activities	1,808,792	1,252,675	814,397	477,255	2
Total Revenue/Other Sources Anticipated	1,816,792	1,282,675	863,397	618,255	

Expenditure Account	FY2017 Audited	FY2018 Unaudited	FY2019 Unaudited	FY2020 Anticipated	Notes
<u>Land Acquisition</u>					
Salaries & Wages	10,758	12,000	5,000	5,750	
Fringe Benefits	10,319	6,240	2,550	2,875	
Information Processing	275	225	0	0	
Professional Services	0	0	0	0	
Land Acquisition	93,500	500,000	276,457	0	
Administrative Assessment	20,000	20,000	0	0	3
Total Land Acquisition Expenditures	134,852	538,465	284,007	8,625	4

Conservation Planning and Research

Salaries & Wages	204,498	231,000	157,000	207,133	
Fringe Benefits	99,074	120,120	80,070	103,566	
Printing & Office Supplies		250	0	0	
Household Supplies (clothing)				17,872	
Other Supplies				2,227	
Travel		4,175	1,702	728	
Information Processing		6,628	5,538		
Technical Services		54,353	70,000		
Professional Services	17,246				
Other Services	9,271	2,100	300	200	
Acquisitions - Equipment					
Acquisitions - Information Processing Equipment					
Administrative Assessment	20,000	20,000	20,000	20,000	3
Total Conservation Planning/Research Expenditures	350,089	438,626	334,610	351,726	5

Community Planning and Design

Salaries & Wages	54,082	65,000	62,000	85,000	
Fringe Benefits	28,123	33,800	31,620	42,500	
Printing & Office Supplies	100	125	385	500	
Other Supplies				54	
Travel		25	154	500	
Postage	250	200	250	500	
Information Processing	2,228	923	500	500	
Other Services	150	21,200	200	550	
State Aid and Grants					
Administrative Assessment	20,000	20,000	20,000	20,000	3
Total Community Planning/Design Expenditures	104,933	141,273	115,109	149,604	6

Education and Outreach

Salaries & Wages	0	48,500	45,000	55,000	
Fringe Benefits	0	25,220	22,950	27,500	
Printing & Office Supplies	0	650	500	500	
Other Supplies	0	1,450	900	500	
Information Processing	0				
Other Services	391,031	84,891	40,321	4,800	
Administrative Assessment	20,000	20,000	20,000	20,000	3
Total Education and Outreach	411,031	180,711	129,671	108,300	7

Total Expenditures	1,000,905	1,299,075	863,397	618,255	
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**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2020 BUDGET NOTES
September 13, 2019**

1. The funds provided from Atlantic City Electric (formerly Conectiv) and other related revenue sources are kept in four separate cash accounts, one for each program of the Fund. The FY 2020 estimated interest income totals \$141,000 and is comprised of interest income from the four cash accounts. All interest income stays within the particular program and is available to help fund the various projects.
2. The difference between the revenues and expenditures for the year, estimated at \$477,255 is financed from the Reserves for Pinelands Conservation Activities. Each of the four programs (Land Acquisition, Conservation Planning and Research, and Community Planning and Design, Education and Outreach) has its own reserve account.
3. The financial plan that designated the three original programs within the Fund (Land Acquisition, Conservation Planning & Research and Community Planning & Design) was approved by the Commission in April 2005 and includes a \$20,000 annual assessment from each program to cover administrative expenses as described in Operating Budget note #10. The Commission amended the PCF policies in 2014 to include a fourth program, Education & Outreach, from which a \$20,000 annual administrative assessment is also drawn. FY 2020 will continue to see the removal of the annual assessment from the Land Acquisition program.
4. The Land Acquisition program budget for FY 2020 totals \$8,625. Personnel costs (salaries/wages and fringe benefits) are estimated at \$8,625 in support of the Commission's permanent land protection initiatives.
5. The Conservation Planning and Research program budget for FY 2020 totals \$351,726. Personnel costs (salaries/wages and fringe benefits) are estimated at \$310,699 to support the following initiatives and special projects: implementation of the rapid landfill assessment, implementation of the alternate septic system pilot program / septic system management, the roadside plants management project, management of threatened and endangered species data and rule making for the Black Run watershed. Rounding out the budget is the \$20,000 administrative assessment mentioned above.
6. The Community Planning and Design program budget for FY 2020 totals \$149,604. Personnel costs (salaries/wages and fringe benefits) are estimated at \$127,500 to support the following initiatives and special projects: review and implementation of the Forest and Rural Development Area clustering rules, proposal of the Pinelands Development Credit enhancement rules, administrative responsibilities supporting the Pinelands Development Credit Bank and administration of the Pinelands Infrastructure Trust Fund. Miscellaneous expenses (software, postage, printing, supplies, meeting expenses and legal advertisements)

supporting the program equal \$2,104. Rounding out the budget is the \$20,000 administrative assessment mentioned above.

7. The Education and Outreach program budget for FY 2020 totals \$108,300. Personnel costs (salaries/wages and fringe benefits) are estimated at \$82,500 to support the opening/operation of the Ashmun Exhibit Center and the Pinelands Short Course. Also included is \$5,700 for supplies related to the Exhibit Center. Miscellaneous expenses (supplies and mileage) supporting the program equal \$100. Rounding out the budget is the \$20,000 administrative assessment mentioned above.