

Disclaimer

These minutes reflect the actions taken by the Commission during its November 3, 2017 meeting. Although these minutes have been approved by the Commission, no action authorized by the Commission during this meeting, as reflected in these minutes, shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of these minutes has been delivered to the Governor for review, unless prior to expiration of the review period the governor approves same, in which case the action shall become effective upon such approval. These minutes were delivered to the Governor on November 16, 2017.

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

MINUTES

November 3, 2017

Commissioners Present

Alan W. Avery Jr., Bob Barr, Giuseppe Chila, Paul E. Galletta, Mark Lohbauer, Ed McGlinchey, Richard Prickett, Gary Quinn, and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Yhin Zhou.

Commissioners Participating by Phone

None.

Commissioners Absent

Candace Ashmun, Jane Jannarone, Ed Lloyd and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:34 a.m.

DAG Zhou read the Open Public Meetings Act Statement.

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

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

Minutes

Chairman Earlen presented both the open and closed session minutes from the October 13, 2017 Commission meeting. Commissioner Prickett moved the adoption of the minutes. Commissioner Barr seconded the motion.

The minutes of the October 13, 2017 Commission meeting were adopted by a vote of 9 to 0.

Staff Anniversaries

Rhonda Ward, an Environmental Specialist in the Regulatory Programs office, was presented with a plaque for her 20 years of service at the Commission.

John Keys, who is a Maintenance Technician at the Commission, was presented with a certificate for his 10 years of service.

Committee Chairs' Reports

Commissioner McGlinchey provided an update on the October 24, 2017 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the September 29, 2017 meeting.

The Committee received a presentation and discussed a revised Memorandum of Understanding among the Pinelands Commission, Winslow Township and the Camden County Municipal Utilities Authority regarding water use in the Great Egg Harbor River Watershed.

Executive Director's Reports

ED Wittenberg said a transition summary memo was provided to the Governor's Authorities Unit in preparation for the incoming Administration. She also said that she has a conference call scheduled with the New Jersey Department of Environmental Protection to discuss progress at Wharton State Forest as it relates to the off-road vehicle issue.

Director Charles Horner said staff met with representatives from NJDEP regarding a forestry proposal surrounding the Bass River fire tower. He said some of the nearby trees have grown and are now obscuring the view from the tower.

Ed Wengrowski updated the Commission on the following:

- Some members of the Planning office staff recently held a meeting with 11 experts, seeking input on ways staff can improve the Long Term Economic Monitoring report. Commissioner Lohbauer attended the meeting.
- Staff has been working for a number of months with Winslow Township and the Camden County Municipal Utilities Authority to revise an existing Memorandum of Understanding that dates back to 2009.
- The Commission's Cultural Resource Planner recently held an Archaeology symposium where seven archeologists presented Pinelands-specific research. The

event was very well attended. The papers submitted as part of that event will assist in the Commission's review of cultural resources.

- The World Water Monitoring Challenge held on October 20th was an opportunity for the various Pinelands Commission offices to interact and educate students.
- Staff recently attended a New Jersey Water Supply Advisory Council meeting where Dr. Dan Van Abs reported on water trends in New Jersey. He said that per capita water use has fallen from 75 gallons per person to 50 gallons per person.

Stacey Roth reminded Commissioners that they must complete annual ethics training via an on-line module by November 10.

Paul Leakan updated the Commission on the following items:

- Staff recently gave a presentation to the Ocean City Utilities Advisory Commission, including a field trip in the Pinelands.
- Staff is working on the spring Pinelands Short Course that is scheduled for March 10, 2018.
- The 2018 Pinelands National Reserve calendars will be ready to distribute in early December.
- The contractor hired to construct the visitor center continues to work on providing fire rating information that the Division of Property has requested.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending approval of four public development applications.

Commissioner Lohbauer moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1984-0140.003, 1987-1058.075, 2005-0162.004 & 2017-0166.001) (See Resolution # PC4-17-39).

Commissioner Barr seconded the motion.

Commissioner Prickett asked about the duplex structure that is proposed for demolition (Application Number 2017-0166.001).

Director Horner said the structure is over 50 years old and that a picture of the duplex can be viewed in the file.

Commissioner Prickett asked about the precautions the Commission has implemented in protecting the red-headed woodpecker habitat as it relates to the nature path in Woodbine Borough (Application Number 2005-0162.004)

Director Horner said that the red-headed woodpecker has been sighted in the vicinity of the parcel where Woodbine Borough is proposing to create a recreation trail. He said that any clearing associated with the development of the trail cannot be undertaken during months when the red-headed woodpecker is nesting or fledging. He also said that as part of the conditions of this report, the construction of the trail and parking area can be cleared to the

center line, and the area must be staked and then inspected by a qualified ornithologist for nest cavity trees.

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

Commissioner Prickett said he would be recusing from voting on the next two resolutions. He left the dais.

Chairman Earlen presented a resolution recommending the approval for the road widening of Taunton Lakes Road in Evesham Township.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1987-0914.004) (See Resolution # PC4-17-40). Commissioner Lohbauer seconded the motion.

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

Chairman Earlen presented a resolution recommending the approval of a wireless communications tower in Pemberton Township.

Commissioner Avery moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1989-0349.019) (See Resolution # PC4-17-41). Commissioner Quinn seconded the motion.

Commissioner Lohbauer said the proposed tower will stand 200 feet high, and he was curious about the impact to the viewshed.

Director Horner said there is no requirement for analysis of viewshed impacts because the tower will be constructed in a Pinelands Regional Growth Area. He said the cellular plan the Commission adopted many years ago, permits wireless communication facilities in Pinelands Regional Growth Areas and Towns.

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

Commissioner Prickett returned to the meeting.

Chairman Earlen presented a resolution recommending approval of a waiver of strict compliance for the development of a single family dwelling.

Commissioner Barr moved the adoption of a resolution Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 1989-0139.003)(See Resolution # PC4-17-42). Commissioner McGlinchey seconded the motion.

Commissioner Lohbauer questioned why the septic system was permitted 270 feet from wetlands rather than the usual 300 feet.

Director Horner explained that the applicant applied for a waiver of strict compliance from the required 300 foot buffer to wetlands for the proposed septic system. Among other requirements to qualify for a waiver, an applicant must demonstrate that all development will maintain a minimum buffer to wetlands of 50 feet. For this waiver application, the proposed septic system is maintaining a 270 foot buffer to wetlands. He added that the applicant has met the other Comprehensive Management Plan standards for a waiver.

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

Public Comment on Public Development Applications and Resolutions where the Record is Not Closed

There was no public comment.

Ordinances Not Requiring Commission Action

Chairman Earlen asked if any Commissioners had questions regarding the ordinances not requiring Commission action:

- Egg Harbor Township 2017 Master Plan Use Element Amendment
- Egg Harbor Township 2017 Master Plan Recreation & Open Space Element Amendment
- Egg Harbor Township 2017 Master Plan Economic Plan Element
- Egg Harbor Township 2017 Master Plan Community Facilities Element
- Mullica Township Planning Board Resolution 8-2017
- Stafford Township Ordinance 2017-26

No members of the Commission had questions.

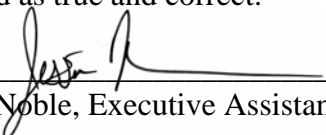
General Public Comment

There was no public comment.

Adjournment

Commissioner Barr moved to adjourn the meeting. Commissioner Avery seconded the motion. The Commission agreed to adjourn at 10:08 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: November 13, 2017