

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18	8	· -	
TITLE:	Formally Dedicat	ng the New Candace McKee Ashmun Pinelands Education Exhibit	· ·
Commissions	er Llayd notion that:	moves and Commissioner Lowbower	

WHEREAS, Candace McKee Ashmun has spent nearly four decades volunteering her time and expertise as a member of the New Jersey Pinelands Commission; and

WHEREAS, Ms. Ashmun is the longest serving member in the Commission's history, and her contributions to the agency and its success are immeasurable; and

WHEREAS, Ms. Ashmun has been a tireless advocate for the Pinelands, helping to raise awareness and appreciation of the region's resources, while touting the Pinelands Comprehensive Management Plan as a model for regional, land conservation planning; and

WHEREAS, Ms. Ashmun's knowledge of the Pinelands Protection Act and of the Commission's past decisions and discussions have been invaluable in the agency's efforts to strengthen the Comprehensive Management Plan; and

WHEREAS, the Commission wishes to formally recognize and honor Ms. Ashmun for her service to the Pinelands Commission and the citizens of New Jersey; and

WHEREAS, the Richard Sullivan Center now features a series of exhibits that will raise awareness and appreciation of the Pinelands; and

WHEREAS, Ms. Ashmun has inspired countless people to preserve, protect and enhance the Pinelands; and

WHEREAS, the new exhibits will advance Ms. Ashmun's remarkable legacy, so it is only fitting to dedicate this space in her honor; 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, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 14th day of December, 2018, does hereby honor and express its gratitude to Ms. Ashmun by formally dedicating the new Candace McKee Ashmun Pinelands Education Exhibit.

Record of Commission Votes

	AYE	YAK	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	<u> </u>			A	Howell	\times				Prickett	X			
Avery	X				Jannarone	l		\times		Quinn			X	
Barr			K		Lloyd	X			L	Rohan Green			X	
Chila	X				Lohbauer	X				Earlen	X			L
Galletta	X				Pikolycky	X					,			

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg Executive Director Sean W. Earlen

Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18-TITLE: Approving With Conditions an Application for Public Development (Application Number 1994-0552.003) moves and Commissioner Commissioner seconds the motion th

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:

1994-0552.003

Applicant:

New Jersey Department of Property Management and

Construction

Municipality:

Borough of Folsom Pinelands Village

Management Area:

Date of Report:

November 21, 2018

Proposed Development:

Construction of a salt storage building.

WHEREAS, a 1.54 acre paved vehicle training area was established on the parcel without application to, and approval by, the Commission and constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the applicant proposes to address this violation by removing the vehicle training area and associated paving; and

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 1994-0552.003 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	ΝP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				Howell	X				Prickett	X			
Avery	X	L		<u> </u>	Jannarone			X		Quinn			X	
Barr			X		Lloyd	\times				Rohan Green			X	
Chila	X				Lohbauer	X.				Earlen	\times			
Galletta	X.				Pikolycky	ľχ								

*A = Abstained / R = Recused

opted at a meeting of the Pinelands Commission

Wittenberg Executive Director Sean W. Earlen

Chairman



State of New Jersey

THE PINELANDS COMMISSION PO Box 359 New Lisbon, NJ 08064 (609) 894-7300 www.nj.gov/pinelands



SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

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

November 21, 2018

Ed Hedger (via email) New Jersey Department of Property Management and Construction 33 West State Street Trenton, NJ 08608

Re: Application # 1994-0552.003

Block 801, Lot 14 Borough of Folsom

Dear Mr. Hedger:

The Commission staff has completed its review of this application for the construction of a salt storage 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 December 14, 2018 meeting.

A 1.54 acre paved vehicle training area was developed on the parcel without application to the Pinelands Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). This application proposes the removal of the vehicle training area and associated paving to resolve the violation.

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.

Sincerery

Sharles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Borough of Folsom Planning Board (via email)

Borough of Folsom Construction Code Official (via email)

Borough of Folsom Environmental Commission (via email)

Atlantic County Department of Regional Planning and Development (via email)

Atlantic County Division of Public Health (via email)

James J. Mellett, PE (via email)



State of New Jersey

THE PINELANDS COMMISSION PO Box 359 New Lisbon, NJ 08064 (609) 894-7300 www.nj.gov/pinelands



SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

November 21, 2018

Ed Hedger (via email) New Jersey Department of Property Management and Construction 33 West State Street Trenton, NJ 08608

Application No.: 1994-0552.003

Block 801, Lot 14 Borough of Folsom

This application proposes the construction of a 31,375 square foot salt storage building on the above referenced 14.8 acre parcel in the Borough of Folsom. There is an existing New Jersey Department of Transportation (NJDOT) maintenance facility located on the parcel.

A 1.54 acre paved vehicle training area was developed on the parcel without application to the Pinelands Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). This application proposes the removal of the vehicle training area and associated paving to resolve the violation.

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. 7:50-5.27(a))

The proposed development is located in the Pinelands Village of Folsom. The proposed development is a permitted land use in a Pinelands Village.

Height Limitations N.J.A.C. 7:50-5.4(a)

The CMP requires that no structure proposed in a Pinelands Village may exceed a height of 35 feet. The proposed salt storage building will have a gambrel roof with an eave height of 15.5 feet and a ridge height of 37.6 feet. For buildings with a gambrel roof, the CMP defines the height of a building as the mean height between the eaves and the ridge. The proposed salt storage building has a mean height of 26.5 feet and is consistent with the CMP height limitation.

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

The proposed development will be located within existing developed, grassed and forested areas. Approximately 0.28 acres of oak-pine forest will be cleared to accommodate the proposed development. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

Water Quality Standard (N.J.A.C. 7:50-6.84(a)4ii)

The existing NJDOT maintenance facility is serviced by an on-site septic system. The applicant has demonstrated that the existing and proposed uses on the parcel will be consistent with the groundwater quality (septic dilution) standard of the CMP.

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 three stormwater infiltration basins.

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 August 30, 2018. Newspaper public notice was completed on September 3, 2018. The application was designated as complete on the Commission's website on October 30, 2018. The Commission's public comment period closed on November 9, 2018. 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 16 sheets, prepared by Churchill Consulting Engineers and dated as follows:

Sheet 1 - August 31, 2018 Sheets 2-7 & 9-11 - June 21, 2018 Sheet 8 - September 24, 2018; revised to October 19, 2018 Sheets 12-14 - August 31, 2018 Sheets 15 & 16 - August 9, 2018

- 2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
- 3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
- 4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Philip D. Murphy Governor Sheila Y. Oliver Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300
www.nj.gov/pinelands

General Information: Info@njpines.state.nj.us Application Specific Information: AppInfo@njpines.state.nj.us



Sean W. Earlen 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 the by 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 office no later than 4:00 PM on December 10, 2018 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. PC4-1	8- <u>45</u>
TITLE:	Approving With Conditions an Application for Public Development (Application Number 2018-0169.001)
Commission	er Landrus moves and Commissioner Area
seconds the	
WHE	DEAS the Dinelands Commission has reviewed the Duklis Development Application Develop

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:

2018-0169.001

43

Applicant: Municipality: Galloway Township Galloway Township

Management Area:

Pinelands Regional Growth Area

Date of Report:

November 21, 2018

Proposed Development:

Installation of 294 linear feet of sanitary sewer main within the

Poplar Avenue 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 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 2018-0169.001 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				Howell	マ				Prickett	X			
Avery	父				Jannarone			$^{\prime}$		Quinn			X	
Barr			\checkmark		Lloyd	X		þ		Rohan Green			又	
Chila	Z		,		Lohbauer	X				Earlen	>			
Galletta	$\overline{\times}$				Pikolycky	又								
A = Abstained / R =	Recuse	1			•					•				

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg Executive Director Sean W. Earlen

Chairman



State of New Jersey

THE PINELANDS COMMISSION PO Box 359 New Lisbon, NJ 08064 (609) 894-7300 www.nj.gov/pinelands



SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

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

November 21, 2018

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

Re: Application # 2018-0169.001

Poplar Avenue Galloway Township

Dear Mr. Johanson:

The Commission staff has completed its review of this application for installation of 294 linear feet of sanitary sewer main with the Poplar Avenue 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 December 14, 2018 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.

/ / //

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)

Galloway Township Construction Code Official (via email)

Galloway Township Environmental Commission (via email)

Atlantic County Department of Regional Planning and Development (via email)

Vincent J. Polistina, PE, PP, CME (via email)



State of New Jersey

THE PINELANDS COMMISSION PO Box 359 New Lisbon, NJ 08064 (609) 894-7300 www.nj.gov/pinelands



SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

November 21, 2018

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

Application No.: 2018-0169.001

Poplar Avenue Galloway Township

This application proposes installation of 294 linear feet of sanitary sewer main with the Poplar Avenue right-of-way in Galloway 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. 7:50-5.28(a))

The proposed development is located in a Pinelands Regional Growth Area. The proposed sanitary sewer main is a permitted land 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 under existing pavement.

PUBLIC COMMENT

The CMP defines the proposed sanitary sewer main 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 October 29, 2018. The Commission's public comment period closed on November 9, 2018. 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 Polistina & Associates, LLC and dated as follows:

Sheet 1 - October 2018 Sheets 2 & 3 - October 10, 2018

- 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.



Philip D. Murphy Governor Sheila Y. Oliver Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300
www.nj.gov/pinelands

General Information: Info@njpines.state.nj.us Application Specific Information: AppInfo@njpines.state.nj.us



Sean W. Earlen 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 the by 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 office no later than 4:00 PM on December 10, 2018 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. PC4-1	18	
TITLĘ:	Issuing an Order to Certify the 2017 Housing Element and Fair Share Plan and Ordinance 20 of Medford Township	18-16
Commission seconds the r	ner Hard moves and Commissioner Lawres	

WHEREAS, on May 6, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Medford Township; and

WHEREAS, Resolution #PC4-83-37 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and codified Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-37 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 June 28, 2017, the Medford Township Planning Board adopted Resolution 20-2017, approving the Township's 2017 Housing Element and Fair Share Plan; and

WHEREAS, on August 15, 2017, Medford Township adopted Ordinance 2017-10, approving a redevelopment plan for the Stokes Square Redevelopment Area for purposes of implementing one of the recommendations contained in the 2017 Fair Share Plan; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2017-10 on August 21, 2017; and

WHEREAS, the Pinelands Commission received a certified copy of Resolution 20-2017 and the adopted 2017 Housing Element and Fair Share Plan on October 4, 2017; and

WHEREAS, by email dated October 3, 2018, Commission staff informed the Township that revisions to the Stokes Square Redevelopment Plan would be necessary for purposes of conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, by email dated October 6, 2017, Medford Township requested an extension of the Pinelands Commission's review period for Ordinance 2017-10 in order to provide an opportunity to discuss possible revisions to the Stokes Square Redevelopment Plan prior to formal Commission action; and

WHEREAS, by letter dated October 10, 2017, the Executive Director notified the Township that an extension was granted through December 31, 2017; and

WHEREAS, by letter dated December 8, 2017, Medford Township requested a further extension of the Pinelands Commission's review period for Ordinance 2017-10 to provide sufficient time for the Township to address the issues identified by Commission staff; and

WHEREAS, by letter dated December 27, 2017, the Executive Director notified the Township that a second extension was granted through March 31, 2018; and

WHEREAS, by email dated March 21, 2018, Medford Township requested an additional extension of the Pinelands Commission's review period for Ordinance 2017-10 during which discussion of revisions to the Stokes Square Redevelopment Plan would continue; and

WHEREAS, by letter dated March 26, 2018, the Executive Director notified the Township that an extension was granted through April 30, 2018; and

WHEREAS, by email dated June 5, 2018, the Township provided the Commission with a draft copy of a revised redevelopment plan for review; and

WHEREAS, on September 4, 2018, Medford Township adopted Ordinance 2018-16, approving an amended redevelopment plan for the Stokes Square Redevelopment Area that includes increased residential densities and requirements for the provision of affordable housing and use of Pinelands Development Credits; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2018-16 on October 3, 2018; and

WHEREAS, by letter dated October 4, 2018, the Executive Director notified the Township that Planning Board Resolution 20-2017 and Ordinance 2018-16 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 was duly advertised, noticed and held on November 7, 2018 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the Executive Director has found that Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 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 Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 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 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 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

- An Order is hereby issued to certify that Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are in conformance with the Pinelands Comprehensive Management Plan.
- Any additional amendments to Medford 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*
	Aslımun	X				Howell				•	Prickett	X			
	Avery	\prec				Jannarone			\times		Quinn			X.	
	Barr			X		Lloyd	メ				Rohan Green	·		X	
	Chila	X				Lohbauer	X	ļ			Earlen	-			
	Galletta	グ)			Pikolycky	X	ļ			-				
*A	= Abstained / R =	Recused	i												

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Executive Director

Sean W. Earlen

Chairman



State of New Jersey

THE PINELANDS COMMISSION
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300
www.nj.gov/pinelands



SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

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

REPORT ON MEDFORD TOWNSHIP'S 2017 HOUSING ELEMENT AND FAIR SHARE PLAN AND ORDINANCES 2017-10 AND 2018-16

November 30, 2018

Medford Township 17 North Main Street Medford, NJ 08055

FINDINGS OF FACT

I. <u>Background</u>

The Township of Medford is located in central Burlington County, in the northwestern section of the Pinelands Area. Pinelands municipalities that abut Medford Township include the Township of Waterford in Camden County and the Borough of Medford Lakes and the Townships of Evesham, Shamong, Southampton and Tabernacle in Burlington County.

On May 6, 1983, the Pinelands Commission fully certified the Master Plan and Land Development Ordinance of Medford Township.

On June 28, 2017, the Medford Township Planning Board adopted Resolution 20-2017, approving the Township's 2017 Housing Element and Fair Share Plan.

On August 15, 2017, Medford Township adopted Ordinance 2017-10, approving a redevelopment plan for the Stokes Square Redevelopment Area for purposes of implementing one of the recommendations contained in the 2017 Fair Share Plan. The Stokes Square Redevelopment Area is located in a Pinelands Regional Growth Area.

The Pinelands Commission received a certified copy of Ordinance 2017-10 on August 21, 2017 and a certified copy of Resolution 20-2017 and the adopted 2017 Housing Element and Fair Share Plan on October 4, 2017.

By email dated October 3, 2018, Commission staff informed the Township that revisions to the Stokes Square Redevelopment Plan would be necessary for purposes of conformance with the Pinelands Comprehensive Management Plan. Subsequently, by email dated October 6, 2017, Medford Township requested an extension of the Pinelands Commission's review period for Ordinance 2017-10 in order to provide an opportunity to discuss possible revisions to the Stokes Square Redevelopment Plan prior to

formal Commission action. By letter dated October 10, 2017, the Executive Director notified the Township that an extension was granted through December 31, 2017.

By letter dated December 8, 2017, Medford Township requested a further extension of the Pinelands Commission's review period for Ordinance 2017-10 to provide sufficient time for the Township to address the issues identified by Commission staff. By letter dated December 27, 2017, the Executive Director notified the Township that a second extension was granted through March 31, 2018.

By email dated March 21, 2018, Medford Township requested an additional extension of the Pinelands Commission's review period for Ordinance 2017-10 during which discussion of revisions to the Stokes Square Redevelopment Plan would continue. By letter dated March 26, 2018, the Executive Director notified the Township that an extension was granted through April 30, 2018.

By email dated June 5, 2018, the Township provided the Commission with a draft copy of a revised redevelopment plan for review.

On September 4, 2018, Medford Township adopted Ordinance 2018-16, approving an amended redevelopment plan for the Stokes Square Redevelopment Area that includes increased residential densities and requirements for the provision of affordable housing and use of Pinelands Development Credits. The redevelopment plan adopted by Ordinance 2018-16 entirely supersedes that previously adopted by Ordinance 2017-17. The Pinelands Commission received a certified copy of Ordinance 2018-16 on October 3, 2018.

By letter dated October 4, 2018, the Executive Director notified the Township that Planning Board Resolution 20-2017 and Ordinance 2018-16 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following master plan and ordinance amendments have been submitted to the Pinelands Commission for certification:

- * The 2017 Housing Element and Fair Share Plan of Medford Township, adopted by the Planning Board on June 28, 2017; and
- * Ordinance 2018-16, adopting the Stokes Square Redevelopment Plan, adopted on September 4, 2018.

These 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 Master Plans and Land Use Ordinances Relating to Development Standards

Medford Township's 2017 Housing Element and Fair Share Plan contains updated data and analysis pertaining to Medford'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 25 units, a prior round obligation of 418 units and a third round prospective need of 483 units. The Fair Share Plan provides information on past efforts to provide affordable housing and outlines the mechanisms that will facilitate the attainment of the Township's affordable housing obligation. These mechanisms include the rezoning of five sites, only one of which is located in the Pinelands Area. Referred to in the Housing Element and Fair Share Plan as "Stokes Square", this site is proposed for 120 market rate units and a monetary contribution to subsidize the development of affordable housing units in another project, outside the Pinelands Area. These recommendations reflect the terms of a 2017 settlement agreement between Medford Township and Fair Share Housing Center.

Ordinance 2018-16 adopts a Redevelopment Plan for the Stokes Square Redevelopment Area. This redevelopment area consists of four lots (Block 2701.20, Lots 9.01, 9.02, 9.03 and 10.01) located at the intersection of Himmelein Road and Stokes Road (see Exhibit #1). In total, 67 acres are included in the new redevelopment area, 34 of which were previously located in the residential GD (Growth) District and 33 of which were in the RC (Restricted Commercial) District. An existing bank, office building and salon are located in the redevelopment area but the majority of the area is currently vacant and comprised of wetlands (see Exhibit #2). There are approximately 20 acres of uplands in the redevelopment area. The entire redevelopment area is located in a Pinelands Regional Growth Area.

The purpose of the Stokes Square Redevelopment Plan is to provide for new residential housing in a compact format. To that end, permitted uses in the new zone include "independent living" in the form of senior apartments. A maximum of 120 such units is permitted, with the acquisition and redemption of Pinelands Development Credits required for 20% of all units. The Redevelopment Plan does not require that any of the new units be made affordable to low and moderate income households; instead, a contribution to the Township's affordable housing trust fund is required, with the collected funds to be used to produce affordable housing units in another project, outside the Pinelands Area. A variety of nonresidential uses are also permitted in the redevelopment area, including offices, retail sales and service establishments, restaurants, indoor and outdoor recreation, public parks, community buildings and open space. 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.

According to the Redevelopment Plan, the new independent living senior apartments will be located all in one building of no more than 45 feet in height. The apartment building will be sited on Himmelein Road in close proximity to the existing commercial uses (see conceptual site plan, Exhibit #3). In order to accommodate the proposed redevelopment project, sanitary sewer will need to be extended to the site and public water will need to be provided to both the new apartment building and the existing office building. With respect to the remainder of the

redevelopment area, the Redevelopment Plan requires that at least 50% of the area be "dedicated and preserved open space or agriculture" so as to preserve scenic vistas and the community greenbelt.

The Stokes Square Redevelopment Plan provides an opportunity for development of 120 new units in Medford's Regional Growth Area. The resulting density in the Redevelopment Area is significantly higher than that prescribed by the Comprehensive Management Plan, which requires the Township to zone for a density of only one unit per upland acre in its Regional Growth Area. However, the Comprehensive Management Plan does provide municipalities with the ability to zone portions of their Regional Growth Areas for higher densities, provided the lands in question are appropriate for more intensive development, infrastructure exists or can be provided to support the increased density and sufficient opportunities for the use of Pinelands Development Credits are provided. The Stokes Square Redevelopment Area meets these standards.

Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

3. Requirement for Certificate of Filing and Content of Development Applications

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Ordinance 2018-16 adopts a new redevelopment plan for a portion of Medford Township's Regional Growth Area. Based on this plan, 120 age-restricted apartments will be permitted in

the Stokes Square Redevelopment Area, with the use of Pinelands Development Credits (PDC) required for 20% of all proposed units. No exemption for affordable housing units is provided, as no such units are required in the Redevelopment Area.

The result is increased residential zoning capacity and opportunities for the redemption of PDCs in the Township's Regional Growth Area. A maximum of 120 new units can be developed, which would require the redemption of 24 rights (6.0 PDCs). These numbers are well in excess of what the Comprehensive Management Plan prescribes for Medford's Regional Growth Area.

It is important to note that the new Stokes Square Redevelopment Area standards described above represent a departure from the traditional zoning and PDC strategy outlined in N.J.A.C. 7:50-5.28(a). This section of the Comprehensive Management Plan anticipates that municipalities will establish "base" densities in their various Regional Growth Area zoning districts and then provide opportunities to increase such densities through the use of PDCs. In Medford's Regional Growth Area, the Comprehensive Management Plan establishes a "base" density of one unit per developable acre and directs the Township to provide for "bonus" density through the use of PDCs to allow for a total of 1.5 units per developable acre. There is nothing in the CMP that prevents municipalities from exceeding these minimum requirements, which is exactly what Medford Township has elected to do. The Township has chosen to provide for higher density in the Stokes Square Redevelopment Area as a means of advancing its affordable housing objectives. At the same time, the Township has adopted standards to ensure that PDC use will be a significant part of the anticipated redevelopment project.

Rather than relying on the traditional approach of providing developers with the *option* of using PDCs to increase permitted density, Ordinance 2018-16 *guarantees* a PDC redemption rate of 20% for residential development within the Redevelopment Area. Medford Township implemented similar requirements in its other Regional Growth Area residential zones many years ago, again as a means of facilitating affordable housing development. In those zoning districts, the use of PDCs is required for 25% or 33% of all market rate units. Those higher percentages, coupled with the higher than normal density in the new redevelopment area, allow the PDC requirement in the Stokes Square Redevelopment Area to be slightly lower.

Given the greater certainty provided by the Township's overall approach in terms of PDC use, the Executive Director finds that the PDC requirements adopted by Ordinance 2018-16 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

Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. This standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 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 area established by Ordinance 2018-16 does not include lands that are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated and this standard for certification is met.

PUBLIC HEARING

A public hearing to receive testimony concerning Medford Township's application for certification of its 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 was duly advertised, noticed and held on November 7, 2018 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which no testimony was received.

Written comments were accepted through November 14, 2018; however, no such comments were received.

CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 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 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 of Medford Township.

SRG/CME Attachments



	C4-18)				τ		
TITL			of a Parcel of La tical Use Progran		usition by the I	Departm en t of	Environmenta	al Protection
Comm second	issioner s the motion that:	aga	niq	oves and C	ommissioner ₋	Gallei	ter	
	WHEREAS, the Pine the Executive Director program:	elands Commis or that the follo	sion has reviewed wing parcel is elig	the Finding	gs of Fact, Conc uisition under th	lusion and reco se Limited Prac	ommendation ctical Use	of
	2016-0115.001	Barbara Ba Developme	aldwin, Block 300 nt Area; waiver ap)3, Lot 14; E oplication de	Buena Vista Tov mied November	vnship, 0.57 ac 9, 2018.	.; Pinelands R	ural
	WHEREAS, no requ Director's recommen				istrative Law co	nceming the E	xecutive	
	WHEREAS, the Pine Director for this parce	elands Commis el; and	sion hereby adopt	s the Findin	gs of Fact and C	Conclusion of th	he Executive	
	WHEREAS, the Pine N.J.A.C. 7:50-9.2 and	elands Commis 1 9.3 for eligibi	sion hereby deten lity for acquisition	mines that th under the I	ne parcel confor Limited Practica	ms to the criter I Use program;	ia set forth in ; and	
	WHEREAS, pursuar until ten (10) days, Sa of the Commission ha the Governor shall ap	aturdays, Sunda as been deliver	nys and public holed to the Governor	idays except r for review,	led, after a copy unless prior to	of the minutes expiration of th	of the meeting of the review peri	ıg
	NOW, THEREFOR following parcel and Department of Environmentes:	authorizes the l	Executive Director	r to transmit	the name of thi	s property own	er to the	
	2016-0115.001		aldwin, Block 300 nt Area; waiver ap				.; Pinelands R	ural
			•					
			Record of C	ommissiói	ı Votes			
	AYE	NAY NP A/R*	AY.	E NAY NP	A/R*	AYE N	AY NP A/R*	
•	Ashmun		Howell /		Prickett	X		
	Avery	 	Jannarone	$+ \times$	Quinn			
	Barr Chila	 × +-	Lloyd		Rohan C Earlen	ireen	- X	
	Galletta ~/		Dilealesslers -	\ 	Eartell			

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg Executive Director

Sean W. Earlen Chairman

Date:



State of New Jersey

THE PINELANDS COMMISSION
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300
www.nj.gov/pinelands



SEAN W. EARLEN Chairman NANCY WITTENBERG Executive Director

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

REPORT ON PROPERTY ELIGIBILITY FOR THE PINELANDS LIMITED PRACTICAL USE PROGRAM

November 19, 2018

Barbara Baldwin. 5711 Mary A Court Bladensburg, MD 20710

> Please Always Refer to This Application Number App. No. 2016-0115.001 Buena Vista Township Block 3003, Lot 14

Dear Ms. Baldwin:

The Commission staff has completed its review of this application for eligibility in the Pinelands Limited Practical Use (LPU) land acquisition program. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application at its December 14, 2018 meeting.

FINDINGS OF FACT

This application is for a determination of eligibility for the Pinelands Limited Practical Use Land Acquisition Program. The property is located in Buena Vista Township's Rural Development Area and contains 0.57 acres. An application for a Waiver of Strict Compliance by the applicant to develop a home on this parcel was denied by the Pinelands Commission on November 9, 2018.

The subject parcel contains all contiguous land in common ownership on or after January 14, 1981. There are no principal structures located on the parcel. No resource extraction operation has been approved for this parcel. No development has been approved for this parcel. There are no Pinelands Development Credits allocated to the parcel. Based on the available information, the parcel cannot be developed consistent with the requirements of the Comprehensive Management Plan (CMP). The applicant owns less than 50 acres of land in the Pinelands as of July 17, 1995.

CONCLUSION

N.J.A.C.7:50-9.2 and 7:50-9.3 set forth the standards which must be met in order for a property to be determined eligible for the Limited Practical Use Program. The first condition is that the Pinelands Commission has either denied a Waiver of Strict Compliance for the parcel in question pursuant to N.J.A.C. 7:50-4, Part V or has approved a Waiver of Strict Compliance for the parcel and granted a transferable development right to other lands in accordance with N.J.A.C.7:50-4.66(b)3 and 5.30(a). As the applicant received a Waiver denial on November 9, 2018, the applicant meets the criteria contained in N.J.A.C. 7:50-9.2(a)1.

The second condition is that the parcel contains less than 50 acres. As the parcel contains 0.57 acres, the parcel meets the criteria contained in N.J.A.C. 7:50-9.2(a) 2.

The third condition is that the standards contained in N.J.A.C. 7:50-9.3 relative to the ownership and the present and potential uses of the parcel in question have been met. The applicant has demonstrated that the parcel meets the standards contained in N.J.A.C. 7:50-9.3 so the parcel meets the criteria contained in N.J.A.C. 7:50-9.2(a)3.

The property is eligible for the Limited Practical Use acquisition program because all program eligibility criteria in N.J.A.C. 7:50-9.2 and N.J.A.C. 7:50-9.3 have been met. As a result, it is recommended that the Pinelands Commission APPROVE the application and notify the Department of Environmental Protection that the subject parcel is eligible to be acquired under the provisions of N.J.A.C. 7:50-9.

APPEAL

The Pinelands Comprehensive Management Plan (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 no later than 5:00 PM on December 4, 2018 and include the following information:

- A. the name and address of the person requesting the appeal;
- B. the application number;
- C. a brief statement of the basis for the appeal; and
- D. 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 will act on this application at its meeting on December 14, 2018. At this meeting, the Commission may either approve the determination of the Executive Director or refer the application to the Office of Administrative Law for a hearing.

If you have any questions, please contact Betsy Piner of our staff.

Sincerely,

Susan R. Grogan, P.P., Ald

Chief Planner

/A4

C: Donna Browne, (via email)



KESULUTION OF THE NEW JEK	SEI FINELANDS COMMISSION								
NO. PC4-18-	•								
TITLE: Scheduling Regular Pinelands Commission	Meeting dates for 2019								
Commissioner mo seconds the motion that:	oves and Commissioner Avery								
WHEREAS, the Open Public Meetings Act required schedule of regular meetings prior to January 10 th of	ires that the Pinelands Commission establish an annual feach year; and								
	WHEREAS, the Pinelands Commission will use the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education in New Lisbon, Pemberton Township, as the regular site for its meetings; and								
WHEREAS, the Pinelands Commission may need the Pinelands Area for its meetings throughout the y	t to find an alternate, temporary meeting location within year; and								
Richard J. Sullivan Center for Environmental Poli	d at a location other than the Pinelands Commission's cy and Education, 15 C Springfield Road, New Lisbon, ance with the requirements of the Open Public Meetings								
effect until ten (10) days, Saturdays, Sundays and pr meeting of the Commission has been delivered to t	action authorized by the Commission shall have force or ublic holidays excepted, after a copy of the minutes of the the Governor for review, unless prior to expiration of the which case the action shall become effective upon such								
the following dates in 2019 beginning at the sp- Sullivan Center for Environmental Policy and Edu	the Pinelands Commission shall conduct its meetings on ecified time at the Pinelands Commission's Richard J. Ication, 15 C Springfield Road, New Lisbon, Pemberton provided in accordance with the Open Public Meetings								
Friday, January 11, 2019 (9:30 a.m.) Friday, February 8, 2019 (9:30 a.m.) Friday, March 8, 2019 (9:30 a.m.) Friday, April 12, 2019 (9:30 a.m.) Friday, May 10, 2019 (9:30 a.m.) Friday, June 14, 2019 (9:30 a.m.)	Friday, July 12, 2019 (9:30 a.m.) Friday, August 9, 2019 (9:30 a.m.) Friday, September 13, 2019 (9:30 a.m.) Friday, October 11, 2019 (9:30 a.m.) Friday, November 8, 2019 (9:30 a.m.) Friday, December 13, 2019 (9:30 a.m.)								
BE IT FURTHER RESOLVED that the Execut schedule in the Commission's official newspapers, State of the State of New Jersey and Pinelands cour in the Commission's offices and to post the an (www.nj.gov/pinelands).	file copies of the schedule with the Secretary of nty and municipal clerks, post a copy of the notice								
Record of C	Commission Votes								
	E NAY NP A/R* AYE NAY NP A/R*								
Ashmun Howell	Prickett /								
Avery Jannarone Barr Lloyd	Quinn X Rohan Green X X X X X X X X X								
Chila Lohbauer	Earlen								
Galletta Pikolycky									
*A = Abstained / R = Recused									

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Executive Director

Sean W. Earlen

Chairman