



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 42

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1985-0725.003)

Commissioner Lohbauer moves and Commissioner Avery 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:

**1985-0725.003**

<b>Applicant:</b>	<b>Medford Township</b>
Municipality:	Medford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	November 19, 2019
Proposed Development:	Two lot subdivision and no further 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 1985-0725.003 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 NP A/R*				AYE NAY NP A/R*			
Ashmun			X	Irick	X			Quinn	X		
Avery	X			Jannarone			X	Rohan Green			X
Christv			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: December 13, 2019

Richard Prickett  
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](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

November 19, 2019

Katherine Burger (via email)  
Medford Township  
17 North Main Street  
Medford, NJ 08055

Re: Application # 1985-0725.003  
Block 1813, Lot 15  
Medford Township

Dear Ms. Burger:

The Commission staff has completed its review of this application for a two lot subdivision and no further 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 December 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, Medford Township Planning Board (via email)  
Medford Township Construction Code Official (via email)  
Medford Township Environmental Commission (via email)  
Secretary, Burlington County Planning Board (via email)  
Christopher J. Noll (via email)





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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

November 19, 2019

Katherine Burger (via email)  
Medford Township  
17 North Main Street  
Medford, NJ 08055

Application No.: 1985-0725.003  
Block 1813, Lot 15  
Medford Township

This application proposes a two lot subdivision and no further development of the above referenced 0.45 acre parcel in Medford Township. There is an existing commercial office building and stone parking lot located on the parcel.

The proposed subdivision will create a 0.25 acre lot containing the existing stone parking lot and a 0.20 acre lot containing the existing commercial office building. The 0.25 acre lot will be acquired by Medford Township and the 0.20 acre lot will be retained by the current owner.

The proposed 0.25 acre lot containing the existing stone parking lot is located immediately adjacent to Block 1807, Lot 7 in Medford Township. That parcel contains an existing building and parking lot owned by the Trustees of the Medford Memorial Community Center (TMMCC). The Township entered into a 2001 lease agreement with the TMMCC to permit the existing parking lot on Block 1807, Lot 7 to be utilized as a parking lot for the benefit of the general public. The parking lot located on the proposed 0.25 acre lot will provide additional parking to the general public.

### **STANDARDS**

The Commission staff has reviewed the proposed subdivision 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. 7:50-5.28)**

The parcel is located in a Pinelands Regional Growth Area. The proposed subdivision is permitted in a Pinelands Regional Growth Area.

### **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 October 29, 2019. The Commission’s public comment period closed on November 8, 2019. No public comment was submitted to the Commission regarding this application.

### **CONDITIONS**

1. The proposed subdivision shall adhere to the plan prepared by Environmental Resolutions, Inc. and dated August 1, 2019.
2. The applicant shall obtain any other necessary permits and approvals for the subdivision.

### **CONCLUSION**

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



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General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto: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 December 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- 43

**TITLE:** Scheduling Regular Pinelands Commission Meeting dates for 2020

Commissioner Avery moves and Commissioner Earlen seconds the motion that:

**WHEREAS**, the Open Public Meetings Act requires that the Pinelands Commission establish an annual schedule of regular meetings prior to January 10<sup>th</sup> of each 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 to find an alternate, temporary meeting location within the Pinelands Area for its meetings throughout the year; and

**WHEREAS**, any meeting that will be scheduled at a location other than the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised in accordance with the requirements of the Open Public Meetings Act; 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 shall conduct its meetings on the following dates in 2020, beginning at the specified time at the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, New Jersey, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

- |                                       |  |
|---------------------------------------|--|
| Friday, January 10, 2020(9:30 a.m.)   | Friday, July 10, 2020 (9:30 a.m.)      |
| Friday, February 14, 2020 (9:30 a.m.) | Friday, August 14, 2020 (9:30 a.m.)    |
| Friday, March 13, 2020 (9:30 a.m.)    | Friday, September 11, 2020 (9:30 a.m.) |
| Friday, April 3, 2020 (9:30 a.m.)     | Friday, October 9, 2020 (9:30 a.m.)    |
| Friday, May 8, 2020 (9:30 a.m.)       | Friday, November 13, 2020 (9:30 a.m.)  |
| Friday, June 12, 2020 (9:30 a.m.)     | Friday, December 11, 2020 (9:30 a.m.)  |

**BE IT FURTHER RESOLVED** that the Executive Director is directed to publish notice of this schedule in the Commission's official newspapers, file copies of the schedule with the Secretary of State of the State of New Jersey and Pinelands county and municipal clerks, post a copy of the notice in the Commission's offices and post the annual schedule on the Commission's website ([www.nj.gov/pinelands](http://www.nj.gov/pinelands)).

**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

Date: December 13, 2019

Nancy Wittenberg  
Executive Director

Richard Prickett  
Chairman



## **RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

NO. PC4-19- 44

**TITLE:** To Extend the Electric Transmission Right-of-Way Vegetation Maintenance Pilot Program

Commissioner Lehbauer moves and Commissioner Uyeh seconds the motion that:

**WHEREAS**, the New Jersey Pinelands Electric-Transmission Right-of Way Vegetation Management Plan (ROW Plan), dated March 2009, was approved by the Pinelands Commission on October 9, 2009; and

**WHEREAS**, the ROW Plan specifies a variety of vegetation management prescriptions that seek to achieve several ecological and electric transmission line right-of-way objectives; and

**WHEREAS**, the purpose of the ROW Plan is to create and maintain sustainable early successional habitats that are characteristic of the Pinelands Area and which provide habitat for native Pinelands plants and animals, including threatened and endangered species and to ensure the reliability and safety of the electric transmission system in the Pinelands Area by creating and maintaining low growth vegetation communities; and

**WHEREAS**, to implement the ROW Plan, the Commission amended the Pinelands Comprehensive Management Plan (CMP) to establish the Electric Transmission Right-of-Way Maintenance Pilot Program; and

**WHEREAS**, the CMP regulations (N.J.A.C. 7:50-10.31 through 10.35) implementing the Pilot Program became effective on December 21, 2009; and

**WHEREAS**, the Pilot Program was authorized for a ten year period through December 31, 2019; and

**WHEREAS**, the CMP requires that by September 30, 2019, the Executive Director shall report on the Pilot Program's implementation to the Commission, Public Service Electric and Gas, Jersey Central Power and Light, Atlantic City Electric and the New Jersey Board of Public Utilities, to determine whether the Pilot Program is successful in accordance with evaluation criteria set forth in the CMP (N.J.A.C. 7:50-10.35(a)); and

**WHEREAS**, the CMP (N.J.A.C. 7:50-10.35(c) provides that if the Executive Director finds that additional time is needed to fully assess the results of the Pilot Program, he or she shall so inform the Commission and upon Commission approval, the Pilot Program may be extended for up to two years; and

**WHEREAS**, in 2014 and 2017, the Commission staff submitted progress reports to the Commission, indicating that the Pilot Program was being successfully implemented; and

**WHEREAS**, the Executive Director finds that additional time is needed to fully assess the results of the Pilot Program and to formulate the appropriate regulatory approach for long term implementation and incorporation of the ROW Plan into the CMP; and

**WHEREAS**, the Executive Director recommends that the Pinelands Commission extend the Pilot Program for two years; and

**WHEREAS**, the CMP Policy and Implementation Committee has reviewed and endorsed the Executive Director's recommendation; 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 extends the Electric Transmission Right-of Way Maintenance Pilot Program until September 30, 2021. In accordance with the CMP (N.J.A.C.7:50-10.35(c)), all of the conditions of the Pilot Program shall be extended and remain in full force and effect, including the utility company responsibilities set forth at N.J.A.C. 7:50-10.32(b).

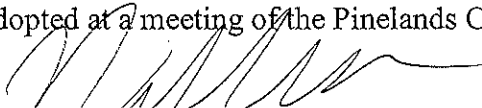
**Record of Commission Votes**

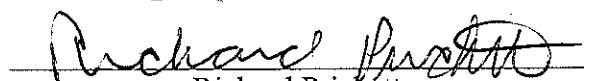
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun			✓	Irick	✓			Quinn	✓		
Avery	✓			Jannarone			✓	Rohan Green			✓
Christy			✓	Lloyd	✓			Prickett	✓		
Earlen	✓			Lohbauer	✓						
Howell	✓			Pikolycky	✓						

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 13, 2019

  
 Nancy Wittenberg  
 Executive Director

  
 Richard Prickett  
 Chairman