



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-12- 01

**TITLE:** Approving With Conditions Applications for Public Development (Application Numbers 1984-0655.029, 2003-0530.005, 2010-0024.003 and 2011-0039.001)

Commissioner Ficcegnia moves and Commissioner Galletta seconds the motion that:

**WHEREAS**, the Pinelands Commission has reviewed the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

- 1984-0655.029** SOUTH JERSEY TRANSPORTATION AUTHORITY, Hamilton Township, Forest Area, installation of gabion wire baskets (stone filled baskets) to permit wildlife crossing under four existing bridges on the Expressway (Date of Report: December 21, 2011);
- 2003-0530.005** EGG HARBOR CITY, Pinelands Town of Egg Harbor City and Forest Area, 101 lot subdivision and the development of 98 single family dwellings (Date of Report: December 30, 2011);
- 2010-0024.003** EVESHAM TOWNSHIP, Rural Development Area, minor widening to portions of Braddock Mill Road (Date of Report: December 21, 2011); and
- 2011-0039.001** CITY OF ESTELL MANOR, Forest Area, paving of 357 linear feet of an existing gravel roadway (Date of Report: December 15, 2011).

**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 Findings of Fact and Conclusion of the Executive Director for each of the proposed developments; 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; 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.

**NOW, THEREFORE BE IT RESOLVED** that the following applications for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

- 1984-0655.029** SOUTH JERSEY TRANSPORTATION AUTHORITY, Hamilton Township, Forest Area, installation of gabion wire baskets (stone filled baskets) to permit wildlife crossing under four existing bridges on the Expressway (Date of Report: December 21, 2011);
- 2003-0530.005** EGG HARBOR CITY, Pinelands Town of Egg Harbor City and Forest Area, 101 lot subdivision and the development of 98 single family dwellings (Date of Report: December 30, 2011);

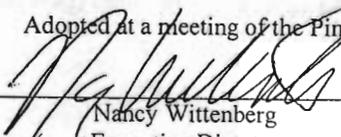
- 2010-0024.003 EVESHAM TOWNSHIP, Rural Development Area, minor widening to portions of Braddock Mill Road (Date of Report: December 21, 2011); and
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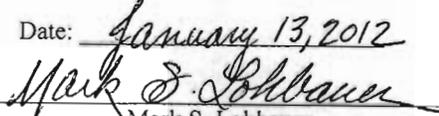
**Record of Commission Votes**

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS						
Ashmun	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Haas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prickett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quinn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Earlen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jackson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rohan Green	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ficcaglia	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lloyd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Witt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Galletta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	McGlinchey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lohbauer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted at a meeting of the Pinelands Commission

Date: January 13, 2012

  
 Nancy Wittenberg  
 Executive Director

  
 Mark S. Lohbauer  
 Chairman



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894 7300

CHRIS CHRISTIE  
Governor  
KIM GUADAGNO  
Lt. Governor

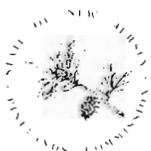
Nancy Wittenberg  
Executive Director

**REPORT ON AN APPLICATION FOR  
MINOR PUBLIC DEVELOPMENT**

December 21, 2011

Jeffery Sabla  
South Jersey Transportation Authority  
PO Box 351  
Hammonton, NJ 08037

<b>Application Information:</b>	App. No. 1984-0655.029 Atlantic City Expressway Hamilton Township
<b>Proposed Development:</b>	Installation of gabion wire baskets (stone filled baskets) to permit wildlife crossing under four existing bridges on the Expressway.
<b>Management Area:</b>	Forest Area
<b>Relevant Facts:</b>	<ul style="list-style-type: none"> <li>Proposed wildlife crossings required as a condition of an NJDEP Freshwater Wetlands Individual Permit for the widening of the westbound Expressway.</li> <li>A total of 350 linear feet of 2' wide gabion baskets will be installed to form platforms for wildlife crossing.</li> <li>The top of the gabion baskets will be set above the normal water elevation.</li> <li>Although not considered development by the CMP (N.J.A.C. 7:50-4.1(a)13), 10 miles of four foot high wire hardware cloth fencing, with no proposed clearing, will be installed to prevent small wildlife from crossing the Expressway.</li> </ul>
<b>Public Notice:</b>	<ul style="list-style-type: none"> <li>Public notice not required by the Pinelands Comprehensive Management Plan (CMP).</li> <li>On November 29, 2011, the application was designated as complete on the Commission's website. No public comments were received through the close of the public comment period on December 9, 2011</li> </ul>



[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)

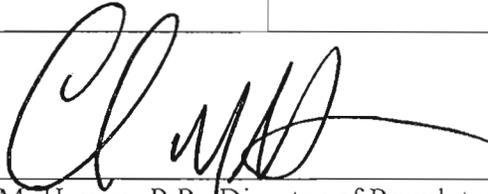
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us) 19840655.029\*

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<b>Conclusion</b>	<ul style="list-style-type: none"> <li>The proposed development is consistent with CMP standards.</li> </ul>
<b>Recommendation:</b>	<ul style="list-style-type: none"> <li>On behalf of the Commission's Executive Director, I recommend that the Pinelands Commission approve this application, with conditions, at its January 13, 2012 meeting.</li> </ul>
<b>Appeal of Recommendation:</b>	<p>The CMP (N.J.A.C. 7:50-4.91) provides that parties who meet the legal requirement to qualify as an "interested party," the right to appeal this recommendation. Any appeal must be made in writing to the Commission within 18 days of the date of this Report and include the information specified in the CMP (N.J.A.C. 7:50-4.91). Any valid appeal will be forwarded to the New Jersey Office of Administrative Law for a hearing.</p>



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

- c. Secretary, Hamilton Township Planning Board  
Hamilton Township Environmental Commission  
Atlantic County Department of Regional Planning and Development  
Douglas Belliveau  
Ernest Deman



State of New Jersey  
THE PINELANDS COMMISSION

PO Box 359  
NEW LISBON, NJ 08064  
(609) 894 7300

CHRIS CHRISTIE  
Governor  
KIM GUADAGNO  
Lt. Governor

Nancy Wittenberg  
Executive Director

**REPORT ON AN APPLICATION FOR  
MAJOR PUBLIC DEVELOPMENT**

(Corrected Copy – Acreage of Management Areas, p.2, par. 1)

December 30, 2011

Joseph Kuehner, Mayor  
Egg Harbor City  
500 London Avenue  
Egg Harbor City, NJ 08215

Please Always Refer To  
This Application Number

Re: Application #: 2003-0530.005  
Block 123, Lots 1, 16, 18.02 & 20.02  
Block 124, Lots 1 & 16  
Block 183, Lots 1, 6.01 - 6.02 & 7  
Block 184, Lots 1, 4.02 & 6  
Block 186, Lots 1 & 16  
Block 187, Lots 1, & 6 - 7  
Block 188, Lots 1 & 16  
Block 189, Lots 1 & 7  
Block 220, Lot 1  
Block 221, Lots 1 & 7  
Block 222, Lots 1 & 16  
Block 224, Lots 2.02, 24, & 27.01 -  
27.02  
Block 225, Lot 1  
Block 226, Lots 1 & 3.02  
Block 954, Lot 1  
City of Egg Harbor City

Dear Mayor Kuehner:

The Commission staff has completed its review of the above referenced application. 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 January 13, 2012 meeting.



[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)

Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us) 2 0 0 3 0 5 3 0 . 0 0 5 \*

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### FINDINGS OF FACT

This application proposes a 101 lot subdivision and the development of 98 single family dwellings on the above referenced 412.25 acre parcel in Egg Harbor City. The proposed development is located primarily in the Pinelands Town of Egg Harbor City (78.6 acres) and partially in a Pinelands Forest Area (333.65 acres).

The application also proposes the installation of 3,739 linear feet of potable water main and 3,041 linear feet of sanitary sewer main within the following rights-of-way:

- Humboldt Street between London Avenue and Philadelphia Avenue
- Kant Street between London Avenue and Liverpool Avenue
- Keppler Street between London Avenue and 4<sup>th</sup> Terrace
- Lessing Street between London Avenue and 4<sup>th</sup> Terrace
- Liebig Street between London Avenue and 5<sup>th</sup> Terrace
- 4<sup>th</sup> Terrace between Humboldt Street and Kant Street
- 4<sup>th</sup> Terrace between Lessing Street and Leibig Street

The application also proposes to pave the following rights-of-way to a width of 24 feet:

- Humboldt Street between London Avenue and Philadelphia Avenue
- Itzien Street between London Avenue and Philadelphia Avenue
- Kant Street between London Avenue and Liverpool Avenue
- Keppler Street between London Avenue and 4<sup>th</sup> Terrace
- Lessing Street between London Avenue and 4<sup>th</sup> Terrace
- Liebig Street between London Avenue and 5<sup>th</sup> Terrace

The application also proposes to pave the following rights-of-way to a width of 36 feet:

- Liverpool Avenue between Humboldt Street and Keppler Street
- A 500 linear feet portion of Liverpool Avenue between Liebig Street and Lessing Street
- London Avenue between Humboldt Street and Liebig Street

The application also proposes to pave the following rights-of-way to a width of 20 feet:

- 4<sup>th</sup> Terrace between Keppler Street and Lessing Street
- A 475 linear feet portion of 4<sup>th</sup> Terrace between Lessing Street and Leibig Street
- 5<sup>th</sup> Terrace between Humboldt Street and Irving Street
- 5<sup>th</sup> Terrace between Irving Street and Itzien Street

Egg Harbor City completed various road improvements within thirteen 13 municipal rights-of-way without completion of an application to the Commission. Those improvements, associated with the installation of Commission approved potable water mains and public sanitary sewer mains in the concerned rights-of-way, included crushed stone, paving, sidewalks and

curbing. By letter dated July 19, 2011, the City was advised that the concerned improvements constitute a violation of the Commission's application requirements and an application must be completed with the Commission. That letter identified the thirteen specific rights-of way and associated improvements. Of the thirteen concerned rights-of-way, five of the rights-of-way (Leibig Street, 4<sup>th</sup> Terrace, Liverpool Avenue, Itzein Street, and Humboldt Street) are included in the current application. The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.2 (c) 1.ii.) provides that no application shall be deemed complete by the Commission's Executive Director if there are outstanding unresolved violations on a parcel until such time as an applicant has agreed in writing to take all measures to resolve the violation in a time period acceptable to the Executive Director. By letter dated December 23, 2011, the City has indicated that it will submit an application for the right-of-way improvements within the eight remaining rights-of-way by January 31, 2012 and that they will complete that application by June 1, 2012.

The proposed development will be served by public sanitary sewer.

There are freshwater wetlands located within 300 feet of the parcel. The proposed development will maintain a 300 foot buffer to all wetlands except that a 250 foot buffer to an approximately 0.3 acre isolated wetland located northwest of the parcel will be maintained.

The applicant has demonstrated that the proposed development is consistent with the stormwater management regulations contained in the Pinelands Comprehensive Management Plan (CMP). The applicant will be constructing two underground infiltration trenches on each proposed residential lot to infiltrate stormwater runoff generated from residential development on the respective lot and five stormwater infiltration basins on the parcel.

The proposed clearing and soil disturbance appears to be limited to that which is necessary to accommodate the proposed development. The Landscaping and Revegetation guidelines of the CMP (N.J.A.C. 7:50-6.26(a) 4) recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to use grasses that are tolerant of droughty, nutrient poor conditions in non-residential areas.

Threatened and endangered species surveys for Corn snake, Northern pine snake, Timber rattlesnake and Little ladies' tresses were completed for the application. No threatened or endangered wildlife species or threatened or endangered plant population were found during the surveys. Based upon the submitted information, the applicant has demonstrated that the proposed development will not result in an irreversible adverse impact to habitat critical to the survival of a local population of threatened or endangered animal species or any local population of threatened or endangered plant species.

The applicant prepared a cultural resource survey for the project. The survey determined that no cultural resources eligible for Pinelands designation were found within the project area.

### PUBLIC COMMENT

This applicant provided the requisite public notices. Newspaper public notice was completed for the application on July 18, 2011. The application was designated as complete on

the Commission's website on November 28, 2011. The Commission's public comment period closed on December 9, 2011. The Pinelands Commission has received seven written public comments regarding the application. Copies of the written comments are attached.

Public Comment One: The commentor is opposed to the proposed development because of drainage issues that are currently affecting her property from road improvements and development of a high school and that additional vegetation removal to accommodate the proposed development will worsen the situation. The commentor is also concerned about the City's ability to sell the proposed dwellings and hopes that no wooded areas would be removed until the City has firm buyers for the homes.

Staff Response to Comment One: A stormwater management plan has been submitted for this application that meets the stormwater management standards of the CMP. A stormwater management plan that met the stormwater management standards of the CMP was previously approved by the Commission for the high school application. The applicant will be addressing stormwater management issues for the application that will be filed with the Commission for certain right-of-way improvements that occurred in violation of the CMP, as required by Condition 5 of this Report. Stormwater runoff from these three applications should not worsen drainage issues that may affect the commentor's property. Regarding the commentor's concern about the timing of vegetation removal and the selling of the proposed single family dwellings, the Commission's regulations do not address the scheduling of development by an applicant.

Public Comment Two: The commentor does not understand why the currently wooded area subject of this application is in need of "rehabilitation" and believes that development proposed in this application would have a negative impact on the area. The commentor also questioned whether several road improvements and utility installations in the area were completed without approval from the Pinelands Commission.

Staff Response to Comment Two: It is not clear to our staff to what "rehabilitation" the commentor is referring. This parcel is located in a Pinelands Town and Egg Harbor City's EHNRA zoning district. The 98 single family dwellings proposed in this application are permitted uses in the concerned zoning district and meets the Commission certified (approved) zoning requirements in the EHNRA zoning district. Several utility improvement and road improvement applications have been approved by the Pinelands Commission in the general vicinity of the proposed residential development. As indicated above, there are several roads within the project area and immediately surrounding the project area that were improved without application to the Commission. As required by Condition 5 of this Report, Egg Harbor City must initiate and complete a development application for the concerned road improvements with the Commission.

Public Comment Three: The commentor requests that the Commission stop the destruction of the land proposed for residential development because there has been enough destruction of this forested area by construction of the nearby high school. The commentor believes that this development will be a drain on natural resources and also believes that additional new homes are not needed in Egg Harbor City due to the large number of existing homes currently in foreclosure.

Staff Response to Comment Three: This parcel is located in a Pinelands Town and Egg Harbor City's EHNRA zoning district. The 98 single family dwellings proposed in this application are permitted uses in the concerned zoning district and meets the Commission certified (approved) zoning requirements in the EHNRA zoning district. As part of the application, the applicant has demonstrated consistency with all of the environmental standards contained in the CMP. The CMP does not contain standards regarding whether development is needed based upon existing economic factors within a municipality.

Public Comment Four: The commentor believes that Egg Harbor City is being allowed to destroy land and, as a result, wildlife has no place to go. The commentor is asking the Commission to stop this development.

Staff Response to Comment Four: This parcel is located in a Pinelands Town and Egg Harbor City's EHNRA zoning district. The 98 single family dwellings proposed in this application are permitted uses in the concerned zoning district and meets the Commission certified (approved) zoning requirements in the EHNRA zoning district. As part of the application, the applicant has demonstrated consistency with all of the environmental standards, including the protection of threatened and endangered animal species, contained in the CMP.

Public Comment Five: The commentor indicated that the City is offering tax abatement to the buyers of the homes subject of this application, which will cause the taxpayers of the City to pick up the shortfall from the loss of revenue to the City caused by the abatement. The commentor indicated that the development is unnecessary since there are many existing homes either in foreclosure or for sale within Egg Harbor City.

Staff Response to Comment Five: The Commission's regulations do not address the commentor's concerns about loss of City revenue due to tax abatement or the need for new development when there are available existing residential dwellings.

Public Comment Six: The commentor indicates that there are many vacant homes that are either in foreclosure or for sale within Egg Harbor City. The commentor believes that the development of the dwellings subject of this application will result in an increase in property taxes and that the proposed development serves no good purpose for the City, the Pinelands or the people. The commentor also believes that if the new residential dwellings receive tax abatement, then current homeowners will not be able to sell their properties.

Staff Response to Comment Six: The Commission's regulations do not address the commentor's concerns about how a proposed development will impact the local property taxes or home sales.

Public Comment Seven: The commentor is asking the Commission to stop the development of this project. He does not believe that the proposed development as the way to solve the local problems in Egg Harbor City.

Staff Response to Comment Seven: This parcel is located in a Pinelands Town and Egg Harbor City's EHNRA zoning district. The 98 single family dwellings proposed in this application are

permitted uses in the concerned zoning district and meets the Commission certified (approved) zoning requirements in the EHNRA zoning district. The CMP does not contain standards regarding whether development is needed based upon existing economic factors within a municipality.

### CONCLUSION

The proposed residential dwellings are a permitted use in a Pinelands Town (N.J.A.C. 7:50-5.27(a)1). If the following conditions are imposed, the proposed development will be consistent with the management standards contained in Subchapters 5 & 6 of the CMP and Egg Harbor City's certified master plan and land use ordinances:

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 51 sheets, prepared by Remington & Vernick Engineers and dated as follows:
  - Sheets 1, 2, 10, 15, 20, 33, 38, 44-46 – November 24, 2010; last revised October 17, 2011
  - Sheet 3 – November 24, 2010; last revised November 22, 2011
  - Sheets 4 – 9, 11-14, 16-19, 21-32, 34-37, 39-43 & 48-51 – November 24, 2010; last revised July 8, 2011
  - Sheet 47 – November 24, 2010; last revised December 14, 2011
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. All proposed development, including clearing and land disturbance, shall be located at least 300 feet to all wetlands other than the isolated wetland located northwest of the parcel. A 250 foot buffer shall be maintained to the isolated wetland located northwest of the parcel.
4. 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.
5. An application for the road improvements referenced on page 2, last paragraph of this Report shall be initiated with the Commission by January 31, 2012 and completed with the Commission by June 1, 2012. Prior to Commission issuance of a letter of no further review for any permit or approval issued for the residential development subject of this application, the application for the road improvements that occurred prior to completion of an application must be completed and deemed consistent with the CMP.
6. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

As the proposed development conforms to the standard 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.

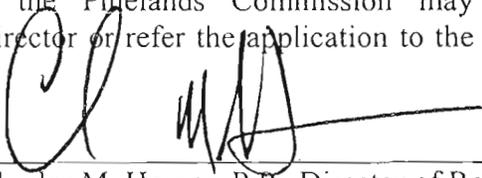
### APPEAL

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 within eighteen days of the date of this Report and must 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 recommendation 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

RLW/ED/KY/CH

Enc.: Public Comment Letter Attachment

c: Secretary, Egg Harbor City Planning Board  
Secretary, Atlantic County Department of Regional Planning and Development  
Anthony Cavallo  
Gina Wasik  
Joseph Wasik  
Dawna Falso  
Patricia Bernard

# Public Comment One

August 4, 2011  
Pinelands Commission  
PO Box 359  
New Lisbon NJ 08064

App # 20030530.005  
DocType 100

AUG - 8 2011

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V:O Gtter ✓  
7/19/11

To whom it may concern:

The following comments are in regards to the proposed project in Egg Harbor City North.

The City would like to build 99 single family homes in the area of woods directly behind our property at 1551 Philadelphia Ave. We are opposed to this plan because we feel it would cause our property to continue to deteriorate due to the drainage issues we are experiencing which was caused by the last project recently completed by the city in our area.

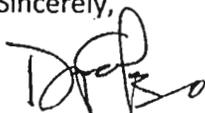
In 2008-2010 the City built a new high school and at the same time built dirt roads and installed sewers all around our property. The drainage in our area was drastically changed due to the cutting down of hundreds of trees and gouging roads throughout the area. The top soil in our backyard is gone and we now have a wasteland of sandy soil which continues to flow into the new "terrace" in our backyard. We have tried to get the city to come out and see what is happening, but they have told us that it will be the new developer's responsibility to fix the problems. Before work began and during the process, we were in touch with the city officials to express our concerns, as we could see the problems being created. They assured us that we "would love the way everything will be when they are finished".

We don't. They have taken a wonderful sample of Pinelands and turned it into a sandy desert. We feel that our property will not survive this next round of building 99 single family homes. More trees will be ripped from the ground, more animals will be displaced and the natural flow of water will once again be re-routed in a way that is un-planned and uncontrolled.

Considering the economic situation, we feel that the city will be hard pressed to sell these homes at this time in any case. We would hope, at the very least, that they would not be able to tear up the woods until they at least have firm buyers for the homes.

We respectfully submit our comments and hope that you will take them into consideration when making your determination. Please provide us a copy of your determination when it is completed.

Sincerely,



Dawna Falso  
1551 Philadelphia Ave  
Egg Harbor City NJ 08215

# Public Comment 2

APP# 20030530.0Doc Type 100

Joseph J. Wasik  
1850 Liverpool Avenue  
Egg Harbor, NJ 08215  
(609) 965-9318 Cell (609) 204-4157  
email: [hbc2001@yahoo.com](mailto:hbc2001@yahoo.com)

DEC 9 2011

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December 5, 2011

Pinelands Commission  
New Lisbon, NJ  
via fax: (609) 894-7330 and email [planning@njpines.state.nj.us](mailto:planning@njpines.state.nj.us)

re: Application# 20030530.005 - Egg Harbor City

To Whom It May Concern,

In regard to the proposed Egg Harbor North development. it sounds like double speak to say that these woodlands are somehow in need of "rehabilitation". This area has already been impacted by the high school, now they want a high density ( four to an acre) massive housing development.

This could only have a further negative impact on this area. To my knowledge this is not a designated growth area like Egg Harbor Township. Already, some roads have been cut through, and water & sewer taps installed. We were told Kant St was going to be for emergency access only once the school was built. Instead they have since extended it to Hamburg Ave. and made it a through street.

Was all this done with Pinelands Commission approval? If one wants to find areas truly in need of rehabilitation just take a look along the white horse pike you'll find plenty of crumbling eyesores.

Sincerely,

Joseph Wasik

# Public Comment 3

DEC - 9 2011

Gina M. Wasik  
1850 Liverpool Avenue  
Egg Harbor, NJ 08215  
(609) 965-9318 Cell (609) 204-4156  
email: [ginawasik@yahoo.com](mailto:ginawasik@yahoo.com)

December 5, 2011

Pinelands Commission  
New Lisbon, NJ  
via fax: (609) 894-7330 and email [planning@njplinas.state.nj.us](mailto:planning@njplinas.state.nj.us)

re: Application# 20030530.005 - Egg Harbor City

To Whom It May Concern,

I am writing to express my concern in regards to any development in the Egg Harbor City North area. There has been enough destruction of this forested area with the building of the regional high school. I beg the commission to cease the destruction of this land to build homes that are not needed in Atlantic county.

I have lived in this are for 18 years and have seen destruction first hand. When I moved here the area was home to wild turkeys, white peacocks, bobcats, deer and snakes including timber rattlers. This wildlife continued to thrive here and now struggle for the remaining wooded area. There was a study done to see what wildlife lived in our forest and I witnessed first hand councilman Ed Dennis saying he was going to "check the traps". The man who is spearheading this development was checking the traps? What kind of nonsense is this?

This proposed development will be nothing but a drain on our natural resources. The developer plans on desecrating what remaining trees are left. We do not need more homes in this area. There are 175 homes in foreclosure in Egg Harbor City, why are we letting a beautiful area be cut down only to put up more homes. They say this area is in need of rehabilitation, why do trees need to be rehabilitated? In town there are buildings falling down and being foreclosed, homes turning into crack houses; shouldn't these be the areas in need of rehabilitation?

The city of Egg Harbor has put in unneeded sewer and water lines. They have put in taps for homes that have not been built. They have ignored the pleas of the residents for the benefit of a few. Before you approve anything I plead with you ask who is benefiting from this. Not the wildlife, vegetation or waterways.

I invite you to come down and I will give you a personal tour of where the construction company putting in utilities have poured oil and tar into the ground. I will show you where they made Kant St. into an extra wide two lane road when the plan was a small path for emergency vehicles only. I look forward to hearing back from you.

Sincerely,  
Gina M. Wasik

# Public Comment 4

APP# 2003-0530.005  
Doc Type 100

Gina M. Wasik  
1850 Liverpool Ave  
Egg Harbor, NJ 08215  
609-965-9318  
ginawasik@yahoo.com

AUG 15 2011

scanned  
✓ info recd 8/11/11

August 12, 2011

To Whom it May Concern,

I have some serious objections to this notification. This was dated 2/1/11 yet it was mailed to the residents in August.

Your commission was developed to protect the Pinelands, yet Egg Harbor City is allowed to rape the land. This land is home to many a family of wildlife. We have witnesses countless deer, frogs, turtles, snakes, white peacocks and bobcats.

I have also witnessed first hand councilman Ed Dennis saying he had to go check the "traps" that were put in these woods to see what wildlife called these woods home. This is the same councilman who has been spearheading this development for the well being of his friends who own stores in town.

You have already allowed 65 acres of forest to be cut down to put a high school up in a region with declining enrollment. Someone needs to take a look at what's happening in Egg Harbor City and stop this madness. This wildlife has no where to go. My yard is overrun with snakes, frogs and turtles. They are fortunate that I and my neighbors keep our yards undeveloped to allow a small percentage of them to live undisturbed.

I have called your office countless times in the past only to be told they can do what they want. I beg you to step in and stop this deforestation.

Sincerely,



Gina M. Wasik

# Public Comment 3

12/1/11

The Pinelands Commission

PO Box 359

15 Springfield Rd

New Lisbon NJ 08064

App # 20030530.005  
DocType 100

DEC - 5 2011

Scanned

11/28/11

app is complete

RE: Application# 20030530.005 - Egg Harbor City

To Whom it may concern:

This letter is in regards to the above captioned application. The City Of Egg Harbor currently has 50 vacant homes and approximately another 150 homes for sale. The 50 vacant homes are mostly abandoned homes. The homes that are currently on the market are not selling in this economy and also due to the very high property taxes in Egg Harbor City.

The city now has come to the Pinelands Commission asking for permission to build in a pristine forest area 300 new homes. The City is offering a tax abatement to the buyers of these homes. This will cause the current taxpayers of the city to pick up the shortfall from the loss of revenue to the city caused by the abatement. The homeowners of Egg Harbor cannot afford higher taxes and the city does not need the development, since we already have 200 homes in need of occupants.

We realize that these issues are not the responsibility of the commission, but we feel that the bigger picture needs to be addressed. The City should not be allowed to destroy more forest, for a development that is unnecessary at the least.

We hope that the Commission will have mercy on the people of Egg Harbor City and not approve the application for this development.

Best regards,



Dawna Falso

1551 Philadelphia Ave

Egg Harbor City NJ 08215

# Public Comment 6

From: <info@headsetpartsunlimited.com>  
To: <appinfo@njpines.state.nj.us>  
Date: 12/7/2011 8:02 AM  
Subject: Egg Harbor City North Development

App # 20030530.005  
DocType 100

DEC - 6 - 2011

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Info Rec  
12/5/11

To whom it may concern:

I have written hard copy letters concerning your approval for the above captioned case.

The City of Egg Harbor plans to destroy many more acres of woods in order to build a housing development in the north end of town.

The city currently has over 50 vacant homes that are in foreclosure. We also have over 150 homes that are for sale and have been for some time. Now the city wants to add new homes and also offer the new home buyers a 5 year tax abatement as an incentive.

This move will surely cause the current taxpayers in town to have our taxes go up again. We already have the highest tax rates in the State. This new abated development will also make it impossible for any of the current homeowners to sell their properties.

We believe the development will serve no good purpose for the city, the Pinelands or the people and will only make matters worse in an already bad economy.

Please continue to protect the Pinelands from unnecessary development.

Sincerely,

Dawna Falso  
Egg Harbor City, NJ

# Public Comment 7

.pp # 20030530.005  
DocType 100

**From:** Patricia Bernard <ptbernard@yahoo.com>  
**To:** "appinfo@njpinelands.state.nj.us" <appinfo@njpinelands.state.nj.us>  
**Date:** 12/7/2011 11:45 AM  
**Subject:** Help us Please

DEC - 7 2011

Scanned

I understand this is our last chance to appeal to the commission to stop the development of the pristine pinelands in Egg Harbor City by Brad Haber Homes. They call this development a rehabilitation plan that is the biggest clue that this is an under-handed deal that our town council signed off on. Our council sees that this development will be the savior of our community in holding our taxes down. Although I am suffering from the heavy tax burden I do not see this as the way to solve our local problems. Please stop this or the commission will have no meaning. Please see my blog that has photos of frogs that are in this land and other photos of the area. I live on Irving Avenue and Philadelphia Avenue in Egg Harbor City. I am unable to attend the meeting due to health issues.

Inf. Re.  
12/11/11  
✓

[http://sixty-fourandcounting-philly.blogspot.com/2011\\_09\\_01\\_archive.html](http://sixty-fourandcounting-philly.blogspot.com/2011_09_01_archive.html)



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894 7300

CHRIS CHRISTIE  
Governor  
KIM GUADAGNO  
Lt. Governor

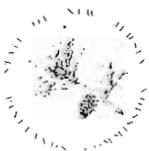
Nancy Wittenberg  
Executive Director

**REPORT ON AN APPLICATION FOR  
MINOR PUBLIC DEVELOPMENT**

December 21, 2011

Township of Evesham  
984 Tuckerton Road  
Marlton, NJ 08053

<b>Application Information:</b>	App. No. 2010-0024.003 Braddock Mill Road Evesham Township
<b>Proposed Development:</b>	Minor Widening to Portions of Braddock Mill Road
<b>Management Area:</b>	Rural Development Area
<b>Relevant Facts:</b>	<ul style="list-style-type: none"> <li>Proposing 2,520 square feet of new impervious surfaces along 2,650 linear feet of Braddock Mill Road.</li> <li>Maximum pavement widening of two feet.</li> <li>Widening located between Kenworth and Tomlinson Mill Roads.</li> <li>Wetlands located adjacent to existing road. No development proposed in wetlands.</li> </ul>
<b>Public Notice:</b>	<ul style="list-style-type: none"> <li>Public notice not required by the Pinelands Comprehensive Management Plan (CMP).</li> <li>On November 29, 2011, the application was designated as complete on the Commission's website. No public comments were received through the close of the public comment period on December 9, 2011.</li> </ul>
<b>Conclusion</b>	<ul style="list-style-type: none"> <li>The proposed development is consistent with CMP standards.</li> </ul>
<b>Recommendation:</b>	<ul style="list-style-type: none"> <li>On behalf of the Commission's Executive Director, I recommend that the Pinelands Commission approve this application, with conditions, at its January 13, 2012 meeting.</li> </ul>



[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)

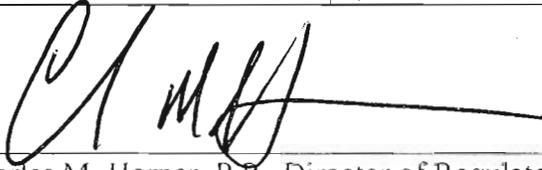
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us) 20100024.003\*

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<b>Appeal of Recommendation:</b>	The CMP (N.J.A.C. 7:50-4.91) provides that parties who meet the legal requirement to qualify as an "interested party," the right to appeal this recommendation. Any appeal must be made in writing to the Commission within 18 days of the date of this Report and include the information specified in the CMP (N.J.A.C. 7:50-4.91). Any valid appeal will be forwarded to the New Jersey Office of Administrative Law for a hearing.
----------------------------------	--



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

- c. Secretary, Evesham Township Planning Board  
Evesham Township Environmental Commission  
Burlington County Planning Board  
Timothy Staszewski  
Ernest Deman



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894 7300

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

Nancy Wittenberg  
Executive Director

**REPORT ON AN APPLICATION FOR  
MINOR PUBLIC DEVELOPMENT**

December 15, 2011

Joseph Venezia, Mayor  
City of Estell Manor  
PO Box 102  
Estell Manor, NJ 08319

<b>Application Information:</b>	App. No. 2011-0039.001 Fifth Avenue City of Estell Manor
<b>Proposed Development:</b>	Paving of 357 linear feet of an existing gravel roadway
<b>Management Area:</b>	Forest Area
<b>Relevant Facts:</b>	<ul style="list-style-type: none"> <li>Existing 14 foot wide road will be paved to a width of 14 feet</li> <li>Proposed paving begins 3,325 feet west of Cape May Avenue.</li> </ul>
<b>Public Notice:</b>	<ul style="list-style-type: none"> <li>Public notice not required by the Pinelands Comprehensive Management Plan (CMP).</li> <li>On November 22, 2011, the application was designated as complete on the Commission's website. No public comments were received through the close of the public comment period on December 9, 2011</li> </ul>
<b>Conclusion</b>	<ul style="list-style-type: none"> <li>The proposed development is consistent with the standards contained in the CMP.</li> </ul>
<b>Recommendation:</b>	<ul style="list-style-type: none"> <li>On behalf of the Commission's Executive Director, I recommend that the Pinelands Commission approve this application, with conditions, at its January 13, 2012 meeting.</li> </ul>

[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)

Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us) 20110039.001\*

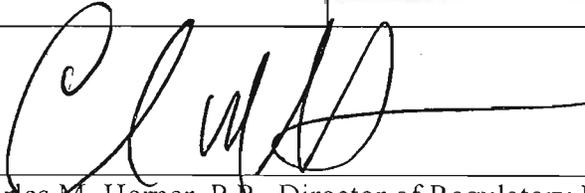
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**Appeal of  
Recommendation:**

The CMP (N.J.A.C. 7:50-4.91) provides that parties who meet the legal requirement to qualify as an "interested party," the right to appeal this recommendation. Any appeal must be made in writing to the Commission within 18 days of the date of this Report and include the information specified in the CMP (N.J.A.C. 7:50-4.91). Any valid appeal will be forwarded to the New Jersey Office of Administrative Law for a hearing.



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

- c. City of Estell Manor Planning Board  
Atlantic County Department of Regional Planning and Development  
Stephen Nardelli  
Ernest Deman