



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 29

TITLE: Approving With Conditions an Application for Public Development (Application Number 1983-9146.005)

Commissioner Avery moves and Commissioner Lloyd 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:

1983-9146.005

| | |
|------------------------------|-------------------------------------------------------------------------------------------------|
| Applicant: | Pemberton Township |
| Municipality: | Pemberton Township |
| Management Area: | Pinelands Regional Growth Area |
| Date of Report: | August 23, 2018 |
| Proposed Development: | Demolition of an existing 40,680 square foot commercial shopping center, 50 years old or older. |

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 1983-9146.005 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 | X | | | Prickett | | | | R |
| Avery | X | | | Jannarone | | | X | Quinn | X | | | |
| Barr | X | | | Lloyd | X | | | Rohan Green | | | X | |
| Chila | | | X | Lohbauer | X | | | Earlen | X | | | |
| Galletta | X | | | Pikolycky | X | | | | | | | |

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: Sept 14, 2018

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

August 23, 2018

David Benedetti, PP AICP (via email)
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Re: Application # 1983-9146.005
Block 775, Lot 19
Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for demolition of an existing 40,680 square foot commercial shopping center. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 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.

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)





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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 23, 2018

David Benedetti, PP AICP (via email)
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Application No.: 1983-9146.005
Block 775, Lot 19
Pemberton Township

This application proposes demolition of an existing 40,680 square foot commercial shopping center, 50 years old or older, located on the above referenced 6.4 acre parcel in Pemberton Township.

The submitted Pinelands application form represents that the parcel is owned by Pemberton Township. The Township has provided a copy of a Final Judgement approved by the Superior Court of Burlington County determining that the Township has duly exercised its powers of eminent domain to acquire the parcel.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Area. The demolition of a building is permitted in the Pinelands Area.

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

The Commission staff reviewed the application for evidence of cultural resources on the parcel. Based upon the lack of potential for significant cultural resources on the parcel, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet

of the above referenced parcel was completed on July 27, 2018. Newspaper public notice was completed on July 31, 2018. The application was designated as complete on the Commission's website on July 31, 2018. The Commission's public comment period for this application closed on August 10, 2018. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. This application is for the proposed demolition only. Any future development of the parcel shall be governed by Pemberton Township's certified land use ordinance and the CMP.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition 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 demolition subject to the above conditions.



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

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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 by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 4:00 PM on September 11, 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. PC4-18- 30

TITLE: Approving With Conditions an Application for Public Development (Application Number 1993-0465.003)

Commissioner Lohbauer moves and Commissioner Barr 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:

1993-0465.003

| | |
|-----------------------|-------------------------------------------------------------------------------------|
| Applicant: | Waterford Township |
| Municipality: | Waterford Township |
| Management Area: | Pinelands Regional Growth Area |
| Date of Report: | August 23, 2018 |
| Proposed Development: | Construction of recreational facilities at the George W. Ritter Recreation Complex. |

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 1993-0465.003 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 | | Howell | X | | | | Prickett | X | | | |
| Avery | X | | | | Jannarone | | | X | | Quinn | X | | | |
| Barr | X | | | | Lloyd | X | | | | Rohan Green | | | X | |
| Chila | | | X | | Lohbauer | X | | | | Earlen | X | | | |
| Galletta | X | | | | Pikolycky | X | | | | | | | | |

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date:

September 14, 2018
Sean W. Earlen
Sean W. Earlen
Chairman



State of New Jersey

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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

August 23, 2018

William Richardson, Jr., Mayor (via email)
Waterford Township
2131 Auburn Avenue
Atco, NJ 08004

Re: Application # 1993-0465.003
Block 1017, Lot 1
Waterford Township

Dear Mayor Richardson:

The Commission staff has completed its review of this application for construction of recreational facilities at the George W. Ritter Recreation Complex. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 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.

Sincerely,

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

Enc: Appeal Procedure

- c: Secretary, Waterford Township Planning Board (via email)
- Waterford Township Construction Code Official (via email)
- Waterford Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)
- John Helbig, PP, AICP (via email)





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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 23, 2018

William Richardson, Jr., Mayor (via email)
Waterford Township
2131 Auburn Avenue
Atco, NJ 08004

Application No.: 1993-0465.003
Block 1017, Lot 1
Waterford Township

This application proposes the construction of a basketball court, a hockey rink and a 7,650 square foot playground at the George W. Ritter Recreation Complex located on the above referenced 7.14 acre parcel in Waterford 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)

The parcel is located in a Pinelands Regional Growth Area. The proposed recreational facilities are a permitted land use in a Pinelands Regional Growth Area.

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

The development subject of this application will be located over existing developed and maintained grassed areas. The proposed soil disturbance is limited to that which is necessary to accommodate the development.

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

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

The applicant has demonstrated that the development is consistent with the stormwater management

standards of the CMP. To meet the stormwater management standards, the application proposes to construct a stormwater infiltration basin on the parcel.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on May 2, 2018. Newspaper public notice was completed on May 4, 2018. The application was designated as complete on the Commission's website on July 31, 2018. The Commission's public comment period closed on August 10, 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 13 sheets, prepared by Adams, Rehmann & Heggan and dated as follows:

Sheets 1, 6 & 13 - April 2018; revised to July 13, 2018
Sheets 2-4 & 7-12 - April 2018; revised to April 27, 2018
Sheet 5 - April 2018; revised to June 15, 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
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Sheila Y. Oliver
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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.