

CMP POLICY & IMPLEMENTATION COMMITTEE MEETING

This meeting was conducted both remotely and in-person
The public could view/comment through Pinelands Commission YouTube link:

www.youtube.com/c/PinelandsCommission

Richard J. Sullivan Center
15C Springfield Rd
New Lisbon, New Jersey 08064
June 27, 2025 – 9:30 a.m.

MINUTES

Members in Attendance: Jerome Irick, Chair Laura E. Matos, Jessica Rittler Sanchez

Members in Attendance (Zoom): Alan W. Avery, Jr., Mark S. Lohbauer, Douglas Wallner

Members Absent: Theresa Lettman

Staff Present: Gina Berg, John Bunnell, Ernie Deman, Katie Elliott, April Field, Susan R. Grogan, Brad Lanute, Paul Leakan, Amber Mallm, and Stacey P. Roth.

1. Call to Order

Chair Matos called the meeting to order at 9:32 a.m.

2. Adoption of minutes from the April 25, 2025 CMP Policy & Implementation Committee Meeting

Commissioner Rittler Sanchez moved the adoption of the April 25, 2025 meeting minutes. Commissioner Irick seconded the motion. All Ayes. The motion passed.

3. Stockton University 2020 Facilities Master Plan

Attachment A to these minutes and posted on the Commission's website at the following address:
<https://www.nj.gov/pinelands/home/presentations/Stockton%202020%20Facilities%20Master%20Plan%20-%20June%2027%202025.pdf>

Brad Lanute, Chief Planner, presented the Executive Director's Report on the Stockton University 2020 Facilities Master Plan. Mr. Lanute shared a map of the Stockton University main campus, located in Galloway Township, Atlantic County, within the Pinelands Area. He explained the purpose of the Comprehensive Management Plan (CMP) State Agency Plan provisions (N.J.A.C. 7:50-4.52(e)), noting that these plans are akin to a master plan in that the proposed development is non-binding and provides an opportunity to identify, and potentially avoid, issues early in the development process.

Mr. Lanute then provided a timeline of past Stockton master plans and Pinelands Commission actions. The first Stockton master plan was approved in 1990. It coincided with Galloway Township rezoning a portion of the campus; 500 acres were redesignated from a Rural

Development Area to a Regional Growth Area. It also coincided with the execution of the first Memorandum of Agreement (MOA) between the Commission and the University to streamline the permitting of development proposed in the approved plan.

The Commission approved Stockton's second master plan in 2010. This plan incorporated updated wetlands delineations and threatened and endangered species studies and expanded the areas designated for development. The Commission's approval was conditioned upon the University deed-restricting approximately 1,200 acres of land designated for conservation under the plan. The Township subsequently rezoned the campus and redesignated an additional 450 acres from a Rural Development Area to a Regional Growth Area. A second MOA to streamline permitting development proposed in the plan was executed in 2015.

In 2016, the University undertook development in an area that had been deed-restricted in 2010. As a result, the Commission notified the University of the violation, indefinitely suspended the MOA, and put all Stockton University applications on hold. The University indicated that mapping in the second master plan, which was incorporated into the deed restriction, included existing infrastructure, utilities, and internal paths in deed-restricted areas. To resolve these issues, the Commission required Stockton to submit updated mapping of deed-restricted areas to exclude existing infrastructure and necessary improvements, to seek approval from the New Jersey Department of Environmental Protection (NJDEP) to amend the existing deed restriction, and to submit a plan for resolving the existing violations.

Stockton submitted updated mapping, which was reviewed by the CMP Policy and Implementation Committee in November 2022. The proposed changes included the removal of 33 acres from the deed-restricted area and the inclusion of 35 vacant acres into the deed-restricted area. The amended deed restriction was subsequently approved by NJDEP in December 2024, and the amended deed was recorded in March 2025. The University also submitted a plan for resolving the violations in January 2024.

Mr. Lanute explained that reaching these milestones allowed the Commission to act on the backlog of applications that had been on hold. He briefly summarized those applications that recently came before the Commission.

Mr. Lanute then described the eight primary development areas on the campus as outlined in the plan. He stated that four of the development areas propose new construction on previously disturbed and/or developed lands, while the other four propose development on previously undeveloped lands. He noted that the level of detail for the proposed projects ranged from highly conceptual plans to those with detailed site plans and project cost estimates.

Mr. Lanute concluded by reiterating that this is a master plan and that the proposed development is non-binding and subject to change based on funding, projected student enrollment, and shifting priorities. He stated that no MOA is under consideration or anticipated and that all future applications will come before the Commission for review. Future applications will be reviewed by the Commission to ensure that proposed development is consistent with the minimum standards of the CMP and the amended deed restriction. Mr. Lanute said staff is recommending

approval of the plan and is requesting that the Committee recommend approval to the full Commission.

Commissioner Rittler Sanchez asked if the campus is located in one watershed or if it straddles multiple watersheds. Mr. Lanute responded that he was unsure and will follow up with her.

Commissioner Rittler Sanchez asked if there are any estimates on any proposed residential units because she is concerned with water resources. Mr. Lanute specified that area 3 on the master plan is planned for student dormitories. Ms. Roth added that stormwater is addressed in the MOA. Executive Director (ED) Grogan said the plan also identifies existing wells and proposed wells.

Commissioner Rittler Sanchez asked if the Committee could recommend acceptance with a limit on water usage. ED Grogan responded that development will be evaluated through each submitted application, and if an application includes a new well, it will be reviewed by the Commission. Commissioner Rittler Sanchez asked if this area has a limited water supply according to the Water Supply Plan. Ms. Berg said she was unsure of the status of this specific area, but the general area likely has available water.

ED Grogan affirmed that the plan is an improvement over the previous plans and emphasized that the Commission will review all development through its application process. Commissioner Lohbauer asked if staff plans to renew the MOA or create a new one. ED Grogan said no, a new MOA is not under consideration or anticipated.

Commissioner Avery asked if this plan relates to the Stockton satellite campuses. Mr. Lanute responded that the plan does include information on all of the satellite campuses, but within the Pinelands Area, new development is proposed only on the main campus in Galloway.

Commissioner Irick moved to recommend review at the full Pinelands Commission meeting. Commissioner Rittler Sanchez seconded the motion. All Ayes. The motion passed.

4. Solar Energy Facilities

Attachment B to these minutes and posted on the Commission's website at the following address:
[https://www.nj.gov/pinelands/home/presentations/Dual%20Use%20Solar%20Pilot%20Program%20Update%20\(Final\)%20-%20June%2027%202025.pdf](https://www.nj.gov/pinelands/home/presentations/Dual%20Use%20Solar%20Pilot%20Program%20Update%20(Final)%20-%20June%2027%202025.pdf)

Ms. Roth provided an update on the Board of Public Utilities (BPU) Dual-Use Agrivoltaics Pilot Program adopted in December 2024. The program is mandated by the Dual-Use Solar Energy Act of 2021. Dual use solar projects are principal use solar projects on land maintained in active agricultural/horticultural use.

Ms. Roth described the timeline for the pilot program established by the BPU. Ms. Roth said she contacted BPU seeking an update on the status of any applications in the Pinelands Area. The BPU responded but did not provide any details regarding application activity. During program year 1, the BPU aims to facilitate the creation of 50 megawatts of electricity, with a minimum project size of 500 kilowatts and maximum project size of 10 megawatts. Ms. Roth said the year

1 timeline raises concerns because it is a complicated process that will require approval from utility providers and review from the BPU.

Ms. Roth then summarized the Dual-Use Solar Act's prohibition on areas where dual use projects may be sited. The Solar Act prohibits siting in the Pinelands Preservation Area, which is a designation in the Pinelands Protection Act and is not equivalent to the Pinelands Preservation Area District, the Pinelands Forest Area, freshwater wetlands, coastal wetlands, land preserved through Green Acres, forested lands and transition areas, and preserved farmland. Commissioner Lohbauer asked if cranberry farms in freshwater wetlands are ineligible, and Ms. Roth confirmed they are not eligible. Ms. Roth said that if a property owner's land is in one of the prohibited areas, they may petition the BPU and the BPU may consider a waiver after consultation with NJDEP, the Department of Agriculture and/or the Pinelands Commission. However, the BPU does not have the authority to waive CMP requirements. ED Grogan said that, ultimately, a large portion of the Pinelands Area is prohibited from applying to the program.

Ms. Roth and ED Grogan explained that under the CMP, solar facilities as a principal use are permitted in the Preservation Area District, Special Agricultural Production Area, and Forest Area only on lands that are closed landfills, hazardous waste sites, or resource extraction sites. Additionally, the CMP permits solar facilities as a principal use in Agricultural Production Areas and Rural Development Areas with additional restrictions such as limits on size and clearing, to avoid areas with prime farmland and high ecological value. Furthermore, solar facilities would not be permitted on lands with Pinelands Development Credit (PDC) severance deed restrictions.

Ms. Roth outlined potential options to help facilitate the dual use solar pilot program in the Pinelands Area. One option is to pursue rulemaking through a CMP amendment. However, due to the length of time required to develop, propose, and adopt a CMP amendment, any rulemaking may not be in effect until after the three-year pilot program has been completed. Ms. Roth said another option is for the Commission to create its own dual-use solar pilot program. This would also require rulemaking, and the Commission would need to develop its own requirements and evaluation criteria. Ms. Roth said a third option would be for the Commission to consider an MOA. However, it is unclear who the agreement would be with, what it would permit, what offset would be sufficient and who would be responsible for providing that offset. Ms. Roth said staff investigated if this program could be part of a state agency plan, however these plans are intended to facilitate state agencies with their own existing and planned development, resource management and development activities in the Pinelands. Additionally, the CMP's state agency plan provisions do not authorize deviations from the requirements of the CMP. Thus, this option does not seem appropriate. Finally, Ms. Roth said the Commission could await the results of BPU's first round of pilot program applications before taking any action.

Chair Matos said the first round of the pilot program could show us if there have been any applications submitted to BPU in the Pinelands Area. ED Grogan recommended waiting to see the applications submitted and selected by BPU before determining how and when to proceed.

Chair Matos agreed getting more information is the best course of action right now and suggested coordinating with the Governor's office. Discussion continued regarding coordinating with the BPU to obtain information.

Commissioner Rittler Sanchez asked if the Commission could do its own research. ED Grogan said we should rely on information gathered by BPU through its statewide pilot program as a starting point.

Commissioner Irick recommended working with the Dean of the Rutgers Cooperative Extension to learn more on agrivoltaics.

Commissioner Avery said he has no interest in doing a Commission pilot program for dual-use solar. Commissioner Avery said he has seen projects in the United Kingdom and is concerned the practice would not preserve the character of the Pinelands. Commissioner Avery asked if dual-use solar projects would be permitted on PDC-severed land. ED Grogan responded no, because the PDC deed restriction would not permit principal use solar projects. Commissioner Avery asked for confirmation that most agricultural activities are exempt under the CMP. ED Grogan confirmed applications are not required for exclusive agricultural uses, such as barns. However, commercial agricultural uses such as processing facilities require application to the Commission. Commissioner Avery asked if these dual-use solar projects would require Pinelands Commission applications and if they are accessory uses. ED Grogan confirmed that dual-use solar projects are principal uses, not accessory uses to farms, and they would require Pinelands Commission applications.

Commissioner Rittler Sanchez asked if the Pinelands Preservation Alliance farm outside the Pinelands Area is eligible. Staff confirmed that site not eligible for a dual use solar facility because it is preserved farmland.

Commissioner Lohbauer said that agrivoltaics can help advance the Governor's clean energy and CO₂ reduction goals. Commissioner Lohbauer expressed concern that taking no action for one year could send the signal the Pinelands Commission is not helping farmers pursue this program. He said that he would like to show farmers that we support this and we will not stand in the way. Commissioner Lohbauer said he has read studies showing that blueberry farms with agrivoltaics had increased production because the plants benefited from the added shade.

Chair Matos said that having the topic discussed at the meeting shows that the Commission is interested. She said that the Commission should not duplicate efforts of the BPU program. Chair Matos said that the Commission should learn the results of the existing BPU program, then work from there.

ED Grogan said staff will continue trying to gather information from BPU and will keep the Commissioners updated.

5. Long Term Economic Monitoring Work Plan

Attachment C to these minutes and posted on the Commission's website at the following address:
<https://www.nj.gov/pinelands/home/presentations/Long%20Term%20Economic%20Monitoring%20Work%20Plan%20-%20June%2027%202025.pdf>

ED Grogan provided a summary of the Fiscal Year (FY) 26 Long Term Economic Monitoring work plan submitted to the National Park Service (NPS). ED Grogan explained that every year

the NPS grants the Commission almost \$300,000 for long-term monitoring programs. She said that approximately half of the funds go to Science Office projects, and the other half goes to economic monitoring projects.

ED Grogan reviewed the status of FY 2025 projects, including economic impacts of climate change on Pinelands Villages and selected Regional Growth Areas, Pinelands Development Credit supply and demand, cultural resources projects such as historic cemetery research, the annual wall calendar, cultural resource maps, updates to the local conformance and zoning system, and the Economy of Parks and Open Space Study. ED Grogan noted that work on these projects could continue through September 2025.

ED Grogan said the FY 26 work plan includes initiating a multi-year project to modernize the Commission's Application Information System. To begin building the application system, staff will perform a needs assessment. Goals for the application system include generating documents, incorporating data into interactive maps and creating a public facing component. The project will be carried out in-house and is expected to take more than one year to complete. The work plan also includes the annual calendar. The 2026 calendar theme is water. ED Grogan said she is excited about the projects and said that the work plan has been submitted to the NPS.

Chair Matos thanked ED Grogan. Commissioner Rittler Sanchez asked if the application information system update will require any hardware updates. ED Grogan said they have not looked at that yet; however staff are currently working on server updates. Commissioner Rittler Sanchez asked about the success of the 2025 wall calendar. Paul Leakan, Communications Officer, says people from around the country have contacted him to request a copy of the calendar.

6. Public Comment

Heidi Yeh of the Pinelands Preservation Alliance, thanked the Commissioners for the discussion focused on the Dual-Use solar Program. Ms. Yeh commented that federal funding tax credits may limit funding available for solar projects. She also expressed concern that the program is limited to active farms, which can prohibit new farmers from participating. She said she would like to see the P&I Committee discuss artificial turf. She stated the Interagency Council on Climate Resilience NJ Resilience Action Plan on Extreme Heat, does not mention artificial turf. She referenced recent temperatures of 100+ degrees, noting that it resulted in 16 hospitalizations and 100 treatments onsite at a graduation held on turf in Paterson, NJ. She said that an NJDEP memo states that artificial turf is as hot or hotter than asphalt. Ms. Yeh shared that the Pinelands Preservation Alliance will hold a webinar focusing on artificial turf at 12 p.m. on July 23, 2025. Ms. Yeh said she wondered if the Commission had considered using AI technology for its data system update.

Chair Matos closed public comment.

Commissioner Lohbauer clarified that the study that showed successful blueberry production on a farm using agrivoltaics was located in Maine and he would like to share the study with the Commissioners.

7. Adjournment

There being no other business, Commissioner Lohbauer moved to adjourn the meeting. Commissioner Irick seconded the motion. All voted in favor. The meeting was adjourned at 11:00 a.m.

Certified as true and correct:

A handwritten signature in black ink, appearing to read "Amber Mallm", written over a horizontal line.

Amber Mallm
Planning Specialist

Date: July 16, 2025