

Disclaimer

These minutes reflect the actions taken by the Commission during its April 10, 2026 meeting. Although these minutes have been approved by the Commission, no action authorized by the Commission during this meeting, as reflected in these minutes, shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of these minutes has been delivered to the Governor for review, unless prior to expiration of the review period the governor approves same, in which case the action shall become effective upon such approval. These minutes were delivered to the Governor on April 16, 2026.

PINELANDS COMMISSION MEETING

MINUTES
April 10, 2026

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=6sNmcQ3pJiM>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Deborah Buzby-Cope, Jerome H. Irick, Mark Lohbauer, Gaetano Matro, Mark Mauriello, Jonathan Meade, William Pikolycky, Jessica Rittler Sanchez, Ryck Signor, and Douglas Wallner. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Azeem Chaudry.

Commissioners Absent

Theresa Lettman & Laura E. Matos.

Call to Order

Vice Chair Avery called the meeting to order at 9:30 a.m.

DAG Stypinski read the Open Public Meetings Act Statement (OPMA).

Executive Director (ED) Grogan called the roll and announced the presence of a quorum. Twelve Commissioners participated in the meeting. Commissioner Meade joined the meeting late.

The Commission pledged allegiance to the Flag.

Minutes

Vice Chair Avery presented the minutes from the Commission's March 13, 2026 meeting. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Matro seconded the motion.

The minutes from the March 13, 2026 Commission meeting were adopted by a vote of 11 to 0.

Committee Reports

Vice Chair Avery provided an update on three Committee meetings:

- The Personnel & Budget Committee met on March 17, 2026. The Committee adopted the minutes from its August 19, 2025 meeting. Staff reviewed financial updates, including check registers, electronic disbursements, and application fees and provided a summary of recent employee actions. The Committee approved the deletion of fixed assets. Finally, the Committee went into closed session to discuss bids received for the Fenwick Manor Rehabilitation Project and the Executive Director's recommendation. A resolution authorizing the Executive Director to execute a contract with the selected contractor will be on the April 10, 2026 Commission meeting agenda.
- The Audit Committee met on March 20, 2026 and reviewed the FY2022 Audit report issued by the State Auditor. The Committee discussed the two findings in the report. Staff provided details regarding the planned implementation of corrective actions in response to the two findings. Committee members provided several suggestions to prepare for future audits.
- The Policy and Implementation (P&I) February 27, 2026 meeting. The Committee received a presentation on Pinelands Conservation Fund stewardship monitoring. Staff summarized their findings after visiting five PCF funded sites this winter. They noted that these sites are some of the earliest PCF funded sites and that the sites are in good condition. The Committee also heard a presentation on AI Data Center Development and the Pinelands Regulatory Context. The presentation covered background information on AI data centers, emerging trends, and summarized the Commission's regulations that would apply to municipal zoning for data centers and standards for any development application for an AI data center. The Committee discussed other potential strategies or issues related to data center development in the Pinelands Area.

Executive Director's Report

ED Grogan provided information on the following matters:

- On today's agenda is a resolution to award the contract for the Fenwick Manor rehabilitation project so the actual work that we have been discussing for the last few years can finally get underway.

- The Science office recently submitted a grant proposal to the National Fish and Wildlife Foundation, entitled: Research, monitoring and decision tools for reptiles of greatest conservation need. The research will focus on the following species: box turtles, pine snakes and – for the first time – timber rattlesnakes related to their surface area activity during specific time periods. The data will assist the Regulatory Programs office when reviewing applications for enduro events and forestry activities, as well as providing guidance on vegetation management and prescribed burning. The Science Office is also working on another grant proposal to the Environmental Protection Agency related to the 300-foot buffer to wetlands and if the buffer provides enough protection to wetlands species.
- Two new employees, a Business Assistant and an Environmental Specialist, will begin on Monday, April 13th and will be introduced at the May Commission meeting.
- Approximately 10 years ago, the Commission approved a compelling public need waiver for the construction of a stormwater basin in the Pinelands Forest Area of Stafford Township. Grant funding has finally become available and the project will be proceeding. As part of the compelling public need waiver, an offsetting measure is required. The applicant, in this case Stafford Township, had the option of purchasing and redeeming Pinelands Development Credits (PDCs), preserving land in the Pinelands Area or providing a monetary contribution to the Pinelands Conservation Fund (PCF). The Township will be providing the required monetary contribution shortly.

Chuck Horner, Director of Regulatory Programs, provided information on the following regulatory matters:

- On March 16th, staff met with consultants for the Winzinger organization to discuss threatened and endangered species information. The applicant is proposing to mine four areas, totaling 75 acres, of its Woodland Township property.
- On March 25th, staff met with representatives of Maurice River Township, which is proposing to develop a solar energy facility on its closed but uncapped landfill. Staff provided details about the type of cap that would be necessary, either impermeable or permeable, and shared information related to threatened and endangered species. The solar facility developer advised the Commission that land clearing must commence by June 1, 2026.
- Staff recently issued a letter to an applicant who converted a farm market into a restaurant without application to the Commission. A copy of the letter was shared with Commissioners at the beginning of the meeting. The restaurant, Sweet Amalia, is located in Franklin Township, Gloucester County. A stone patio providing expanded outdoor seating, was also constructed without application. In 2023, Commission staff held a pre-application meeting with the applicant. At that meeting, staff advised that having a restaurant on a small lot is challenging due to the Pinelands Comprehensive Management Plan (CMP) septic dilution standard. The CMP requires that all development served by an

on-site septic system meet the groundwater quality standard of two-parts per million nitrogen. The applicant is proposing to gain additional acreage by purchasing an adjacent parcel that contains an ice cream stand that is no longer in use. The Commission has asked for information to determine the wastewater flows that pre-existed adoption of the CMP in order to determine that the current use won't worsen the groundwater quality. The matter is resolvable with the installation of an alternate design wastewater system, which treats the wastewater; however, the system is expensive to install.

Commissioner Avery asked which Pinelands Management Area the restaurant is in.

Director Horner said the parcel is located in a Pinelands Rural Development Area.

Commissioner Mauriello asked about the Township's position on the application and if permits were issued.

Director Horner said the Township is requiring an application and there is a long history dating back to 2015.

April Field, Chief Permit Administrator, providing the following update:

- At the March Commission meeting, staff shared information related to the chemical treatment of three ponds in Waterford Township to eradicate an invasive fish species, the northern snakehead. Since then, the New Jersey Department of Environmental Protection (NJDEP) revised their application to include two additional ponded areas upstream. On March 18, 2026, Commission staff indicated to NJDEP, Pesticide Control Program, that the proposed chemical treatment of the additional 5.44 acres of ponded areas did not raise any issues with regard to Pinelands regulations and the NJDEP could issue the permit.

Ms. Field shared two CMP related regulations that staff sometimes contend with during the application review process:

Ms. Field explained that any building used exclusively for agriculture does not require an application to the Commission. She said staff spend a great deal of time clarifying what type of development requires an application as it relates to agriculture. She said the establishment of any agricultural products processing facility use on the parcel or within existing or proposed buildings requires completion of an application with the Commission. She said this provision of the CMP comes up often when reviewing an application or inquiry related to cannabis.

Ms. Field said the CMP has a provision that provides that the reconstruction of a single family dwelling within five years of demolition does not require application to the Commission. Once that timeframe has passed, any proposed dwelling on a parcel must meet all current land use, zoning and environmental standards. She said in February 2017, an application for the demolition of an existing dwelling, 50 years old or older, was completed with the Commission and a Certificate of Filing was issued. Sometime between 2017-2018, the dwelling was demolished. In January 2026, an application was submitted proposing the development of a single family dwelling served by a septic system on the 0.25-acre (11,000 square feet) lot. Since

the dwelling was not reconstructed within five years of the demolition of the previously existing dwelling, a new application is required.

She said the CMP requires that single family dwellings served by onsite septic systems be located on lots of at least 1.0 acre. Additionally, septic systems must be located at least 300 feet from wetlands. The proposed development of a dwelling on the lot does not meet the minimum environmental standards to qualify for a Waiver. If a Waiver application is filed and approved by the Commission, the relief granted would be an allocation of PDCs.

Gina Berg, Director of Land Use Programs, provided an update on the following:

- The Department of Agriculture has established a Woodland Easement Purchase program similar to its Farmland Easement Purchase program. Commission staff will participate in the stakeholder process as the new formula is developed to preserve woodlands. The current statewide formula for evaluating farmland easements is based on the special formula developed many years ago for farms in the Pinelands Area. It was largely based on the value of PDCs.
- Staff continue to create a work plan for use of the National Park Service funding for the upcoming federal fiscal year, starting October 1st. The plan will include modernization of an application review system and continuation of long-term environmental monitoring.
- The state's Interagency Council on Climate Resilience sent out a survey to its members seeking input on the future direction of the Council.
- The April 24th P&I Committee meeting agenda will include Monroe Township's Hightop Redevelopment Plan and a presentation on NJDEP's Resilient Environments and Landscapes (REAL) rules related to wetlands permitting in the Pinelands Area.

Commissioner Mauriello said that Senator Bob Smith who chairs the Senate Environmental Committee, is holding a hearing on Earth Day, where a panel of experts will provide testimony on the REAL rules. He also noted Senator Scutari's February 2026 resolution seeking a determination that the REAL rules are inconsistent with legislative intent.

Stacey Roth, Chief, Legal and Legislative Affairs reminded Commissioners that it is time to file Financial Disclosure Statements. She said the deadline to file is May 15, 2026.

Brad Lanute, Chief Planner, provided the following update:

- The Land Use Programs office has been reviewing a number of affordable housing ordinances. Approximately 36 ordinances were submitted in the last month. This aligns with the March 15th deadline for New Jersey municipalities to adopt implementing ordinances of their affordable housing plans. Many of these have been reviewed and found to raise no substantial issue, as noted in this month's memo. Staff anticipates that some will require review and approval by the full Commission, such as the Monroe

Township redevelopment plan that will be going before the P&I Committee later this month.

- Commission staff continued to evaluate materials submitted by Jackson Township in response to concerns identified with the affordable housing sites included in the Township's Housing Element and Fair Share Plan that are located in the Pinelands Area. On March 23, 2026, staff issued a letter to the Township addressing the four affordable housing sites within the Pinelands Area. The letter specifically requested additional information be submitted regarding infrastructure capacity and availability for the sites located in the Regional Growth Area.

Paul Leakan, Communications Officer, said staff is working on the Pinelands Summer Short course, which is scheduled for Friday, July 17th at Kramer Hall in downtown Hammonton. There will be approximately 10 classroom programs and around five field trips.

Commissioner Rittler Sanchez suggested a course on tick identification and prevention.

Public Development Projects and Other Permit Matters

Vice Chair Avery introduced a resolution to approve four public development applications.

Commissioner Pikolycky made a motion Approving With Conditions Applications for Public Development (Application Numbers 1989-0466.016, 1990-1174.012, 2001-0236.004 & 2006-0265.003) (See Resolution # PC4-26-06). Commissioner Mauriello seconded the motion.

The resolution was adopted by a vote of 11 to 0.

Director Horner provided a quick overview of the development applications that the Commissioners voted on. He said Monroe Township is expanding a street hockey rink within an existing municipal park. The NJDEP is demolishing a restroom building and constructing a new restroom at a campground within Belleplain State Forest. Stafford Township is constructing a 49-space paved parking lot within an existing municipal park. He said Monroe Township is constructing an amphitheater and paved parking lot in an existing municipal park.

Commissioner Rittler Sanchez requested that all future public development reports include the change in or amount of impervious cover.

Vice Chair Avery introduced a resolution to approve one public development application.

Commissioner Pikolycky made a motion Approving With Conditions an Application for Public Development (Application Number 1985-0202.008) (See Resolution # PC4-26-07). Commissioner Lohbauer seconded the motion.

Director Horner said the Hamilton Township Board of Education is proposing a building addition to an existing school and an after-the-fact application for a playground that was built

without application to the Commission. The application also includes the removal of a playground expansion that was constructed without application to the Commission.

Commissioner Rittler Sanchez asked for confirmation that there is no artificial turf proposed with this application. She said the Public Development report mentions an irrigation well.

Director Horner said no artificial turf is proposed as part of this application. He said a separate application has been filed with the Commission for the irrigation well.

The resolution was adopted by a vote of 11 to 0.

Commissioner Meade joined the meeting.

Public Comment on Development Applications and Items Where the Record is Open

Director Horner described the two applications. He said a sewer extension is proposed at the New Lisbon Development Center. He said the other application is proposing to pave an existing gravel parking lot at Shawnee High School in Medford.

No one from the public provided comment.

Ordinances Not Requiring Commission Action

Chief Planner Lanute said the majority of ordinances that did not raise a substantial issue are related to affordable housing implementing ordinances.

Other Resolutions

Vice Chair Avery introduced a resolution to accept the Fiscal Year 2022 Audit Report.

Commissioner Lohbauer made a motion To Accept the Fiscal Year 2022 Audit Report (See Resolution # PC4-26-08). Commissioner Pikolycky seconded the motion.

ED Grogan said the FY2022 audit took a long time to complete. The report includes two findings. The first finding is related to internal controls over financial reporting. The second finding is lack of formal written policies for security and data risk assessment related to the Commission's accounting software.

She said staff prepared a letter to the State Auditor that outlined the corrective actions. She provided an update on the staff's progress in completing these actions. A Request for Quotation has been posted for a new accounting firm that will produce specific financial records in preparation for the next audit and ensure internal controls are being followed. A new Business Assistant has been hired to help with the Business Office's workload, which should provide the Business Manager with more time to focus on audit matters. In response to the second finding, staff have already prepared and posted the Commission's internal formal written policies for user

access policy, risk assessment, security plan and segregation of duties related to the Edmunds Accounting System.

ED Grogan said the Commission will be in a better place when the State Auditor contacts the Commission about beginning the FY2023 Audit.

The resolution was adopted by a vote of 12 to 0.

Vice Chair Avery introduced a resolution to award a contract for the Fenwick Manor Rehabilitation project.

Commissioner Lohbauer made a motion To Authorize the Executive Director to Enter into a Contract for Construction Services for the Historic Fenwick Manor Rehabilitation Project (See Resolution # PC4-26-09). Commissioner Rittler Sanchez seconded the motion.

Marc Paalvast, Cultural Resource Specialist, said the Fenwick Manor project includes two main components: foundation stabilization and exterior renovations. The two front chimneys are sinking and have caused significant cracks in the surrounding walls. He said in 2004, during the last major renovation of Fenwick Manor, the HVAC system was trenched in the crawl space of the building. Some of those trenches were dug too close to the foundation of the chimneys. Ultimately, this caused slow erosion and no support for the chimneys, which has led to the sinking. In order to stabilize the chimney, the contractor plans to excavate soil from underneath the foundations in sections and then fill those sections with concrete. A helical pile method will be used to provide structural support. He noted that during the excavation, there is a requirement for an archaeological monitor to be present. He said he will be handling this task. During the excavation, the soils from under the chimney will be evaluated using a shaker screen. Any artifacts that may be discovered will be reported to the historic trust. He said the mortar surrounding the brick and stone foundations will also be repaired. He then provided the detail of the exterior improvements, most notably the removal of peeling paint and preparing the building for fresh paint. The drainage plan will feed water away from the building into two newly constructed dry wells.

Mr. Paalvast reviewed the funds allocated to the project. The Hawley Bros. bid came in slightly under budget, which provides contingency funds of approximately \$200,000. Connolly & Hickey submitted our permit application to the Department of Community Affairs in March. The staff expects to execute the contract in early May. The notice to proceed will be provided shortly after that. According to the bid, the contractor has estimated to complete the work within 150 days of the notice to proceed, which brings us to around October when we expect that staff can move back into Fenwick Manor. See attached presentations slides.

ED Grogan noted that although the permit with the DCA has been filed, we don't know when it will be issued and that could cause a delay. The Commission is waiting to find out how much the permit fee will be.

Commissioner Pikolycky asked why the Commission is paying a permit fee. He said we should request a waiver. He said municipalities requests waivers all the time.

ED Grogan noted that the Commission has had to pay permit fees in the past but staff will look into the possibility of a waiver.

Commissioner Irick asked if there will be any regrading around Fenwick Manor.

ED Grogan said we will ask the design consultants.

Vice Chair Avery asked for assurance that any allowances in the bid will be approved by the Executive Director. ED Grogan said that will definitely be made clear in the contract.

The resolution was adopted by a vote of 12 to 0.

General Public Comment

Edward Pappas, owner of Sweet Amalia in Franklin Township, explained the difficulties and challenges that his small business has faced trying to navigate through the Commission's application process. He said he believes he has found both an interim and long-term solution in order for the restaurant to continue business. He would like the opportunity to meet with staff (see attached written comments).

Melissa McGrath, chef and owner of Sweet Amalia Kitchen in Franklin Township, shared the significance of the local South Jersey oyster industry. She said she understands the importance of the rules but the process has been convoluted and has had a negative effect on the restaurant's customers, employees, and finances. She also requested the opportunity to meet with Commission staff and find a path forward (see attached written comments).

Heidi Yeh of the Pinelands Alliance said the issue with Sweet Amalia Kitchen is a miscommunication. She said a number of changes occurred over the last three years and the details have not been available. She said the Commission is understaffed and the Legislature should prioritize the Commission by providing additional funding. She said the Commission should focus on a more egregious violation in Franklin Township in which the property owner clear cut 15 acres.

Resolution to retire in Closed Session

DAG Stypinski read the closed session resolution. Commission Lohbauer made a motion to enter closed session. Commissioner Buzby-Cope seconded the motion. All were in favor. The Commission entered closed session at 10:53 a.m.

Return to Open Session

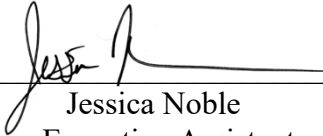
Ms. Roth said that during closed session, the Commission was briefed on a litigation matter and the costs associated with the litigation. No action was taken during closed session.

Director Horner said April Field spoke with the owners of Sweet Amalia. They will be in contact with their consultants to request that they provide the necessary substantive information and then we will hold a meeting.

Adjournment

Commissioner Pikolycky moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 11:40 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: April 16, 2026