

Disclaimer

These minutes reflect the actions taken by the Commission during its October 10, 2025 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 October 20, 2025.

PINELANDS COMMISSION MEETING

MINUTES
October 10, 2025

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=irLLf-Jd3uI>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Mark Lohbauer, Gaetano Matro, William Pikolycky, Jessica Rittler Sanchez, Ryck Signor, Douglas Wallner and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Michael Eleneski.

Commissioners Absent

Deborah Buzby-Cope, Jerome H. Irick, Theresa Lettman, Mark Mauriello and Jonathan Meade

Call to Order

Chair Matos called the meeting to order at 9:31 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. Nine Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's September 12, 2025 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes from the September 12, 2025 Commission meeting were adopted by a vote of 9 to 0.

Committee Reports

Commissioner Avery provided a summary of the September 26, 2025 Policy and Implementation Committee meeting:

The Committee approved the minutes of the August 29, 2025 meeting.

The Committee received an overview of the Commission's response to public comments received for Rule Package #1. Staff did not recommend any changes to the language of the rule proposal and provided the anticipated schedule for adoption. The Committee voted in favor of recommending to the full Commission the adoption of Rule Package #1 without changes.

Research Scientist Christian Jeitner presented a summary of the Pinelands Long-Term Water Level Monitoring Program.

Lastly, the Committee received an update on the status of municipal housing elements and fair share plans for the 4th round affordable housing process.

Executive Director's Report

ED Grogan provided information on the following matters:

- The Fenwick Manor Rehabilitation project is slightly behind schedule. The design consultants were onsite in late September, taking additional measurements for the final design plan. The New Jersey Historic Trust completed its reviews of four contractors that submitted pre-qualification packets. All four contractors were approved.
- As mentioned at the September Commission meeting, staff is finalizing a Transition Report that the Governor's Authorities Unit has requested. The report will detail high-impact projects and key priorities that the Commission is working on.

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

- On September 15th, staff issued a Certificate of Filing (CF) for the development of a 652,000 square foot Amazon warehouse in Hamilton Township at the former Atlantic

City Race Track. The applicant will be proceeding to the Hamilton Township Planning Board for consideration.

- On September 17th, staff met with Egg Harbor City representatives, including the Mayor, regarding a number of matters: a stalled residential development known as Egg Harbor North Residential Development and capping of a closed landfill with the potential for a solar energy facility to be placed on that capped landfill.
- Staff had a discussion with the Maurice River Township Mayor, who is interested in developing a solar facility on its closed but uncapped landfill.

April Field, Chief Permitting Officer, provided the following two updates:

- Staff issued a letter in late September to the owner of a large property in Evesham Township advising that the wetlands line had been accurately delineated. In July, the property owner indicated that they plan to permanently preserve the parcel. The letter will facilitate the appraisal process.
- The applicant's attorney for a large residential subdivision in Pemberton Township, advised staff that Green Acres may make an offer on the parcel later this month. The application has a long history at the Commission. Staff issued a CF in 2005 for the development of approximately 500 dwelling units. Seven substantial issues need to be resolved for the application to move forward. Staff will be meeting with the applicant on November 6th.
- The New Jersey Department of Environmental Protection (NJDEP) discovered an invasive fish species in a Pinelands lake, known as the snakehead. Staff met with the NJDEP and discussed potential elimination of the species.

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

- At the October P&I Committee meeting, NJDEP's Green Acres staff and the Division of Science Research staff will provide details on how it reviews and evaluates artificial turf. The Committee will meet in closed session to hear about the one proposal that the Commission received seeking grant money from the Pinelands Conservation Fund.
- At the November Commission meeting, staff will provide an update on the Septic Pilot Program.
- Staff held a kickoff meeting for a multi-year project funded by the National Park Service (NPS) grant to develop a new application information system.

Stacey Roth, Chief, Legal and Legislative Affairs, provided the following updates:

- Oral Argument for the Clayton Sand Company's appeal of the Kirkwood-Cohansey rules is scheduled for October 29th. A livestream of the proceedings will be available.

- Annual ethics training must be completed before November 14, 2025. The training modules have been updated to include cannabis rather than having to complete a separate training.

Brad Lanute, Chief Planner, said staff recently released an enhanced internal zoning system that replaces a system dating back to the 1990s. The Commission tracks 600 different zones in the Pinelands Area. The Information System office upgraded the database and modernized the user interface. A public facing version of the system is expected to be released in the spring of 2026. The new zoning system was partially funded by the Commission's NPS grant.

Paul Leakan, Communications Officer, provided the following three updates:

- The World Water Monitoring Challenge is scheduled for October 24th at Batsto Lake. Approximately 150 students will be participating in this year's event.
- Preparation of the 2026 Pinelands wall calendar is underway and funded by the NPS. This year's theme is water. The calendar will be available for free in early December.
- The Commission hosted an outdoor painting session on October 2nd. The session was led by Amber Mallm, a Commission Planning Specialist and painting enthusiast (see attached photos from the event).

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution recommending the approval of three Public Development applications.

Commissioner Lohbauer made a motion Approving With Conditions Applications for Public Development (Application Numbers 1989-0573.012, 1985-0087.008 & 2001-0084.005) (See Resolution # PC4-25-29). Commissioner Pikolycky seconded the motion.

Director Horner said when the original meeting agenda was sent out, it included four public development applications. He said the Lenape Regional School District requested that its application for expansion of the artificial turf surface at Shawnee High School be deferred until the November Commission meeting.

Mr. Horner then described why an amended report was issued for the Town of Hammonton's public development application. He said the original public development report was issued on September 19th. He said some Commissioners may recall the application to apply herbicide on Hammonton Lake. As part of that application, conservation areas were designated to protect three Threatened & Endangered (T&E) aquatic plants in the Lake. Hammonton was also required to provide the Commission with a T&E aquatic plant species survey in the fall of 2025, after herbiciding treatment had been completed. He said this was required to gauge the effectiveness and impacts of the herbicide application on the lake and T&E plants. He said the survey was submitted on September 26, 2025 and identified a fourth T&E aquatic plant. He said the aquatic

plant was found in the vicinity of some of the proposed development, including two docks, a stone path leading those docks and a living shoreline. He said Hammonton has revised its plan to remove the two docks, the path and the living shoreline from its current application. Staff issued an amended public development report on October 8, 2025 that reflects the plan revisions.

Mr. Ernest Deman, Environmental Specialist, said Hammonton is proposing recreational improvements that include the replacement of a playground and pavilion, the construction of a maintenance building, two docks in Hammonton Lake, and a restroom building at the existing Hammonton Lake Park. He said the application also proposes the paving of 2,700 linear feet of an existing internal dirt circulation road to its existing width of fifteen feet, paving of 124 existing dirt parking spaces and a new paved parking lot containing 17 spaces. A paved bicycle path is also proposed. He said there are wetlands on the parcel and the proposed development will not be any closer to wetlands than the existing development. The site plan and aerial were displayed (see attached).

Commissioner Rittler Sanchez asked about the 15 proposed stormwater infiltration basins.

Mr. Deman said the basins are small in size and spread throughout the parcel outside of wetlands and wetland buffers and can only be seen on the grading plan. He confirmed that the applicant has met the CMP's stormwater maintenance requirements.

Mr. Deman said the next application proposes a 46-space parking lot at the Alder Avenue Middle School in Egg Harbor Township. He said Egg Harbor Township Board of Education indicated that they do not have adequate parking for their staff. An aerial was displayed, and a red outline depicted where the proposed parking lot and stormwater basin will be constructed.

Commissioner Rittler Sanchez asked who determines the need for parking at schools. She said the parking lot will add a lot of impervious coverage.

ED Grogan said parking requirements associated with private development are addressed in the municipal ordinance. She said most likely in this instance the school board determined the need.

Mr. Deman said the last application is for a two-lot subdivision in Galloway Township and no additional development. He said there is an existing senior center and recycling facility on the site, and the two-lot subdivision will place each use on its own lot. The senior center is serviced by sewer.

The resolution was adopted by a vote of 9 to 0.

Planning Matters

Chair Matos introduced a resolution for the adoption of Amendments to the Comprehensive Management Plan (CMP).

Commissioner Rittler Sanchez made a motion To Adopt Amendments to the Comprehensive Management Plan in Accordance with the Administrative Procedure Act (Fees; Certificates of

Filing; Waivers of Strict Compliance; Land Capability Map; Regional Growth Areas; Pinelands Development Credits)(See Resolution # PC4-25-30). Commissioner Wallner seconded the motion.

ED Grogan said the rule proposal was published in the New Jersey Register on June 16th. She said almost 500 public comments were received over the 60-day comment period, and 99% of the comments were in support of the rule proposal. The majority of the comments encouraged the Commission to move forward with the amendments. She said the rule proposal will redesignate a Rural Development Area to a Forest Area, necessitating a change to the Commission's Land Capability Map. She said there was some confusion about the redesignation. She said some comments centered around the protection of Black Run Preserve. She said the rules will lower the intensity of permitted development on lands surrounding the Black Run Preserve. The public comments are addressed in the adoption notice

ED Grogan said there were very few comments about the other parts of the rule proposal. The amendments will now allow a fee to be assessed for an application involving resolution of an identified violation. She said fees will increase for non-PDC Letters of Interpretations and for Waivers of Strict Compliance applications. The rule proposal will also assign an expiration date to very old Waivers. A one-year grace period will begin on the date of the rule adoption. She reminded Commissioners that any Waiver application approved today expires in five years. Certificates of Filing (CF) are completeness documents, not approvals, and are issued when a private development application has been filed and deemed complete. She said by adding an expiration date to CFs, the process will be much clearer. She said the applicant has to secure one local approval during the five-year period, or the CF will expire. ED Grogan reviewed the comments associated with expirations of documents. She noted that in August the Commission notified 1,600 applicants via email and regular mail that their CF's would be expiring.

She noted that the Commission did not receive many comments on the clarification and codification of how municipalities zone their Regional Growth Areas and the use of Pinelands Development Credits. She said as the rule is currently proposed, it formally acknowledges that municipalities have the ability to design their zoning plans to accommodate affordable housing requirements by exempting affordable units from the redemption of PDCs and shifting them to market rate units or non-residential development. This flexibility has always been available to municipalities but now the rules will explicitly state it.

One public comment received suggested the Commission should require municipalities to exempt all projects with an affordable housing component from PDC requirements. ED Grogan said the Pinelands Protection Act states that the Commission cannot use affordable housing as a reason to approve a municipal master plan or development application.

Lastly, ED Grogan said changes have not been made to the rule proposal. She said the minutes involving adoption of CMP amendments are subject to a 30-day review period rather than the usual 10-day review by the Governor. The effective date of the rule is tentatively January 5, 2026, at which point implementation of the rule will begin. Link to presentation slides: [https://www.nj.gov/pinelands/home/presentations/October%2010%202025%20Rule%20Package%201%20Response%20to%20Comments%20\(final\).pdf](https://www.nj.gov/pinelands/home/presentations/October%2010%202025%20Rule%20Package%201%20Response%20to%20Comments%20(final).pdf)

The resolution was adopted by a vote of 9 to 0.

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

No one from the public provided comment.

Ordinances Not Requiring Commission Action

Chief Planner Lanute said the Land Use Programs staff reviewed five ordinance that did not raise a substantial issue. He said Pinelands municipalities continue to adjust their cannabis ordinances. He said the Manchester Township ordinance that was reviewed amended a redevelopment plan to permit data centers. He said that specific redevelopment plan has a non-residential PDC requirement.

Commissioner Rittler Sanchez asked how many municipalities have included data centers in their redevelopment plans.

Mr. Lanute said he believes the Commission has only reviewed two redevelopment plans where data centers have been a permitted use.

Commissioner Rittler Sanchez asked if staff reviewed the water use associated with the data center, including the status of the watershed its located in.

Mr. Lanute said the review of the environmental standards for a data center would be triggered when an application is submitted to the Regulatory Programs office.

ED Grogan said staff is aware of the concerns with the potential impacts of data centers and will be exploring the issue more this year.

Permanent Land Protection Annual Update

Amber Mallm, Planning Specialist, provided the highlights of permanently protected land in the Pinelands Area for Fiscal Year (FY) 2025. She said more land was protected in FY2025 than in FY2024, mostly due to a very large PDC severance in the Special Agricultural Production Area. The Pine Island Cranberry Company deed restricted over 3,900 acres. A total of 5,367 acres were permanently protected in the Pinelands Area through a number of different state, county and non-governmental programs. As seen in years past, the Preservation Area District, which is the most environmentally sensitive Pinelands Management Area, has the greatest amount of protected lands.

Link to presentation slides:

<https://www.nj.gov/pinelands/home/presentations/FY%202025%20PLP%20Annual%20Update.pdf>

Commissioner Avery asked if the Limited Practical Use Program is still active.

ED Grogan said the Limited Practical Use (LPU) program is land acquisition program that afforded properties owners in the Pinelands Area with very small properties and limited development potential to have their properties acquired by the Green Acres program at NJDEP. She said both federal and state funding was established for this program, and it was very active in the 1990s. She said it's been many years since a waiver denial occurred, which is what is necessary to qualify for the LPU program. She said staff will reach out to NJDEP and inquire how much funding is still available.

Pinelands Development Credit Bank Annual Update

ED Grogan said the PDC Bank is separate from the Pinelands Commission and is actually part of the Department of Banking and Insurance (DOBI), however Commission staff have been administering the daily functions of the Bank for the past 14 years. Staff is working on a legislative change to formally move the PDC Bank to the Commission. At the end of every August, the Bank is required to release an annual report. This year's report was distributed to the Bank's board, Commissioners, land appraisers and other interested parties.

She said the number of PDC Letters of Interpretation were down in FY2025 compared to FY2024 but the number of PDCs allocated in FY2025 was much greater. Also in 2025, there were a greater number of severances, which occurs when a property owner places a deed restriction on their property. The increase in severances during FY 2025 led to an increase in permanently protected land. A total of 62,382 acres have been preserved through the PDC program. The sales price per right increased by almost \$4,000 in FY2025 compared to the previous fiscal year. She said holders of PDC certificates also redeemed more certificates in FY2025. She reviewed the types of development for which PDCs were redeemed. Lastly, she explained the analysis staff has conducted to determine how many PDCs are available, how many potentially could become available and the projects that are required to redeem PDCs, referred to as the demand.

Link to the presentation slides:

https://www.nj.gov/pinelands/home/presentations/2025%20PDC%20Bank%20Annual%20Report_Final.pdf

General Public Comment

Dr. Amy Golden of Voorhees, NJ, said she has been working on land preservation efforts at the Black Run Preserve for over a decade. She said today's adoption of CMP amendments is a monumental step that will protect vital habitat and called it a watershed moment. She thanked staff and Commissioners for addressing the concerns of the public and dedication in moving the rule proposal forward.

Connie Wagner of Voorhees, NJ, said she has learned a lot by attending the Commission meetings through the educational presentations and the Commission's own processes. She thanked the Commission for its willingness to listen and hear from communities in and outside

of the Black Run watershed. She wished the Commission success with the next steps in the amendment process.

Marianne Risley of ARH Associates thanked the Commission on behalf of the Town of Hammonton. She said the Hammonton Lake Park project was a big endeavor, and working with Director Horner and Mr. Deman provided a successful outcome.

Jason Howell of the Pinelands Preservation Alliance said the public appreciates the protection of the Black Run headwaters. He inquired about whether the current municipal zoning or the CMP would be applied, should an application come into the Commission after the CMP amendments go into effect.

ED Grogan said municipalities have one year to incorporate CMP amendments. She said many factors are considered when applying the new rules. For example, reasons can include whether there is in existing application and can depend on the stage of the process that the applicant may be in. She noted that Evesham Township does have a year to change their zoning but doesn't think it will take the full year.

Mr. Howell asked if the public can be kept apprised of how to watch or attend the Kirkwood-Cohansey lawsuit proceedings.

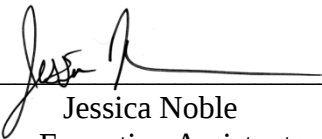
Ms. Roth said she would share the livestream information but noted that the court room is small and may not be open to the public.

Adjournment

Commissioner Avery said it is imperative to eradicate the snakehead population in the Pinelands.

Commissioner Pikolycky moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 11:22 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: October 20, 2025

**Plein Air Paint Along Program
October 2, 2025**









