



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23- 43

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1995-1214.010)

Commissioner Lohbauer moves and Commissioner Irick seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Acting Executive Director that the following application for Public Development be approved with conditions:

1995-1214.010

Applicant:	Stafford Township
Municipality:	Stafford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	November 18, 2022
Proposed Development:	Proposed improvements to an existing municipal sanitary sewer pump station.

WHEREAS, a two-lot subdivision of original 57.26-acre Block 44.61, Lot 24 occurred in 1993 without application to, and approval by, the Commission; and

WHEREAS, the two-lot subdivision created 56.85-acre Lot 24 and 0.41-acre Lot 24.02; and

WHEREAS, the two-lot subdivision that occurred in 1993 constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

WHEREAS, the existing sanitary sewer pump station is located on 0.41 acre Lot 24.02; and

WHEREAS, the applicant proposes to resolve this violation by including the two-lot subdivision in the current application for the proposed improvements to the sanitary sewer pump station; and

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Acting Executive Director's recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Acting 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 Acting 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 1995-1214.010 for public development is hereby **approved** subject to the conditions recommended by the Acting Executive Director.

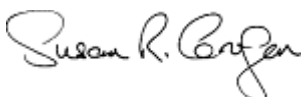
Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery			X		Lloyd	X				Pikolycky	X			
Christy	X				Lohbauer	X				Wallner	X			
Holroyd	X				Mauriello			X		Matos			X	
Irick	X				McCurry	X								
Lettman	X				Meade	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 9, 2022



Susan R. Grogan
Acting Executive Director



William Pikolycky
Acting Chair



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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

November 18, 2022

Matthew von der Hayden (via email)
Stafford Township
260 East Bay Ave.
Manahawkin, NJ 08050

Re: Application # 1995-1214.010
Block 44.61, Lots 24 & 24.02
Stafford Township

Dear Mr. von der Hayden:

The Commission staff has completed its review of this application for proposed improvements to an existing municipal sanitary sewer pump station. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its December 9, 2022 meeting.

A two lot subdivision of original 57.26 acre Block 44.61, Lot 24 occurred in 1993 without application to the Commission. That subdivision created 56.85 acre Lot 24 and 0.41 acre Lot 24.02. Subdivision of a parcel prior to the completion of an application with the Pinelands Commission constitutes a violation of the application requirements of the Stafford Township land use ordinance and the Pinelands Comprehensive Management Plan. To resolve this violation, the current application also proposes the two lot subdivision that occurred in 1993.

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 Acting 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, Stafford Township Planning Board (via email)
- Stafford Township Construction Code Official (via email)
- Stafford Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Alan Dittenhofer (via email)



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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Acting Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 18, 2022

Matthew von der Hayden (via email)
 Stafford Township
 260 East Bay Ave.
 Manahawkin, NJ 08050

Application No.: 1995-1214.010
 Block 44.61, Lots 24 & 24.02
 Stafford Township

This application proposes improvements to an existing municipal sanitary sewer pump station located on 0.41 acre Block 44.61, Lot 24.02 in Stafford Township.

A two lot subdivision of original 57.26 acre Block 44.61, Lot 24 occurred in 1993 without application to the Commission. That subdivision created 56.85 acre Lot 24 and 0.41 acre Lot 24.02. Subdivision of a parcel prior to the completion of an application with the Pinelands Commission constitutes a violation of the application requirements of the Stafford Township land use ordinance and the Pinelands Comprehensive Management Plan. To resolve this violation, this application also proposes the two lot subdivision that occurred in 1993.

On June 4, 1993, the Commission approved the installation of 88,300 linear feet of sanitary sewer mains and the construction of four sanitary sewer pump stations in Stafford Township (App. No. 1987-0652.004). App. No. 1987-0652.0004 included the sanitary sewer pump station subject of the current application. The current application proposes to install a twelve foot diameter valve vault and a twelve foot diameter wet well and reconfigure the existing paved driveway and parking area at the existing sanitary sewer pump station.

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 above referenced parcel is located within a Pinelands Regional Growth Area. The proposed development is a permitted land use in a Pinelands Regional Growth Area.

Wetlands Standards (N.J.A.C. 7:50-6.7)

There are wetlands located within 300 feet of the existing sanitary sewer pump station. The proposed improvements to the existing sanitary sewer pump station will be located approximately 280 feet from wetlands. There is an existing road and single family dwellings located between the proposed development and the wetlands. Based upon the location of this existing development, the applicant has demonstrated that the proposed development will not result in a significant adverse impact to wetlands.

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

The proposed development will be located primarily within an existing developed and grassed area, and partially in a forested area. Approximately 390 square feet of pine-oak forest will be cleared to accommodate the proposed development. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed 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.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. This application was designated as complete on the Commission’s website on October 31, 2022. The Commission’s public comment period closed on November 9, 2022. 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 24 sheets, prepared by Remington & Vernick Engineers and dated as follows:
 - Sheet 1 – July 12, 2022; last revised November 15, 2022
 - Sheets 2-19, 23 & 24 – July 12, 2022
 - Sheets 20 & 22 – August 22, 2022
 - Sheet 21 – August 23, 2022; last revised November 15, 2022
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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Acting Executive Director

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

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 by the Commission's office no later than 5:00 PM on December 6, 2022 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. PC4-22- 44

TITLE: Scheduling Regular Pinelands Commission Meeting Dates for 2023

**Commissioner Lloyd moves and Commissioner Lohbauer
seconds the motion that:**

WHEREAS, the Open Public Meetings Act requires that the Pinelands Commission establish an annual schedule of regular meetings prior to January 10th of each year; and

WHEREAS, the Pinelands Commission will use the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education in New Lisbon, Pemberton Township, as the regular site for its meetings; and

WHEREAS, any meeting to be held at a location other than the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised accordingly in accordance with the requirements of the Open Public Meetings Act; and

WHEREAS, the public can attend all regular Commission meetings in person or livestream these meetings through the Commission's YouTube channel. Public comment can be provided in person or by dialing the phone number and entering the code displayed on the meeting agenda and the YouTube screen during each meeting. An agenda will be posted on the Commission's website at www.nj.gov/pinelands/ in advance of each meeting; and

WHEREAS, pursuant to N.J.S.A. 13:18A-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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission shall conduct its meetings on the following dates in 2023, beginning at the specified time, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

Friday, January 13, 2023 (9:30 a.m.)
Friday, February 10, 2023 (9:30 a.m.)
Friday, March 10, 2023 (9:30 a.m.)
Friday, April 14, 2023 (9:30 a.m.)
Friday, May 12, 2023 (9:30 a.m.)
Friday, June 9, 2023 (9:30 a.m.)

Friday, July 14, 2023 (9:30 a.m.)
Friday, August 11, 2023 (9:30 a.m.)
Friday, September 8, 2023 (9:30 a.m.)
Friday, October 13, 2023 (9:30 a.m.)
Thursday, November 9, 2023 (9:30 a.m.)
Friday, December 8, 2023 (9:30 a.m.)

BE IT FURTHER RESOLVED that the Acting Executive Director is directed to publish notice of this schedule in the Commission's official newspapers, file copies of the schedule with the Secretary of State of the State of New Jersey and Pinelands county and municipal clerks, post a copy of the notice in the Commission's offices and post the annual schedule on the Commission's website (www.nj.gov/pinelands).

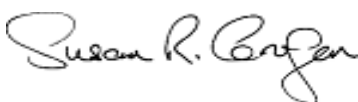
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	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery			X		Lloyd	X				Pikolycky	X			
Christy	X				Lohbauer	X				Wallner	X			
Holroyd	X				Mauriello			X		Matos			X	
Irick	X				McCurry	X								
Lettman	X				Meade	X								

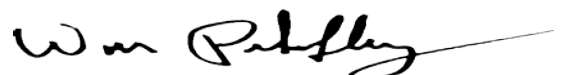
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 9, 2022



Susan R. Grogan
Acting Executive Director



William Pikolycky
Acting Chair