



# ***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-23- 40**

**TITLE:** **Approving** With Conditions Applications for **Public Development** (Application Numbers 1981-0390.003, 1997-0045.014 & 2023-0043.001)

Commissioner Lohbauer moves and Commissioner Avery seconds the motion that:

**WHEREAS**, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

**1981-0390.003**

**Applicant:** **Ocean County Vocational Technical School**  
**Municipality:** Jackson Township  
**Management Area:** Pinelands Rural Development Area  
**Date of Report:** October 19, 2023  
**Proposed Development:** Construction of a 20,138 square foot school building;

**1997-0045.014**

**Applicant:** **Lenape Regional High School District**  
**Municipality:** Tabernacle Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** October 16, 2023  
**Proposed Development:** Construction of six tennis courts at the Seneca High School; and

**2023-0043.001**

**Applicant:** **Town of Hammonton**  
**Municipality:** Town of Hammonton  
**Management Area:** Pinelands Town  
**Date of Report:** October 16, 2023  
**Proposed Development:** Installation of 6,780 linear feet of 14-inch potable water main within the Twelfth Street, Chew Road, First Road and Second Road rights-of-way.

**WHEREAS**, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

**WHEREAS**, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

**WHEREAS**, the Pinelands Commission hereby determines that each of the proposed public developments conform 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 Numbers 1981-0390.003, 1997-0045.014 & 2023-0043.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

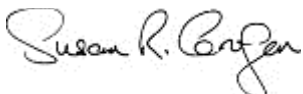
**Record of Commission Votes**

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

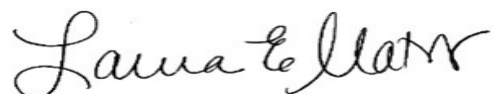
\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 9, 2023



Susan R. Grogan  
Executive Director



Laura E. Matos  
Chair



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PHILIP D. MURPHY  
Governor  
TAHESHA L. WAY  
Lt. Governor

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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Kara L. Huber, Business Administrator & Board Secretary (via email)  
Lenape Regional High School District  
93 Willow Grove Road  
Shamong NJ 08088

Re: Application # 1997-0045.014  
Block 401, Lot 12.05  
Tabernacle Township

Dear Ms. Huber:

The Commission staff has completed its review of this application for the construction of six tennis courts at the Seneca High School. 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 November 9, 2023 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,

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

Enc: Appeal Procedure

c: Secretary, Tabernacle Township Planning Board (via email)  
Tabernacle Township Construction Code Official (via email)  
Tabernacle Township Environmental Commission (via email)  
Secretary, Burlington County Planning Board (via email)  
Joseph Gray, PE (via email)



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Kara L. Huber, Business Administrator & Board Secretary (via email)  
Lenape Regional High School District  
93 Willow Grove Road  
Shamong NJ 08088

Application No.: 1997-0045.014  
Block 401, Lot 12.05  
Tabernacle Township

This application proposes the construction of six tennis courts on the above referenced 38.92 acre parcel in Tabernacle Township. The Seneca High School is located on the parcel.

The Commission previously approved the construction of the Seneca High School, including the construction of six tennis courts. The applicant proposes to remove the existing tennis courts and construct six new tennis courts in a different location. The applicant has indicated that the area of the existing tennis courts will be revegetated.

### **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 proposed development is located in a Pinelands Regional Growth Area. Institutional uses, including accessory athletic facilities, are a permitted land use in a Pinelands Regional Growth Area.

#### **Wetlands Standards (N.J.A.C. 7:50-6.6)**

There are wetlands located on the parcel. The proposed tennis courts will be located at least 300 feet from wetlands.

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

The proposed development will be located within an existing maintained grassed area. The proposed 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.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. The existing tennis courts have an impervious surface area of 48,378 square feet. The proposed tennis courts will have an impervious surface area of 46,029 square feet. The proposed development will result in a net decrease in impervious surfaces of 2,349 square feet. There will be no increase in the volume of stormwater run-off from the project area after development than occurred prior to the proposed development.

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

A cultural resource survey was previously completed on the parcel for the construction of the Seneca High School. That survey confirmed the presence of five potentially significant cultural resource sites on the parcel. All of the resource sites were located within the required buffer to wetlands. The area of the proposed tennis courts contains no evidence of cultural resources. Based upon the previous completion of a cultural resource survey for the construction of the Seneca High School, a cultural resource survey was not required for the current application.

**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 August 23, 2023. Newspaper public notice was completed on August 30, 2023. The application was designated as complete on the Commission's website on September 1, 2023. The Commission's public comment period closed on October 13, 2023. 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 seven sheets, prepared by CME Associates, all sheets dated June 29, 2023.
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.



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
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 by the Commission's office no later than 5:00 PM on November 3, 2023 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.



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Stephen DiDonato, Mayor (via email)  
Town of Hammonton  
100 Central Ave.  
Hammonton NJ 08037

Re: Application # 2023-0043.001  
Twelfth Street, Chew Road, First Road and Second Road rights-of-way  
Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application for the installation of 6,780 linear feet of potable water main within the Twelfth Street, Chew Road, First Road and Second Road rights-of-way. 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 November 9, 2023 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,

for Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Town of Hammonton Planning Board (via email)  
Town of Hammonton Construction Code Official (via email)  
Town of Hammonton Environmental Commission (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Marianne Risley (via email)





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LAURA E. MATOS  
Chair  
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Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Stephen DiDonato, Mayor (via email)  
Town of Hammonton  
100 Central Ave.  
Hammonton NJ 08037

Application No.: 2023-0043.001  
Twelfth Street, Chew Road, First Road and Second Road rights-of-way  
Town of Hammonton

This application proposes the installation of 6,780 linear feet of a 14-inch potable water main within the Twelfth Street, Chew Road, First Road and Second Road rights-of-way located in the Town of Hammonton.

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. 7:50-5.27)

The proposed development is located in the Pinelands Town of Hammonton. The proposed development is a permitted use in a Pinelands Town.

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

The proposed water main will be located under existing paved surfaces.

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

## **PUBLIC COMMENT**

The applicant has provided the requisite public notice. Newspaper public notice was completed on October 3, 2023. The application was designated as complete on the Commission's website on October

3, 2023. The Commission's public comment period closed on October 13, 2023. 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 nine sheets, prepared by Adams, Rehmann & Heggan Associates, Inc. and dated as follows:

Sheet 1 - September 2023

Sheets 2-9 - September 28, 2023

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. 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.



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LAURA E. MATOS  
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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 by the Commission's office no later than 5:00 PM on November 3, 2023 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.



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 19, 2023

Frank J. Frazee, Business Administrator/Board Secretary (via email)  
Ocean County Vocational Technical School  
137 Bey Lea Road  
Toms River NJ 08753

Re: Application # 1981-0390.003  
Block 18401, Lot 4  
Jackson Township

Dear Mr. Frazee:

The Commission staff has completed its review of this application for the construction of a 20,138 square foot school building. 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 November 9, 2023 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, Jackson Township Planning Board (via email)  
Jackson Township Construction Code Official (via email)  
Jackson Township Environmental Commission (via email)  
Secretary, Ocean County Planning Board (via email)  
Ocean County Health Department (via email)  
Millis Looney (via email)



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 19, 2023

Frank J. Frazee, Business Administrator/Board Secretary (via email)  
Ocean County Vocational Technical School  
137 Bey Lea Road  
Toms River NJ 08753

Application No.: 1981-0390.003  
Block 18401, Lot 4  
Jackson Township

This application proposes the construction of a 20,138 square foot school building located on the above referenced 150 acre parcel in Jackson Township. The Ocean County Vocational Technical School and the Manchester Regional Day School are located on the parcel.

The applicant has indicated that the proposed building will contain additional classrooms for the Ocean County Vocational Technical School.

### **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. 7:50-5.26(b)11)**

The proposed development is located in a Pinelands Rural Development Area. Institutional uses, such as schools, are a permitted land use in a Pinelands Rural Development Area.

#### **Wetlands Standards (N.J.A.C. 7:50-6.6)**

There are wetlands located on the parcel. The CMP requires a buffer of up to 300 feet to wetlands. All development, including clearing and land disturbance, will be located at least 300 feet from wetlands.

The parcel is located within the Toms River Corridor as designated in a 'Regional Natural Resource Protection Plan' prepared by the Toms River Corridor Task Force. The Regional Natural Resource Protection Plan, implemented by Jackson Township's land use ordinance (Section 244-101), provides for special wetlands protection measures. These special measures include a mandatory 300 foot buffer to wetlands and an additional 300 foot buffer to wetlands that are located along the main stem of the Toms River and the Ridgeway Branch of the Toms River. When combined, these requirements result in the

need for development to maintain a 600 foot buffer to wetlands. The proposed development is located within 600 feet of wetlands associated with the main stem of the Ridgeway Branch of the Toms River.

Portions of the proposed development will be located within the additional 300 foot buffer to wetlands required to the main stem of the Ridgeway Branch of the Toms River. The Township land use ordinance (Section 244-101(E)4c) provides a limited number of exceptions from this additional 300 foot buffer to wetlands. One of these exceptions is the expansion of an existing nonresidential building, provided clearing of trees and vegetation does not exceed 20,000 square feet. The proposed development will result in the clearing of 19,340 square feet of trees and vegetation and therefore qualifies for the exception.

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

The proposed development will be located within an existing forested and maintained grassed area. The proposed development will result in the clearing of 19,340 square feet of trees and vegetation. The proposed vegetation 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.

#### Water Quality Standard (N.J.A.C. 7:50-6.83)

The existing and proposed development is and will be serviced by two on-site septic systems. The proposed development will increase the maximum capacity at the Ocean County Vocational School from 269 students and staff to 275 students and staff. The Manchester Regional Day School, also located on the parcel, has a maximum capacity of 74 students and staff. The applicant has demonstrated that the existing and proposed development on the 150 acre parcel will not exceed the CMP two parts per million groundwater quality (septic dilution) standard.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing two stormwater retention basins.

#### Scenic Standards (N.J.A.C. 7:50-6.104)

In a Rural Development Area, the CMP designates all public paved roads as scenic corridors. The CMP and the Township land use ordinance require that all buildings be set back at least 200 feet from the center line of a scenic corridor. The CMP and Township land use ordinance further provide that if compliance with the 200 foot setback is constrained by environmental considerations, such as wetlands or providing the required buffer to wetlands, the building shall be set back as close to 200 feet as practical and shall be landscaped to provide screening from any public paved road.

Due to constraints on the proposed development imposed by maintaining the required 300 foot buffer to wetlands and the additional 300 foot buffer to wetlands, the proposed school building will be located 75 feet from the centerline of Toms River Road, a paved public road. There is an existing forested area on

the parcel of varying width, averaging approximately 50 feet wide, located between Toms River Road and the proposed school building. This existing forested area effectively provides landscape screening from Toms River Road and therefore must remain in perpetuity. There is an existing approximately 30 foot wide gap in the existing forested area located between Toms River Road and the proposed school building. A condition has been included in this Report to require planting of trees in that 30 foot wide gap to provide additional screening from the scenic corridor.

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

The Commission staff reviewed the application for evidence of significant cultural resources on the parcel. Based upon the lack of potential for significant cultural resources within the proposed development area, 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 April 12, 2023. Newspaper public notice was completed on April 14, 2023. The application was designated as complete on the Commission's website on October 2, 2023. The Commission's public comment period closed on October 13, 2023. 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 Colliers Engineering & Design, all sheets dated December 22, 2022 and last revised September 8, 2023.
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.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.
6. The existing forested area located between Toms River Road and the proposed school addition must remain in perpetuity to provide screening from the scenic corridor in accordance with scenic setback standards.
7. To address the existing approximately 30 foot wide gap in the existing forested area located between Toms River Road (scenic corridor) and the proposed school, a minimum of 15 native Pinelands trees shall be planted to provide screening from the scenic corridor. The trees shall be planted a maximum of ten feet apart.

**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.





## State of New Jersey

THE PINELANDS COMMISSION

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LAURA E. MATOS  
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SUSAN R. GROGAN  
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 by the Commission's office no later than 5:00 PM on November 6, 2023 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. PC4-23- 41

**TITLE:** **Approving** With Conditions an Application for **Public Development** (Application Number 1989-0089.013)

Commissioner Pikolycky moves and Commissioner Lohbauer 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:

**1989-0089.013**

<b>Applicant:</b>	<b>Hamilton Township Board of Education</b>
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 16, 2023
Proposed Development:	Installation of a 105 foot deep irrigation well at the existing George Hess elementary school.

**WHEREAS**, an irrigation well was installed on the parcel without application to, and approval by, the Commission constituting a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

**WHEREAS**, the applicant proposes to address this violation by completing this application; and

**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 1989-0089.013 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*
Asselta	X				Lettman	X				Wallner	X			
Avery	X				Lohbauer	X				Matos	X			
Christy	X				Mauriello	X								
Holroyd			X		Meade	X								
Irick			X		Pikolycky	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 9, 2023

Susan R. Grogan  
Executive Director

Laura E. Matos  
Chair



# State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
Lt. Governor

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Carol Bowen (via email)  
Hamilton Township Board of Education  
1876 Dr. Dennis Forman Drive  
Mays Landing NJ 08330

Re: Application # 1989-0089.013  
Block 995, Lot 1.01  
Hamilton Township

Dear Ms. Bowen:

The Commission staff has completed its review of this application for installation of an irrigation well at the existing George Hess elementary school. 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 November 9, 2023 meeting.

**The irrigation well was installed on the parcel without application to the Commission. The installation of the irrigation well constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address the violation.**

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,

for Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure  
c: Secretary, Hamilton Township Planning Board (via email)  
Hamilton Township Construction Code Official (via email)  
Atlantic County Department of Regional Planning and Development (via email)



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Carol Bowen (via email)  
Hamilton Township Board of Education  
1876 Dr. Dennis Forman Drive  
Mays Landing NJ 08330

Application No.: 1989-0089.013  
Block 995, Lot 1.01  
Hamilton Township

This application proposes installation of a 105 foot deep irrigation well at the existing George Hess elementary school located on the above referenced 48.6 acre parcel in Hamilton Township.

The irrigation well was installed on the parcel without application to the Commission. The installation of the irrigation well constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). Completion of this application is intended to address the violation.

### **STANDARDS**

The Commission staff has reviewed the proposed development for consistency with all standards of the 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 in a Pinelands Regional Growth Area. An irrigation well to service the existing school is a permitted accessory use in a Pinelands Regional Growth Area.

#### **Wetlands Standards (N.J.A.C. 7:50-6.6)**

There are wetlands located on the above referenced parcel. The proposed irrigation well is located at least 300 feet from wetlands.

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

The proposed irrigation well is located within an existing maintained grass athletic field. The proposed soil disturbance was limited to that which is necessary to accommodate the proposed development.

### Water Management Standards (N.J.A.C. 7:50-6.86)

The proposed irrigation well will utilize the Kirkwood-Cohansey aquifer. The CMP currently requires that a proposed irrigation well of more than 100,000 gallons per day that utilizes the Kirkwood Cohansey aquifer must address possible alternative water supply sources and potential adverse ecological impact.

The proposed irrigation well will be utilized on a seasonal basis. The applicant has indicated that the irrigation well will have a maximum withdrawal of 832,500 gallons per month (equivalent to 26,855 gallons per day) and 5,827,500 gallons per year (equivalent to 15,966 gallons per day).

The proposed irrigation well will not result in a water supply diversion of more than 100,000 gallons per day from the Kirkwood-Cohansey aquifer. Therefore, it is not subject to the current CMP standards for use of the Kirkwood-Cohansey aquifer. The proposed irrigation well is consistent with the CMP water management standards.

### PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on October 3, 2023. The Commission’s public comment period closed on October 13, 2023. 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 sketch submitted on October 3, 2023.
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.



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Lt. Governor

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
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 by the Commission's office no later than 5:00 PM on November 3, 2023. 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. PC4-23- 42**

**TITLE:** **Approving** With Conditions an Application for **Public Development** (Application Number 1988-1286.002)

Commissioner Lohbauer moves and Commissioner Asselta 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:

**1988-1286.002**

<b>Applicant:</b>	<b>Hammonton Board of Education</b>
Municipality:	Town of Hammonton
Management Area:	Pinelands Town
Date of Report:	October 16, 2023
Proposed Development:	Construction of a 10,563 square foot addition to an existing school and 73 parking spaces.

**WHEREAS**, on August 11, 2000 the Commission approved the construction of a 25,050 square foot addition to an existing school and a 42 space parking lot on the parcel;

**WHEREAS**, instead of the construction of the 25,050 square foot addition to the existing school and a 42 space parking lot, the applicant constructed a 35,613 square foot addition to the existing school and a 115 space parking lot on the parcel;

**WHEREAS**, construction of the additional 10,563 square foot addition to the existing school and the 73 additional parking spaces prior to the completion of an application to, and approval by, the Commission constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

**WHEREAS**, the applicant proposes to address this violation by completing this application; and

**WHEREAS**, no request for a hearing before the Office of Administrative Law regarding 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 1988-1286.002 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*
Asselta	X				Lettman	X				Wallner	X			
Avery	X				Lohbauer	X				Matos	X			
Christy	X				Mauriello	X								
Holroyd		X			Meade	X								
Irick		X			Pikolycky	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 9, 2023



Susan R. Grogan  
Executive Director



Laura E. Matos  
Chair





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PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
Lt. Governor

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

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Barbara Prettyman, School Business Administrator (via email)  
Hammonton Board of Education  
566 Old Forks Road  
Hammonton NJ 08037

Re: Application # 1988-1286.002  
Block 2301, Lot 64  
Town of Hammonton

Dear Ms. Prettyman:

The Commission staff has completed its review of this application for the construction of a 10,563 square foot addition to an existing school and 73 parking spaces. 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 November 9, 2023 meeting.

**On August 11, 2000, the Commission approved the construction of a 25,050 square foot addition to an existing school and a 42 space parking lot on the parcel. Instead of the Commission approved development, a 35,613 square foot addition and a 115 space parking lot were constructed on the parcel. The construction of the additional 10,563 square foot school addition and 73 additional parking spaces prior to the completion of an application with the Commission constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan.**

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,

for Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Town of Hammonton Planning Board (via email)  
Town of Hammonton Construction Code Official (via email)  
Town of Hammonton Environmental Commission (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Marianne Risley (via email)



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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Barbara Prettyman, School Business Administrator (via email)  
Hammonton Board of Education  
566 Old Forks Road  
Hammonton NJ 08037

Application No.: 1988-1286.002  
Block 2301, Lot 64  
Town of Hammonton

On August 11, 2000, the Commission approved the construction of a 25,050 square foot addition to an existing school and a 42 space parking lot on the above referenced 28.62 acre parcel in the Town of Hammonton. Instead of the development approved by the Commission, a 35,613 square foot school addition and a 115 space parking lot were constructed on the parcel.

The construction of the additional 10,563 square foot school addition and the 73 additional parking spaces constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan (CMP). The completion of this application is intended to address the violation.

### **STANDARDS**

The Commission staff has reviewed the proposed development for consistency with all standards of the CMP. The following reviews the CMP standards that are relevant to this application:

#### **Land Use (N.J.A.C. 7:50-5.27)**

The parcel is located in the Pinelands Town of Hammonton. The proposed development is a permitted land use in a Pinelands Town.

#### **Wetlands Standards (N.J.A.C. 7:50-6.14)**

There are wetlands located on the parcel. As part of the application previously approved by the Commission, it was demonstrated that the proposed development would not result in a significant adverse impact on wetlands if all proposed development on the parcel maintained a 175 foot buffer to wetlands. The development proposed in this application will be located at least 175 feet from wetlands.

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

The proposed development will be located within an existing maintained grassed area. The proposed 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.

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant proposes to construct six new small-scale stormwater infiltration basins. In addition, the applicant proposes to increase the volume of stormwater being retained on the parcel by raising the elevation of an outlet structure in an existing stormwater basin on the parcel that was constructed for the development approved by the Commission on August 11, 2000.

Air Quality Standards (N.J.A.C. 7:50-6.94)

The CMP requires that all nonresidential development in a Pinelands Town proposing more than 100 parking spaces must demonstrate consistency with New Jersey Department of Environmental Protection Air Quality ambient air quality standards (N.J.A.C. 7:27 et. seq.) for carbon monoxide at sensitive receptors. In combination, the 42 parking spaces approved by the Commission on August 11, 2000 and the 73 parking spaces proposed in the current application result in a total of 115 parking spaces. The applicant has submitted information demonstrating that the proposed development is consistent with the air quality standards contained in the CMP.

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

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

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on June 29, 2023. Newspaper public notice was completed on July 6, 2023. The application was designated as complete on the Commission's website on September 18, 2023. The Commission's public comment period closed on October 13, 2023. 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 nine sheets, prepared by Adams, Rehmann & Heggan Associates, Inc., all sheets dated June 30, 2023 and last revised August 18, 2023.
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.
5. All development, including clearing and land disturbance, shall be located at least 175 feet from wetlands.

### **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.



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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
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 by the Commission's office no later than 5:00 PM on November 3, 2023 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.