

Pinelands Commission Proposed CMP Amendments

September 2016

Updated July 2017

Application Fees

- ~~Double fees for applications involving violations to reflect increased review time and effort~~
- Add specific fees for general development plans
- Reduce fees for solar energy facilities
- Eliminate need for applicants to submit sworn statements of construction cost estimates
- Increase most fees by ~~50%~~ 25%
- Update escrow provisions to include facilities, services and other “unusual expenditures” related to an application

Procedures and Exemptions

- Eliminate requirement that towns/applicants submit names and addresses of people who “actively participate” on applications at Planning Board meetings
- Clarify exemption for prescribed burning to include linear clearing of vegetation not to exceed 6 feet in width
- ~~Eliminate utility distribution line exemption~~

Definitions and Procedures

- Change the definition of “interested person” to “interested party” and clarify who has the right to formally participate in the Commission’s decision-making processes
- Decisions of the ED are considered rendered three days after mailing. Clarify that such decisions may be emailed and that we don’t count the day the decision is mailed when computing the three day period.

Notice and Mailing Procedures

- Define “mail” to include “email”
- Eliminate certified mailing requirements for the Commission and towns
- ~~Eliminate requirement for the Commission and applicants to publish notices in the newspaper (rely on website and email)~~
- Eliminate requirement for applicants to post notices on properties
- Require the Commission to post notices on its website

Waivers

- ~~Establish an expiration date for “old” extraordinary hardship waivers (1981-March 1992)~~
- ~~Notify affected applicants of pending expiration and their options~~
- Shift responsibility for providing notice of public hearings on compelling public need waivers from applicants to the Commission

Landfills

Clarify the circumstances under which municipalities will not need to install impermeable caps on their closed landfills

- ~~• No significant public health risk from plume, determined by DEP~~
- A plume exists, but poses no significant ecological risk to wetlands

Alternate Design Wastewater Systems

- “Graduate” the FAST technology from the septic pilot program and allow for residential use on 1.4 acre lots without further monitoring
- Rely on DEP septic management requirements
- Allow alternate design systems to be used for the expansion of or changes to existing nonresidential uses in the RDA, APA FA and infill areas

Signs

- Delegate regulation of on-site signs to the municipalities (delete CMP standards)
- Give municipalities the ability to determine whether and where on-site signs using digital technology should be permitted
- Allow existing and new billboards in Regional Growth Areas and Pinelands Towns to use digital technology subject to certain conditions
- Prohibit old, nonconforming billboards in conservation areas from converting to digital technology

Rulemaking Process: Next Steps

- Post the rule proposal on the Commission's website
- File the proposal with OAL for publication in the 9/5/17 NJ Register
- Provide notice to the PMC, municipalities, counties and interested parties
- Advertise and hold a public hearing on 10/4/17
- Accept written comments through 11/4/17
- Prepare an adoption notice for the Commission's consideration