NEW JERSEY PINELANDS COMMISSION

MONTHLY REPORT



A yellow-rumped warbler that was feasting on the berry-like cones of eastern red cedars at Batsto Village in the Pinelands in October

OCTOBER 2026

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee met on October 20, 2026. Staff provided routine financial and personnel updates. The Committee then reviewed and discussed draft Pinelands Commission Personnel Policies, which have not been updated since 2010. The Committee recommended that the Commission adopt the updated policies, with minor corrections and clarifications. Staff provided a brief update on the Fenwick Manor rehabilitation project.
- **Policy & Implementation (P&I) Committee:** The originally scheduled meeting for October 30, 2026, was canceled. The Committee will meet next on November 20, 2026.

1.1B OPEN PUBLIC RECORDS ACT

- A total of 22 Open Public Records Act (OPRA) requests were received in October. Nine were sent responsive material, five were advised to schedule a file review, two were advised that there was no responsive material, three were withdrawn and three will be responded to in November.

1.1C OTHER

- Chair Laura E. Matos and the Executive Director met with new New Jersey Department of Environmental Protection (NJDEP) Commissioner Ed Potosnak and Assistant Commissioner for Watershed and Land Management Jennifer Moriarty on October 16, 2026. The discussion focused on interagency coordination and NJDEP's recent permit dashboard and streamlining initiatives.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LITIGATION

- **Hovsons, Inc. et.al. v. Babbit, et. al., Civil Action No. 00-3943 (MLC/TJB)** – In 2024, Hovsons, Inc. filed a motion with the Federal Court seeking to enforce the terms of the 2004 settlement agreement between Hovsons, the NJDEP and the Commission related to development of the Heritage Minerals tract in Manchester Township. The tract is located in the Pinelands National Reserve, outside the Pinelands Area. Multiple mediation sessions occurred between September 2024 and July 2025. On October 24, 2025, Hovsons submitted a revised concept plan for development of the site and a draft of updated settlement terms. Hovsons submitted the same concept plan to the court as part of its challenge to Manchester Township's Housing Element and Fair Share Plan to satisfy the municipality's fourth round affordable housing obligation. Numerous mediation sessions have been conducted to discuss Hovsons' proposed settlement terms and changes made by NJDEP and the Commission. A meeting among representatives of NJDEP, Hovsons and DR Horton was held on September 15, 2026. Hovsons submitted a revised settlement proposal to NJDEP on October 22, 2026 and it is under review. On October 21, 2026, Commission staff held a pre-application meeting with Hovsons' representatives to discuss an application for the proposed access road from Route 70 called for in the settlement agreement. The access road is located in the Pinelands Area and requires the completion of an application with the Commission.

- **Southampton Twp., N.J., Letter of Interpretation #2256, Block 1903, Lots 40 & 40.01 - OAL Docket No. EPC-17684-2024S** - This is an appeal of a Letter of Interpretation (LOI) regarding a wetlands boundary determination for Block 1903, Lots 40 and 40.01 in Southampton Township. The matter has been placed on the inactive list, pending resolution of the Chancery matter involving Artistic Materials (see below).

- **Artistic Materials, Inc. and Michael J. Finnegan, Southampton Township (App. No. 1997-0010.002**): This litigation involves a parcel in the Pinelands Agricultural Production Area that is subject to a Pinelands Development Credit (PDC) deed restriction. On January 2, 2025, the Attorney General's office filed a complaint in Superior Court on behalf of the Commission and the NJDEP. The two agencies are jointly seeking: (1) declaratory judgement finding that the current industrial and commercial use of the property and wetlands disturbances violate the PDC deed restriction and the CMP; (2) an order enforcing the PDC deed restriction and the CMP, specifically requiring the defendants to immediately cease non-agricultural industrial and commercial activity on the parcel and to restore the property in accordance with the PDC deed restriction and the CMP; (3) an order compelling the defendants to restore wetlands on the parcel in compliance with the Freshwater Wetlands Protection Act and pay civil penalties; and (4) an order compelling the defendants to remove the stockpiled solid waste and properly dispose of it in accordance with the Solid Waste Management Act and pay civil penalties. The discovery process, both written discovery and depositions, in this matter is complete. The trial commenced on September 22 and continued through September 29. The trial dates at the end of September and beginning of October have been adjourned because of the unavailability of the Defendants' wetlands expert. A case management conference was held on October 19, 2026. The trial is set to resume on January 12, 2027. The new trial dates are January 12-15, 2027 and January 26-29, 2027. Additionally, the oral argument on Defendants' motion in limine to exclude certain data has been scheduled for November 19, 2026.

- **Heather Margenau v. Chaz Partners, Inc. at al. - Docket No. L-2901-25** – This case is a Tort Claims Act matter. The Plaintiff alleges they were injured at a spillway located at the Lake Oswego Dam. Plaintiff's claims against the Commission arise out of the Commission's Memorandum of Agreement (MOA) Consistency letter that was issued in accordance with the terms of a 1995 MOA between the Commission and the NJDEP, Division of Parks and Forestry, setting forth a simplified application process for specified activities undertaken by the Division in State Parks and Forests located in the Pinelands Area. A motion for Summary Judgment was filed on behalf of the Pinelands Commission in September. This motion was premised on the fact that the Commission is not legislatively authorized to hold interests in real property and lacked control of the site where the alleged injury occurred. On September 25, 2026, the Court denied the Commission's motion on the grounds that it was premature given discovery had not concluded. The Commission's responses to interrogatories and the Plaintiff's Notice to Produce were filed on October 27, 2026.

- **In the Matter of Application #1987-0276.12 to the Pinelands Commission for a Certificate of Filing by Hexa Builders , LLC – Docket No. A-003527-A:** This matter involves an appeal of a determination by the Executive Director that an amended Certificate of Filing was required for the development of a data center on a parcel in Monroe Township's Regional Growth Area. The applicant had previously obtained a Certificate of Filing for the development of two warehouses on the parcel. The applicant subsequently sought a determination by the Commission staff as to whether an application for an amended Certificate of Filing was required to construct a

1,000,000 sq. ft data center and a 500,000 sq. ft. warehouse instead of the development originally proposed. Staff advised the applicant that an application for an amended Certificate of Filing was required. The applicant subsequently submitted the application and associated $5,000 application fee. The applicant's counsel then submitted a request for an administrative appeal of the determination pursuant to N.J.A.C. 7:50-4.91. This request was denied because the CMP does not afford the right of appeal of a determination by the Executive Director that submission of an application is required. An appeal was filed with the Appellate Division at the end of June. The Appellant also submitted a motion for leave to file an interlocutory appeal on July 14, 2026. The Court issued two decisions on August 31, 2026, the first denying Hexa's motion to file an interlocutory appeal and the second denying Hexa's motion to file a reply brief. Hexa filed a Petition for Certification and a Motion for Leave to File an Interlocutory appeal to the New Jersey Supreme Court on September 21, 2026. The Commission opposition to Hexa's Motion for Leave to File an Interlocutory Appeal was filed on October 1, 2026 and its opposition to Hexa's Notice of Petition for Certification was filed on October 22, 2026.

1.2B LEGISLATION

A summary of legislation specific to the Pinelands Area or Commission is provided below. A summary of other pending legislation pertaining to matters of interest to the Commission attached at the end of the document (Attachment 1).

Pinelands Specific Legislation

Bill No.(s)	Prime Sponsor(s)	Synopsis	Current Status
A4860/**S4118**	Sauickie, Dunn, Sweeney/Bucco, Tiver	"Fairness for School Districts in Development Restricted Areas Act"; provides additional State school aid to certain school districts located in municipalities that are part of Highlands or Pinelands preservation areas	Introduced, 5/4/26, referred to Assembly Education Committee and 5/11/26, referred to Senate Education Committee
S4522	Steinhardt, Tiver	Establishes State school aid category to support certain school districts located in municipalities that are part of Highlands or Pinelands preservation areas	Introduced, 6/26/26, referred to Senate Education Committee
A4994/S936	Rowan, Sauikie, Katz/Testa, Beach	Modifies definition of "aquaculture" throughout State law, including the Pinelands Protection Act, to include construction of facilities and appurtenant structures.	Assembly Bill: Passed by Assembly on 9/24/26; Received in the Senate and Referred to the Senate Environment and Energy Committee on 9/28/26

			Senate Bill: Introduced, Referred to the Senate Environment and Energy Committee on 1/13/26

1.2C INTERGOVERNMENTAL AGREEMENTS

- **Evesham Township**: The Township is proposing a Memorandum of Agreement (MOA) that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black Run Preserve. The MOA would also address a number of outstanding violations in the Preserve, where development was undertaken without application to, or approval by, the Commission. The Executive Director met with Township representatives and the Pinelands Alliance on July 2, 2026 to discuss concerns with grant funding deadlines related to progress on the proposed MOA. Staff then met with representatives from Evesham Township, their engineers and a representative from the New Jersey Conservation Foundation on July 21st. During that meeting, all agreed that to move forward with the MOA process, a wetlands delineation and at least one test pit needed to be done at the parking lot across from the Black Run Preserve on Kettle Run Road. The Township's proposed MOA includes improvement of this parking lot to accommodate accessible parking spaces adjacent to the trailhead for the proposed accessible trail. A joint field visit by Commission staff and municipal consultants was conducted on August 19, 2026. On August 26, 2026, staff met with Evesham Township to discuss the results of the wetlands work and their potential impact on the proposed ADA trail. Staff met with the Township on September 16, 2026 to discuss how and whether the Township wanted to proceed with its ADA trail proposal. The Township advised that it was looking into other options, including resurfacing an existing trail near Borton's Road. Commission staff provided its initial thoughts as to the application requirements for that trail and agreed to provide more detailed information shortly thereafter. On October 5, 2026, Evesham Township submitted a development application for the resurfacing along approximately 3,960 linear feet of an existing trail and parking area in the southern portion of the Black Run Preserve. The proposed improvements are intended to improve ADA accessibility along the trail. On October 14, 2026, the Executive Director and Chief of Legal and Legislative Affairs met with Evesham Township representatives to discuss the application. They advised Evesham Township that the application was under review and, preliminarily, identified potential issues that would need to be addressed as part of this application.

- **South Jersey Transportation Authority (SJTA)**: Future development at the Atlantic City International Airport is the subject of a 2004 MOA between the Commission and SJTA. An amendment to that MOA was executed in 2019. Both the MOA and the 2019 Amendment allow deviations from the CMP's threatened and endangered species protection standards. Additional development is now being proposed in the northwest quadrant of the Airport property, necessitating discussion of another MOA Amendment. SJTA met with the Commission Chair and Executive Director on July 21, 2025, as the first step in consideration of an amendment to the MOA. Upon SJTA's submission of a concept plan and related information about the project, including proposed offsetting measures that might be incorporated in the MOA Amendment, a presentation will be scheduled at a P&I Committee meeting. On October 8, 2025, SJTA advised that it would provide a detailed proposal to the Commission after gathering additional information through a habitat assessment study as part of the Environmental Impact Statement

required by the Federal Aviation Administration (FAA). SJTA submitted a public development application on April 27, 2026 and the required one-third application fee for review of T&E protocols and survey results on May 11, 2026. Staff reviewed the T&E protocol, and, by letter dated July 16, 2026, responded with comments and suggested revisions to ensure the proposed survey work would provide the necessary information. In September, FAA advised the Commission that SJTA has asked it to reconsider the need for an Environmental Impact Statement. As part of that request, the SJTA included a report detailing the threatened and endangered species work that had been conducted on the site. A copy of this report was subsequently submitted to the Commission for its review. Staff sent an incomplete letter to SJTA on October 28, 2026. This letter identified information requested in the staff's July 2026 letter that had not been included in the summary report. Additionally, based on the data included in the report and USDA data for the site, the letter advised that any development proposed within the grassland portion of the project area will impact habitat critical to the survival of local populations of a number of threatened and endangered animal species and would require that SJTA enter into a MOA to authorize a deviation of the CMP's threatened and endangered species standards.

- **Cape May County Municipal Utilities Authority (CMCMUA), Woodbine Borough and the NJ Department of Human Services:** On June 16, 2026, Commission Chair Laura E. Matos and the Executive Director met with CMCMUA Executive Director Joseph Rizzutto and other CMCMUA staff and consultants to discuss the CMCMUA's proposed shared conveyance system. The system would include installation of infrastructure to convey leachate from the Cape May Landfill to the CMCMUA Seven Mile Beach/Middle Regional Wastewater Treatment Facility. Future sanitary sewer flows from Woodbine Borough and the NJ Department of Human Services Woodbine Developmental Center would also be accommodated. A small portion of the project is proposed in the Pinelands Area, with the remainder in the Pinelands National Reserve outside the Pinelands Area. Because the project would involve deviations from CMP standards, an MOA would be necessary. The CMCMUA made presentations on the proposed MOA to the P&I Committee on July 31, 2026 meeting and to the full Commission on September 11, 2026. The Commission then agreed to authorize staff to proceed with the next steps in the MOA process, including working with CMCMUA to draft an agreement. Staff met with CMCMUA Executive Director Joe Rizzuto and Solicitor Howard Long on October 5, 2026 to discuss the scope of the proposed project, the contributions to the project from Woodbine Borough and the Department of Health and Human Services, and whether an escrow would be required before the MOA drafting process commenced. Additionally, staff also continued prior discussions with the CMCMUA Director and its counsel as to an appropriate offset for the deviations from CMP standards that would be authorized through the MOA.

1.3 HUMAN RESOURCES

- **Recruitment:** The Business Services Specialist posting closed in October, and the review of submitted resumes is underway. The Planning Specialist position was posted, and the initial recruitment process is in progress. The MIS Specialist posting has been extended and will now close in December. Recruitment efforts will continue over the coming months to fill all three positions.

- **Employee Benefits:** Open enrollment for health benefits closed on October 31, 2026. New changes will be effective on January 1, 2027.

- **Personnel Policy Manual:** An updated Personnel Policy Manual was prepared by the staff and recommended for approval at the October 20, 2026, P&B Committee meeting. Following the Committee's recommendation, the manual was finalized and is scheduled to be presented to the Commission for approval at the November 2026 meeting.

2 INTERAGENCY COORDINATION

- **Pinelands Native Plant Seed Mix Project**: The working group tasked with development of lists of native Pinelands seed mixes held its second meeting at Pinelands Nursery in Columbus, NJ, on October 8, 2026. The working group includes representation from the Commission, the NJDEP Bureau of Land Management, two native plant nurseries, the New Jersey Department of Agriculture, and the NJ Plant Partnership. Attendees toured Pinelands Nursery and learned about its propagation of native plants and production of seeds. Working group members also discussed the specific mixes that they will work collaboratively to design.

- **Green Acres Listening Session:** Staff attended the Conservation Blueprint Steering Committee and Keep It Green Coalition's Green Acres Listening Session on September 30th in Hamilton, NJ. The event allowed nonprofit conservation organizations and land trusts to learn about Green Acres program updates regarding grant application and state acquisition procedures. Attendees also had the opportunity to discuss current conservation and preservation processes, ask questions, discuss challenges, and collaborate on solutions to advance conservation goals.

- **NJDEP Brownfield Quarterly Roundtable:** On October 29, staff attended the NJDEP Brownfield Quarterly Roundtable. Presentations covered NJDEP's solar siting analysis tool and NJBPU's solar incentive programs. A solar developer also presented an overview of three of its redevelopment projects located on landfills that are in various stages of permitting and construction, two of which are located within the Pinelands Area and have pending applications before the Commission.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	11	155
Drafted or Introduced	8	77

Total[1]	16	178
Substantial Issue Finding[2]	0	6
No Substantial Issue Finding	22	125
No Issue Finding	0	20
Total	22	151
Finding Letters Issued[3]	15	90

Notable Activity:

- **Manchester Township:** Manchester Township has concluded a nearly two-year process of addressing Commission staff's concerns regarding Ordinance 24-40, which was submitted for review in November 2024. The ordinance eliminated townhouse development as a permitted use in a Regional Growth Area zoning district, raising concerns about significant reductions in residential development potential and Pinelands Development Credit (PDC) opportunities within the Township's Regional Growth Area. Following extensive coordination with Commission staff, the Township adopted several ordinances to address these concerns, including the establishment of a new 83-acre affordable housing district that offsets the loss of residential development potential and maintains PDC opportunities. Although the Commission certified the revised zoning in July 2026, Ordinance 24-40 remained pending review until the Township adopted Ordinance 26-44, updating its official zoning map to reflect the changes. On October 14, 2026, the Executive Director determined that Ordinance 26-44 raised no substantial issues with respect to CMP standards, formally concluding the review of Ordinance 24-40.

- **Data Center Ordinances**: As of the end of October, the Commission had reviewed ordinances from fifteen municipalities prohibiting data centers and one municipality enacting a six-month moratorium on data centers and determined that they raised no substantial issue with respect to the standards of the Pinelands CMP and could take effect. This included ordinances from Estell Manor City, Manchester Township, Shamong Township, and Stafford Township that were reviewed during October. Similar ordinances adopted by four additional municipalities, Medford Township, Mullica Township, New Hanover Township, and Plumsted Township are currently pending Commission review. Staff is also aware of similar ordinances introduced by Corbin City and Little Egg Harbor Township, which are pending final adoption.

[1]The total accounts for unique master plans and ordinances received (i.e., it does not double count drafted, introduced, or adopted submissions for the same ordinance).

[2] Ordinances and Master Plans that are found to raise substantial issues with respect to the standards of the CMP require formal review and approval by the full Commission.

[3] A single finding letter can pertain to multiple master plans/ordinances from the same municipality.

3.2 Cultural Resource Activity

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	8	97
Surveys Required	2	7
Surveys Reviewed	0	14
Certificates of Appropriateness Required	0	1

Notable Activity:

- **Fenwick Manor Rehabilitation**: Contractors completed several tasks in October, including repairing the mortar on all of the building's brick chimneys and stone foundations and carpentry repairs on the building's siding and porches. Ongoing rehabilitation efforts include window repair and exterior prep and painting. Next month, we anticipate completion of the roofing and gutters, the reinstallation of the second batch of windows, the removal of the third and final batch of windows, as well as the reconstruction of the floor and framing in the Executive Director's Office and Fenwick Manor Conference Room.



Above: Contractors prepped the exterior of the Fenwick Manor farmhouse in October.

3.3 Pinelands Development Credit (PDC) Program

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated[4]	0.25	20.54
PDCs Severed[5]	0	7.75
Acres Protected	0	252.77
PDCs Extinguished[6]	0	8.50
Acres Protected	0	204.68
PDCs Sold	0.25	30.00
Average Sales Price per PDC	$100,000	$99,450
Average Sales Price per right	$25,000	$24,863
PDCs Redeemed[7]	0.50	25.00

Notable Activity:

- **Allocations:** One Letter of Interpretation was renewed in October allocating 0.25 PDCs to an 18.17 acre parcel in the Preservation Area District of Woodland Township.

- **Redemptions:** In October, PDCs were redeemed for development of single-family detached homes in Chesilhurst Borough's Regional Growth Area and the Pinelands Village of Folsom.

- **Annual Report**: The PDC Bank's FY26 Annual Report was issued on August 17, 2026. Staff made a presentation on the Report at the Commission's October 9, 2026 meeting.

3.4 Special Projects

- **Alternate Design Septic Systems**: Staff joined NJDEP staff for a presentation by the manufacturer of the Amphidrome advanced treatment septic system. The Amphidrome system graduated from the Commission's residential alternate design pilot program and has also been used in non-residential development to meet the groundwater quality standards of the CMP. The presentation offered the opportunity to learn about the system standard design and

[4] **PDC Allocations** are official calculations done by the Commission to determine the number of PDCs to which a parcel of land is entitled. The allocation is identified in a Letter of Interpretation.
[5] **Severance** is the act of formally separating PDCs from a parcel of land. This occurs after recordation of a deed restriction that permanently preserves the parcel and is documented through issuance of one or more PDC Certificates.
[6] PDCs are considered **extinguished** when the State purchases a farmland easement or parcel of land to which PDCs have been allocated by the Commission.
[7] **Redemption** occurs when the owner of one or more PDC Certificates designates them for use in association with a specific development application. The signature of the municipality in which the development project is located is required. Once redeemed, the PDCs cannot be sold or reused.

additional system components necessary for larger wastewater discharges or for non-residential development.

- **Pinelands Infrastructure Trust Fund**: A reminder of the open request for project funding proposals was emailed to local and county agencies and utility authorities serving Regional Growth Areas in the Pinelands Area. The opportunity to submit project funding proposals to the Commission remains open until January 11, 2027.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	3	35
Certificates of Filing	22	215
Public Development Reports	4	27
NJDEP/PC Forestry Application Complete	1	4
PDC Letters of Interpretation	1	16
Non-PDC Letters of Interpretation	0	0
MOA Consistency Determinations	1	40
Review of Agency Determinations	66	588

4.2 NOTABLE APPLICATIONS

- **Change of Use of former manufacturing building to a residential apartment building (115 dwelling units) and the construction of an addition to the building, Hamilton Township (Applicant: Cotton Mill Associates, App. No. 1989-0546.017):**

Property Details

- 4.75-acre parcel
- Regional Growth Area/MC Redevelopment Area
- Serviced by public sanitary sewer

Background

6/7/2023:	Certificate of Filing issued that included conditions necessary to demonstrate the project meets cultural resource protection standards. Cultural resource survey results submitted by the applicant's consultant(s) identified significant cultural resources, including the

	existing Cotton Mill manufacturing building and two archaeological sites. One of the archaeological sites is associated with the Cotton Mill and the other with the previously demolished Baker's Union Hotel. As a result, among other requirements, the Township must issue a Certificate of Appropriateness identifying the appropriate treatment (preservation in place, preservation in another location or recordation) for the identified resources.
6/2023 – 10/2026:	Commission staff participated in meetings, telephone calls and issued ten letters/emails providing additional guidance regarding the information necessary to demonstrate the project meets cultural resource protection standards.

Updates	
9/17/2026:	Applicant submitted an aerial image clarifying a work plan for the proposed development to meet cultural resource protection standards.
10/21/2026:	Commission staff issued a letter indicating that since the 2023 Certificate of Filing will expire in 2028 and the Township must ultimately issue a Certificate of Appropriateness determining the treatment of the identified cultural resources, the applicant should proceed to the Township to seek necessary permits and approvals, including the requisite Certificate of Appropriateness. The letter also provided additional guidance regarding the information necessary for the project to meet cultural resource protection standards.

- **Northwest Quadrant Expansion at Atlantic City International Airport, Egg Harbor, Galloway and Hamilton Townships (Applicant: South Jersey Transportation Authority (SJTA), App. No. 1987-1058.090):**

Property Details

- 470 acre portion (Northwest Quadrant) of Atlantic City Airport parcel
- Military/Federal Installation Area
- Existing 2004 (amended 2019) MOA with SJTA authorizing construction of specific short-term and long-term public development projects at the airport as identified in MOA
- Proposed expansion not covered by existing MOA

Background

3/18/2026:	Applicant paid 1/3 application review fee and submitted threatened and endangered (T&E) species survey protocol for review
7/16/2026:	Staff issued letter providing guidance on submitted T&E survey protocol

Updates	
9/21/2026:	Applicant submitted results of T&E survey for project
10/28/2026:	Staff issued letter requesting additional information as requested in 7/16/2026 letter and advising that based on the T&E survey results, the proposed project will impact habitat critical to the survival of local populations of T&E animal species. Therefore, the project will necessitate

	an MOA with the Commission to authorize a deviation from T&E species protection standards

- **Single Family Dwelling, Medford Township (Applicant: Avila, App. No. 2000-0548.001):**

Property Details

- 1.55-acre parcel
- Rural Development Area
- Requires the purchase and deed restriction of an additional 1.65 acres in the Township's RGD-2 Zoning District to create a combined parcel of at least 3.2 acres in accordance with the Township and Commission's Density Transfer Program
- Waiver of Strict Compliance (Waiver) required from five foot minimum depth to seasonal high water table requirement when using an onsite septic system

Background

5/2026-9/2026:	Applicant and staff exchanged correspondence regarding the information necessary to complete an application for a Waiver

Updates	
9/14/2026:	Applicant submitted information identifying additional noncontiguous acreage in RGD-2 Zoning District to meet 3.2 acre minimum lot size requirement in accordance with Density Transfer Program
10/2/2026:	Staff issued letter advising that the identified noncontiguous acreage was previously subject of a 1993 Stipulation of Settlement and deed restricted as part of a previous Pinelands application for a residential subdivision. As such, staff requested written confirmation from the property owner of the identified noncontiguous acreage acknowledging that by deed restricting the vacant acres for the proposed single family dwelling, the property owner may be impacting the right to construct the eight single family dwellings allowed under the 1993 Stipulation of Settlement.

- **Addition to Existing Building on Sooy Place Road, Woodland Township (Property Owner: Kozak, App. No. 2023-0167.001):**

Property Details

- 1.3-acre parcel
- Pinelands Preservation Area District
- Existing unidentified building on parcel
- Tax information indicates building is "residential"

Background

7/2026- 9/2026:	Staff received reports and inquiries and exchanged correspondence with County Health Department and municipal officials regarding the construction of an addition to an existing unidentified building on the parcel
9/24/2026:	Staff issued a letter to the property owner and agency officials advising the following: • The replacement of an existing septic system does not require application to the Commission; • If the Township determines that the existing building is a single family dwelling, the construction of an addition to the dwelling does not require application to the Commission; and • If the Township determines that the existing building is not a single family dwelling, the proposed addition may require completion of an application to the Commission depending on certain criteria.

Updates	
10/22/2026:	Staff received an inquiry asking for clarification regarding the matter
10/27/2026:	Staff sent an email explaining that the Township retains the regulatory authority to determine whether a building constitutes a single family dwelling. If the Township has determined that the building is a single family dwelling, the construction of an addition to the dwelling would not require application to the Commission.

4.3 OTHER ITEMS OF INTEREST

- **Atlantic White Cedar (AWC) Restoration Workshop:** On October 1, 2026, Regulatory Programs Staff member, Branwen Ellis, attended a workshop with various state agencies (Maryland Forest Service, NJ Forest Service) nonprofit agencies and other forestry professionals to share information regarding AWC restoration. Specifically, the group discussed methodologies used over time, successes and challenges, and lessons learned to inform the evaluation and future direction of AWC restoration. The workshop included a field trip to view successful restoration sites on both public and private lands.

- **Black Run Preserve Pre-Application Meeting (App. No. 1985-0104.016):** On October 21, 2026, Regulatory Programs staff members, April Field and Rhonda Ward, attended a pre-application meeting with Evesham Township and Pinelands Alliance representatives to discuss an application

for the revegetation of two existing cleared areas (approximately 10 acres) in a portion of the former Aerohaven Airport in the Black Run Preserve on Block 57, Lot 1 in Evesham Township. Commission staff advised that a cursory review of the proposal raised issues regarding threatened and endangered species protection standards and the requirements of an existing deed restriction on the parcel. Additionally, Commission staff advised that no application would be deemed complete until all outstanding violations involving the development of trails, parking areas and other structures on the overall Black Run parcel were addressed.

4.4 Off-Road Vehicle Event Approvals

- **Application # 1981-0686.033**
  Ocean County Competition Riders, MC
  Approval Issued: 10/14/2026
  Event Name: Scrub Pine Enduro
  Event Date: October 25, 2026
  Municipality: Manchester Township, Pemberton Township, Woodland Township
  Lands Utilized: Brendan T. Byrne State Forest
  Route Length: 105 miles

- **Application # 1988-0757.077**
  Tri-County Sportsmen Motorcycle Club, Inc.
  Approval Issued: 10/28/2026
  Event Name: 2026 National Dual Sport
  Event Date: October 31, 2026
  Municipality: Corbin City, Dennis Township, Estell Manor City, Maurice River Township, Upper Township, Woodbine Borough
  Lands Utilized: US Silica
  Route Length: 66 miles

5 SCIENCE

5.1 Environmental Monitoring

- **Water Level Monitoring:** With assistance from the Communications Office, staff recorded water levels at 33 forest plots and 30 ponds within the Commission's long-term monitoring network. Twenty of the 30 ponds contained water in October, compared to five in September.

- **Pinelands-wide Water Quality Monitoring:** Science staff measured pH and specific conductance at the 47 stream sites that are monitored in April, June, August, and October of each year. Elevated values above typical Pinelands reference conditions are indicative of degraded water quality from land-use impacts.

- **Rare Snake Monitoring:** In October, the science staff captured, processed, and released 39 adult snakes, including 9 corn snakes, 23 pine snakes, 4 black racers, 2 timber rattlesnakes, and 1 kingsnake. Of these, 18 were new to the monitoring program. As it is too late in the season to surgically implant radio transmitters, four of the pine snakes were outfitted with external transmitters that will allow the team to monitor them throughout hibernation. The four snakes include three new individuals and one that was historically tracked and the transmitter died.



Above: A northern pine snake with a newly attached external transmitter.

- All tracked rattlesnakes spent the early part of October in abandoned cranberry bogs, basking, foraging, and recovering from giving birth. By the end of the month, one individual remained on the dike near the adjacent forest and the rest moved into the adjacent forested wetlands where they will overwinter.

5.2 Long Term Studies

- **Box Turtle Study:** The science team replaced radio transmitters and iButton temperature loggers on all tracked turtles. Seventeen turtles were retired from the study due to their relative isolation from primary focal areas. The three turtles that had been transported to rehab for ear infection treatment were cleared for release and returned to their capture locations. GPS units have been removed from all turtles that had been outfitted with them and staff will begin analyzing the data collected by rechargeable and solar powered units this winter. Turtles are currently moving toward or into dens, in preparation for brumation.



Above: A box turtle, released after transmitter and iButton removal, ponders his retirement after a year of tracking.

- **Snake Fungal Disease (SFD) Monitoring:** Science staff completed end of season swabs from radio-tracked corn and pine snakes and continued to swab new snakes that were found. The swabs will be sent to collaborators at Virginia Tech to better understand the disease.

6 COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 58 inquiries from the public in October, including phone calls, e-mails, and media inquiries.

- **Website**: Commission staff made routine edits to the website in October. Staff has been asked to review the existing website and recommend changes that will be implemented as part of a major redesign of the website this year.



Above: The Commission shared 328 photos on Instagram in October, including this photo of fog hanging above Atsion Lake.

- **Social Media**: In October, staff shared 328 photos and six videos on the Commission's Instagram site, 45 posts on X, and 50 posts on Bluesky. The Commission's content (photos and videos) generated more than 370,000 views on Instagram while adding 812 followers for the month and 1,500 views (for a watch time of 291 hours) on YouTube in October. A record of 26 of the Commission's photos were featured on other sites in Instagram in October.



Above: The Commission shared 50 posts on Bluesky in October, including this photo of an eastern painted turtle crossing a sand road.

- **Pinelands National Reserve Wall Calendar:** Throughout October, staff compiled, categorized, and vetted the resolution of hundreds of photos that will be considered for use in the 2027 Pinelands National Reserve wall calendar. Staff also voted on the front cover image and researched and drafted 38 photo captions. The calendar is funded by the National Park Service.

The 2027 calendar will focus on trees and all that rely on them, such as humans, birds, turtles, snakes, insects, beavers, and other wildlife. It will also highlight forests and a variety of tree species that can be found growing in the Pinelands. The calendar will be designed, edited, and printed in November and will be distributed free-of-charge at numerous sites in the Pinelands by early December.

EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands-themed World Water Monitoring Challenge**: Staff educated approximately 200 students from Hammonton Middle School, Pinelands Regional Junior High School, and Collingswood High School during the Pinelands-themed World Water Monitoring Challenge at Batsto Lake on October 23, 2026. Students slipped on waders and used seining nets to catch fish from the lake, while learning about native species. The event was co-organized and staffed by the Commission, the New Jersey Department of Environmental Protection, and the New Jersey Division of Parks & Forestry.



Above: Commission staff educated approximately 200 students during the Pinelands-themed World Water Monitoring Challenge at Batsto Lake on October 23, 2026.

- **Education Programs**: Joel Mott, the Commission's Principal Public Programs Specialist, guided a teacher workshop at Pinelands Regional High School on October 10, 2026.

- **Barnegat Bay Partnership**: Mr. Mott attended the Barnegat Bay Partnership's State of the Bay Symposium on October 14, 2026.

- **Pinelands Short Course**: Staff continued to plan for the 2027 Pinelands Short Course.

- **Pinelands Merchandise**: During October, Commission staff processed two transactions while garnering a total of $96.20 in sales of Pinelands merchandise. The Commission also received $14 of donations to the fund. All proceeds from the sales of the Commission's merchandise and donations go to the Kathleen M. Lynch-van de Sande Fund. The fund was established in memory of Ms. Lynch-van de Sande, a Pinelands Commission Environmental Specialist who died in a car accident in June 1989. Sales and donations will support the planting of native Pinelands plants and projects that raise awareness about native Pinelands plants.

7 INFORMATION SYSTEMS

- **Pinelands Commission Information System Upgrades:** The Pinelands Commission Information System (PCIS) is the internal system of record for all applications to the Pinelands and associated transactions. Staff completed the full migration of the PCIS system into the new Pinelands Application Information System (PAIS) environment, which is constituted by a modern web-based interface and Microsoft SQL Server database. All the core functionality is being tested in the Information Systems office as plans for new features and enhancements are solicited from other offices. Information Systems staff worked with staff from the Regulatory Programs office on additional enhancements to the dashboard reporting in PCIS to provide better visualization of workloads and deadlines related to application submissions.

- **Open Public Records Act (OPRA):** All New Jersey government agencies recognize the right of the public to access government agency records. The Information Systems office provides technology support to support this effort when necessary. Staff met with the Commission's OPRA team to review their internal processes for managing requests and handling information. Based on this meeting, staff is creating an upgraded portal to streamline this work and provide better reporting capabilities to track the status of all requests.

- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. The Information Systems staff participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff migrated the primary cybersecurity tools, Zscaler Internet Access and Private Access, into the new integrated hosting platform, Zscaler Integrated Experience.

- **CIO Roundtable:** Staff participated in the New Jersey Chief Information Officer Roundtable. This initial meeting was held virtually to provide a regular forum to share best practices and technology direction in the state. The primary focus of this meeting was to highlight the benefits of Artificial Intelligence (AI) tools in the limited and carefully managed environment approved by OIT. Based on this discussion, the Information Systems office intends to explore potential uses, including chatbots for responding to common questions from the public.

- **Geographic Information Systems (GIS):** Staff participated in the New Jersey Geospatial Forum monthly meeting to facilitate GIS collaboration with other state agencies. Staff learned directly from the New Jersey Department of Environmental Protection GIS office on the direction of their aerial photography licensing to identify opportunities to share resources. Staff also investigated LiDAR (Laser imaging, detection, and ranging) resources available online and set up initial sample GIS overlays to evaluate their use for other offices.

- **Technology Enhancements:** Staff completed new Windows policy updates required for the WiFi Access Points deployment and confirmed the settings with the New Jersey Office of Information Technology (OIT) and received all the necessary access points. Staff submitted a draft requirements document to the Business Services office that detailed the installation and wiring steps for mounting the devices. The RICOH large format scanner/printer had reached the end of its five-year lease. The lease was renewed and the new hardware was configured and installed on the Pinelands Commission's network.

- **Recruitment:** Staff continued working with Human Resources to fill a vacancy for a Management Information Systems Specialist 4. Resumes were reviewed and Human Resources staff reached out to a pool of candidates to schedule first round of interviews. The job posting was also extended to see if additional qualified candidates could be identified.

8 BUSINESS OFFICE

8.1 FINANCIAL MANAGEMENT

- **Application Fees**: October 2026, Net Total: $168,522.67, Fiscal Year to Date Total: $**467,015.51**. This equates to **58.38**% of the Fiscal Year 2027 anticipated fee revenue of $800,000. The net total for **October** includes **20** online application payments totaling $**108,914.17**.

- The Executive Director executed a contract with PrimePoint on October 30, 2026. PrimePoint will provide a new online system for Payroll, Time & Attendance, and Human Resource Services. This new system will replace the antiquated and limited CATS system that the Commission has been using for decades. The staff is looking forward to a user-friendly interactive system that provides the needed reporting for Human Resources and Business Services.



Above: The native narrowleaf sunflowers bloomed profusely in the Pinelands Commission's rain garden throughout October, much to the delight of pollinators such as this clouded sulphur butterfly.

Attachment 1:

Pinelands Related Legislation

Data Centers

Bill No.(s)	Prime Sponsor (s)	Synopsis	Current Status
A3966/S4400	Karabinchak, Bhalla, Collazos-Gill/Diegnan, Beach	Requires NJDEP to conduct study of short and long term effects of water use by large-scale data centers	Assembly Bill: Senate Bill: Reported from the Senate Environment and Energy Committee and referred to the Senate Budget and Appropriations Committee on 10/8/2026
A1170/S680	Danielsen/Smith, McKeon	Requires energy usage plan for proposed artificial intelligence data centers and cryptocurrency mining facilities; requires all electricity for artificial intelligence data centers and cryptocurrency mining facilities to be derived from new clean energy sources	Assembly Bill – Introduced and referred to Telecommunications and Utilities Committee on 1/13/2026 Senate Bill – Introduced and Referred to Environment and Energy Committee on 1/13/26. Reported from Committee, Second Reading and Referred to the Budget and Appropriations Committee on 3/16/26.
A2774/S4304	Katz, Bagolie/ Greenstein, Stack	Prohibits agreements intended to conceal certain information concerning development of data centers under MLUL.	Assembly Bil – Introduced and referred to the Assembly Science, Innovation and Technology Committee on 1/13/2026 Senate Bill – Introduced and referred to Senate Community and Urban Affairs Committee on 5/18/2026. Report from Committee, Second Reading on 10/1/2026. Passed by the Senate on 10/22/2026. Received in

			the Assembly and referred to the Assembly Science, Innovation and Technology Committee on 10/29/2026.
A4945/S4401	Miller, Bailey, Rowan/Moriarty, Beach	Requires BPU to conduct study on environmental, infrastructural, and financial impacts of data center development in the State	Assembly Bill: Introduced and referred to Telecommunications and Utilities Committee on 5/7/2026 Senate Bill: Introduced and referred to Environment and Energy Committee on 6/4/2026

Water Infrastructure Funding

Bill No.(s)	Prime Sponsor (s)	Synopsis	Current Status
A2463/S3722	McCoy, DeAngelo/ Bucco	Makes $100 million in federal funds available to NJDEP for grants to local governments for drinking water, wastewater and stormwater infrastructure projects	Assembly Bill – Introduced, Referred to Environment and Solid Waste Committee on 1/13/2026 Senate Bill – Introduced and referred to Environment and Energy Committee on 3/5/2026

Miscellaneous

Bill No.(s)	Prime Sponsor (s)	Synopsis	Current Status
A5241/S4309	Calabrese/Sarlo, Bucco	Allows online news publication to use municipal, county, or State-wide circulation requirements to meet eligibility standards; extends grace period for qualifying newspapers.	Assembly Bill – Introduced and referred to Assembly State and Local Government Committee on 6/8/2026. Senate Bill – Introduced and referred to Senate Budget and Appropriations Committee on 5/21/2026. Reported from Committee, Second Reading on 6/4/2026; Passed by the

			Senate on 6/18/2026. Received by the Assembly and referred to the Assembly State and Loca Government Committee on 6/18/2026.
A4275/S3613	Hutchison, Miller, Ouijano/Moriarty, McKnight	Requires OIT to establish an online Statewide tracking system for certain permits, licenses, certifications and form applications	Assembly Bill: Passed by the Assembly on 9/24/26; Received by the Senate and referred to the Senate State Government, Wagering, Tourism, and Historic Preservation Committee. Received by the Senate and referred to the Senate State Government, Wagering, Tourism & Historic Preservation Committee on 9/28/2026. Reported from Committee, Second Reading and referred to the Senate Budget and Appropriations Committee on 10/15/2026. Senate Bill: Introduced and referred to State Government, Wagering, Tourism & Historic Preservation Committee on 2/19/2026. Reported from Senate Committee as a Substitute, Second Reading and referred to Senate Budget and Appropriations Committee
A4908/S3254	Collazos-Gill, Freiman/Mukherfi, Greenstein	Prohibits expenditure of Green Acres funds for purchase, use, installation or replacement of artificial turf fields	Assembly Bill: Introduced and referred to Environment and Solid Waste Committee on 5/7/2026 Senate Bill: Reported from Senate Committee, 2nd Reading, and Referred to

			Budget and Appropriations Committee on 6/8/2026