



## New Jersey Pinelands Commission **PRESS RELEASE**

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### **PINELANDS COMMISSION CONDITIONALLY APPROVES UPPER TOWNSHIP RE-ZONING**

*Action will reduce potential growth, strengthen protection of natural resources*

NEW LISBON, NJ – At its monthly meeting tonight, the Pinelands Commission conditionally approved an amendment to the Upper Township Master Plan that will result in the re-zoning of 1,328 acres. The Commission took this action after careful analysis demonstrated that these changes better reflect existing environmental and land-use conditions, will ultimately result in less residential development and would improve protection of critical threatened and endangered species habitat.

The vast majority of the re-zoned land - 997 acres - will be down-zoned to more restrictive Pinelands management areas, including 925 acres from the Rural Development Area to the largely undeveloped Pinelands Forest Area. Even further, as a condition of the Commission's certification, Upper Township is required to re-zone an additional 167 acres from Rural Development to Forest Area by August 8, 2003. Combined, these changes will result in a net gain of 766 acres of Pinelands Forest Area in Upper Township.

The Pinelands Commission was first notified of the proposed zoning change by Upper Township officials in September, 2000. Since that time, Commission staff have worked with the Township to encourage an open local process and ensure that any potential zoning changes would be consistent with the standards and goals of the Pinelands Comprehensive Management Plan (CMP). The changes were discussed on three occasions by the Pinelands Commission Policy and Implementation Committee, most recently on March 28, 2003. The Commission held a public hearing on the matter in October 2002 in Upper Township.

In its formal review of this re-zoning, the Pinelands Commission determined that this action would improve compliance with the land-use and natural resource protection standards of the CMP in several key areas. Notably, the re-zoning is far more reflective of existing development patterns as well as the management area boundaries established in the 1980 CMP. (These boundaries were changed by the Township in 1983 as part of its original certification of the local master plan and land use ordinance by the Pinelands Commission.) As an example, approximately two-thirds of the land being re-designated from Forest to Rural Development Area is already developed, including an existing residential subdivision, a municipal gravel pit and Township recreation complex.

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The re-zoning is also expected to improve protection of less-disturbed drainage sub-basins and wetlands. Lands being re-designated from Rural Development to Forest Area have no upstream development, thus affording protection of new Forest Areas from non-point pollution. This is particularly important because these areas are known habitat of the endangered Pine barrens Treefrog (*Hyla andersonii*), and are believed to be nesting habitat for the threatened Barred Owl (*Strix varia*). Conversely, future development in the new Rural Development Area will occur downstream of areas of the highest ecological concern. Additionally, much of the new Forest Area is adjacent to state-owned protected land which furthers its importance to protecting habitat.

Upper Township had, at least in part, proposed these re-zonings to facilitate the development of a golf course in the newly re-designated Rural Development Area. While golf courses are permitted uses in Rural Development Areas under the CMP, this raised issues with the Pinelands Commission and other parties regarding the protection of water resources. In response to these concerns, the Pinelands Commission developed stringent golf course performance standards in consultation with state and national experts. Upper Township is required to adopt these standards - believed to be among the most environmentally progressive in the State - as part of the approved zoning changes.

Water quality standards include provisions for the extent of buffer areas, turf management, pesticide and pest management, soil erosion and sedimentation, and the monitoring of surface and groundwater. Water conservation standards require the implementation of an irrigation water management plan that reduces the water usage by at least ten percent as compared to state-of-the-art golf courses outside of the Pinelands through the use of innovative technologies and practices.

Furthermore, any golf course developed must demonstrate that it will have no adverse impact on groundwater, and ultimate water use will be determined by the results of the NJ Department of Environmental Protection Cape May Water Study. Legislation adopted in July 2001 (P.L. 2001, Chapt. 165) requires that, while the study is ongoing, all approvals or allocations for groundwater withdrawals in Cape May County may be approved only upon finding that they will not accelerate salt water intrusion, lower stream flows or cause harm to ecology or wildlife.

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