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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

State of New Jersey  
THE PINELANDS COMMISSION  
PO Box 359  
NEW LISBON, NJ 08064  
(609) 894-7300  
www.nj.gov/pinelands

General Information: Info@npjines.state.nj.us  
Application Specific Information: AppInfo@npjines.state.nj.us



Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

December 19, 2019

Mr. Robert Lupp  
State Library – NJ Reference Section  
185 West State Street  
P.O. Box 520  
Trenton, New Jersey 08625

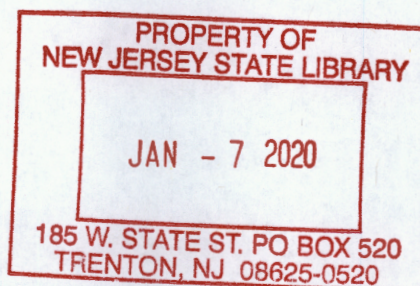
Dear Mr. Lupp:

Enclosed is the Pinelands Commission meeting minutes and attachments for November 8, 2019 for your information.

Sincerely,

Teri Melodick  
Principal Clerical Assistant

PC1  
Enclosure: Minutes





PINELANDS COMMISSION MEETING  
Richard J. Sullivan Center  
Terrence D. Moore Conference Room  
15 Springfield Road  
New Lisbon, New Jersey

MINUTES

November 8, 2019

Commissioners Present

Alan W. Avery Jr., Jordan P. Howell, Jerome H. Irick, Ed Lloyd, Mark Lohbauer, William Pikolycky, and Chairman Richard Prickett. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Kristen Heinzerling.

Commissioners by Phone

Candace M. Ashmun and D'Arcy Rohan Green

Commissioners Absent

Daniel Christy, Sean Earlen, Jane Jannarone and Gary Quinn.

Chairman Prickett called the meeting to order at 9:36 a.m.

DAG Heinzerling read the Open Public Meetings Act Statement (OPMA).

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum.

The Commission and public in attendance pledged allegiance to the Flag.

Minutes

Chairman Prickett presented the minutes from the October 11, 2019 meeting and the closed session minutes from the September 13, 2019 meeting. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Pikolycky seconded the motion.



The minutes from the October 11, 2019 meeting and the closed session minutes from the September 13, 2019 meeting were adopted by a vote of 9 to 0.

Chairman Prickett presented the closed session minutes from the August 9, 2019 meeting. Commissioner Avery moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The closed session minutes from the August 9, 2019 meeting were adopted by a vote of 8 to 0. Commissioner Lloyd recused from voting on the minutes.

#### South Jersey Remand Resolution

Commissioner Prickett presented the Resolution Addressing the Remand of the South Jersey Gas Company Application Due to a Significant Change in Material Fact.

Commissioner Lloyd said he would be recusing from the South Jersey Gas matter and left the dais.

Commissioner Lohbauer made a motion to allow public comment prior to considering the resolution. Commissioner Irick seconded the motion. All were in favor.

Jeff Tittel of the Sierra Club said the Sierra Club was a litigant in this matter and he would like to see the South Jersey Gas approval rescinded. He said there is no longer justification for the pipeline because the B.L. England plant is closed. He said the resolution needs to be strengthened so South Jersey Gas cannot amend its pipeline application and reapply to the Commission.

Rhyan Grech of the Pinelands Preservation Alliance said she was pleased to see the South Jersey Gas remand matter on the agenda. She expressed dismay over the language in the current resolution. She compared the language in today's resolution to the one drafted in April and said the resolution should be revised to specifically state that Resolution # PC4-17-03 is no longer valid.

Georgina Shanley of Ocean City, NJ said she agrees with the two prior commenters regarding the South Jersey Gas resolution. She said the current resolution leaves room for challenge. She read a transcript of the Executive Director's report from the September Commission meeting regarding the meeting staff had with South Jersey Gas. She said she was disappointed that staff met with South Jersey Gas.

Commissioner Prickett said the Comprehensive Management Plan (CMP) encourages applicants to meet with staff.

Arnold Fishman of Medford Lakes Borough, NJ said this Commission has the opportunity to adopt a resolution to end the South Jersey Gas matter. He said the current resolution is equivalent to a stop work order. He said the resolution needs to be amended to include language to rescind the original South Jersey Gas approval.



Agnes Marsala of Chesterfield, NJ said she would like to see stronger language in the resolution. She suggested tabling the resolution until new Commissioners can be appointed or revising the current language.

Joanne Pannone of Robbinsville, NJ said she would like for Governor Murphy to put a moratorium on all fossil fuel projects.

Executive Director Wittenberg said the language in the resolution was agreed upon by a working group of Commissioners.

Commissioner Irick said he wanted to vote on the resolution today.

Due to issues with telephone connections, the Commission was not able to gain a quorum to vote on the South Jersey Gas resolution. The Commission decided to move on to other agenda items.

#### Public Development Projects and Other Permit Matters

Commissioner Rohan Green rejoined the meeting by phone.

Chairman Prickett presented a resolution recommending approval for the construction of a municipal building in Medford Township.

Commissioner Lohbauer made a motion Approving With Conditions an Application for Public Development and Certificate of Appropriateness (Application Number 2018-0186.001) (Construction of a 23,516 square foot municipal building in Medford Township). Commissioner Pikolycky seconded the motion.

The Commission adopted the resolution by a vote of 8 to 0.

Chairman Prickett presented a resolution recommending the approval of three public development applications.

Commissioner Lohbauer made a motion Approving With Conditions Applications for Public Development (Application Numbers 1985-0204.009 (Construction of a playground and associated recreational improvements at a middle school in Hamilton Twp.), 2018-0029.001 (Construction of a stormwater management basin at the intersection of U.S. Route 322 and Cologne Avenue) & 2019-0115.001 (Demolition of a single family dwelling in the Town of Hammonton). Commissioner Avery seconded the motion.

The Commission adopted the resolution by a vote of 8 to 0.

Commissioner Lohbauer suggested that the Commission not take action on the South Jersey Gas resolution today due to difficulties with Commissioners participating in the



meeting by phone. He said a discussion on the matter cannot take place if Commissioners are having trouble hearing and staying on the line.

Commissioner Irick disagreed. He said if the Commission is able to regain a quorum, the Commission should vote on the South Jersey Gas resolution. He said it has been postponed long enough.

The Commissioners engaged in a discussion about whether the resolution should be tabled or should the meeting proceed. The Commission decided to move through the remainder of the agenda.

The Commission lost its quorum at 10:25 a.m.

ED Wittenberg said staff made every effort to get a quorum for today's meeting. She apologized for the problems with the phone system.

#### Executive Director's Reports

ED Wittenberg provided an update on the following items:

- A meeting was held at Assemblyman Ronald Dancer's office, where representatives from Jersey Central Power & Light and Commission staff discussed the existing Right of Way Plan pilot program and their desire to use herbicides. ED Wittenberg provided some background on the pilot program; she said three utilities currently participate in the pilot program. The purpose of the pilot was to adhere to a specific vegetation management plan to maintain and protect Pinelands habitat. A report including recommendations on the pilot will be presented to the Commission soon.

Chairman Prickett said information on the meeting is detailed in the monthly management report.

ED Wittenberg noted that some items that were previously included in the Commission packet have been moved to the monthly management report.

Director Larry Liggett provided an update on the following:

- Staff attended a New Jersey Department of Environmental Protection (NJDEP) stakeholder meeting regarding the Pinelands Infrastructure Trust Fund. A question was raised about what amount a time an awarded project should be given to commence work before another project is chosen.
- Staff met with the NJDEP on the Kirkwood/Cohansey draft water management rule changes. The NJDEP asked if there was enough water for the future and raised questions about thresholds for well size and wetland impacts included in the Commission's proposed rule.

Director Chuck Horner provided information on the following regulatory matters:

- The applicant for a large residential development in Galloway Township, commonly referred to as Blue Heron East, has decided to abandon the project. The applicant is going through the process to rescind municipal approvals. The applicant



is also in the process of removing a conservation deed restriction that was placed on the parcel in order to comply with the CMP's threatened and endangered species standards and Township related issues. A public hearing regarding the removal of the deed restriction took place in Galloway Township.

- Staff met with Pemberton Township officials to discuss an approach for developing recreational fields at a park that is severely restricted by wetlands. Staff has met with the Township on this matter before.
- Staff received an inquiry regarding the disposal of dredge spoils in the Pinelands. The placement of dredge spoils constitutes development and requires an application to the Commission. If it can be demonstrated that the dredge spoils have no contaminants and will not degrade Pinelands water quality, the placement of the spoils can be permitted.
- A pre-application meeting was held to discuss the establishment of a soccer facility in an Agricultural Production Area in Shamong Township.

Commissioner Irick said dredged spoils don't belong in the Pinelands. He asked what could be done to avoid the repository of dredge spoils.

Director Horner explained the rules regarding the placement of fill materials. He said it's not much different from the placement of dredge spoils. He added that due to the nature of dredge spoils, it is very difficult to meet the standards of the CMP.

Commissioner Irick said his real concern is the potential to place large volumes of dredge spoils in the Pinelands Area without other development.

Commissioner Lloyd said he would like fire prevention to be included in the Right of Way discussions with the utilities.

ED Wittenberg agreed.

#### Public Comment on Public Development Applications and Items where the record is open

Chairman Prickett read the list of Public Development applications. No one from the public offered comment.

#### Ordinances Not Requiring Commission Action

Chairman Prickett asked if any Commissioners had questions regarding the ordinances not requiring Commission action.

- Barnegat Township Ordinance 2019-13
- Corbin City 2018 Master Plan Reexamination Report
- Corbin City Housing Element and Fair Share Plan
- Egg Harbor Township Ordinance 23-2019
- Town of Hammonton Ordinance 014-2019

No members of the Commission had questions.



Climate Projections and Potential Actions By NJ Pinelands Commission

Commissioner Lloyd introduced Speaker Michael Gerrard, who is the Founder and Director of the Sabin Center for Climate Change Law at Columbia University. He has numerous publications, one of which is Legal Pathways to Deep Decarbonization in the United States. The slides of Professor Gerrard's presentation are attached and can be found on the Commission's Land Use, Climate Impacts and Sustainability Committee webpage. After the presentation, Professor Gerrard answered questions from members of the public.

Commissioners thanked Professor Gerrard for attending the meeting.

Commissioner Lohabuer made a plea to Senate President Stephen Sweeney to act on the Governor's nominees to the Pinelands Commission.

General Public Comment

Denise Garner of Jackson Township, NJ, spoke about the surge of residential development in Jackson Township. She blamed the development on the Southern Reliability link pipeline. She raised concerns about impacts the development will have on the local watersheds.

Fred Akers of the Great Egg Harbor Watershed Association said he reviews Army Corps of Engineers permits. He said a recent permit was for the placement of dredge spoils located in the Pinelands National Reserve portion of Corbin City, not the state-designated Pinelands Area. He said he alerted the Commission staff about the dredged materials. He thanked ED Wittenberg for sending a letter of support on the matter.

Patricia Hansen, an Evesham Township Councilwoman, thanked the Commission on behalf of Mayor Jaclyn Veasy. She said she looks forward to working with the Commission in the future.

Agnes Marsala of Chesterfield, NJ suggested having an intern or volunteer assist the Commissioners who cannot be present at the meetings.

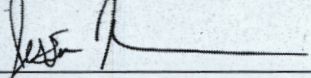
Adjournment

Paul Leakan, Communications Officer, said approximately 200 students participated at this year's World Water Monitoring Challenge. He informed the Commission about the upcoming Pinelands Speaker Series presentations.



Commissioner Irick moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 12:06 p.m.

Certified as true and correct:

  
\_\_\_\_\_  
Jessica Noble, Executive Assistant

Date: November 19, 2019





# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 40

**TITLE:** Approving With Conditions an Application for Public Development and Certificate of Appropriateness (Application Number 2018-0186.001)

Commissioner Lohmeyer moves and Commissioner Pikolycky seconds the motion that:

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

2018-0186.001

**Applicant:** Medford Township  
**Municipality:** Medford Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** October 18, 2019  
**Proposed Development:** Construction of a 23,516 square foot municipal building.

**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 and Certificate of Appropriateness both conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 and the standards for approving a Certificate of Appropriateness set forth in N.J.A.C. 7:50-6.156 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 2018-0186.001 for public development and a Certificate of Appropriateness 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*
Ashmun			X	Irick	X			Quinn			X
Avery	X			Jannarone		X		Rohan Green	X		
Christy			X	Lloyd	X			Prickett	X		
Earlen			X	Lohbauer	X						
Howell	X			Pikolycky	X						

\*A = Absent/R = Recused

Adopted at a meeting of the Pinelands Commission  
Nancy Wittenberg  
 Executive Director

Date: November 8, 2019  
Richard Prickett  
 Richard Prickett  
 Chairman









PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

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

October 18, 2019

Katherine Burger, Township Manager (via email)  
Medford Township  
17 N. Main Street  
Medford, NJ 08055

Re: Application # 2018-0186.001  
Block 1201, Lot 1.01  
Block 1601, Lot 2  
Medford Township

Dear Ms. Burger:

The Commission staff has completed its review of this application for construction of a 23,516 square foot municipal 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 8, 2019 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, Medford Township Planning Board (via email)  
Medford Township Construction Code Official (via email)  
Medford Township Environmental Commission (via email)  
Secretary, Burlington County Planning Board (via email)  
Christopher J. Noll, PE, PP, CME (via email)









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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT  
AND CERTIFICATE OF APPROPRIATENESS**

October 18, 2019

Katherine Burger, Township Manager (via email)  
Medford Township  
17 N. Main Street  
Medford, NJ 08055

Application No.: 2018-0186.001  
Block 1201, Lot 1.01  
Block 1601, Lot 2  
Medford Township

This application proposes construction of a 23,516 square foot municipal building and a 93 space parking lot on 3.27 acre Block 1601, Lot 2 in Medford Township. A single family dwelling which is owned by the Township is located on Block 1601, Lot 2. The application proposes to retain the single family dwelling.

A private school which is owned by Saint Mary of the Lakes is located on 13.5 acre Block 1201, Lot 1.01. The only development proposed on Block 1201, Lot 1.01 is the installation of 91 linear feet of stormwater drainage piping and 268 linear feet of sanitary sewer main.

**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(a))**

The proposed development is located in a Pinelands Regional Growth Area. The proposed municipal building is a permitted land use in a Pinelands Regional Growth Area.

The proposed municipal building will be located in Medford Township's RHO zoning district. The Commission certified Township land use ordinance permits public purpose uses in the RHO zoning district and defines public purpose uses as the use of land or buildings by Medford Township.



The residential density for the RHO zoning district is 1.25 dwellings per acre (equivalent to one dwelling per 34,848 square feet) when serviced by public sanitary sewer. The applicant has indicated that 34,848 square feet of Block 1601, Lot 2 is available to meet the residential density requirements of the RHO zoning district for the existing single family dwelling.

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

The proposed development will be located within existing maintained grass areas and wooded areas. The proposed development will disturb approximately 6,000 square feet of wooded area. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to utilize a seed mixture that meets this 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. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin.

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

The existing single family dwelling is serviced by public sanitary sewer. The proposed municipal building will be serviced by public sanitary sewer.

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

A cultural resource survey was prepared for this application. The parcel is located within the locally designated Medford Village Historic District. The circa 1760 John Haines house, which is believed to be the oldest dwelling in the Village of Medford, is located on Block 1601, Lot 2. The John Haines house constitutes a significant historic resource. The application proposes to retain the dwelling.

The parcel is situated within close proximity to several previously identified significant architectural resources of the 18<sup>th</sup> and 19<sup>th</sup> century that are also associated with the Medford Village Historic District.

The CMP (N.J.A.C. 7:50-6.156(a)4) requires that the Commission issue a Certificate of Appropriateness that addresses the visual compatibility of the new municipal building and associated development with the Medford Village Historic District in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

**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 1, 2019. Newspaper public notice was completed on August 2, 2019. The application was designated as complete on the Commission's website on September 30, 2019. The Commission's public comment period closed on October 11, 2019. 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 10 sheets, prepared by Environmental Resolutions and dated as follows:  
  
Sheets 1, 7 & 8 - May 14, 2019; revised to August 28, 2019  
Sheet 2 - July 30, 2018  
Sheets 3, 4, 9 & 10 - May 14, 2019; revised to October 7, 2019  
Sheets 5 & 6 - May 14, 2019
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. Prior to development, the applicant shall submit to the Commission an architectural plan depicting the design of the exterior of the municipal building and associated improvements demonstrating that the proposed development is compatible with the Medford Historic District in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

### 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)

**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, 2019 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. PC4-19- 41

**TITLE:** Approving With Conditions Applications for Public Development (Application Numbers 1985-0204.009, 2018-0029.001 & 2019-0115.001)

Commissioner Chen 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:

**1985-0204.009**

**Applicant:** Hamilton Township Board of Education  
**Municipality:** Hamilton Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** October 17, 2019  
**Proposed Development:** Construction of a playground and associated recreational improvements at the William Davies Middle School;

**2018-0029.001**

**Applicant:** New Jersey Department of Transportation  
**Municipality:** Hamilton Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** October 18, 2019  
**Proposed Development:** Construction of a stormwater management basin at the intersection of U.S. Route 322 and Cologne Avenue; and

**2019-0115.001**

**Applicant:** Town of Hammonton  
**Municipality:** Town of Hammonton  
**Management Area:** Pinelands Town  
**Date of Report:** October 17, 2019  
**Proposed Development:** Demolition of a single family dwelling, 50 years old or older.

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.



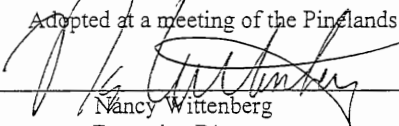
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1985-0204.009, 2018-0029.001 & 2019-0115.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

#### Record of Commission Votes

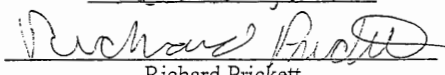
AYE NAY NP A/R*					AYE NAY NP A/R*					AYE NAY NP A/R*				
Ashmun			X		Irick	X				Quinn			X	
Avery	X				Jannarone		X			Rohan Green	X			
Christy			X		Lloyd	X				Prickett	X			
Earlen			X		Lohbauer	X								
Howell	X				Pikolycky	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

  
Nancy Wittenberg  
Executive Director

Date: November 8, 2019

  
Richard Prickett  
Chairman





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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

October 17, 2019

Anne Marie Fala, Business Administrator  
Hamilton Township Board of Education (via email)  
1876 Dr. Dennis Foreman Drive  
Mays Landing, NJ 08330

Re: Application # 1985-0204.009  
Block 1027, Lot 1.02  
Hamilton Township

Dear Ms. Fala:

The Commission staff has completed its review of this application for construction of a playground and associated recreational improvements at the William Davies Middle 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 8, 2019 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, Hamilton Township Planning Board (via email)  
Hamilton Township Construction Code Official (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Beth Kenderdine, P.E. (via email)









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Governor  
SHEILA Y. OLIVER  
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)

RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 17, 2019

Anne Marie Fala, Business Administrator  
Hamilton Township Board of Education (via email)  
1876 Dr. Dennis Foreman Drive  
Mays Landing, NJ 08330

Application No.: 1985-0204.009  
Block 1027, Lot 1.02  
Hamilton Township

This application proposes construction of a playground and associated recreational improvements at the William Davies Middle School located on the above referenced 31.17 acre parcel in Hamilton Township.

### **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(a))**

The proposed development is located in a Pinelands Regional Growth Area. The proposed development is a permitted land use in a Pinelands Regional Growth Area.

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

There are wetlands located within 300 feet of the proposed development. An application for the construction of two building additions and associated improvements to the existing William Davies Middle School was approved by the Commission on February 13, 2004 (App. No. 1985-0204.007). For that application, the Commission staff determined that a 175 foot buffer to wetlands would not result in a significant adverse impact to wetlands. The proposed development subject of the current 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 existing maintained grassed areas. 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. To meet the stormwater management standards, the applicant will be enlarging an existing stormwater infiltration basin.

The applicant also proposes the remediation of the existing stormwater infiltration basin. The existing stormwater management basin was constructed as part of a prior application that was approved by the Commission on October 4, 1985 for the development of the William Davies Middle School (App. No. 1985-0204.001). The concerned stormwater management basin is not infiltrating as designed.

The applicant proposes to remediate the existing stormwater management basin by removing accumulated soil sediment from the basin, regrading the basin and then replacing soils within the bottom of the basin.

**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 June 13, 2019. Newspaper public notice was completed on June 17, 2019. The application was designated as complete on the Commission's website on September 30, 2019. The Commission's public comment period closed on October 11, 2019. 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 16 sheets, prepared by Edwards Engineering Group, Inc. and all sheets dated April 22, 2019 and revised to June 25, 2019.
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.





PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

State of New Jersey  
THE PINELANDS COMMISSION  
PO Box 359  
NEW LISBON, NJ 08064  
(609) 894-7300  
www.nj.gov/pinelands



RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

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

**PINELANDS COMMISSION**  
**APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by 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 4, 2019 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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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

October 18, 2019

Brenna Fairfax (via email)  
New Jersey Department of Transportation  
1035 Parkway Avenue  
PO Box 600  
Trenton, NJ 08625

Re: Application # 2018-0029.001  
U.S. Route 322 and Cologne Avenue  
Hamilton Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for construction of a stormwater management basin at the intersection of U.S. Route 322 and Cologne Avenue. 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 8, 2019 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, Hamilton Township Planning Board (via email)  
Hamilton Township Construction Code Official (via email)  
Atlantic County Department of Regional Planning and Development (via email)







## State of New Jersey

### THE PINELANDS COMMISSION

PO Box 359  
New Lisbon, NJ 08064  
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PHILIP D. MURPHY  
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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

### **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 18, 2019

Brenna Fairfax (via email)  
New Jersey Department of Transportation  
1035 Parkway Avenue  
PO Box 600  
Trenton, NJ 08625

Application No.: 2018-0029.001  
U.S. Route 322 and Cologne Avenue  
Hamilton Township

This application proposes construction of an approximately 18,500 square foot stormwater management basin at the intersection of U.S. Route 322 and Cologne Avenue located within Hamilton Township. The application also proposes the installation of 1,071 linear feet of drainage pipe and 10 stormwater inlets.

The proposed stormwater management improvements are necessary to alleviate flooding and improve the safety of the existing U.S. Route 322 and Cologne Avenue intersection.

### **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(a))

The proposed development is located in a Pinelands Regional Growth Area. The proposed stormwater management improvements are permitted in a Pinelands Regional Growth Area.

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

Stormwater runoff is currently managed at the intersection by a series of inlets and pipes. This application proposes to modify the existing stormwater management collection system. The proposed stormwater improvements will direct a portion of the stormwater runoff from the intersection to the proposed stormwater management basin. The proposed improvements are consistent with the CMP stormwater management standards.



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

The proposed stormwater management improvements will not be located in wetlands or the required buffer to wetlands.

The existing stormwater management piping system, installed prior to the 1981 effective date of the CMP, discharges to a wetland. Stormwater from the proposed basin will be discharged to the existing stormwater management piping system. The applicant has submitted stormwater drainage calculations demonstrating that the proposed stormwater management improvements will not result in an increase in the volume and rate of stormwater runoff discharging to the wetland. Based upon this demonstration, the proposed development will not result in a significant adverse impact on wetlands.

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

The proposed stormwater basin will be located within a grassed area located within the limits of the existing intersection. 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.

### Threatened and Endangered Plant Species Standard (N.J.A.C. 7:50-6.27)

A threatened and endangered (T&E) plant species survey was completed in the project area. The T&E plant survey found a population of Barratt's sedge, a CMP designated T&E plant species, located approximately 600 linear feet from the proposed stormwater management basin.

The proposed development will not result in an irreversible adverse impact on the survival of any local population of those plant species designated by the CMP as threatened or endangered.

## **PUBLIC COMMENT**

The applicant has provided the requisite public notices. Newspaper public notice was completed on November 21, 2018. The application was designated as complete on the Commission's website on September 30, 2019. The Commission's public comment period closed on October 11, 2019. 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 HNTB Corporation and dated as follows:  
  
Sheets 1, 2, 5, 6 & 6A - October 12, 2018; and  
Sheets 3 & 4 - August 21, 2019
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. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

### CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.





PHILIP D. MURPHY  
Governor  
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Lt. Governor

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

**PINELANDS COMMISSION**  
**APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by 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, 2019 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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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

October 17, 2019

Stephen DiDonato, Mayor  
Town of Hammonton (via email)  
100 Central Avenue - Town Hall  
Hammonton, NJ 08037

Re: Application # 2019-0115.001  
Block 3606, Lot 18  
Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. 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 8, 2019 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, 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 G. Risley (via email)







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NANCY WITTENBERG  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 17, 2019

Stephen DiDonato, Mayor  
Town of Hammonton (via email)  
100 Central Avenue - Town Hall  
Hammonton, NJ 08037

Application No.: 2019-0115.001  
Block 3606, Lot 18  
Town of Hammonton

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.19 acre parcel in the Town of Hammonton. The Town owns the property.

### **STANDARDS**

The Commission staff has reviewed the proposed demolition 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 parcel is located in the Pinelands Town of Hammonton. The demolition of a dwelling is permitted in the Pinelands Area.

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

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

### **PUBLIC COMMENT**

The CMP defines the proposed demolition 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 September 4, 2019. The Commission's public comment period closed on October 11, 2019. No public comment was submitted to the Commission regarding this application.



### CONDITIONS

1. Disposal of any debris may only occur at an appropriately licensed facility.
2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.
3. Reconstruction of a single family dwelling, within five years of its demolition, does not require an application to the Pinelands Commission.

### CONCLUSION

As the proposed demolition 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 demolition subject to the above conditions.



PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

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

### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

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COLUMBIA LAW SCHOOL

SABIN CENTER FOR CLIMATE CHANGE LAW

## Climate Projections And Potential Actions By NJ Pinelands Commission

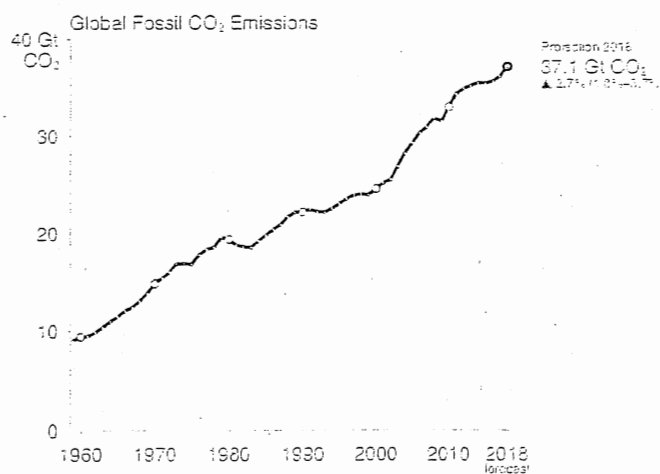
Michael B. Gerrard

Andrew Sabin Professor of Professional Practice  
Director, Sabin Center for Climate Change Law

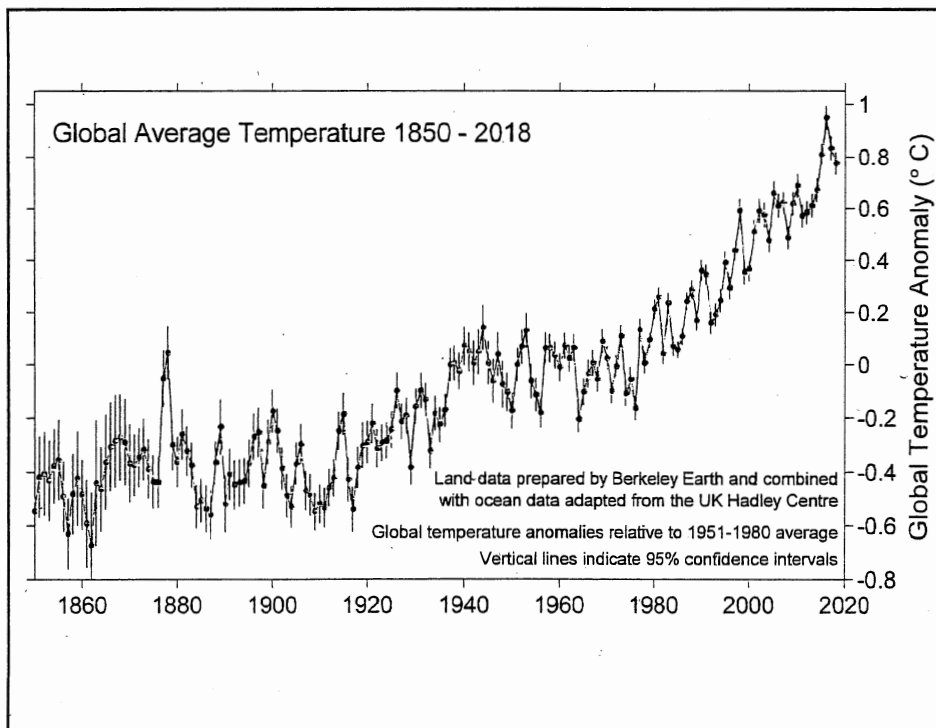
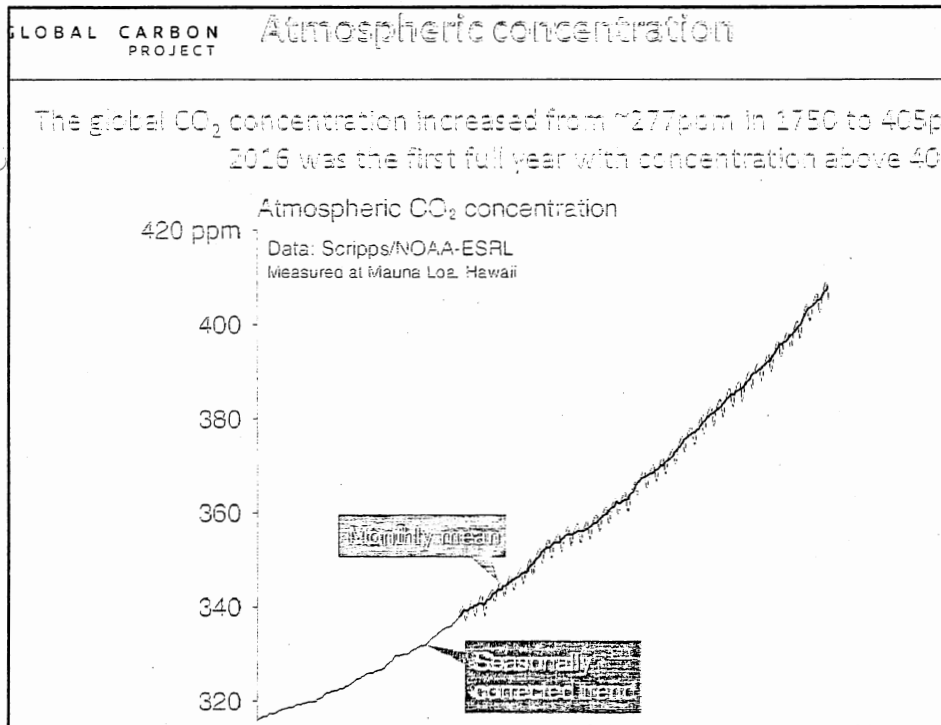
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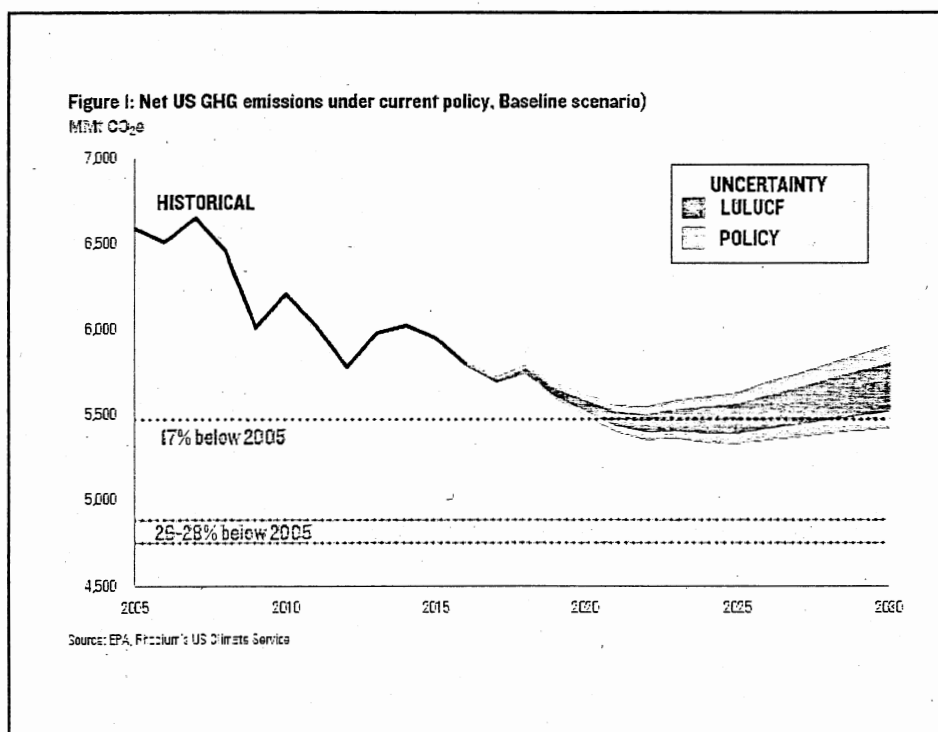
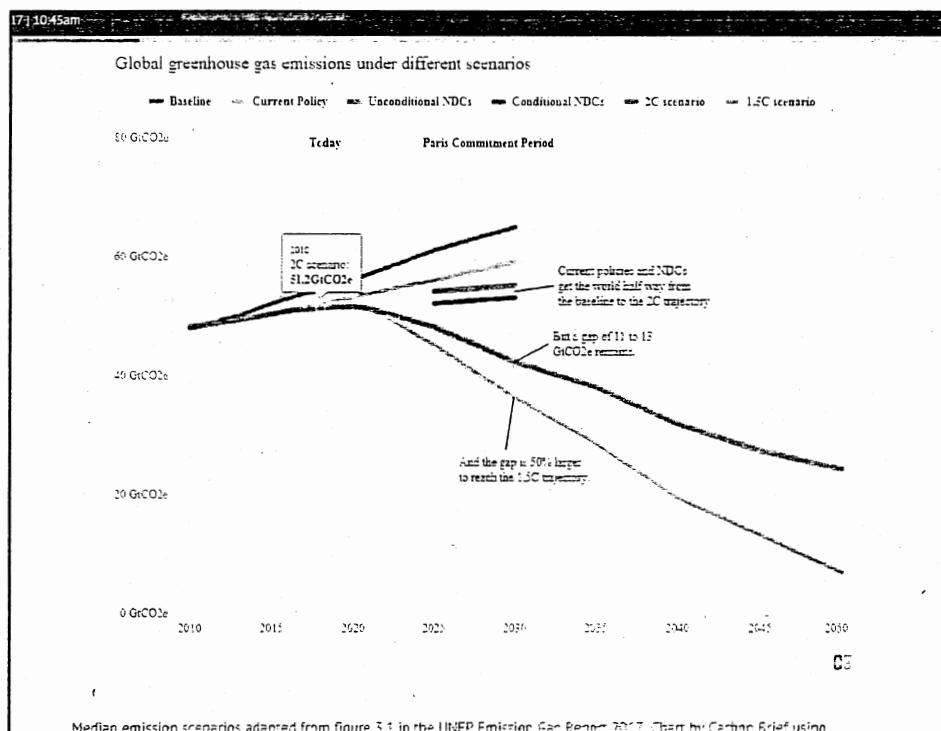
### Global Fossil CO<sub>2</sub> Emissions

Global fossil CO<sub>2</sub> emissions have risen steadily over the last decades.  
The peak in global emissions is not yet in sight.

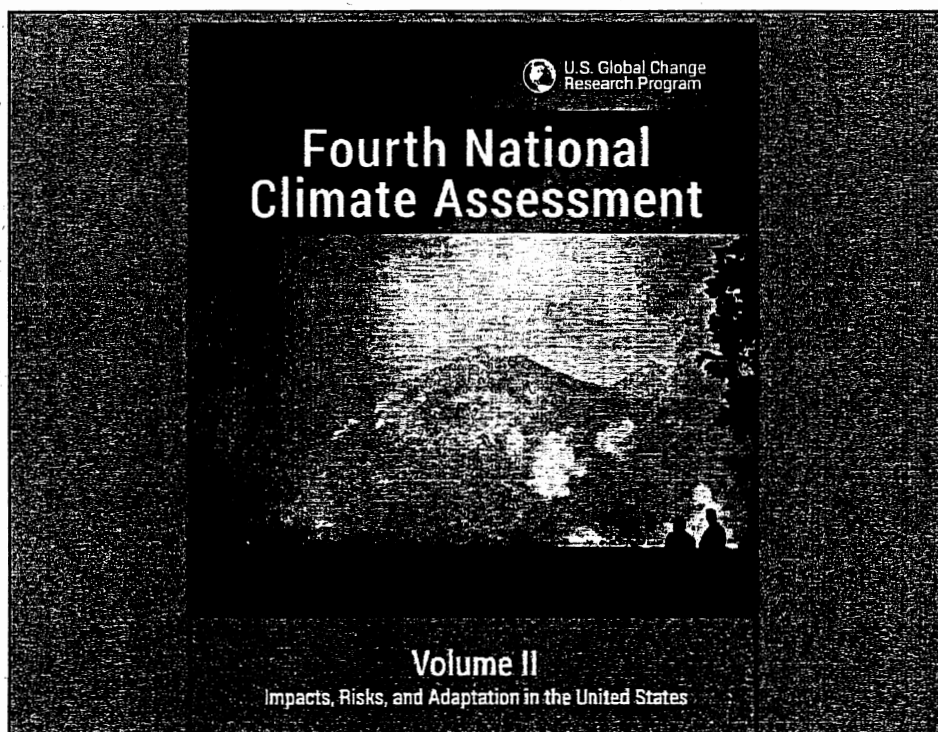
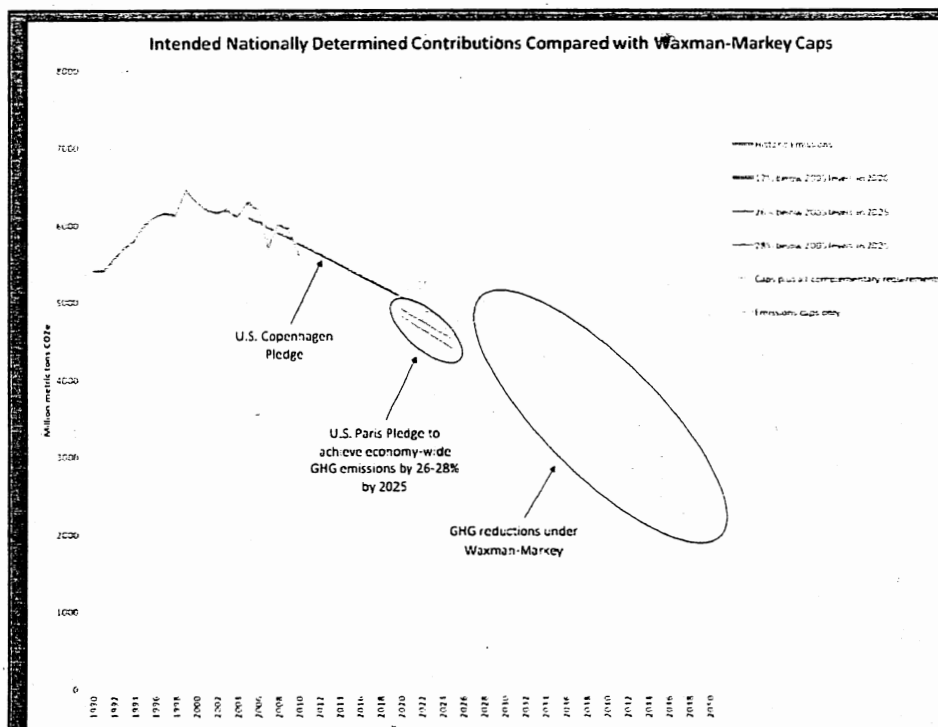


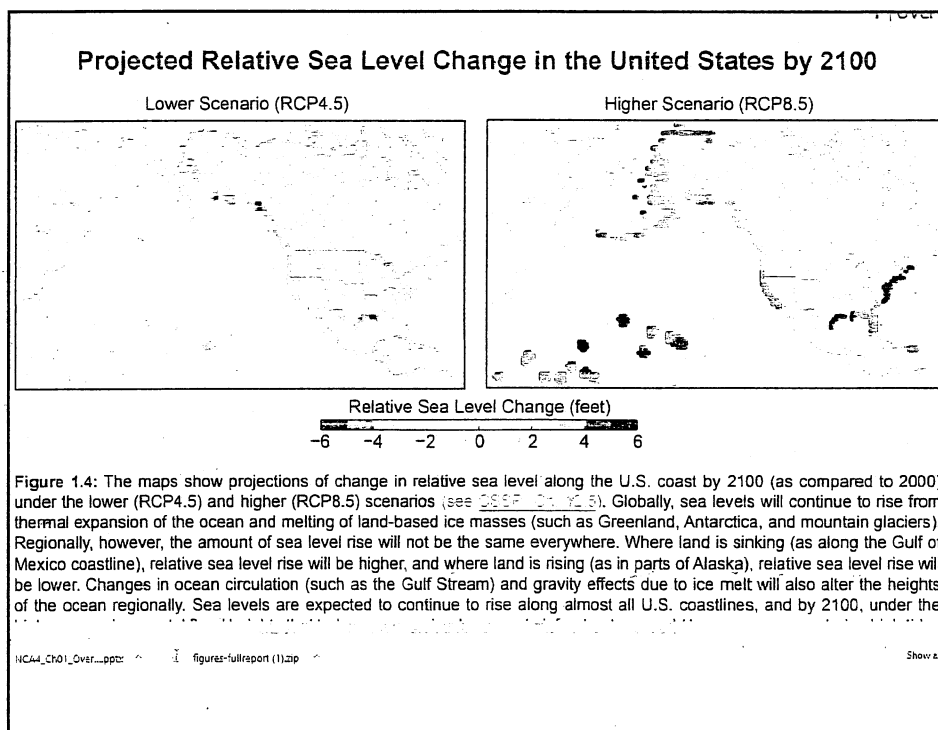
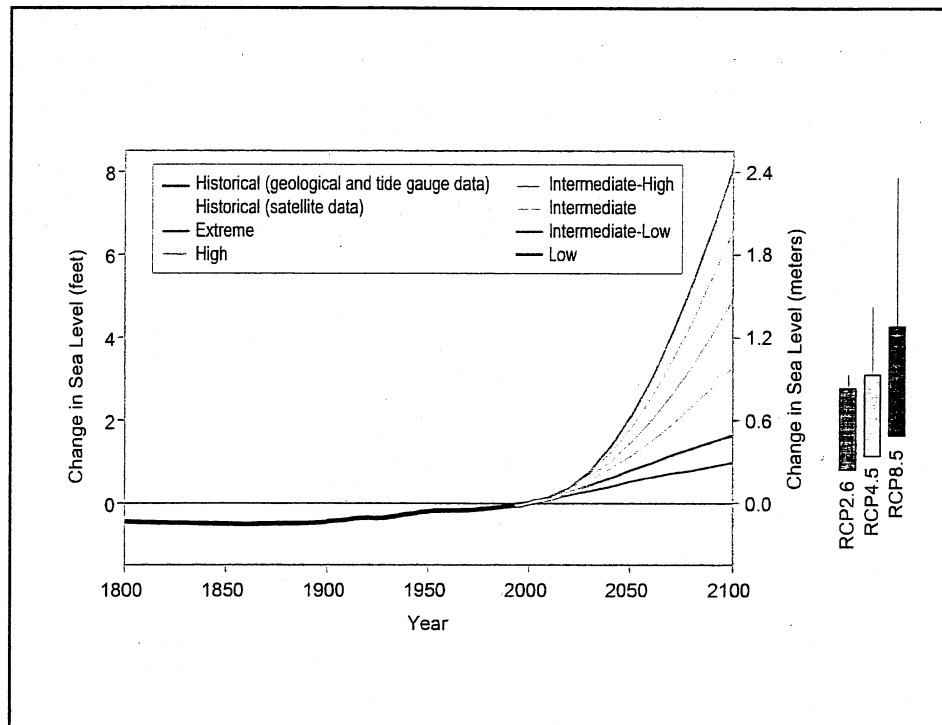
Estimates for 2015, 2016 and 2017 are preliminary ; 2018 is a projection based on partial data.  
Source: [CDIAC](#); [Le Quéré et al 2018](#); [Global Carbon Budget 2018](#)

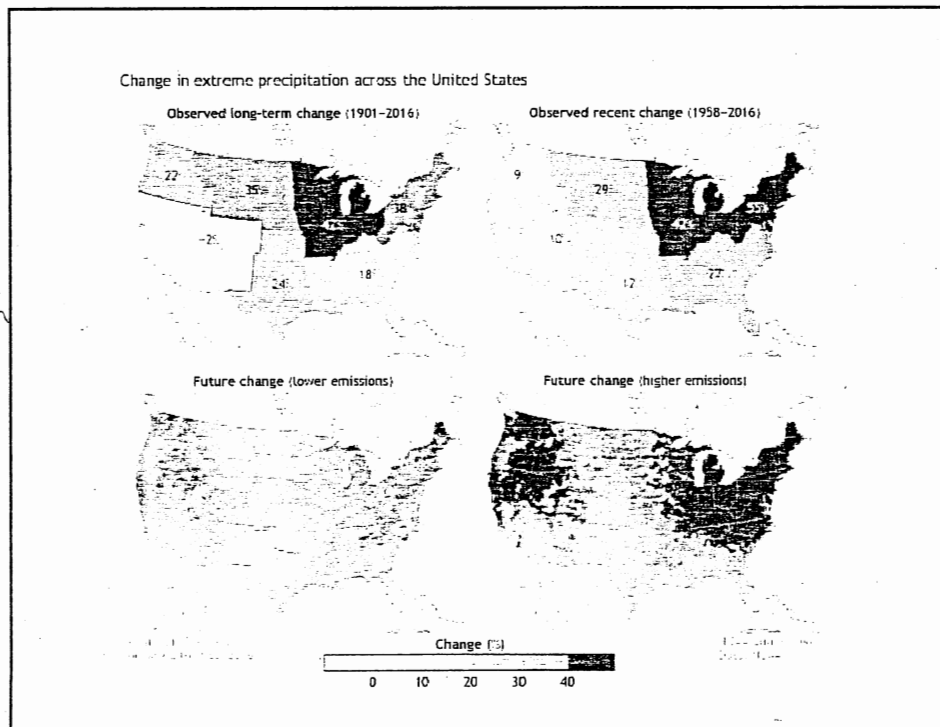
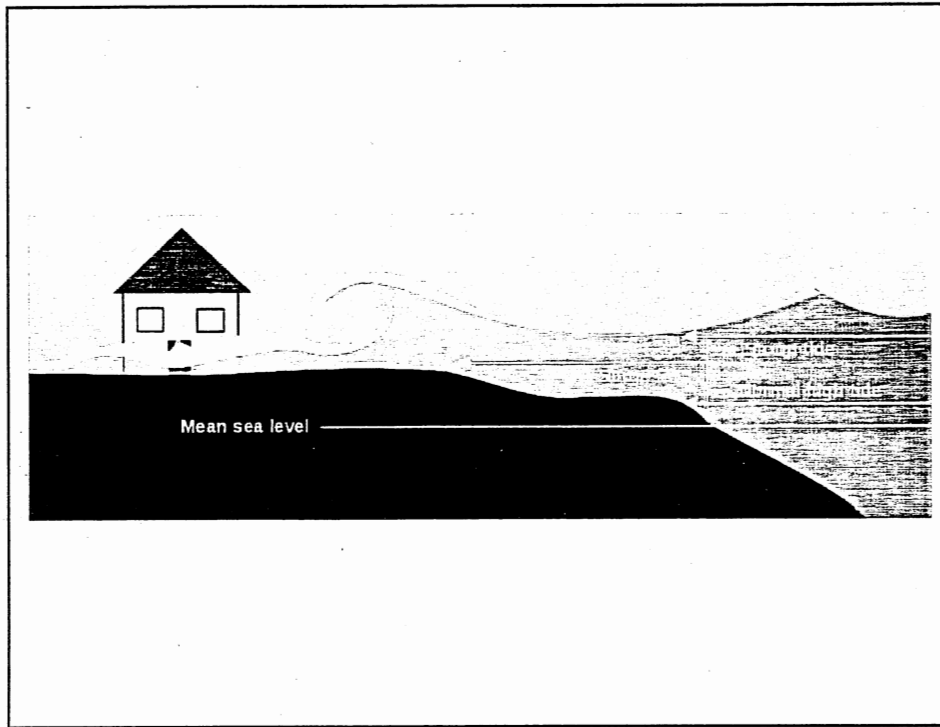




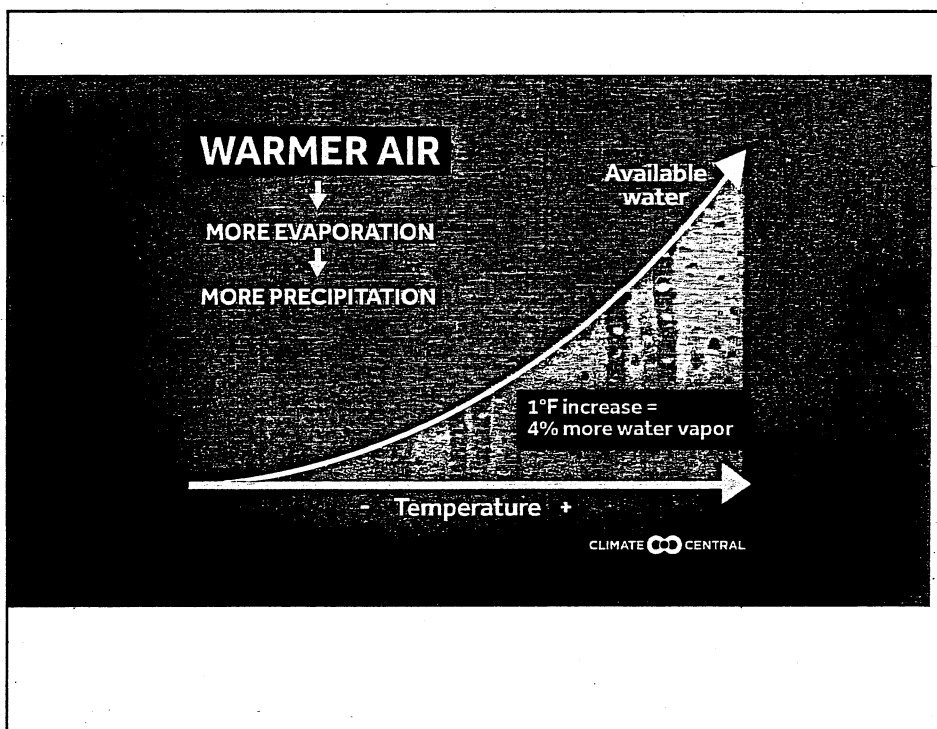
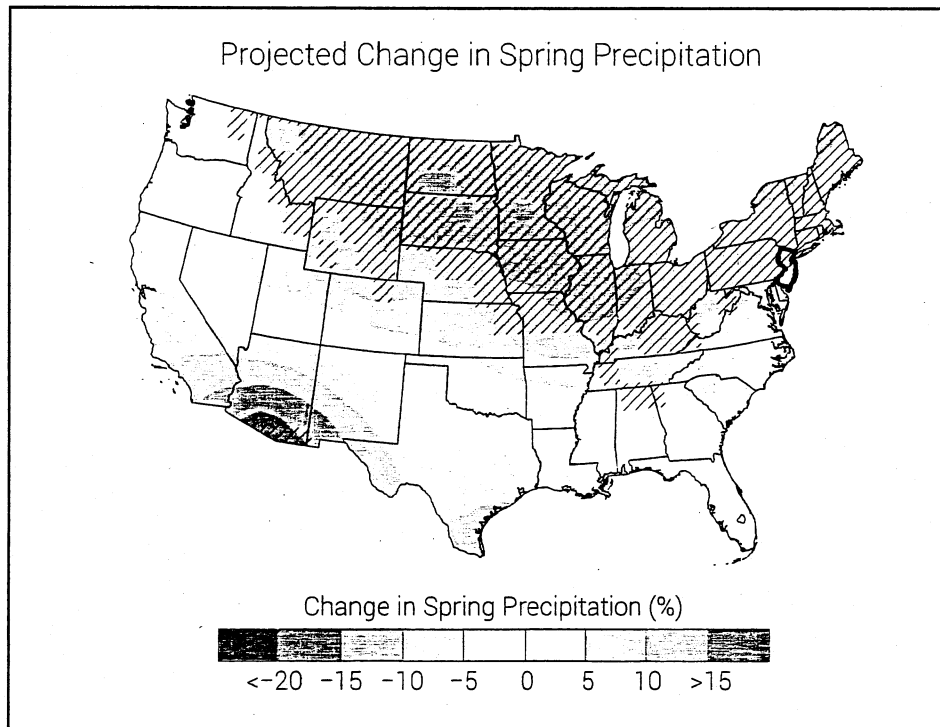








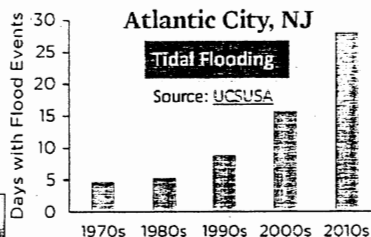
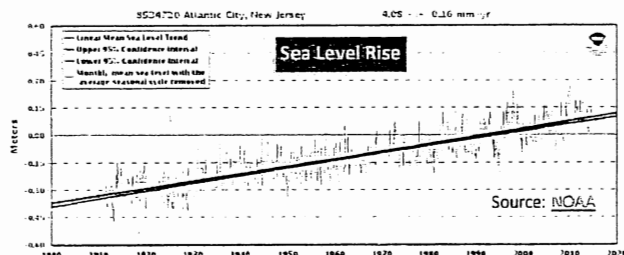




## Sea Level Rise

### OBSERVATIONS

Over the last century, sea level has risen by over 1.3 feet around Atlantic City, NJ.



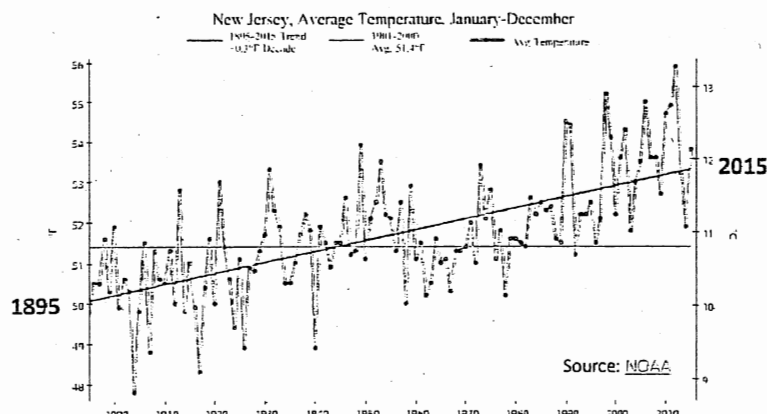
Seemingly small increases in sea level can have large impacts along the coast due to storm surges and exceptionally high tides.

Communities in Atlantic City are now seeing more days with tidal flooding.

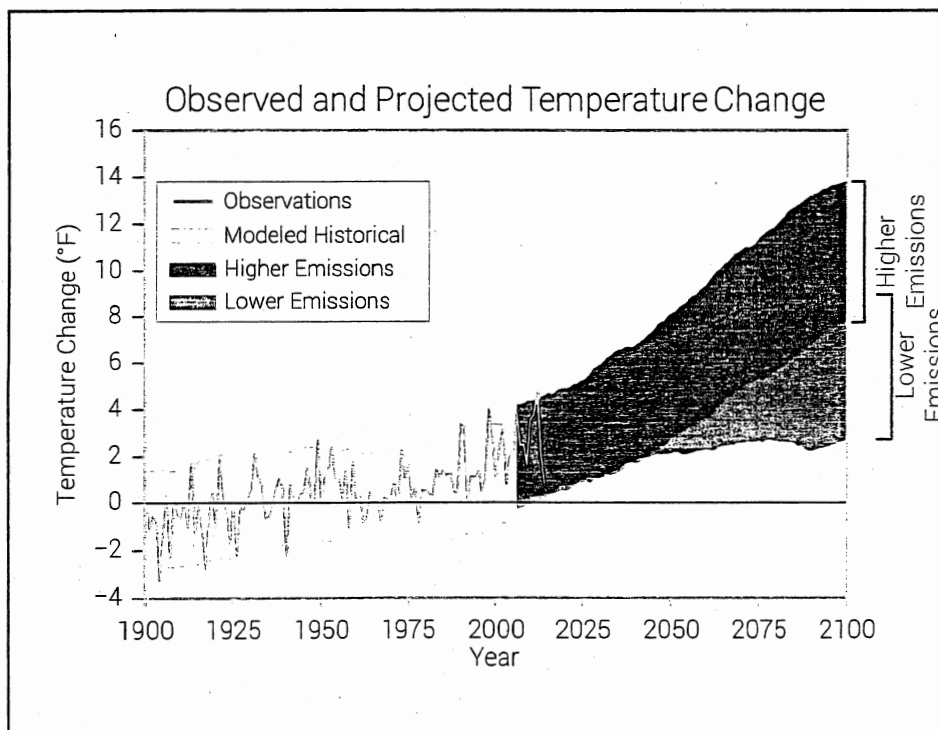
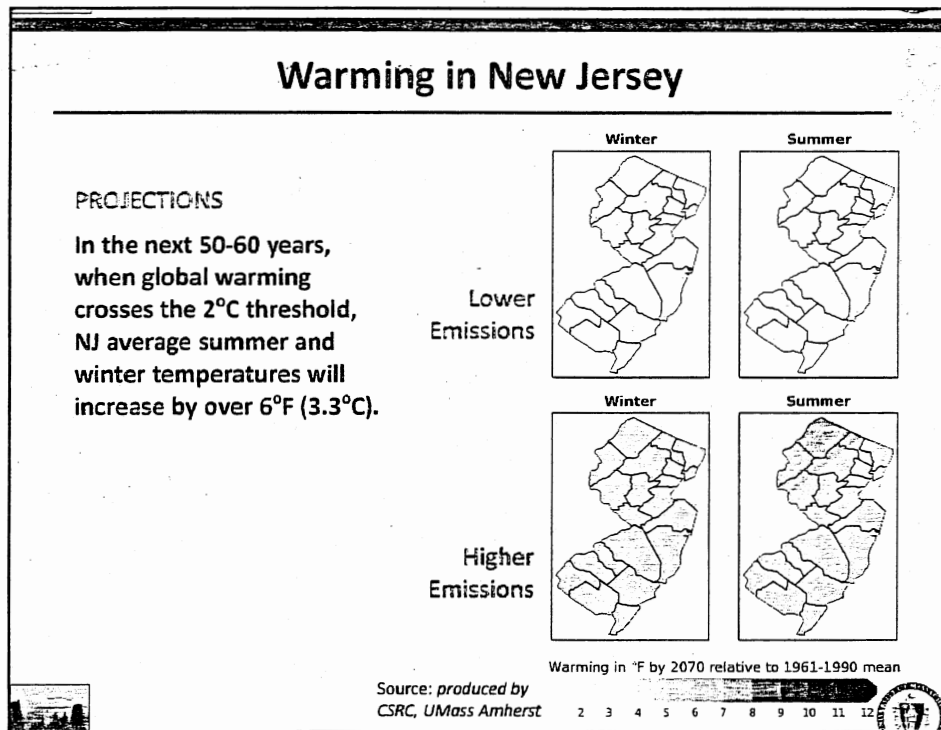
## Warming in New Jersey

### OBSERVATIONS

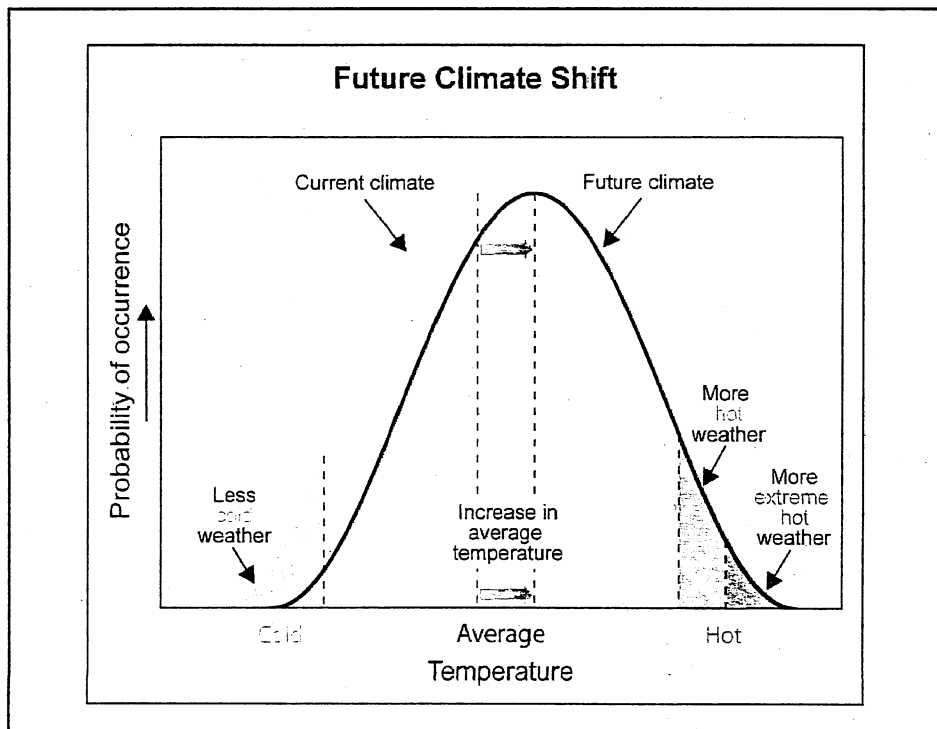
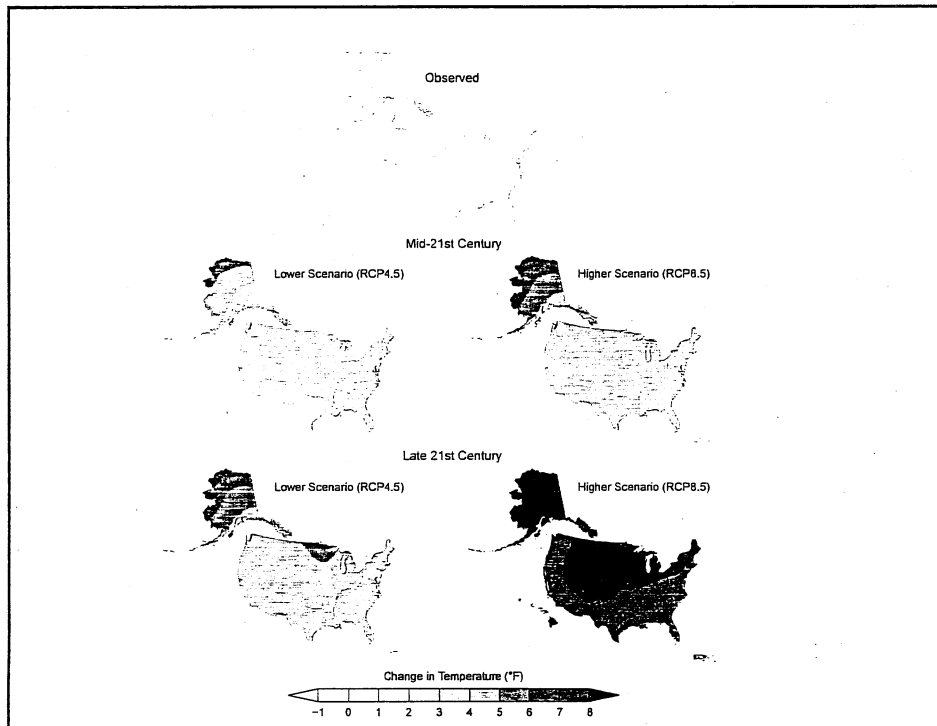
The annual mean temperature in NJ has already increased by about 3.6°F (2°C) since 1895 – faster than the rise in global mean temperature.

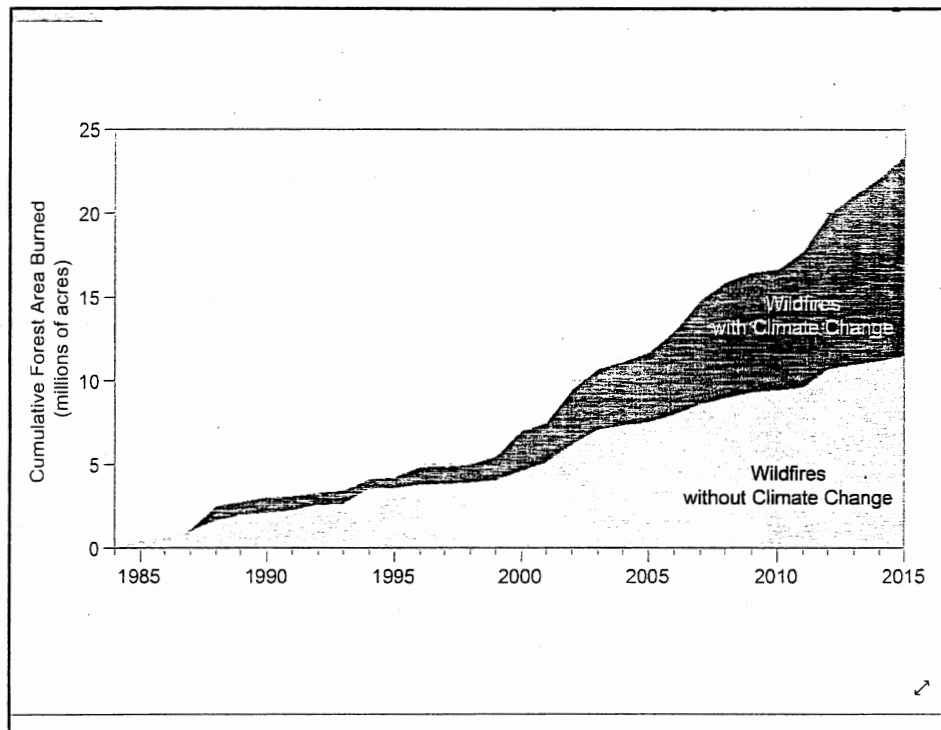


The annual mean temperature in NJ exceeded the 20th-century average every year since 1993 (the last 22 years).





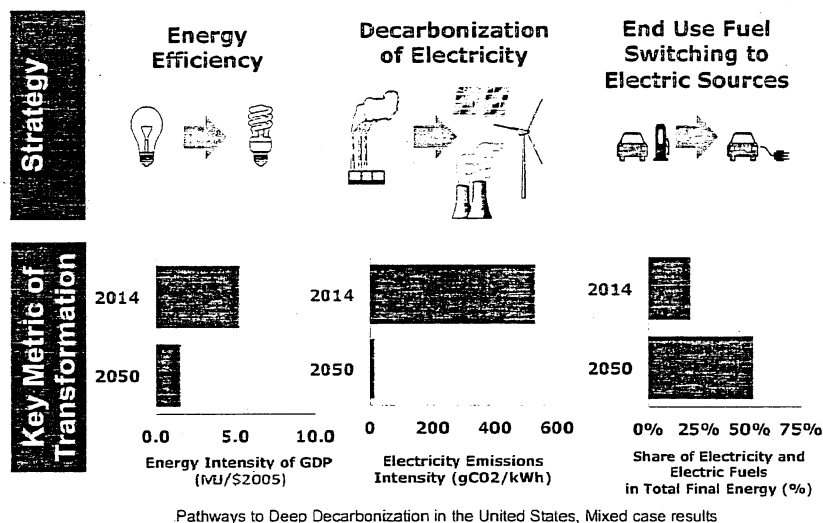




### New Jersey Greenhouse Gas Sources and Sinks – 2018

- 42% Transportation
- 19% Electricity generation
- 17% Commercial and industrial
- 16% Residential
- 8% Highly warming gases
- 5% Waste management
- 1% Land clearing
- 8% Terrestrial carbon sequestration

## Three Pillars of Deep Decarbonization



23

## Energy Efficiency

New buildings

Old buildings

Appliance standards [but: preemption]

Energy audits of buildings



### **Decarbonization of electricity**

Distributed renewables (e.g. rooftop solar)

Renewables on existing gravel, sand, clay mines

Offshore wind – cable landings

### **Electrification**

Electric vehicles

Purchases

Charging stations

Building heating and cooling; water heating

## **Adaptation to climate change**

### **Drainage and stormwater**

Pipes, culverts, retention basins

### **Fire**

Development at wildland-urban interface

Fire resistant materials in buildings

Buffer zones

Prescribed burns

Timber harvesting

Wildfire suppression