



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
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 www.nj.gov/pinelands



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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Acting Executive Director

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

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, May 13, 2022 - 9:30 a.m.

This meeting will be held in-person and virtually

Richard J. Sullivan Center for Environmental Policy and Education
 Terrence D. Moore Conference Room
 15C Springfield Road
 New Lisbon, New Jersey

Watch the meeting on the Pinelands Commission YouTube channel:
<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 846 4643 2300

1. Call to Order

- Open Public Meetings Act Statement
- Roll Call
- Pledge Allegiance to the Flag

2. Adoption of Minutes

- April 8, 2022

3. Committee Chairs' and Executive Director's Reports

4. Matters for Commission Consideration *Where the Record is Closed*

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approvals
 - None
- Public Development Projects and Waivers of Strict Compliance:

Resolution Approving With Conditions (1) Application for Public Development:

- Application No. 1997-0045.013 - Lenape Regional High School District
 Installation of a synthetic turf athletic field at the Seneca High School
 Tabernacle Township

B. Planning Matters

- Municipal Master Plans and Ordinances
 - Issuing an Order to Certify the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004, Amending Chapter 296 (Zoning Within Pinelands Area) of the Code of Winslow Township
- Other Resolutions
 - None
- CMP Amendments
 - None

5. Public Comment on Public Development Applications and Waivers of Strict Compliance *Where the Record is Not Closed*

A. Public Development Projects

- Application No. 1990-1140.003 – Maurice River Township
Construction of an access driveway and bus loop at the Maurice River Township Elementary School
Maurice River Township

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Egg Harbor Township Ordinances 7-2022 & 14-2022
- Hamilton Township Ordinance 1981-2022
- Manchester Township Ordinance 22-10
- Ocean Township Ordinance 2020-18
- Winslow Township Ordinance O-2022-008

7. General Public Comment

8. Resolution to Retire into Closed Session (if needed) – Personnel, Litigation and Acquisition Matters (*The Commission reserves the right to reconvene into public session to take action on closed session items.*)

9. Adjournment

Upcoming Meetings

Fri., May 27, 2022	Policy & Implementation (P&I) Committee Meeting (9:30 a.m.)
Fri., May 27, 2022	Pinelands Climate Committee Meeting (immediately following P&I)
Fri., June 10, 2022	Pinelands Commission Meeting (9:30 a.m.)

To ensure adequate time for all members of the public to comment, we will respectfully limit comments to three minutes. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.

Pinelands Commission and Committee meeting agendas are posted on the Commission's Website and can be viewed at www.nj.gov/pinelands/ for more information on agenda details, e-mail the [Public Programs Office](mailto:PublicProgramsOffice@pinelands.nj.gov) at Info@pinelands.nj.gov.

PINELANDS COMMISSION MEETING

MINUTES
April 8, 2022

The April 8, 2022 Pinelands Commission meeting was conducted remotely. All participants were present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=9mNXPSaWG-U>

Commissioners Participating in the Meeting

Alan W. Avery Jr., Jerome H. Irick, Theresa Lettman, Ed Lloyd, Mark Lohbauer, Jonathan Meade, Davon McCurry, William Pikolycky and Chair Laura E. Matos. Also participating were Acting Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Nicolas Seminoff and Governor's Authorities Unit representative Janice Venables.

Commissioners Absent

Dan Christy, Shannon Higginbotham, Jane Jannarone, Ed Lloyd and Gary Quinn.

Call to Order

Chair Matos called the meeting to order at 9:32 a.m.

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

Acting Executive Director (ED) Grogan called the roll and announced the presence of a quorum. Nine Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's March 11, 2022 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes from the Commission meeting were adopted by a vote of 9 to 0.

Committee Reports

Chair Matos provided an update on the March 25, 2022 Policy and Implementation (P&I) Committee meeting:

The Committee adopted the minutes of its February 25, 2022 meeting.

The Committee was briefed on a relaunch of a round of Pinelands Conservation Fund (PCF) land acquisition to begin in late April, with project recommendations presented to the Committee in the late summer. A total of \$1.5 million will be made available, with priority given to grassland bird habitat, lands in previously identified acquisition target areas and sites intended to offset or mitigate climate change impacts.

The Committee received a detailed presentation on draft rules for water management involving the Kirkwood-Cohansey Aquifer, including a lower threshold for withdrawal that encompasses more applicants, new stipulations on where aquifer water can be transferred between basins and HUC-11 watersheds, and new standards to prevent adverse local and regional ecological impacts of well diversions on wetlands and surface waters. Staff will prepare a full rule proposal for the Committee's review in May.

The Committee was updated on the progress of rules related to the Electric Transmission Line Right-of-Way Maintenance Program and will receive a draft rule proposal for review at the April P&I meeting.

Acting Executive Director's Report

Acting ED Grogan provided information on the following matters:

- Commissioner Lloyd is recovering from a bad fall, which is why he is not participating in today's meeting. He hopes to be able to participate in the May Commission meeting.
- The recruitment process has begun for two positions that will become vacant due to retirement. One position is for a Research Scientist and the other is for a Management Information Systems Specialist. Both job announcements have been posted on the Commission's website.
- Bethany Williams was introduced to the Commission. She was hired as an Environmental Specialist and began on March 28th.
- The Commission officially reopened the office on April 4th. In-person meetings and file reviews can now be held and visitors are welcome to visit the exhibit. Staff are working out the details for the May Commission meeting to be held in a hybrid fashion. Commissioners and members of the public can attend either virtually or in-person.

- The State announced a one-year Telework Pilot Program that would allow employees to work remotely two-days a week. The Commission will be developing policies to implement the program.
- The Governor's Interagency Council on Climate Change has created a new working group related to public communication. The Commission has been asked to join the working group and Paul Leakan will be the designee.
- Invitations will be sent out soon for the next round of PCF acquisition projects, which Chair Matos mentioned earlier. This is a very similar attempt to the one the Commission embarked on about a year ago and which proved unsuccessful. She said the focus is on grassland bird habitat. The funds for acquisition came from the amended Memorandum of Agreement with the South Jersey Transportation Authority.
- In March, the Commission received a petition from a member of the public to amend the Comprehensive Management Plan (CMP) to restrict and prohibit development in wildfire hazard areas. The New Jersey Department of Environmental Protection (NJDEP) and the Highlands Council also received the petition. Staff has responded by advising the petitioner of the specific process and rules outlined in the CMP in order to complete and move forward with the petition. The Commission has its own petition process, and it is different from the process used by the NJDEP and the Highlands Council.

Chuck Horner, Director of Regulatory Programs, provided information on the following regulatory matters:

- A letter was shared with all Commissioners earlier this week regarding structural concerns with Tabernacle Township's current municipal building. An emergency authorization was issued to Tabernacle for the placement of three office trailers. It is expected that the trailers will remain on the property past September 1, 2022, at which time Tabernacle would have to file a formal application with the Commission for the placement of the office trailers.
- Staff continue to spend a lot of time working on solar energy projects at landfill sites to ensure groundwater quality standards and threatened and endangered species standards are met.
- An application for a communication tower in Woodland Township will need to be transferred to the New Jersey Office of Administrative Law (OAL). Staff determined that the application for the tower was a principal use for general cellular coverage rather than an accessory use at the Fire and Emergency Services building. The application has been scheduled and rescheduled for a public hearing numerous times. Under normal circumstances, applicants may choose to have a Commission staff public hearing or an OAL hearing and review. For this application, however, there are no members of the Commission staff who could serve as the hearing

officer at the public hearing and make an unbiased determination on the application due to staff involvement over the past year. The only available option is to transfer the matter to OAL.

Commissioner Avery said he thought the application would end up at OAL. He said the sooner it gets on the schedule, the better.

Stacey Roth, the Commission's Chief of Legal and Legislative Affairs, said the matter was in the Superior Court, because a local property owner challenged the municipal approval, but has since been dismissed. She said in this instance the matter must go to OAL because all staff members who could conduct the hearing have been involved in the review and interpretation of the application and associated approvals.

Ms. Roth provided an update on the following:

- Financial Disclosure Statements must be filed by May 15, 2022
- Senate bill 2374 was recently introduced and amends the conflict of interest provision in the Pinelands Protection Act related to a determination made by the State Ethics Commission (SEC) in February 2009. In 2009, the Commission was formalizing CMP amendments related to the Pinelands Development Credit (PDC) Program. The SEC's 2009 determination stated that Commissioners residing in the Pinelands who had an agricultural business interest and are eligible for a PDC allocation could not participate in the rule amendment discussions because of the possibility of an indirect benefit. This bill would eliminate the exclusion against participation by "members" of the Commission on matters in which they may have a direct or indirect financial interest and, in its place, Commission members would be prohibited from taking official action on any matter in which they have a personal interest.
- All litigation surrounding the New Jersey Natural Gas matter has been exhausted. The Pinelands Preservation Alliance requested the New Jersey Supreme Court review the Appellate Division's Opinions on the substantive, process and third-party hearing denial appeals. The Supreme Court denied the requests for certification, with costs.

Paul Leakan, the Commission's Communications Officer, said the Commission held the 33rd annual Pinelands Short Course at Stockton University on March 12th. More than 400 people attended the event, which featured 31 educational presentations. The online event and course evaluations are overwhelmingly positive. He said that 98.13% of the respondents said they would attend again. Staff members are now planning the 6th annual Pinelands Summer Short Course, which will be held in Hammonton on July 21st.

He said staff has been working diligently on a project to design and install a rain garden at the Commission's headquarters. In recent weeks, the Rutgers Cooperative Extension has sent the Commission two engineering and design plans for the garden, and Commission

staff has been reviewing and providing comments on those plans. Mr. Leakan said he has been working to source the plant species at numerous nurseries.

Lastly, Mr. Leakan said the New Jersey Department of Environmental Protection held its 34th annual, virtual GIS Mapping Contest on April 7th, and the Pinelands Commission won 2nd place in the Story Map category for our [Pine Barrens Byway Story Map](#).

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution recommending a water main installation project in Lakehurst Borough and Manchester Township and the installation of sidewalks associated with a road project in the Town of Hammonton.

Commissioner Avery made a motion to adopt a resolution Approving With Conditions Applications for Public Development (Application Numbers 2018-0163.001 & 2021-0284.001) (See Resolution #PC4-22-16). Commissioner Lohbauer seconded the motion.

Director Horner said the first application is being submitted by Weston Solutions on behalf of the US Army Corps of Engineers. The application is for less than a half-mile of water main to serve approximately six uses that have suffered from groundwater contamination from the Joint Base McGuire Dix Lakehurst (JBMDL). The applicant is proposing 250 linear feet of Horizontal Directional Drilling (HDD) due to the presence of wetlands and wetlands buffers. He said the reports specifies a safety plan to address any possible breakout of drilling fluid.

Director Horner said the second application is for sidewalks along the White Horse Pike in Hammonton.

Commissioner Lohbauer said the Commission has had many discussions on HDD after the inadvertent return (IR) that occurred at JBMDL. Commissioner Lohbauer said in the event there is a spill from the drilling, he wants the contractor to stop working, notify the Commission and not resume drilling until Commission staff site inspect the damage.

Director Horner said he believes the condition can be met and is in the parameters of the Commission's rules, if Acting ED Grogan finds that acceptable. He added that Ms. Bolt from Weston Solutions is on the Zoom meeting and may be able to provide additional information.

Ms. Bolt said a generic HDD contingency plan was submitted as part of the application. She said once the bid has been awarded to a contractor, a specific HDD contingency plan will be secured and can include language stating that should an IR occur, drilling would cease, and the Commission would be notified and not begin again until a representative of the Commission inspects the site.

Commissioner Irick asked about the size of the water main that would be installed and asked about the pressure of the drilling grout. He said his research suggests that the

pressure used influences the potential for an IR. He also asked about the depth of the pipe that would be placed under the wetland.

Ms. Bolt said its a 12-inch water main that is being installed. She said she would have to research the proposed pressure of the drilling and provide information at a later time. Lastly, she said the pipe will be placed at a minimum depth of four feet below the invert of the stream.

Director Horner said staff is looking forward to having regulations that address HDD activities. He said the current rules in the CMP do not address construction activities. He encouraged the Commission to vote on that application without the information on the drilling pressure.

Ms. Roth added that that Commissioners should make a decision based on the current provisions of the CMP.

Commissioner Avery said the applicant understands the concerns of the Commission and he feels comfortable relying on their expertise.

Commissioner Irick requested a roll call vote for the water main application.

Acting ED Grogan suggested that the Commission proceed with the vote on the resolution for both applications. If the vote indicates a need to separate the applications into two resolutions, that can be done. The roll call vote then occurred as follows:

Commissioner Avery	Yes
Commissioner Holroyd	Yes
Commissioner Irick	Yes, with reservation
Commissioner Lettman	Yes
Commissioner Lohbauer	Yes
Commissioner McCurry	Yes
Commissioner Meade	Yes
Commissioner Pikolycky	Yes
Chair Matos	Yes

The Commission adopted the resolution by a vote of 9 to 0.

Chair Matos introduced a resolution recommending approval of a Waiver of Strict Compliance for the development of a single family dwelling in Jackson Township

Commissioner Lohbauer made a motion to adopt a resolution Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 2020-0238.001) (See Resolution #PC4-22-17). Commissioner Holroyd seconded the motion.

Director Horner said Waiver of Strict Compliance applications come before the Commission when a certain standard of the CMP cannot be met. He said in this instance the applicant cannot meet the 300-foot buffer to wetlands. The waiver will allow for a decreased buffer of 175 feet. He said when the CMP was being developed, the Commission followed legal advice and incorporated waiver provisions so as not to take land from property owners and provide a minimum beneficial use.

The Commission adopted the resolution by a vote of 9 to 0.

Public Comment on Public Development Applications and Items Where the Record is Open

No public comment was received.

Ordinances Not Requiring Commission Action

Chair Matos read the list of ordinances listed on today's agenda that do not require action.

- Jackson Township Ordinance 06-22
- Vineland City Ordinance 2022-13

Local Government Energy Audit Presentation

Jessica Lynch, Business Services Manager, said the Commission applied to the New Jersey Board of Public Utilities for a Local Government Energy Audit (LGEA) to determine potential energy efficient measures that could be implemented at the Commission's facilities. The Research Company (TRC) visited the Commission offices to evaluate the existing conditions. Staff provided TRC with two-year's worth of electric and natural gas bills. TRC prepared two reports, including one for the Richard J. Sullivan Center and another report for the other buildings. She reviewed the recommendations TRC suggested: LED fixtures, installing dimmer switches, motion detector lighting, insulation of pipes, and the eventual replacement of the 15 existing HVAC units and eight heating units. She reviewed the cost implications of the suggestions and along with the potential savings and reduction in the carbon footprint. The full reports have been posted on the Commission's website. (See attached presentation slides)

Director Grogan added that staff asked TRC about the potential for solar. She said TRC determined that based on trees, shade, and the parking lot, there would be no benefit from installing a solar array.

Commissioner McCurry asked how the self-funding loan would work.

Acting ED Grogan said unfortunately representatives from the Energy Saving Improvement Plan (EISP) did not join the final meeting with TRC, so it's something that staff would need to further investigate. She noted that with the Fiscal Year 2023 budget

beginning, this is a good time to be thinking about building improvements and budgeting for them.

Commissioner Lohbauer requested that the LGEA reports be added to the Climate Committee meeting agenda for further discussion and addition energy saving recommendations.

General Public Comment

Rhyan Grech of the Pinelands Preservation Alliance (PPA) said she understands that the CMP does not regulate construction techniques; however, HDD is used as a mitigation measure to avoid adverse impacts on wetlands. She said HDD has a 50% failure rate. She was thankful for the overview Director Horner provided on the Woodland Township cell tower matter. She requested that the Commission consider designating PPA as an interested party when the matter is transferred to OAL.

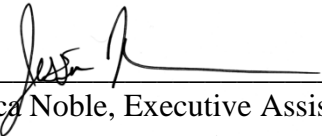
Other

Commissioner Lohbauer said Earth Day is coming up and he asked that everyone try and reduce their carbon footprint.

Adjournment

Commissioner McCurry moved to adjourn the meeting. Commissioner Holroyd seconded the motion. The Commission agreed to adjourn at 10:51 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: April 18, 2022



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22- 16

TITLE: **Approving With Conditions Applications for Public Development** (Application Numbers 2018-0163.001 & 2021-0284.001)

Commissioner Avery moves and Commissioner Lohbauer seconds the motion that:

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

2018-0163.001

Applicant: **Weston Solutions, Inc. on behalf of the United States Army Corps of Engineers**
Municipality: Borough of Lakehurst
Management Area: Manchester Township
Pinelands Town
Pinelands Regional Growth Area
Date of Report: March 18, 2022
Proposed Development: Installation of 2,200 linear feet of water main; and

2021-0284.001

Applicant: **New Jersey Department of Transportation**
Municipality: Town of Hammonton
Management Area: Pinelands Town
Date of Report: March 15, 2022
Proposed Development: Installation of 534 linear feet of four-foot-wide sidewalk within the Route 30 right-of-way.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Acting 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 Acting 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 2018-0163.001 & 2021-0284.001 for public development are hereby **approved** subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery	X				Jannarone			X		Meade	X			
Christy			X		Lettman	X				Pikolycky	X			
Higginbotham			X		Lloyd			X		Quinn			X	
Holroyd	X				Lohbauer	X				Matos	X			
Irick	X				McCurry	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: April 8, 2022



Susan R. Grogan
Acting Executive Director



Laura E. Matos
Chair



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LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Acting Executive Director

March 18, 2022

Elizabeth Bolt (via email)
 Weston Solutions, Inc.
 1400 Weston Way, Building 5-1
 West Chester, PA 19380

Re: Application # 2018-0163.001
 Block 66, Lot 1 & State Route 70
 Borough of Lakehurst
 Ridgeway Boulevard
 Borough of Lakehurst & Manchester Township

Dear Ms. Bolt:

The Commission staff has completed its review of this application for installation of 2,200 linear feet of water main within the Route 70 and Ridgeway Boulevard rights-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its April 8, 2022 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 Acting 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, Borough of Lakehurst Planning Board (via email)
 Borough of Lakehurst Construction Code Official (via email)
 Secretary, Manchester Township Planning Board (via email)
 Manchester Township Construction Code Official (via email)
 Manchester Township Environmental Commission (via email)
 Secretary, Ocean County Planning Board (via email)



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Chair
SUSAN R. GROGAN
Acting Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

March 18, 2022

Elizabeth Bolt (via email)
Weston Solutions, Inc.
1400 Weston Way, Building 5-1
West Chester, PA 19380

Application No.: 2018-0163.001
Block 66, Lot 1 & State Route 70
Borough of Lakehurst
Ridgeway Boulevard
Borough of Lakehurst & Manchester Township

This application proposes installation of 2,200 linear feet of water main within the Borough of Lakehurst and Manchester Township.

Approximately 217 linear feet of water main will be located within the Route 70 right-of-way in the Borough of Lakehurst. Approximately 1,874 linear feet of water main will be located within the Ridgeway Boulevard right-of-way in the Borough of Lakehurst and Manchester Township. Approximately 109 linear feet of water main will be located within a utility easement on Block 66, Lot 1 in the Borough of Lakehurst.

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. 7:50-5.27 & 5.28)

The proposed development is located in the Pinelands Town of Lakehurst and in a Pinelands Regional Growth Area in Manchester Township. The proposed development is a permitted land use in a Pinelands Town and a Pinelands Regional Growth Area.

Wetlands Standards (N.J.A.C. 7:50-6.6 & 6.13)

The CMP prohibits most development in wetlands and requires up to a 300 foot buffer to wetlands.

An approximately 50 foot section of the proposed water main will be located in wetlands associated with a stream (Manapaqua Branch). An approximately 500 foot section of the proposed water main will be located within the required 300 foot buffer to wetlands. This 500 foot section of the water main will be installed within the maintained grass shoulder of Ridgeway Boulevard.

The applicant proposes to install a total of 250 linear feet of the water main via horizontal directional drilling (HDD). Of that 250 feet, a 50 foot section of the water main will be installed under wetlands associated with the Manapaqua Branch; a 100 foot section will be installed in the required 300 foot buffer to wetlands; and a 100 foot section will be installed under a paved parking area that is located outside of wetlands and the required buffer to wetlands.

The CMP permits the installation of linear improvements (water mains) in wetlands and the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in wetlands or the required buffer to wetlands that will result in a less significant adverse impact to wetlands. To mitigate impact to wetlands, the application proposes to install a 50 linear foot section of the water main under the wetland associated with the Manapaqua Branch via HDD. Based upon the proposed water main being located at least four feet below the bottom of the stream channel and the provision of a Horizontal Directional Drilling Contingency Plan to address any potential break outs of drilling fluid, the proposed development will not result in a substantial impairment of the resources of the Pinelands. The water main is proposed to provide potable water to existing development with contaminated potable water wells in the Borough of Lakehurst and Manchester Township. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetlands and the required buffer to wetlands.

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

Other than the 50 feet under the Manapaqua Stream, the proposed water main will be located within a maintained grass road shoulder and under paved surfaces. The proposed soil disturbance is limited to that which is necessary to accommodate the development.

The Landscaping and Re-vegetation 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.

PUBLIC COMMENT

The CMP defines the proposed development as “minor.” The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on February 28, 2022. The Commission’s public comment period closed on March 11, 2022. 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 26 sheets, prepared by Weston Solutions, Inc., all sheets dated August 12, 2020 and revised to January 6, 2022.
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.
6. The applicant shall engage an independent licensed professional engineer with proven experience in Horizontal Directional Drilling (HDD) to be present at all times HDD activities are being undertaken. The independent engineer shall:
 - a. Ensure that all HDD activities are conducted in accordance with all approved plans;
 - b. Ensure that appropriate measures, such as installation of silt fence, hay bales, inflatable berm, etc. are taken during HDD activities to prevent the discharge of drilling fluid to wetlands, streams or any other water body or beyond the immediate confines of the drill site;
 - c. Monitor drill hole pressures and walk the area in which HDD activities are being conducted to identify any potential break outs of drilling fluid; and
 - d. Be responsible for immediate implementation of the Horizontal Directional Drilling Contingency Plan should a break out of drilling fluid occur and require the immediate cessation of all HDD activities. The applicant shall within 24 hours notify the Pinelands Commission's Acting Executive Director via email at info@pinelands.nj.gov of the location of the break out and advise as to the response actions being taken to address the break out in accordance with the Horizontal Directional Drilling Contingency Plan.

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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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 April 5, 2022 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.



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



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

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

March 15, 2022

Brenna Fairfax (via email)
New Jersey Department of Transportation
P.O. Box 600
Trenton, NJ 08625

Re: Application # 2021-0284.001
U.S. Route 30
Town of Hammonton

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for installation of 534 linear feet of four foot wide sidewalk within the Route 30 right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its April 8, 2022 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 Acting 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)



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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

March 15, 2022

Brenna Fairfax (via email)
New Jersey Department of Transportation
P.O. Box 600
Trenton, NJ 08625

Application No.: 2021-0284.001
U.S. Route 30
Town of Hammonton

This application proposes installation of 534 linear feet of four foot wide sidewalk within the Route 30 right-of-way in the Town of Hammonton. The proposed 534 linear feet of sidewalk is comprised of five non-contiguous sections of sidewalk within the Route 30 right-of-way between Central Avenue and Moss Mill Road.

The applicant proposes the repaving of portions of Route 30 and the installation of traffic signage. The repaving of portions of Route 30, provided no increase in the paved width occurs, does not require application to the Pinelands Commission in accordance with the Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-4.1(a)11). The installation of traffic signs does not require application to the Pinelands Commission in accordance with the CMP (N.J.A.C. 7:50-4.1(a)4).

The applicant also proposes the replacement of guiderail. The in-kind replacement of existing guardrails does not require application to the Pinelands Commission.

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. 7:50-5.27(a))

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

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.

PUBLIC COMMENT

The CMP defines the proposed development as “minor.” The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on February 9, 2022. The Commission’s public comment period closed on March 11, 2022. 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, all sheets dated December 20, 2021.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on April 4, 2022 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. PC4-22-17

TITLE: **Approving** With Conditions an Application for a **Waiver of Strict Compliance** (Application Number 2020-0238.001)

Commissioner Lohbauer moves and Commissioner Holroyd seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Acting Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

2020-0238.001

Applicant: Malkiel David
Municipality: Jackson Township
Management Area: Pinelands Regional Growth Area
Date of Report: March 15, 2022
Proposed Development: Single family dwelling.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Acting Executive Director’s recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Acting Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 if the conditions recommended by the Acting 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 2020-0238.001 for a Waiver of Strict Compliance is hereby **approved** subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery	X				Jannarone			X		Meade	X			
Christy			X		Lettman	X				Pikolycky	X			
Higginbotham			X		Lloyd			X		Quinn			X	
Holroyd	X				Lohbauer	X				Matos	X			
Irick	X				McCurry	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: April 8, 2022

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair



State of New Jersey
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PHILIP D. MURPHY
Governor
SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

March 15, 2022

Malkiel David (via email)
0 Cannon Road, LLC
15 America Avenue
Suite 301A
Lakewood, NJ 08701

Re: Application # 2020-0238.001
Block 20601, Lot 4
Jackson Township

Dear Mr. David:

The Commission staff has completed its review of this application for a Waiver of Strict Compliance (“Waiver”) proposing the development of one single family dwelling on the above referenced parcel. Based upon the facts and conclusions contained in this Report, on behalf of the Commission’s Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its April 8, 2022 meeting.

FINDINGS OF FACT

This application is for the development of one single family dwelling, serviced by an alternate design onsite septic system, on the above referenced 2.35 acre parcel in Jackson Township. The parcel is located in a Pinelands Regional Growth Area and in Jackson Township’s RG-2 zoning district. In this zoning district, Jackson Township’s certified land use ordinance establishes a minimum lot size of 1.0 acre to develop a single family dwelling serviced by an alternate design onsite septic system.

The parcel has been site inspected by a member of the Commission’s staff. In addition, the appropriate resource capability maps and data available to the staff have been reviewed.

The Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-6.14) requires that the development proposed in this application maintain a 300 foot buffer to wetlands unless the applicant demonstrates that a lesser buffer to wetlands will not result in a significant adverse impact on wetlands. A portion of the parcel is wetlands as defined in the CMP (N.J.A.C. 7:50-6.5(a)2). The wetlands continue onto adjacent lands. Any development of the parcel would be located within 300 feet of these wetlands. The applicant has submitted no information to demonstrate that the proposed development will not cause a significant adverse impact on the wetlands. Based on the quality and location of the wetlands, the proposed development will cause a significant adverse impact on the wetlands. As there

will be a significant adverse impact on wetlands located within 300 feet of the proposed development, the applicant is requesting a Waiver from the buffer to wetlands standard contained in the CMP (N.J.A.C. 7:50-6.14).

The CMP (N.J.A.C. 7:50-4.65(b)6) requires that for an applicant to qualify for a Waiver to develop a single family dwelling in a Pinelands Regional Growth Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on wetlands. The applicant has demonstrated that no development, including clearing and land disturbance, will be located on or within 175 feet of wetlands.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the parcel. The development of a single family dwelling on the parcel will not require any lot area or residential density variances pursuant to Jackson Township's certified land use ordinance. A single family dwelling can be developed on the parcel without violating any criteria contained in N.J.A.C. 7:50-4.65(b) if the conditions recommended below are imposed.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on December 22, 2021. Public notice to all property owners within 200 feet of the parcel was completed on December 16, 2021. The application was designated as complete on the Commission's website on February 17, 2022. The Commission's public comment period closed on March 11, 2022. No public comment regarding this application was submitted to the Pinelands Commission.

CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on an extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) of the CMP have been met.

The CMP (N.J.A.C. 7:50-4.63(a)) sets forth five conditions which must be met for an applicant to qualify for an extraordinary hardship pursuant to that subsection.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain development specified in N.J.A.C. 7:50-4.63(a)1. This application is only for a Waiver from the wetlands buffer standard contained in N.J.A.C. 7:50-6. One of the specified types of development in N.J.A.C. 7:50-4.63(a)1 is a single family dwelling on a parcel within a Pinelands Regional Growth Area which is at least 20,000 square feet, excluding road rights of way, in size and will be serviced by an onsite septic system. This application proposes a single family dwelling in a Pinelands Regional Growth Area that will be serviced by an onsite septic system on a 2.35 acre (102,366 square feet) lot. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1v.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous lands. Since the parcel includes all such contiguous land, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and residential density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinances have been certified by the Pinelands Commission. Jackson Township's master plan and land use ordinances have been certified by the Pinelands Commission. In the RG-2 zoning district, Jackson Township's certified land use ordinance establishes a minimum lot size of 1.0 acre to develop a single family dwelling serviced by an alternate design onsite septic system. This application proposes to develop a single family dwelling serviced by an alternate design onsite septic system on a 2.35 acre lot. No municipal lot area or density variance is required to develop the proposed single family dwelling. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C. 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. The CMP (N.J.A.C 7:50-4.65(b)) sets forth the circumstances which do not comply with N.J.A.C 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all five conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

As required by N.J.A.C. 7:50-4.62(b), the proposed dwelling will not result in substantial impairment of the resources of the Pinelands or be inconsistent with the provisions of the Pinelands Protection Act, the Federal Act or the CMP in accordance with the criteria set forth in N.J.A.C. 7:50-4.65.

As required by N.J.A.C. 7:50-4.62(c), and with the conditions recommended below, the proposed dwelling will not involve trespass or create a public or private nuisance by being materially detrimental or injurious to other property or improvements in the area in which the parcel is located, increase the danger of fire or endanger public safety.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist.

The CMP (N.J.A.C. 7:50-4.62(d)1iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits (PDCs) whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. As the application is obtaining a Waiver from the minimum buffer to wetlands standard (N.J.A.C. 7:50-6.14), a condition is included in this Report to require the applicant to purchase the requisite 0.25 Pinelands Development Credits.

To meet the requirements of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65, the Pinelands Commission staff has determined that the parcel must be developed in accordance with the following conditions:

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by Haler Consulting, dated August 7, 2021.
2. The septic system shall be located in an area where the seasonal high water table is at least 5 feet below the natural ground surface and in the area shown on the above referenced plan.
3. Appropriate measures shall be taken prior to 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.
4. Sufficient dry wells or a comparable alternative shall be installed to contain all stormwater runoff from the house.
5. The driveway shall be constructed of crushed stone or other permeable material.
6. The septic system shall be located at least 220 feet from all wetlands. All other development, including clearing and land disturbance, shall be located at least 175 feet from all wetlands. No development, including clearing and land disturbance, shall occur except as shown on the above referenced plan.
7. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.
8. Prior to Commission issuance of a letter advising that any county or municipal approval or permit may take effect, the Commission must receive a letter from the Pinelands Development Credit Bank indicating that the requisite 0.25 Pinelands Development Credits have been acquired and submitted to the Pinelands Development Credit Bank for redemption.
9. This Waiver shall expire April 8, 2027 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after April 8, 2027, or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
10. A copy of a recorded deed containing all of the above conditions shall be submitted to the Pinelands Commission prior to completing an application for development. The deed shall also specify that the conditions are being imposed pursuant to a Waiver of Strict Compliance referring to the application number. The deed shall state that the conditions are enforceable by the Pinelands Commission, Jackson Township, the Ocean County Health Department, and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver from the requirements of N.J.A.C. 7:50-6.14 of the CMP.

Since the applicant meets the CMP Waiver requirements of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver subject to the above conditions.

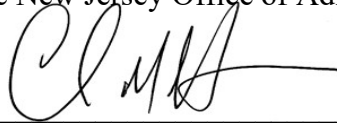
APPEAL

The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation 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 April 4, 2022 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received, the Pinelands Commission may either approve the determination of the Acting Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____



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

- c: Secretary, Jackson Township Planning Board (via email)
 Jackson Township Construction Code Official (via email)
 Jackson Township Environmental Commission (via email)
 Secretary, Ocean County Planning Board (via email)
 Ocean County Health Department (via email)
 Eric Halpert (via email)

A 3D-rendered bee is shown in flight, moving from right to left towards a glowing yellow circle. The background features abstract, flowing blue and green lines that suggest energy or movement.

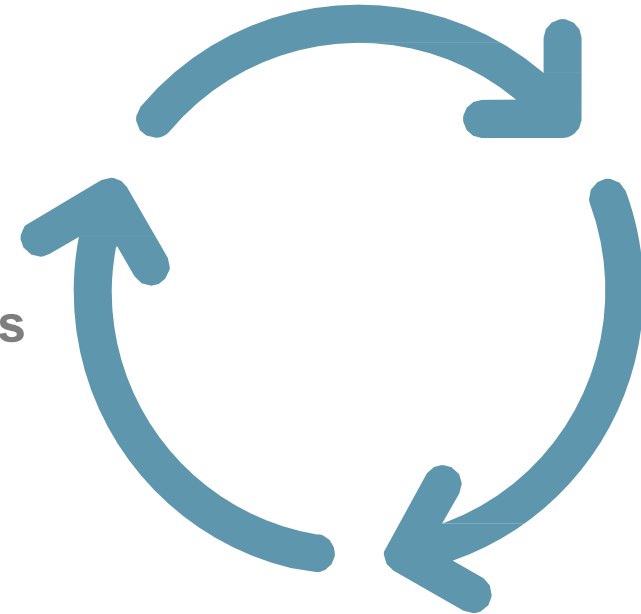
LG&A Presentation
New Jersey Pinelands Commission

New Jersey's
Clean Energy Program

Lighting the way to New Jersey's Clean Energy Future

LGEA PROCESS

- Application Approval
- Initial Call
- Facility Interviews
- Audit
- Benchmarking & Analysis
- Draft Reports
- LGEA Presentation
- Final Reports



SITE VISIT & UTILITY ANALYSIS

Overview of Systems, Baseline & Existing Conditions:

- Lighting System
- HVAC and Mechanical Systems
- Plug Load Equipment

Utility Consumption:

- Electric Consumption and Costs
- Natural Gas Consumption and Costs

Sites Visited/Analyzed

- Richard J. Sullivan Center
- Fenwick Manor
 - Carriage House
 - Barn

ALL OPPORTUNITIES

#	Energy Conservation Measure	Annual Electric Savings (kWh)	Peak Demand Savings (kW)	Annual Fuel Savings (MMBtu)	Annual Energy Cost Savings (\$)	Estimated M&L Cost (\$)	Estimated Incentive (\$)*	Estimated Net M&L Cost (\$)	Simple Payback Period (yrs)**	CO ₂ e Emissions Reduction (lbs)
Lighting Upgrades		30,165	12.3	-5.8	\$4,756	\$18,521	\$4,036	\$14,485	3.0	29,693
ECM 1	Install LED Fixtures	2,146	0.0	0.0	\$342	\$4,150	\$1,250	\$2,900	8.5	2,161
ECM 2	Retrofit Fixtures with LED Lamps	28,019	12.3	-5.8	\$4,414	\$14,370	\$2,786	\$11,584	2.6	27,532
Lighting Control Measures		8,039	3.0	-1.7	\$1,263	\$13,708	\$3,100	\$10,608	8.4	7,898
ECM 3	Install Occupancy Sensor Lighting Controls	6,255	2.5	-1.3	\$982	\$10,333	\$1,315	\$9,018	9.2	6,146
ECM 4	Install High/Low Lighting Controls	1,784	0.5	-0.4	\$281	\$3,375	\$1,785	\$1,590	5.7	1,753
Electric Unitary HVAC Measures		10,227	11.5	0.0	\$1,627	\$94,651	\$5,723	\$88,929	54.7	10,298
ECM 5	Install High Efficiency Air Conditioning Units	9,312	11.0	0.0	\$1,480	\$89,324	\$5,723	\$83,601	56.5	9,377
ECM 6	Install High Efficiency Heat Pumps	914	0.5	0.0	\$147	\$5,327	\$0	\$5,327	36.3	921
HVAC System Improvements		0	0.0	1.0	\$9	\$35	\$12	\$23	2.4	112
ECM 7	Install Pipe Insulation	0	0.0	1.0	\$9	\$35	\$12	\$23	2.4	112
Domestic Water Heating Upgrade		0	0.0	4.7	\$47	\$72	\$36	\$36	0.8	556
ECM 8	Install Low-Flow DHW Devices	0	0.0	4.7	\$47	\$72	\$36	\$36	0.8	556
TOTALS		48,430	26.8	-1.8	\$7,702	\$126,986	\$12,906	\$114,080	14.8	48,557

* - All incentives presented in this table are included as placeholders and are based on previously run state rebate programs. Contact your utility provider for details on current programs

** - Simple Payback Period is based on net measure costs (i.e. after incentives).

COST EFFECTIVE OPPORTUNITIES

#	Energy Conservation Measure	Annual Electric Savings (kWh)	Peak Demand Savings (kW)	Annual Fuel Savings (MMBtu)	Annual Energy Cost Savings (\$)	Estimated M&L Cost (\$)	Estimated Incentive (\$)*	Estimated Net M&L Cost (\$)	Simple Payback Period (yrs)**	CO ₂ e Emissions Reduction (lbs)
Lighting Upgrades		29,501	12.3	-5.8	\$4,651	\$16,345	\$3,486	\$12,859	2.8	29,024
ECM 1	Install LED Fixtures	1,482	0.0	0.0	\$238	\$1,975	\$700	\$1,275	5.4	1,492
ECM 2	Retrofit Fixtures with LED Lamps	28,019	12.3	-5.8	\$4,414	\$14,370	\$2,786	\$11,584	2.6	27,532
Lighting Control Measures		8,039	3.0	-1.7	\$1,263	\$13,708	\$3,100	\$10,608	8.4	7,898
ECM 3	Install Occupancy Sensor Lighting Controls	6,255	2.5	-1.3	\$982	\$10,333	\$1,315	\$9,018	9.2	6,146
ECM 4	Install High/Low Lighting Controls	1,784	0.5	-0.4	\$281	\$3,375	\$1,785	\$1,590	5.7	1,753
HVAC System Improvements		0	0.0	1.0	\$9	\$35	\$12	\$23	2.4	112
ECM 7	Install Pipe Insulation	0	0.0	1.0	\$9	\$35	\$12	\$23	2.4	112
Domestic Water Heating Upgrade		0	0.0	4.7	\$47	\$72	\$36	\$36	0.8	556
ECM 8	Install Low-Flow DHW Devices	0	0.0	4.7	\$47	\$72	\$36	\$36	0.8	556
TOTALS		37,539	15.3	-1.8	\$5,971	\$30,160	\$6,634	\$23,526	3.9	37,590

* - All incentives presented in this table are included as placeholders and are based on previously run state rebate programs. Contact your utility provider for details on current programs

** - Simple Payback Period is based on net measure costs (i.e. after incentives).

RICHARD J. SULLIVAN CENTER

#	Energy Conservation Measure	Cost Effective?	Annual Electric Savings (kWh)	Peak Demand Savings (kW)	Annual Fuel Savings (MMBtu)	Annual Energy Cost Savings (\$)	Estimated M&L Cost (\$)	Estimated Incentive (\$)*	Estimated Net M&L Cost (\$)	Simple Payback Period (yrs)**	CO ₂ e Emissions Reduction (lbs)
Lighting Upgrades			22,123	8.9	-4	\$3,505	\$11,531	\$2,599	\$8,932	2.5	21,775
ECM 1	Install LED Fixtures	Yes	1,482	0.0	0	\$238	\$1,975	\$700	\$1,275	5.4	1,492
ECM 2	Retrofit Fixtures with LED Lamps	Yes	20,641	8.9	-4	\$3,267	\$9,556	\$1,899	\$7,657	2.3	20,282
Lighting Control Measures			4,830	1.8	-1	\$765	\$6,693	\$1,845	\$4,848	6.3	4,746
ECM 3	Install Occupancy Sensor Lighting Controls	Yes	3,582	1.4	-1	\$567	\$4,668	\$515	\$4,153	7.3	3,519
ECM 4	Install High/Low Lighting Controls	Yes	1,248	0.4	0	\$198	\$2,025	\$1,330	\$695	3.5	1,226
Unitary HVAC Measures			5,817	6.0	0	\$933	\$55,945	\$3,150	\$52,795	56.6	5,857
ECM 5	Install High Efficiency Air Conditioning Units	No	4,902	5.4	0	\$786	\$50,618	\$3,150	\$47,468	60.4	4,937
ECM 6	Install High Efficiency Heat Pumps	No	914	0.5	0	\$147	\$5,327	\$0	\$5,327	36.3	921
HVAC System Improvements			0	0.0	1	\$9	\$35	\$12	\$23	2.4	112
ECM 7	Install Pipe Insulation	Yes	0	0.0	1	\$9	\$35	\$12	\$23	2.4	112
Domestic Water Heating Upgrade			0	0.0	3	\$28	\$43	\$22	\$22	0.8	333
ECM 8	Install Low-Flow DHW Devices	Yes	0	0.0	3	\$28	\$43	\$22	\$22	0.8	333
TOTALS (COST EFFECTIVE MEASURES)			26,953	10.7	-1	\$4,307	\$18,301	\$4,478	\$13,824	3.2	26,966
TOTALS (ALL MEASURES)			32,770	16.7	-1	\$5,240	\$74,247	\$7,628	\$66,619	12.7	32,823

* - All incentives presented in this table are included as placeholders for planning purposes and are based on previously run state rebate programs. Contact your utility provider for details on current programs.

** - Simple Payback Period is based on net measure costs (i.e. after incentives).

FENWICK MANOR, CARRIAGE HOUSE, & BARN

#	Energy Conservation Measure	Cost Effective?	Annual Electric Savings (kWh)	Peak Demand Savings (kW)	Annual Fuel Savings (MMBtu)	Annual Energy Cost Savings (\$)	Estimated M&L Cost (\$)	Estimated Incentive (\$)*	Estimated Net M&L Cost (\$)	Simple Payback Period (yrs)**	CO ₂ e Emissions Reduction (lbs)
Lighting Upgrades			8,042	3.4	-2	\$1,251	\$6,990	\$1,437	\$5,553	4.4	7,918
ECM 1	Install LED Fixtures	No	664	0.0	0	\$105	\$2,175	\$550	\$1,625	15.5	669
ECM 2	Retrofit Fixtures with LED Lamps	Yes	7,378	3.4	-2	\$1,146	\$4,815	\$887	\$3,928	3.4	7,249
Lighting Control Measures			3,209	1.2	-1	\$498	\$7,015	\$1,255	\$5,760	11.6	3,152
ECM 3	Install Occupancy Sensor Lighting Controls	Yes	2,673	1.1	-1	\$415	\$5,665	\$800	\$4,865	11.7	2,626
ECM 4	Install High/Low Lighting Controls	Yes	535	0.2	0	\$83	\$1,350	\$455	\$895	10.8	526
Unitary HVAC Measures			4,410	5.5	0	\$694	\$38,706	\$2,573	\$36,133	52.1	4,441
ECM 5	Install High Efficiency Air Conditioning Units	No	4,410	5.5	0	\$694	\$38,706	\$2,573	\$36,133	52.1	4,441
Domestic Water Heating Upgrade			0	0.0	2	\$19	\$29	\$14	\$14	0.8	222
ECM 6	Install Low-Flow DHW Devices	Yes	0	0.0	2	\$19	\$29	\$14	\$14	0.8	222
TOTALS (COST EFFECTIVE MEASURES)			10,586	4.6	0	\$1,663	\$11,858	\$2,156	\$9,702	5.8	10,624
TOTALS (ALL MEASURES)			15,661	10.2	0	\$2,462	\$52,739	\$5,279	\$47,460	19.3	15,734

* - All incentives presented in this table are included as placeholders for planning purposes and are based on previously run state rebate programs. Contact your utility provider for details on current programs.

** - Simple Payback Period is based on net measure costs (i.e. after incentives).

ENERGY EFFICIENT BEST PRACTICES

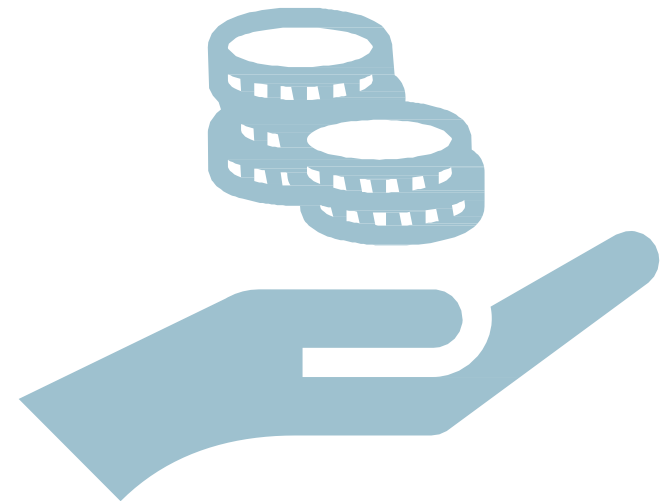
- Reduce Air Leakage
- Close Doors and Windows
- Develop a Lighting Maintenance Schedule
- Ensure Lighting Controls Are Operating Properly
- Use Fans to Reduce Cooling Load
- Use Window Treatments/Coverings
- Clean and/or Replace HVAC filters
- Check and Seal Duct Leakage
- Perform Proper Boiler Maintenance
- Perform Proper Water Heater Maintenance
- Plug Load Controls
- Water Conservation

See individual reports for specific EE practices by building

Next Steps: ESIP

ENERGY SAVINGS IMPROVEMENT PROGRAM (ESIP)

- Energy Performance Contracting – NJ ESIP
- Financing Mechanism that allows state entities to make energy efficiency improvements without impacting their budgets
- Administered by the NJBPU
- Project is paid for with the value of its own energy savings
- 15 or 20 year self-funding loan
- Recent Energy Efficiency Transition
 - NJBPU Approved Incentive Programs
 - Utility or NJCEP
- Can be combined with Federal/State Pandemic Relief Funds
- No upfront capital expenses
- No referendum or impact to tax payers



Pinelands Commission website Business Center:

<https://www.state.nj.us/pinelands/about/business/>



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1997-0045.013)

Commissioner _____ **moves and Commissioner** _____ **seconds the motion that:**

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

1997-0045.013

Applicant:	Lenape Regional High School District
Municipality:	Tabernacle Township
Management Area:	Pinelands Rural Development Area
Date of Report:	April 22, 2022
Proposed Development:	Installation of a synthetic turf athletic field at the Seneca High School.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Acting Executive Director’s recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Acting Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Acting 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 1997-0045.013 for public development is hereby **approved** subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery					Lettman					Pikolycky				
Christy					Lloyd					Quinn				
Holroyd					Lohbauer					Matos				
Irick					McCurry									
Jannarone					Meade									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

April 22, 2022

Constance L. Stewart, Business Administrator (via email)
Lenape Regional High School District
93 Willow Grove Road
Shamong NJ 08088

Re: Application # 1997-0045.013
Block 401, Lot 12.01
Tabernacle Township

Dear Ms. Stewart:

The Commission staff has completed its review of this application for installation of a synthetic turf athletic field at the Seneca High School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its May 13, 2022 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 Acting 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, Tabernacle Township Planning Board (via email)
Tabernacle Township Construction Code Official (via email)
Tabernacle Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)
Joseph Gray, PE (via email)



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

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

April 22, 2022

Constance L. Stewart, Business Administrator (via email)
Lenape Regional High School District
93 Willow Grove Road
Shamong NJ 08088

Application No.: 1997-0045.013
Block 401, Lot 12.01
Tabernacle Township

This application proposes installation of a synthetic turf athletic field at the Seneca High School located on the above referenced 46.97 acre parcel in Tabernacle Township.

The application proposes to replace an existing grassed athletic field with a synthetic turf athletic field. The replacement athletic field will be in the same location as the existing athletic field.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.26(a)11)

The proposed development is located in a Pinelands Rural Development Area. Institutional uses, including accessory athletic fields, are a permitted land use in a Pinelands Rural Development Area.

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

There are wetlands located within 300 feet of the parcel. The proposed synthetic turf athletic field will be located greater than 300 feet from wetlands.

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

The proposed development will be located within the limits of the existing grassed athletic field. 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. To stabilize the disturbed areas beyond the limits of the proposed synthetic turf athletic fields, the application 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 of the CMP. To meet the stormwater management standards, the application proposes to construct a subsurface stormwater infiltration system beneath the proposed synthetic turf athletic field.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on December 14, 2021. Newspaper public notice was completed on February 6, 2022. The application was designated as complete on the Commission's website on March 28, 2022. The Commission's public comment period closed on April 8, 2022. 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 six sheets, prepared by CME Associates, all sheets dated January 27, 2021.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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Governor
SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 May 9, 2022 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. PC4-22-_____

TITLE: Issuing an Order to Certify the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004, Amending Chapter 296 (Zoning Within Pinelands Area) of the Code of Winslow Township

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, on April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Winslow Township; and

WHEREAS, Resolution #PC4-83-30 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and codified Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-30 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on August 15, 2019, the Winslow Township Planning Board adopted Planning Board Resolution PR-2019-031, approving the 2019 Master Plan Reexamination Report Phase II, dated July 1, 2019; and

WHEREAS, the Pinelands Commission received a certified copy of Planning Board Resolution PR-2019-031 and the 2019 Master Plan Reexamination Report Phase II on August 16, 2019; and

WHEREAS, the 2019 Master Plan Reexamination Report Phase II recommends various zoning boundary amendments within the Township's Regional Growth Area requiring the adoption of one or more implementing ordinances; and

WHEREAS, pursuant to N.J.A.C. 7:50-3.32 of the Comprehensive Management Plan, the Executive Director cannot accept a master plan amendment for formal review and certification without an adopted ordinance that implements said master plan, unless no such ordinance is necessary; and

WHEREAS, by letter dated August 29, 2019, the Executive Director notified the Township of Winslow that the 2019 Master Plan Reexamination Report Phase II would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification; and

WHEREAS, on February 20, 2020, the Winslow Township Planning Board adopted Planning Board Resolution PR-2020-015, approving the First Addendum to the 2019 Master Plan Reexamination Report, dated February 4, 2020; and

WHEREAS, the Pinelands Commission received a certified copy of Planning Board Resolution PR-2020-015 and the First Addendum to the 2019 Master Plan Reexamination Report on February 24, 2020; and

WHEREAS, the First Addendum to the 2019 Master Plan Reexamination Report recommends various zoning boundary amendments within the Township's Regional Growth Area and Pinelands Village of Blue Anchor requiring the adoption of one or more implementing ordinances; and

WHEREAS, by letter dated March 27, 2020, the Executive Director notified the Township of Winslow that the First Addendum to the 2019 Master Plan Reexamination Report would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification; and

WHEREAS, on January 21, 2021, the Winslow Township Planning Board adopted Planning Board Resolution PR-2021-19, approving the Second Addendum to the 2019 Master Plan Reexamination Report, dated December 2, 2020; and

WHEREAS, the Pinelands Commission received a certified copy of Planning Board Resolution PR-PR-2021-19 and the Second Addendum to the 2019 Master Plan Reexamination Report on November 1, 2021; and

WHEREAS, the Second Addendum to the 2019 Master Plan Reexamination Report recommends additional amendments to the Township's Regional Growth Area zoning boundaries and zoning district standards requiring the adoption of one or more implementing ordinances; and

WHEREAS, on October 12, 2021, Winslow Township adopted Ordinance O-2021-023, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance O-2021-023 on October 20, 2021; and

WHEREAS, Ordinance O-2021-023 implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda including amendments to zoning boundaries and zoning district standards applicable to the Pinelands Area portion of the Township; and

WHEREAS, by letter dated November 4, 2021, the Acting Executive Director notified the Township that the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 was duly advertised, noticed and remotely held on December 8, 2021 at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, by email dated January 20, 2022, Commission staff notified the Township of a substantial issue with Ordinance O-2021-023 requiring further amendments in order to be in conformance with the Pinelands Comprehensive Management Plan.

WHEREAS, on March 8, 2022, Winslow Township adopted Ordinance O-2022-004, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance O-2022-004 on March 10, 2022; and

WHEREAS, Ordinance O-2022-004 supersedes Ordinance O-2021-023 and implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda including amendments to zoning boundaries and zoning district standards applicable to the Pinelands Area portion of the Township; and

WHEREAS, by letter dated March 28, 2022, the Acting Executive Director notified the Township that Ordinance O-2022-004 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the Winslow Township Ordinance O-2022-004 was duly advertised, noticed and remotely held on April 13, 2022 at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Acting Executive Director has found that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Acting Executive Director has submitted a report to the Commission recommending issuance of an order to certify that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission’s CMP Policy and Implementation Committee has reviewed the Acting Executive Director’s report and has recommended that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 and has reviewed the Acting Executive Director’s report; and

WHEREAS, the Pinelands Commission accepts the recommendation of the Acting Executive Director; and

WHEREAS, pursuant to N.J.S.A. 13:18A-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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to certify that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004, Amending Chapter 296 (Zoning Within Pinelands Area) of the Code of Winslow Township are in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Winslow Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery					Lettman					Pikolycky				
Christy					Lloyd					Quinn				
Holroyd					Lohbauer					Matos				
Irick					McCurry									
Jannarone					Meade									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

 Susan R. Grogan
 Acting Executive Director

 Laura E. Matos
 Chair



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

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Acting Executive Director

**REPORT ON THE WINSLOW TOWNSHIP 2019 MASTER PLAN REEXAMINATION
 REPORT PHASE II, THE FIRST ADDENDUM TO THE MASTER PLAN REEXAMINATION
 REPORT, THE SECOND ADDENDUM TO THE MASTER PLAN REEXAMINATION
 REPORT, AND ORDINANCE O-2022-004, AMENDING CHAPTER 296 (ZONING WITHIN
 PINELANDS AREA) OF THE CODE OF WINSLOW TOWNSHIP**

April 29, 2022

Winslow Township
 125 South Route 73
 Winslow Township, NJ 08037

FINDINGS OF FACT

I. Background

The Township of Winslow is located on the western fringe of the Pinelands Area in Camden County. Pinelands municipalities adjacent to Winslow Township's Pinelands Area include the Boroughs of Berlin and Chesilhurst and the Township of Waterford in Camden County, the Township of Monroe in Gloucester County, and the Town of Hammonton and the Borough of Folsom in Atlantic County.

On April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Winslow Township.

At the April 27, 2018 meeting of the Commission's CMP Policy and Implementation Committee, Winslow Township representatives presented a proposal for comprehensive amendments to its Regional Growth Area (RGA) zoning plan. The objective of the Township's rezoning proposal was to increase residential density within the Township's RGA to support increased commercial development along the Route 73 highway corridor.

On August 15, 2019, the Winslow Township Planning Board adopted Planning Board Resolution PR-2019-031, approving the 2019 Master Plan Reexamination Report Phase II, dated July 1, 2019. The report recommends various amendments to the Township's RGA zoning plan requiring the adoption of one or more implementing ordinances. The Pinelands Commission received a certified copy of Planning Board Resolution PR-2019-031 and the 2019 Master Plan Reexamination Report Phase II on August 16, 2019.

By letter dated August 29, 2019, the Executive Director notified the Township that, in accordance with N.J.A.C. 7:50-3.32, the 2019 Master Plan Reexamination Report Phase II would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification.

On February 20, 2020, the Winslow Township Planning Board adopted Planning Board Resolution PR-2020-015, approving the First Addendum to the 2019 Master Plan Reexamination Report, dated February 4, 2020. The First Addendum recommends additional amendments to the Township's RGA zoning plan and to the Pinelands Village of Blue Anchor requiring the adoption of one or more implementing ordinances. The Pinelands Commission received a certified copy of Planning Board Resolution PR-2020-015 and First Addendum on February 24, 2020.

By letter dated March 27, 2020, the Executive Director notified the Township of Winslow that, in accordance with N.J.A.C. 7:50-3.32, the First Addendum to the 2019 Master Plan Reexamination Report would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification.

On January 21, 2021, the Winslow Township Planning Board adopted Planning Board Resolution PR-2021-19, approving the Second Addendum to the 2019 Master Plan Reexamination Report, dated December 2, 2020. The Second Addendum recommends additional amendments to the Township's RGA zoning plan as well as amendments to various RGA zoning district regulations related to standards for maximum density, minimum lot size, maximum floor area ratio, and Pinelands Development Credit use. The Pinelands Commission received a certified copy of Planning Board Resolution PR-2021-19 and the Second Addendum on November 1, 2021.

On October 12, 2021, Winslow Township adopted Ordinance O-2021-023, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township. The Ordinance implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda. The Pinelands Commission received a certified copy of Ordinance O-2021-023 on October 20, 2021.

By letter dated November 4, 2021, the Acting Executive Director notified the Township that the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 would require formal review and approval by the Pinelands Commission.

By email dated January 20, 2022, Pinelands Commission staff notified the Township of a substantial issue with Ordinance O-2021-023 requiring further amendments in order to be in conformance with the Pinelands Comprehensive Management Plan.

On March 8, 2022, Winslow Township adopted Ordinance O-2022-004, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township. The ordinance supersedes Ordinance O-2021-023 and implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda. The Pinelands Commission received a certified copy of Ordinance O-2022-004 on March 10, 2022.

By letter dated March 28, 2022, the Acting Executive Director notified the Township that Ordinance O-2022-004 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following Master Plans and ordinance have been submitted to the Pinelands Commission for certification:

- * Planning Board Resolution PR-2019-031, adopting the Township's 2019 Master Plan Reexamination Report Phase II, adopted on August 15, 2019.
- * Planning Board Resolution PR-2020-015, adopting the First Addendum to the 2019 Master Plan Reexamination Report, adopted on February 20, 2020.
- * Planning Board Resolution PR-2021-19, adopting the Second Addendum to the 2019 Master Plan Reexamination Report, adopted on January 21, 2021.
- * Ordinance O-2022-004, amending Chapter 296 (Zoning within the Pinelands Area), introduced on February 8, 2022 and adopted on March 8, 2022.

These master plans and ordinance have been reviewed to determine whether they conform with the standards for certification of municipal master plans and land use ordinances as set out in N.J.A.C. 7:50-3.39 of the Pinelands Comprehensive Management Plan (CMP). The findings from this review are presented below. The numbers used to designate the respective items correspond to the numbers used to identify the standards in N.J.A.C. 7:50-3.39.

1. **Natural Resource Inventory**

Not applicable.

2. **Required Provisions of Master Plans and Land Use Ordinances Relating to Development Standards**

2019 Master Plan Reexamination Report and addenda

Winslow Township's 2019 Master Plan Reexamination Report Phase II specifically addresses the Pinelands Area portion of the Township. It reviews the problems and objectives identified in the Township's most recent Master Plan (2000) and Master Plan Reexamination Report (2007) covering the Pinelands Area portion of the Township, discusses the extent to which they have been addressed or remain valid, and identifies changes in conditions, policies, and objectives at the local, county and state level relevant to the Township.

A primary finding of the report is that the Township's 2002 amendments to its Regional Growth Area (RGA) zoning plan have not generated the commercial or mixed-use development that the Township's master plan has envisioned for the Route 73 highway corridor. The report suggests that this is due in part to the zoning standards of the Pinelands Town Center (PTC) District, a mixed-use zone, as well as to a lack of households in the area to support the level of commercial development envisioned. Therefore, the report recommends eliminating the PTC District and greatly reducing the Pinelands Industrial (PI-1) District in favor of existing residential and commercial RGA districts. The amended RGA zoning plan would be configured to concentrate

commercial uses along Route 73 and residential uses along other county and local roads. The report includes maps and corresponding lists of blocks and lots to be rezoned. The report also recommends modifying residential density in all existing RGA residential zones and eliminating Pinelands Development Credit (PDC) requirements for non-residential uses in non-residential RGA zones.

The First Addendum to the 2019 Master Plan Reexamination Report additionally recommends that 12 lots within the Pinelands Village of Blue Anchor be rezoned to enable the development of medical use marijuana cultivation, manufacturing, and testing facilities. The Pinelands Village of Blue Anchor is situated south of the Township's RGA and adjacent to the Route 73 highway corridor. The addendum states that the rezoning will support the Township's ongoing effort to spur economic growth along the corridor. The addendum also provides for various revisions to the list of lots to be rezoned in the Township's RGA.

The Second Addendum to the 2019 Master Plan Reexamination Report recommends amendments to the district regulations of various residential and non-residential RGA zones. These detailed recommendations specify changes to residential and non-residential PDC requirements, permitted housing types, maximum residential density, minimum lot sizes, and maximum floor area ratios. The addendum also provides for various revisions to the list of lots to be rezoned in the Township's RGA.

Ordinance O-2022-004

Ordinance O-2022-004 amends Chapter 296 (Zoning Within Pinelands) of the Code of Winslow Township. The ordinance implements the recommendations of the 2019 Master Plan Reexamination Report and supplemental addenda.

Zoning Plan Amendments

The ordinance adopts an updated zoning map, dated September 14, 2021, implementing the recommended amendments to the Township's zoning plan for its RGA and the Pinelands Village of Blue Anchor (see Exhibits A, B, C, D.; Tables 1 and 2). None of the proposed amendments to the Township's zoning plan necessitate changes to underlying Pinelands management areas.

In the Township's RGA, the PTC District is eliminated, and the PI-1 District is vastly reduced. Both zones were established as part of the Township's 2002 amendments to its RGA zoning plan. The PTC District permits single family dwellings and townhouses as well as professional offices and regional shopping centers. The district was intended to facilitate mixed used development. The PI-1 District permitted agricultural processing facilities, Pinelands resource-related industries and other light industries, including research and development operations, wholesaling and distribution operations, light manufacturing and public utility and service activities. These areas both exhibit large deep lots that the Township has deemed appropriate to split zone PC-2/PR-4. While the Commission typically discourages the practice of split zoning lots, Commission staff recognize the Township's intention to target commercial uses near Route 73 and residential uses in areas not fronting Route 73. In both areas, land fronting Route 73 is rezoned Major Commercial (PC-2) with the remaining land rezoned to High Density Residential (PR-4). Appropriate standards have been included in the ordinance for calculating residential density and floor area ratios where lots are split by zone.

The amended RGA zoning plan also rezones all land within the Minor Commercial (PC-1) District to PC-2, effectively eliminating the PC-1 District. The PC-2 District permits all the same commercial uses as the PC-1 in addition to hotels, motels, hospitals, medical offices, and research facilities. As discussed below, the PC-2 District has also permitted a greater intensity of commercial development than the PC-1 District based on higher permitted maximum floor area ratios (FAR).

The amended RGA zoning plan rezones approximately 69 acres of Low Density Residential (PR-2) and Medium Density Residential (PR-3) land fronting Route 73 to PC-2. Many of these lots contain existing residential uses. While the Township maintains that these lands are more appropriately zoned commercial given the Township's long-term vision for the Route 73 corridor, Ordinance O-2022-004 grandfathers existing residential uses zoned PC-2 to avoid burdening residential property owners with a non-conforming use status.

Lastly, approximately 334 acres within the existing PR-2 and PR-3 districts were identified by the Township as appropriate for upzoning to the PR-4 District. These lands are located east of Route 73 between Tomwells Road and Pump Branch Road consisting of uplands containing a mix of residential, agricultural, and vacant wooded areas.

It is noted that the previously certified Randevco Redevelopment Plan and Maressa Redevelopment Plan remain in effect as overlay zones overlapping with approximately 155 of the 227 acres of the existing PTC District.

Table 1. Summary of RGA Zoning Changes in Acres

Certified Zoning District	Proposed Zoning District		Total
	Major Commercial (PC-2)	High Density Residential (PR-4)	
Pinelands Town Center (PTC)	104	123	227
Industrial (PI-1)	124	150	274
Minor Commercial (PC-1)	280	0	280
Low-Density Residential (PR-2)	55	78	133
Medium Density Residential (PR-3)	14	256	270
Total	577	607	1,184

In the Pinelands Village of Blue Anchor, 12 lots approximating 58 acres are rezoned to the Pinelands Village Industrial (PI-2) District. Lots to be rezoned contain a mix of vacant, commercial, and agricultural land with frontage along Route 73. The PI-2 District permits agricultural processing facilities, Pinelands resource-related industries, various light industrial uses as well as uses related to medical marijuana cultivation, manufacturing, testing and treatment centers.

Table 2. Summary of Pinelands Village of Blue Anchor Zoning Changes in Acres

Certified Zoning District	Proposed Zoning District
	Pinelands Village Industrial (PI-2)
Pinelands Village Minor Commercial (PC-3)	38
Pinelands Village Low-Density Residential (PR-6)	20
Total	58

Regional Growth Area Development Intensity and PDC Use

During the Township's major RGA rezoning effort in 2002, the Commission deemed it necessary to place controls on the increased non-residential development potential enabled by the 2002 amendments due to concerns over potential water supply impacts. Those controls came in the form of maximum floor area ratios (FAR) established for the PC-1, PC-2, PTC and PI-1 districts. The Township further elected to create a base FAR/bonus FAR scheme where bonus FAR would be achieved using PDCs. Each 0.25 PDC equated to an additional 3,000 square feet of permitted floor area.

Ordinance O-2022-004 eliminates the base FAR/bonus FAR scheme and establishes a single maximum FAR without any required PDC use. Table 3 summarizes the certified FARs as well as the proposed FAR. It is noted that the Township elected to incorporate this novel approach to permitting FAR bonuses through PDC use, and therefore, it is at their option to eliminate. Furthermore, as detailed below, the water supply concerns that led to the establishment of FAR standards have been more comprehensively addressed by the amended Memorandum of Understanding (MOU) between the Commission, Winslow Township and the Camden County Municipal Utilities Authority. The continued use of a maximum FAR is appropriate, and the small increase in FAR in the PC-2 District is acceptable given the additional protections to the Kirkwood-Cohansey water supply ensured by the 2017 Amended MOU.

Table 3. Summary of RGA Non-Residential FAR Standards

Zoning District	Maximum Floor Area Ratio		
	Certified		Proposed
	Base	PDC	
Major Commercial (PC-2)	0.15	0.225	0.30
Industrial (PI-1)	0.25	0.375	0.375
Minor Commercial (PC-1)	0.10	0.15	N/A
Pinelands Town Center (PTC)	0.22	0.33	N/A

The Township has also opted to replace the traditional base density/bonus density scheme in its RGA residential zones in favor of a single maximum density with a mandatory 25% PDC

requirement. No PDCs are required for the development of a single dwelling unit on a lot existing as of the adoption date of Ordinance O-2022-004 that conforms to the lot size requirements of the zone it is located within. The newly established densities for the Township's three residential zones area summarized in the Table 4 below. The ordinance also adopts a revised Schedule of Area, Yard and Bulk Requirements for Residential Uses. This schedule provides minimum lot area requirements for existing lots, minor subdivisions, cluster development, and major subdivisions. All lot area requirements have been carefully structured to ensure that it will be feasible to achieve the permitted densities in the three residential zones in most cases, as is required by N.J.A.C. 7:50-3.39(a)2vii.

Table 4. Summary of RGA Residential Density Standards

Zoning District	Max Density (du/acre)		
	Certified		Proposed
	Base	PDC	
Low-Density Residential (PR-2)	0.7	1.45	1.5
Medium-Density Residential (PR-3)	1.4	2.55	2.5
High-Density Residential (PR-4)	2.25	5.25	4.25
Pinelands Town Center (PTC)	2.0	5.25	N/A

Residential Zoning Capacity

The amendments made to the Township's RGA zoning plan and maximum residential density increase the theoretical residential zoning capacity of the Township's Regional Growth Area by 1,203 units (see table 5). Given the vacant acres identified using 2012 data, the overall density for developable lands within the Township's Regional Growth Area has increased from 1.9 to 2.6 units per acre.

Table 5. Summary of Changes to RGA Residential Zoning Capacity

Zoning District	Certified Zoning Plan		Proposed Zoning Plan	
	Vacant Acres	Zone Capacity (units)	Vacant Acres	Zone Capacity (units)
Low-Density Residential (PR-2)	1,102	1,598	1,022	1,575
Medium-Density Residential (PR-3)	239	610	15	38
High-Density Residential (PR-4)	118	620	642	2,731
Pinelands Town Center (PTC)	193	314	N/A	N/A
Total	1,652	3,142	1,679	4,345

The 2.6 units per acre density for the developable lands within the Township's RGA is higher than the 1.125 units per acre prescribed by the CMP. However, the CMP does provide municipalities with the ability to zone portions of their Regional Growth Areas for higher

densities, provided that the lands in question are appropriate for more intensive development, infrastructure exists or can be provided to support the increased density and sufficient opportunities for the use of Pinelands Development Credits are provided (N.J.A.C. 7:50-5.28(a)7). As detailed below, the amended zoning adopted by this ordinance meets these standards for increased density.

With respect to the appropriateness for the intensity of development permitted, the amended zoning plan aligns with the Township's long-term goals of planning for increased residential densities in proximity to NJ Route 73 in order to support commercial development along NJ Route 73.

With respect to the availability of infrastructure to serve the Township's RGA, both water and sewer are available. It is important to note that the Township's RGA is served by public sewers that discharge to the Camden County Municipal Utilities Authority wastewater treatment plant on the Delaware River. The public water supply is supported, in part, by wells developed in the Kirkwood-Cohansey aquifer. To protect the Kirkwood-Cohansey aquifer and address the export of water from the Pinelands contrary to the CMP, a 2017 amended Memorandum of Understanding (MOU) between the Commission, Winslow Township and the Camden County Municipal Utilities Authority limits withdrawals from the Township's Kirkwood-Cohansey wells and requires the Township to acquire water from alternative sources once the limit on withdrawals has been reached. Based on the MOU, the Township submits annual reports to the Commission detailing water use. The most recent report submitted for the period March 2021 through February 2022 shows that the Township has not yet reached the Kirkwood-Cohansey withdrawal limit.

The third condition for approval of increased densities and zoning capacity relates to the accommodation of Pinelands Development Credit opportunities. As discussed in more detail in Section 8 of this report, all residential zoning districts in the Township's Regional Growth Area will require the acquisition and redemption of Pinelands Development Credits (PDCs) for 25% of all residential units. Thus, Pinelands Development Credit use has not only been accommodated, but also guaranteed if any residential units are developed in these residential zoning districts.

Other Amendments

Ordinance O-2022-004 repeals portions of Sections 296-84.1, Groundwater withdrawal and zoning density. The repealed provisions permitted the Pinelands Commission to restrict the use of PDCs to achieve bonus FAR in the PC-1, PC-2, PTC, and PI-1 zones if certain findings were made based on annual reports provided by the Township to the Commission. These provisions are no longer relevant as the Township has eliminated its bonus FAR provisions. Additionally, since the time these regulations were adopted, greater protection of the Kirkwood-Cohansey aquifer has been achieved through the terms of the 2017 Amended MOU discussed above.

The 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

3. Requirement for Certificate of Filing and Content of Development Applications

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

N.J.A.C. 7:50-3.39(a)8 specifies that in order to be certified by the Commission, municipal land use ordinances must provide for sufficient residentially zoned property in the Regional Growth Area (RGA) to be eligible for an increase in density to accommodate Pinelands Development Credits (PDCs) as provided for in N.J.A.C. 7:50-5.28(a)3.

Based on the densities assigned to Winslow Township's Regional Growth Area by the CMP (N.J.A.C. 7:50-5.28), the Township is required to provide an opportunity for the development of residential units at a base-density of 1.125 units per acre, with a bonus-density of up to 1.69 units per acre achievable through the use of PDCs. Given the developable acres within RGA residential zones, Winslow Township is required to permit up to 1,189 residential units and the opportunity for an additional 949 units through the use of PDCs. In other words, the municipality would have to allow for the opportunity to use 949 rights (237.25 PDCs). This traditional approach requires that municipalities provide the *opportunity* for use of PDCs for 33% of the total number of residential units permitted in their Regional Growth Areas.

Ordinance O-2022-004 replaces the traditional base density/bonus density scheme in its three RGA residential zones in favor of a single maximum density for each zone and a mandatory 25% PDC requirement. No provisions are included in the ordinance to exempt affordable housing units. The PDC requirements adopted by the ordinance will result in an opportunity for the use of up to 1,087 rights (271.75 Pinelands Development Credits). As described in Section 2 above, the Township has elected to zone at a higher density than required by the CMP in order to support

future commercial development along Route 73. As a result, far greater opportunities for the use of PDCs are provided than what is required.

While the 25% PDC requirement is not as high a number as would be provided through the more traditional approach described above requiring 33%, it is important to remember that the traditional base-density/bonus-density approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance O-2022-004 *guarantees* a PDC redemption rate of 25% for the residential component of any project within the Township's Regional Growth Area. Given the greater certainty provided by this approach, the Acting Executive Director finds that the amended PDC requirements for RGA zoning districts adopted by Ordinance O-2022-004 are consistent with CMP standards.

Ordinance O-2022-004 also eliminates the opportunity for the use of PDCs in association with non-residential development in Winslow's non-residential RGA zones. The use of PDCs to achieve bonus FAR was adopted, at the option of the Township, in 2002 as a means for providing development flexibility while limiting water supply impacts from non-residential development via FAR standards. The Township has opted to no longer provide this bonus FAR opportunity, which is the prerogative of the Township to decide.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

The 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

The 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

Winslow Township's Regional Growth Area (RGA) borders the Borough of Chesilhurst and the Township of Waterford. Chesilhurst Borough is designated entirely RGA, and the vicinity of Waterford Township bordering Winslow Township's RGA is also designated RGA. Given the compatible management area designations, intermunicipal conflicts are not anticipated. This standard for certification is met.

PUBLIC HEARING

A public hearing to receive testimony concerning Winslow Township's application for certification of the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 was duly advertised, noticed and held on December 8, 2021, at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 were accepted through December 13, 2021. However, no written comments were received.

A public hearing to receive testimony concerning Winslow Township's application for certification of Ordinance O-2022-004 was duly advertised, noticed and held on April 13, 2022, at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on Ordinance O-2022-004 were accepted through April 15, 2022. However, no written comments were received.




CONCLUSION

Based on the Findings of Fact provided above, the Acting Executive Director has concluded that the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 comply with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Acting Executive Director recommends that the Commission issue an order to certify the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 of Winslow Township.



Winslow Township Ordinance O-2022-004

Route 73 Rezoning Segment 1

Pinelands Management Areas

-  Rural Development Area
-  Regional Growth Area
-  Pinelands Village

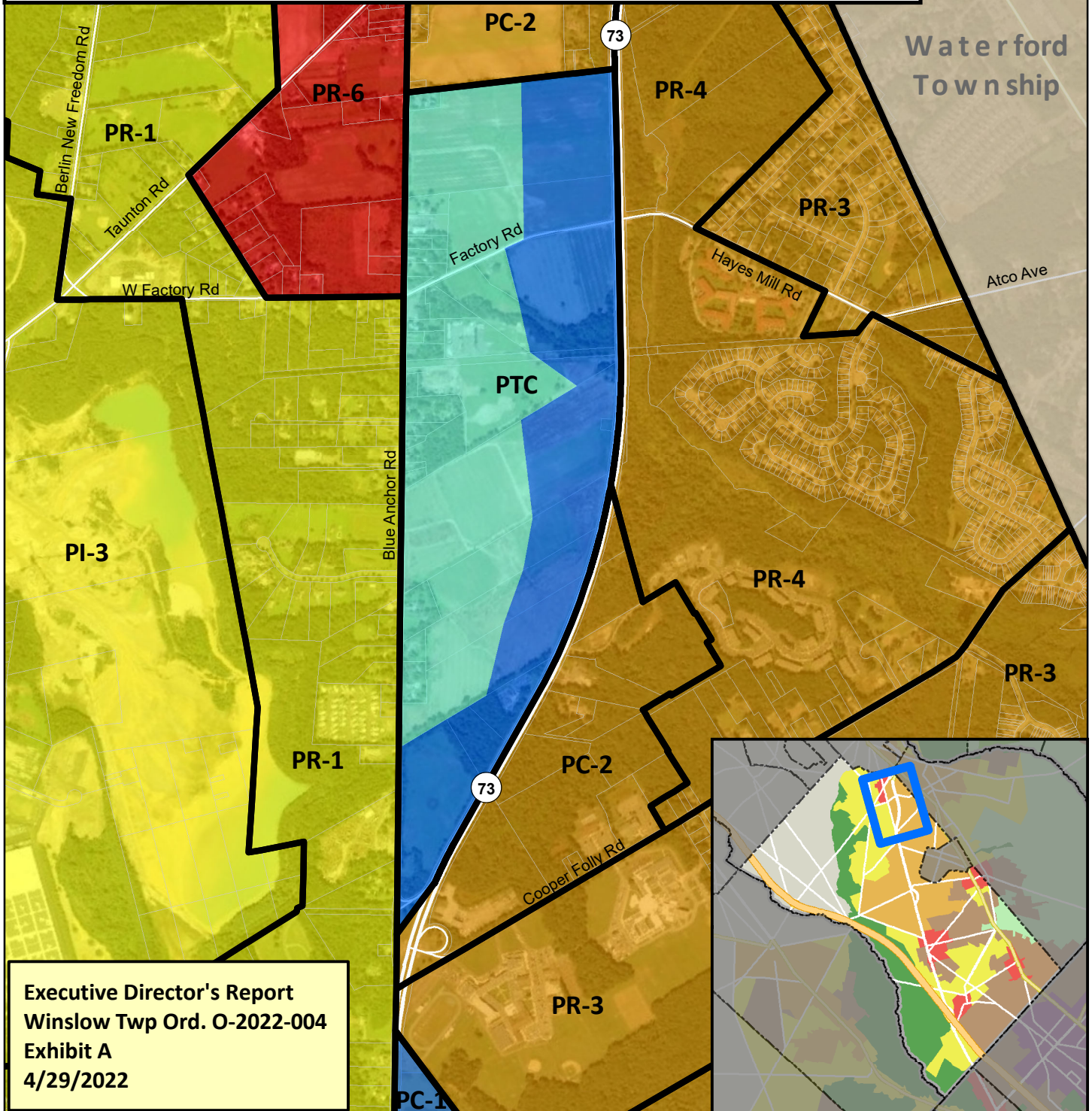
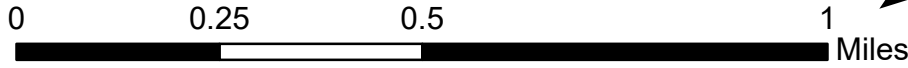
RGA Zoning Changes

-  Rezoned PC-2
-  Rezoned PR-4

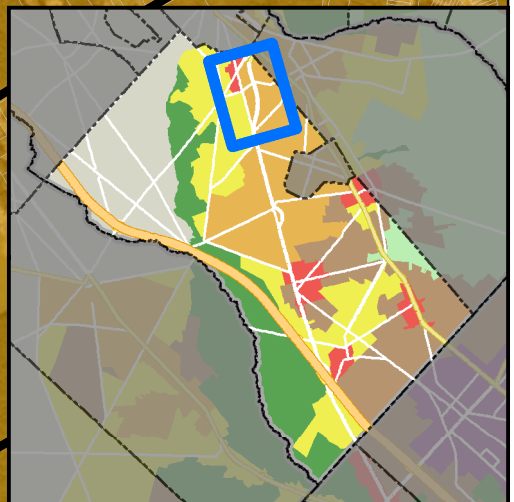
 Certified Zoning

 Lots

N



Waterford Township




Executive Director's Report
Winslow Twp Ord. O-2022-004
Exhibit A
4/29/2022


Winslow Township Ordinance O-2022-004 Route 73 Rezoning Segment 2


Pinelands Management Areas

 Rural Development Area

 Regional Growth Area

RGA Zoning Changes

 Rezoned PC-2

 Rezoned PR-4

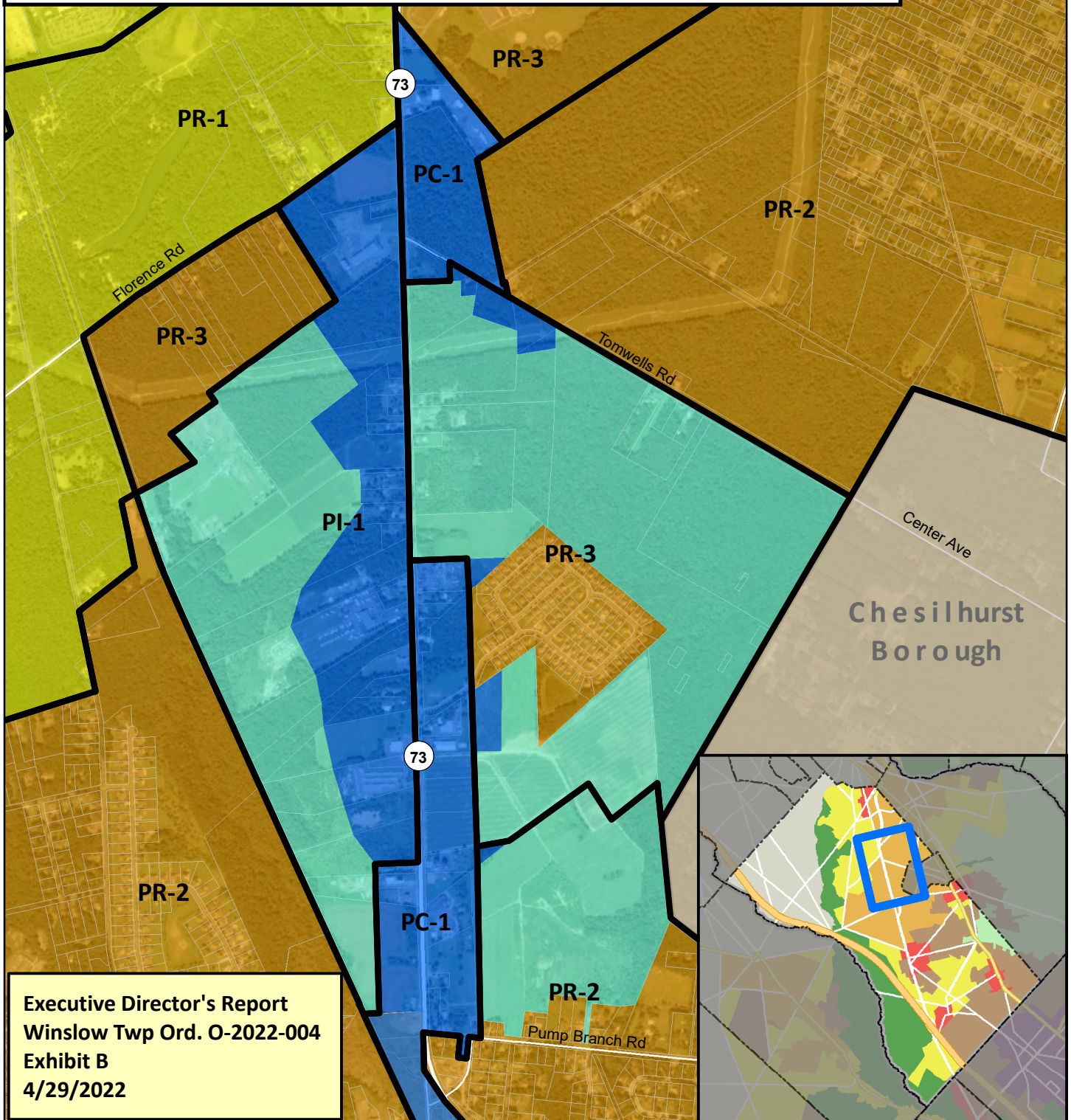
 Certified Zoning

 Lots

N



0 0.25 0.5 1 Miles



Executive Director's Report
Winslow Twp Ord. O-2022-004
Exhibit B
4/29/2022

Winslow Township Ordinance O-2022-004

Route 73 Rezoning Segment 3

Pinelands Management Areas

- Forest Area
- Agricultural Production Area
- Rural Development Area
- Pinelands Village
- Regional Growth Area

RGA Zoning Changes

- Rezoned PC-2

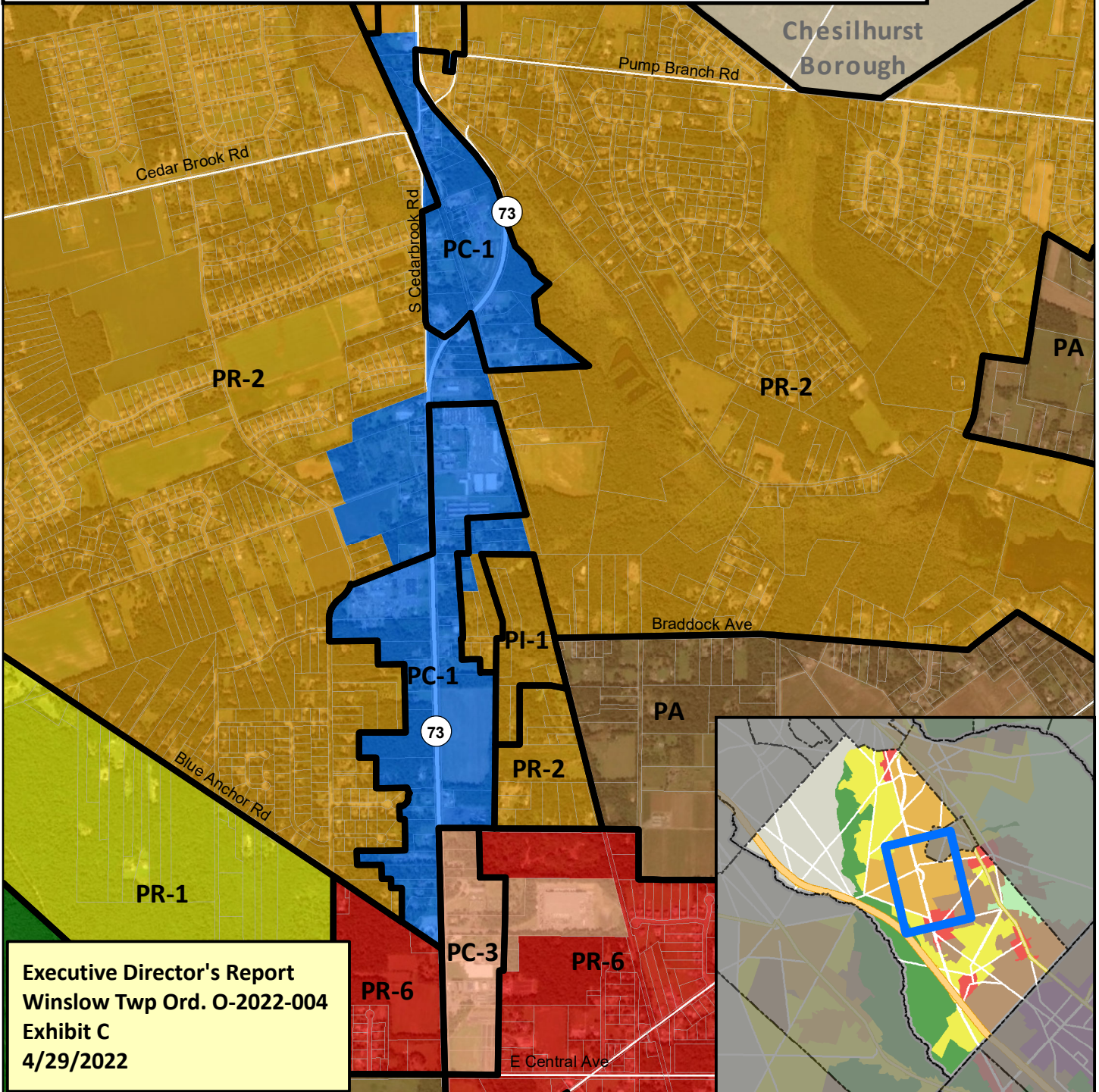
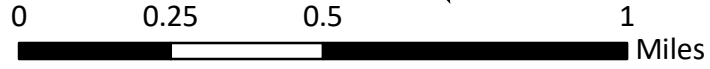
PV Zoning Changes

- Rezoned PI-2

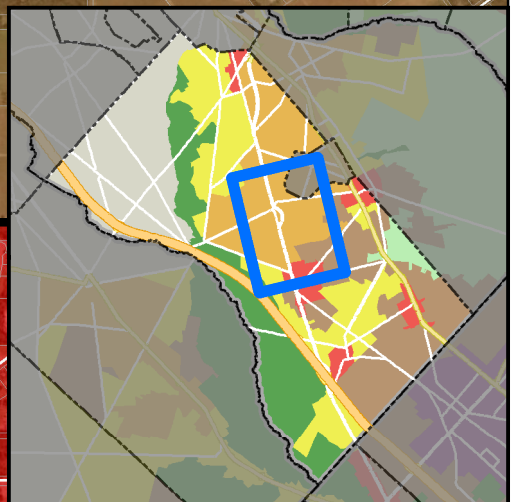
Certified Zoning

Lots

N



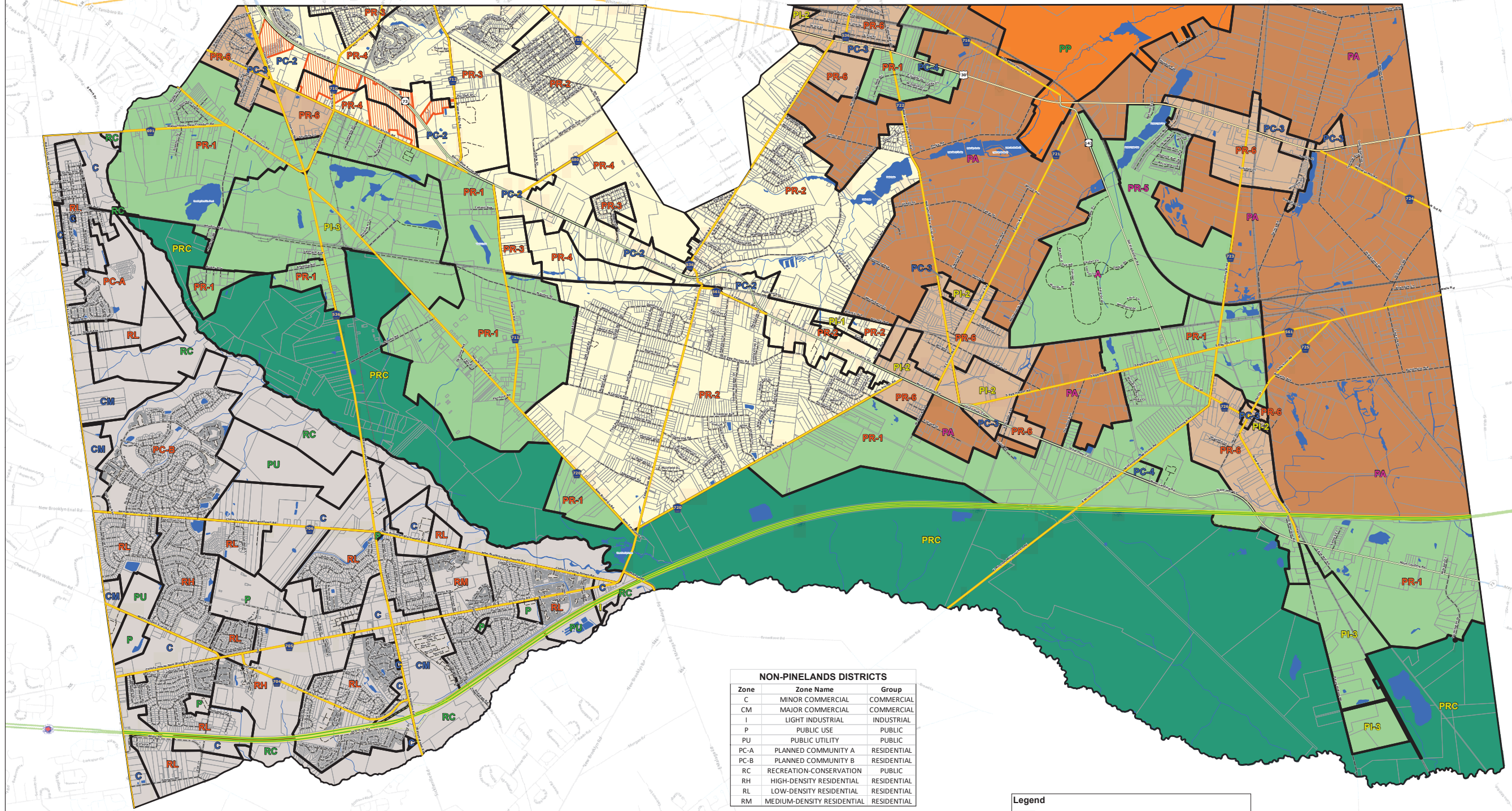
Chesilhurst
Borough



Executive Director's Report
Winslow Twp Ord. O-2022-004
Exhibit C
4/29/2022



Map Notes and Data Sources:
 The geographic information system (GIS) data used in this map was prepared by the Township of Winslow and is the property of the Township of Winslow. It is provided for informational purposes only and is not intended to be used for any other purpose. The Township of Winslow is not responsible for any errors or omissions in this map. The Township of Winslow is not responsible for any damages or losses resulting from the use of this map. The Township of Winslow is not responsible for any claims or liabilities resulting from the use of this map. The Township of Winslow is not responsible for any claims or liabilities resulting from the use of this map.



NON-PINELANDS DISTRICTS

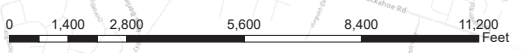
Zone	Zone Name	Group
C	MINOR COMMERCIAL	COMMERCIAL
CM	MAJOR COMMERCIAL	COMMERCIAL
I	LIGHT INDUSTRIAL	INDUSTRIAL
P	PUBLIC USE	PUBLIC
PU	PUBLIC UTILITY	PUBLIC
PC-A	PLANNED COMMUNITY A	RESIDENTIAL
PC-B	PLANNED COMMUNITY B	RESIDENTIAL
RC	RECREATION-CONSERVATION	PUBLIC
RH	HIGH-DENSITY RESIDENTIAL	RESIDENTIAL
RL	LOW-DENSITY RESIDENTIAL	RESIDENTIAL
RM	MEDIUM-DENSITY RESIDENTIAL	RESIDENTIAL

PINELANDS DISTRICTS

Zone	Zone Name	Group	Pineland Management Area	Zone	Zone Name	Group	Pineland Management Area
PA	PINELANDS AGRICULTURAL	BUSINESS	Agricultural Production Area	PI-1	INDUSTRIAL	INDUSTRIAL	Regional Growth Area
PRC	RECREATION AND CONSERVATION	INDUSTRIAL	Forest Area	PR-2	LOW-DENSITY RESIDENTIAL	RESIDENTIAL	Regional Growth Area
PC-3	PINELANDS VILLAGE COMMERCIAL	COMMERCIAL	Pinelands Village	PR-3	MEDIUM-DENSITY RESIDENTIAL	RESIDENTIAL	Regional Growth Area
PI-2	PINELANDS VILLAGE INDUSTRIAL	INDUSTRIAL	Pinelands Village	PR-4	HIGH DENSITY RESIDENTIAL	RESIDENTIAL	Regional Growth Area
PR-6	PINELANDS VILLAGE LOW-DENSITY RESIDENTIAL	RESIDENTIAL	Pinelands Village	A	ANCORA	BUSINESS	Rural Development Area
PP	PRESERVATION AREA	PUBLIC	Preservation Area	PR-1	RURAL RESIDENTIAL	RESIDENTIAL	Rural Development Area
PTC	PINELANDS TOWN CENTER	BUSINESS	Regional Growth Area	PR-5	PINELANDS RURAL DEVELOPMENT	BUSINESS	Rural Development Area
PC-2	MAJOR COMMERCIAL	COMMERCIAL	Regional Growth Area	PI-3	PINELANDS RURAL DEVELOPMENT INDUSTRIAL	INDUSTRIAL	Rural Development Area
				PC-4	PINELANDS RURAL DEVELOPMENT MINOR COMMERCIAL	COMMERCIAL	Rural Development Area

Legend

	Municipal Boundary		Zoning
	Parcels		Agricultural Production Area
	Water		Forest Area
	US Highway		Non-Pinelands
	AC Expressway		Pinelands Village
	State Highway		Preservation Area
	County Route		Regional Growth Area
	Local Road		Rural Development Area
	Ramp		Redevelopment Area
	Atlantic City Rail line		
	Railroad		



DRAFT

REVISIONS	DATE
O-2021-XXX	09/14/2021
O-2021-005	02/23/2021
O-2020-019	07/21/2020
O-2020-015	05/26/2020

ZONING DISTRICT MAP
 TOWNSHIP OF WINSLOW
 CAMDEN COUNTY NEW JERSEY
 SEPTEMBER 14, 2021 SCALE: 1" = 1,400'

233 KING HIGHWAY EAST, HADDONFIELD, NJ 08033
 (856) 995-9100, FAX (856) 796-1882, WWW.RVE.COM
 ENGINEERING EXCELLENCE



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
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 www.nj.gov/pinelands



PHILIP D. MURPHY
 Governor
 SHEILA Y. OLIVER
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MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
 Planning Specialist

Date: May 2, 2022

Subject: No Substantial Issue Findings

During the past month, the Planning Office reviewed six ordinance amendments that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

Egg Harbor Township Ordinance 7-2022 – amends Chapter 225 (Zoning) of the Code of Egg Harbor Township by supplementing Section 225-3, Definitions, with definitions for the terms “School or School Facility” and “Park and/or Recreational Facility.” These definitions apply throughout the municipality.

Egg Harbor Township Ordinance 14-2022 – amends Chapter 225 (Zoning) of the Code of Egg Harbor Township by redefining “Licensed Cannabis Business,” “School or School Facility,” and “Park and/or Recreational Facility.” The ordinance also adds special requirements for all licensed cannabis business, Classes 1 through 6, in the HB Highway Business District and GC General Commercial District. Noise mitigation is included as an additional special requirement for all licensed cannabis businesses, Classes 1 through 6, in the M-1 Light Industrial District. The GC, HB, and M-1 districts are non-residential districts located within a Pinelands Regional Growth Area.

Hamilton Township Ordinance 1981-2022 – amends Chapter 203 (Land Use and Development) of the Code of Hamilton Township. The ordinance amends Section 203-110 to allow for the administrative review of accessory structures and fencing on residential lots located within Rural Development (RD), Forest Area (FA), and Agricultural (AG) zones that have two front yards with one fronting an unimproved right-of-way. The RD, FA, and AG zones are located within the Pinelands Area portion of the Township.

Manchester Township Ordinance 22-10 – amends Chapter 245 (Land Use and Development), Appendix 3, of the Code of Manchester Township by amending the municipality’s application checklist

to require proof that the property is free from any outstanding property maintenance and/or code violations.

Ocean Township Ordinance 2020-18 – adopts a Redevelopment Plan for a 24.5-acre redevelopment area spanning portions of the existing General Commercial (C-1), Residential, Medium Low Density (R-1B), and Residential, Pebble Beach (R-PB) zones. The plan establishes an optional Redevelopment Plan Overlay Zone that permits a mixed-use inclusionary development on a minimum 22-acre tract. Within the C-1 portion of the redevelopment area, the overlay permits up to 120 units developed as townhomes and multi-family residential buildings as well as a single commercial building with a maximum footprint of 9,000 square feet. Within the R-1B and R-PB zones, the overlay limits permitted uses to stormwater management facilities and open space. The Redevelopment Plan Overlay Zone is located outside of the State-designated Pinelands Area, but within a Regional Growth Area of the Pinelands National Reserve (PNR). In 2007, the Pinelands Commission certified the Township’s land development regulations and zoning plan for the PNR portion of the Township.

Winslow Township Ordinance O-2022-008 – amends the Randevco Redevelopment Plan, which was previously certified by the Pinelands Commission as being in conformance with the CMP. Ordinance O-2022-008 amends the plan by adding a concept plan as an appendix, revising various standards related to residential building design, open space, parking, landscaping, vegetative buffering, and the mix of residential and non-residential uses within mixed use buildings. The revisions also clarify that any proposed deviations from the plan’s design standards shall be considered a design waiver request by the Planning Board. The Randevco Redevelopment Area is located within a Pinelands Regional Growth Area.