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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

## State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)



Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

December 18, 2017

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



Dear Mr. Lupp:

Enclosed are the Pinelands Commission meeting minutes and attachments for November 3, 2017 and November 17, 2017 for your information.

Sincerely,

A handwritten signature in blue ink that reads "Teri Melodick".

Teri Melodick  
Principal Clerical Assistant

PC1  
Enclosure: Minutes

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

MINUTES

**November 3, 2017**

Commissioners Present

Alan W. Avery Jr., Bob Barr, Giuseppe Chila, Paul E. Galletta, Mark Lohbauer, Ed McGlinchey, Richard Prickett, Gary Quinn, and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Yhin Zhou.

Commissioners Participating by Phone

None.

Commissioners Absent

Candace Ashmun, Jane Jannarone, Ed Lloyd and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:34 a.m.

DAG Zhou read the Open Public Meetings Act Statement.

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were nine Commissioners who participated in the meeting.)

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

### Minutes

Chairman Earlen presented both the open and closed session minutes from the October 13, 2017 Commission meeting. Commissioner Prickett moved the adoption of the minutes. Commissioner Barr seconded the motion.

The minutes of the October 13, 2017 Commission meeting were adopted by a vote of 9 to 0.

### Staff Anniversaries

Rhonda Ward, an Environmental Specialist in the Regulatory Programs office, was presented with a plaque for her 20 years of service at the Commission.

John Keys, who is a Maintenance Technician at the Commission, was presented with a certificate for his 10 years of service.

### Committee Chairs' Reports

Commissioner McGlinchey provided an update on the October 24, 2017 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the September 29, 2017 meeting.

The Committee received a presentation and discussed a revised Memorandum of Understanding among the Pinelands Commission, Winslow Township and the Camden County Municipal Utilities Authority regarding water use in the Great Egg Harbor River Watershed.

### Executive Director's Reports

ED Wittenberg said a transition summary memo was provided to the Governor's Authorities Unit in preparation for the incoming Administration. She also said that she has a conference call scheduled with the New Jersey Department of Environmental Protection to discuss progress at Wharton State Forest as it relates to the off-road vehicle issue.

Director Charles Horner said staff met with representatives from NJDEP regarding a forestry proposal surrounding the Bass River fire tower. He said some of the nearby trees have grown and are now obscuring the view from the tower.

Ed Wengrowski updated the Commission on the following:

- Some members of the Planning office staff recently held a meeting with 11 experts, seeking input on ways staff can improve the Long Term Economic Monitoring report. Commissioner Lohbauer attended the meeting.
- Staff has been working for a number of months with Winslow Township and the Camden County Municipal Utilities Authority to revise an existing Memorandum of Understanding that dates back to 2009.
- The Commission's Cultural Resource Planner recently held an Archaeology symposium where seven archeologists presented Pinelands-specific research. The

event was very well attended. The papers submitted as part of that event will assist in the Commission's review of cultural resources.

- The World Water Monitoring Challenge held on October 20<sup>th</sup> was an opportunity for the various Pinelands Commission offices to interact and educate students.
- Staff recently attended a New Jersey Water Supply Advisory Council meeting where Dr. Dan Van Abs reported on water trends in New Jersey. He said that per capita water use has fallen from 75 gallons per person to 50 gallons per person.

Stacey Roth reminded Commissioners that they must complete annual ethics training via an on-line module by November 10.

Paul Leakan updated the Commission on the following items:

- Staff recently gave a presentation to the Ocean City Utilities Advisory Commission, including a field trip in the Pinelands.
- Staff is working on the spring Pinelands Short Course that is scheduled for March 10, 2018.
- The 2018 Pinelands National Reserve calendars will be ready to distribute in early December.
- The contractor hired to construct the visitor center continues to work on providing fire rating information that the Division of Property has requested.

#### Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending approval of four public development applications.

Commissioner Lohbauer moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1984-0140.003, 1987-1058.075, 2005-0162.004 & 2017-0166.001) (See Resolution # PC4-17-39).

Commissioner Barr seconded the motion.

Commissioner Prickett asked about the duplex structure that is proposed for demolition (Application Number 2017-0166.001).

Director Horner said the structure is over 50 years old and that a picture of the duplex can be viewed in the file.

Commissioner Prickett asked about the precautions the Commission has implemented in protecting the red-headed woodpecker habitat as it relates to the nature path in Woodbine Borough (Application Number 2005-0162.004)

Director Horner said that the red-headed woodpecker has been sighted in the vicinity of the parcel where Woodbine Borough is proposing to create a recreation trail. He said that any clearing associated with the development of the trail cannot be undertaken during months when the red-headed woodpecker is nesting or fledging. He also said that as part of the conditions of this report, the construction of the trail and parking area can be cleared to the

center line, and the area must be staked and then inspected by a qualified ornithologist for nest cavity trees.

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

Commissioner Prickett said he would be recusing from voting on the next two resolutions. He left the dais.

Chairman Earlen presented a resolution recommending the approval for the road widening of Taunton Lakes Road in Evesham Township.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1987-0914.004) (See Resolution # PC4-17-40). Commissioner Lohbauer seconded the motion.

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

Chairman Earlen presented a resolution recommending the approval of a wireless communications tower in Pemberton Township.

Commissioner Avery moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1989-0349.019) (See Resolution # PC4-17-41). Commissioner Quinn seconded the motion.

Commissioner Lohbauer said the proposed tower will stand 200 feet high, and he was curious about the impact to the viewshed.

Director Horner said there is no requirement for analysis of viewshed impacts because the tower will be constructed in a Pinelands Regional Growth Area. He said the cellular plan the Commission adopted many years ago, permits wireless communication facilities in Pinelands Regional Growth Areas and Towns.

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

Commissioner Prickett returned to the meeting.

Chairman Earlen presented a resolution recommending approval of a waiver of strict compliance for the development of a single family dwelling.

Commissioner Barr moved the adoption of a resolution Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 1989-0139.003)(See Resolution # PC4-17-42). Commissioner McGlinchey seconded the motion.

Commissioner Lohbauer questioned why the septic system was permitted 270 feet from wetlands rather than the usual 300 feet.

Director Horner explained that the applicant applied for a waiver of strict compliance from the required 300 foot buffer to wetlands for the proposed septic system. Among other requirements to qualify for a waiver, an applicant must demonstrate that all development will maintain a minimum buffer to wetlands of 50 feet. For this waiver application, the proposed septic system is maintaining a 270 foot buffer to wetlands. He added that the applicant has met the other Comprehensive Management Plan standards for a waiver.

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

Public Comment on Public Development Applications and Resolutions where the Record is Not Closed

There was no public comment.

Ordinances Not Requiring Commission Action

Chairman Earlen asked if any Commissioners had questions regarding the ordinances not requiring Commission action:

- Egg Harbor Township 2017 Master Plan Use Element Amendment
- Egg Harbor Township 2017 Master Plan Recreation & Open Space Element Amendment
- Egg Harbor Township 2017 Master Plan Economic Plan Element
- Egg Harbor Township 2017 Master Plan Community Facilities Element
- Mullica Township Planning Board Resolution 8-2017
- Stafford Township Ordinance 2017-26

No members of the Commission had questions.

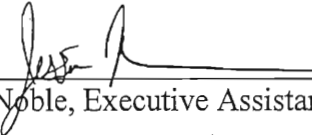
General Public Comment

There was no public comment.

Adjournment

Commissioner Barr moved to adjourn the meeting. Commissioner Avery seconded the motion. The Commission agreed to adjourn at 10:08 a.m.

Certified as true and correct:

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

Date: November 13, 2017



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

NO. PC4-17- 31

**TITLE:** Approving With Conditions Applications for **Public Development** (Application Numbers 1984-0140.003, 1987-1058.075, 2005-0162.004 & 2017-0166.001)

Commissioner Lanower moves and Commissioner Fest seconds the motion that:

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

**1984-0140.003**

**Applicant:** Waterford Township Board of Education  
**Municipality:** Waterford Township  
**Management Area:** Pinelands Village  
**Date of Report:** October 13, 2017  
**Proposed Development:** Installation of a replacement potable water well;

**1987-1058.075**

**Applicant:** South Jersey Transportation Authority  
**Municipality:** Egg Harbor Township  
**Management Area:** Pinelands Military/Federal Installation Area  
Pinelands Regional Growth Area  
**Date of Report:** October 13, 2017  
**Proposed Development:** Widening of Amelia Earhart Boulevard and Airport Road;

**2005-0162.004**

**Applicant:** Woodbine Borough  
**Municipality:** Borough of Woodbine  
**Management Area:** Pinelands Town  
**Date of Report:** October 13, 2017  
**Proposed Development:** A recreation area; and

**2017-0166.001**

**Applicant:** Monroe Township  
**Municipality:** Monroe Township  
**Management Area:** Pinelands Regional Growth Area  
**Date of Report:** October 13, 2017  
**Proposed Development:** Demolition of a duplex dwelling.

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

**WHEREAS**, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

**WHEREAS**, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

**WHEREAS**, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1984-0140.003, 1987-1058.075, 2005-0162.004 & 2017-0166.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

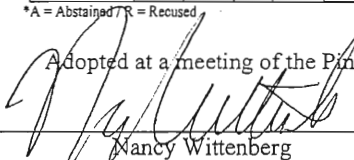
**Record of Commission Votes**

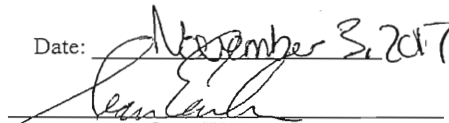
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*					
Ashmun			X	Jannarone			X	Quinn	X				
Avery	X			Lloyd			X	Rohan Green			X		
Barr	X			Lohbauer	X			Earlen	X				
Chila	X			McGlinchey	X								
Galletta	X			Prickett	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date:

  
 Nancy Wittenberg  
 Executive Director

  
 Sean W. Earlen  
 Chairman



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

October 13, 2017

Daniel J. Fox, Administrator  
Waterford Township Board of Education  
934 Lincoln Avenue  
Atco, NJ 08004

Re: Application # 1984-0140.003  
Block 4502, Lot 20  
Waterford Township

Dear Mr. Fox:

The Commission staff has completed its review of this application for installation of a potable water well. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Waterford Township Planning Board (via email)  
Waterford Township Construction Code Official (via email)  
Waterford Township Environmental Commission (via email)  
Secretary, Camden County Planning Board (via email)  
Veronica Foster





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Application Specific Information: AppInfo@njpines.state.nj.us

Sean W. Earlen  
Chairman  
Nancy Wittenberg  
Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2017

Daniel J. Fox, Administrator  
Waterford Township Board of Education  
934 Lincoln Avenue  
Atco, NJ 08004

Application No.: 1984-0140.003  
Block 4502, Lot 20  
Waterford Township

This application proposes installation of a 600 foot deep replacement potable water well on the above referenced 20.02 acre parcel in Waterford Township. The proposed well will replace an existing 93 foot deep potable water well. The proposed well will service the Waterford Elementary School located on the parcel.

The installation of the proposed well was necessitated by the failure of the existing well serving the school. The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.5) provides that the Commission's Executive Director, after consultation with the Chairman of the Pinelands Commission, may authorize immediate action when it is necessary to remedy a condition dangerous to health. On September 5, 2017, the Commission issued a letter authorizing the immediate installation of the proposed 600 foot deep replacement potable water well to serve the school. The Commission's September 5, 2017 letter required that an after-the-fact application for the proposed well be completed with the Commission. This application satisfies that requirement.

**STANDARDS**

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

Land Use (N.J.A.C. 7:50-5.27)

The proposed development is located in the Pinelands Village of Waterford Works. The proposed installation of a potable water well to service an existing school is permitted in the Pinelands Area.

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

The proposed development will be located in a maintained grassed area. 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 does not propose any revegetation.

Water Quality/Management (N.J.A.C. 7:50-6.86)

The proposed replacement well will be located in the Wenonah-Mt. Laurel aquifer. The proposed well will pump less than 100,000 gallons per day and, therefore, does not require a New Jersey Department of Environmental Protection water allocation permit.

**PUBLIC COMMENT**

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on September 15, 2017. The Commission's public comment period closed on October 13, 2017. 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 four sheets, prepared by GPM Associates and dated as follows:  
  
Sheet 1 - March 9, 2017  
Sheet 2 - March 8, 2017  
Sheet 3 - March 6, 2017  
Sheet 4 - March 3, 2017
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.



Chris Christie  
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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 at the Commission office no later than 5:00 PM on October 31, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

October 13, 2017

Stephen Mazur  
South Jersey Transportation Authority  
Route 54 and Trooper Lane  
Hammonton, NJ 08037

Re: Application # 1987-1058.075  
Amelia Earhart Boulevard & Airport Road  
Block 101, Lots 9 & 10  
Egg Harbor Township

Dear Mr. Mazur:

The Commission staff has completed its review of this application for widening of Amelia Earhart Boulevard and Airport Road. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Egg Harbor Township Planning Board (via email)  
Egg Harbor Township Construction Code Official (via email)  
Egg Harbor Township Environmental Commission (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Brian McPeak





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Sean W. Earlen  
Chairman  
Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

October 13, 2017

Stephen Mazur  
South Jersey Transportation Authority  
Route 54 and Trooper Lane  
Hammonton, NJ 08037

Application No.: 1987-1058.075  
Amelia Earhart Boulevard & Airport Road  
Block 101, Lots 9 & 10  
Egg Harbor Township

This application proposes widening of Amelia Earhart Boulevard and Airport Road located on the above referenced 2,464.7 acre parcel in Egg Harbor Township. The two roadways provide access to the William J. Hughes Technical Center and the Atlantic City International Airport.

The application proposes to widen a 3,500 linear foot portion of Amelia Earhart Boulevard from an existing paved width of 68 feet to 80 feet. The application also proposes to widen a 1,900 linear foot portion of Airport Road from an existing paved width of 59 feet to 65 feet.

### STANDARDS

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

#### Land Use (N.J.A.C. 7:50-5.28(a) & 5.29(a))

The development is located partially in a Pinelands Regional Growth Area and partially in a Military and a Federal Installation Area. The proposed development is a permitted land use in a Regional Growth Area and a Military and Federal Installation Area.

#### Wetlands Protection Standards (N.J.A.C. 7:50-6.13)

There are wetlands located within 300 feet of the proposed development. A portion of the proposed roadway improvements will be located within the required buffer to wetlands.

The CMP permits road improvements (linear improvements) in the required buffer to wetlands provided the applicant demonstrates that certain conditions are met. The applicant has demonstrated that there is

no feasible alternative to the proposed development that does not involve development in wetland buffers or that will result in a less significant adverse impact to wetland buffers. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the wetland buffers. The applicant has indicated that the proposed development will improve traffic safety. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetland buffer.

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

The proposed development will be located within existing developed areas and 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. To stabilize disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing four underground stormwater infiltration trenches.

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

The evidence of cultural activity on the parcel lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

### **PUBLIC COMMENT**

The applicant has provided the requisite public notices. Newspaper public notice was completed on February 25, 2017. The application was designated as complete on the Commission's website on September 27, 2017. The Commission's public comment period closed on October 13, 2017. 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 65 sheets, prepared by STV, Inc., all sheets dated September 7, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.

4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

### CONCLUSION

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



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1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Chairman

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Executive Director

October 13, 2017

William Pikolycky, Mayor  
Woodbine Borough  
501 Washington Avenue  
Woodbine, NJ 08270

Re: Application # 2005-0162.004  
Block 50, Lots 3-28 & 30-33  
Block 50.01, Lots 2-24  
Block 51, Lot 7  
Block 54, Lot 1  
Block 59, Lots 10-12  
Block 59.01, Lots 13-16  
Block 59.02, Lots 1-6  
Block 59.03, Lots 1-12  
Block 59.04, Lot 1  
Borough of Woodbine

Dear Mayor Pikolycky:

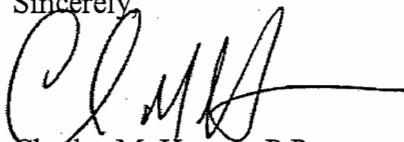
The Commission staff has completed its review of this application for the development of a recreation area. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.



Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. M. Horner', with a long horizontal stroke extending to the right.

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

Enc: Appeal Procedure  
10/28/26 Public Comment

- c: Secretary, Borough of Woodbine Planning Board (via email)
- Borough of Woodbine Construction Code Official (via email)
- Secretary, Cape May County Planning Board (via email)
- Cape May County Health Department (via email)
- Gerard & Lisa Gilroy (via email)
- Bradley Rosenthal (via email)



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



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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

Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2017

William Pikolycky, Mayor  
Woodbine Borough  
501 Washington Avenue  
Woodbine, NJ 08270

Application No.: 2005-0162.004  
Block 50, Lots 3-28 & 30-33  
Block 50.01, Lots 2-24  
Block 51, Lot 7  
Block 54, Lot 1  
Block 59, Lots 10-12  
Block 59.01, Lots 13-16  
Block 59.02, Lots 1-6  
Block 59.03, Lots 1-12  
Block 59.04, Lot 1  
Borough of Woodbine

This application proposes a recreation area on the above referenced 46.28 acre parcel in Woodbine Borough. The proposed recreation area will include approximately 6,800 linear feet of 8 foot wide gravel walking trails, approximately 2,700 linear feet of 8 foot wide paved bicycle trails, a playground/picnic area and the development of a 56 space parking lot. The Woodbine Elementary School is located on the parcel.

### **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 parcel is located in the Pinelands Town of Woodbine. 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 forested and maintained grass areas. The proposed walking trails and bicycling trails will result in approximately 2.5 acres of forest clearing and

the proposed playground/picnic area and parking area will result in approximately 3.5 acres of forest clearing. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant does not propose revegetation.

Threatened and Endangered Species Standard (N.J.A.C. 7:50-6.33)

Information available to the Commission staff indicates that Red-headed woodpecker (RHW), a Pinelands Area threatened animal species, has been sighted in the general vicinity of the parcel proposed for development. The habitat on the parcel proposed for development is open forested area with sparse undergrowth; preferred habitat for RHW.

The Commission staff requested and the applicant completed a survey for RHW. The submitted survey concluded that "no RHW's were detected by the observers at any point during the study." Although the Commission staff considers the survey to be informative, the survey did not provide sufficient information to support a Commission staff finding that the proposed development would not have an irreversible adverse impact to habitat critical to the survival of any local population of RHW that may be present on the parcel.

To avoid irreversible adverse impact to habitat that could be critical to the survival of any local population of RHW that may be present on the parcel, the Commission staff recommends, as a condition of any approval for this application, that tree clearing on the parcel be limited to the period between August 1 through April 30 of any given year, which are the months when RHW is not typically nesting or fledging.

RHW is known to nest in trees in previously excavated nest cavities, natural nest cavities and newly excavated nest cavities. The Commission staff also recommends, as a condition of any approval, that prior to clearing for the walking or biking trails, the applicant be required to stake the center line of the proposed trails in the field. A qualified ornithologist, retained by the applicant and approved by the Commission's Executive Director, shall inspect the 12 foot wide typical section of the proposed clearing for the entire length of the proposed trails to identify and flag any potential nest cavity trees. The routing of the proposed walking and biking trail shall be modified in the field to avoid removal of any identified potential nest cavity trees.

The Commission staff further recommends, as a condition of approval, that prior to any clearing of the approximately 3.5 acres of forest for the proposed parking area and playground/picnic area, that the applicant shall stake the proposed limits of clearing in the field. A qualified ornithologist, retained by the applicant and approved by the Commission's Executive Director, shall inspect the area to identify and flag any potential nest cavity trees. If any potential nest cavity trees are identified in the approximately 3.5 acres proposed to be cleared, the applicant shall revise the proposed design and limits of proposed clearing to avoid removal of any potential nest cavity trees. Any proposed redesign shall not isolate any identified nest cavity tree. Any redesign of the proposed improvements within the limits of the approved 3.5 acre development area or adjacent existing cleared areas may be approved in writing by the Commission's Executive Director. Any proposed redesign outside the limits of the approved 3.5 acre development area or adjacent existing cleared areas shall require an amended approval by the Commission.

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

The Woodbine Elementary School on the parcel is served by an existing onsite septic system. The applicant has demonstrated that the existing and proposed uses on the parcel will be consistent with the groundwater quality (septic dilution) standard of the Woodbine Borough land use ordinance and the CMP.

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

To meet the stormwater management standards for the proposed development, the applicant proposes porous pavement with subsurface infiltration beds for the proposed access road and parking area. The proposed development is consistent with the CMP stormwater management standards.

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on October 21, 2016. Newspaper public notice was completed on October 26, 2016. The application was designated as complete on the Commission's website on October 2, 2017. The Commission's public comment period closed on October 13, 2017. The Commission received two public written comments regarding this application.

**Comment:** The commenter expressed general support for the proposal but raised concerns about whether vehicular access to the proposed recreation area will be from Adams Avenue.

**Staff Response:** The Commission staff appreciates the commenter's interest in the Pinelands. The existing school parcel is bordered by Webster Street, Monroe Avenue and Adams Avenue. Motor vehicle access to the proposed recreation area will be via a proposed access drive from Monroe Avenue.

**Comment:** The commenter requested a copy of the Executive Director's findings on this application.

**Staff Response:** The commenter is copied on this Public Development Application Report containing the Executive Director's findings.

**CONDITIONS**

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of nine sheets, prepared by Van-Note Harvey Associates and dated as follows:
  - Sheets 1-7 - dated June 30, 2017
  - Sheet 8 - dated June 30, 2017; revised to September 12, 2017
  - Sheet 9 - undated
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. Tree clearing associated with the proposed development shall only occur between August 1 through April 30 of any given year. No tree clearing shall occur between May 1st and July 31st of any given year.
6. Prior to clearing for the walking or biking trails, the applicant shall stake the center line of the proposed trails in the field. A qualified ornithologist, retained by the applicant and approved by the Commission's Executive Director, shall inspect the 12 foot wide typical section of proposed clearing for the entire length of the proposed trails to identify and flag any potential existing nest cavity trees. The routing of the proposed walking and biking trail shall be modified in the field to avoid removal of any identified potential existing nest cavity trees.
7. Prior to clearing of the approximately 3.5 acres for the parking area, playground and pavilion, the applicant shall stake the proposed limits of clearing in the field. A qualified ornithologist, retained by the applicant and approved by the Commission's Executive Director, shall inspect the area to identify and flag any potential existing nest cavity trees. The applicant shall redesign the improvements within the 3.5 acre area and adjacent existing cleared area to avoid removal of any identified potential existing nest cavity trees. Any proposed redesign shall not isolate any identified potential existing nest cavity tree. Any proposed redesign within the limits of the approved 3.5 acre development area or adjacent existing cleared areas may be approved in writing by the Commission's Executive Director. Any proposed redesign outside the limits of the approved 3.5 acre development area or adjacent existing cleared areas shall require an amended approval by the Commission.

### 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.

**AppInfo - Gerard and Lisa Gilroy of 826 Adams Ave., Requesting an Appointment with Pinelands Commission's office for inspection OF Pinelands Application No. 2005**

---

**From:** Lisa Coppola <lisatkoppola@yahoo.com>  
**To:** "AppInfo@njpinelands.state.nj.us" <AppInfo@njpinelands.state.nj.us>, me me <lisatkoppola@yahoo.com>, gerry gilroy <whistlerloop@yahoo.com>  
**Date:** 10/28/2016 6:24 PM  
**Subject:** Gerard and Lisa Gilroy of 826 Adams Ave., Requesting an Appointment with Pinelands Commission's office for inspection OF Pinelands Application No. 2005

---

Dear Office of Pinelands Commission's Office, Today is October 28, 2016. Per my letter from van-note Harvey, my Husband and I are requesting a copy of the Executive Director's findings and conclusion with RE: to VNHA#41760-400-21 Pinelands Application No. 2005-0162.004 Woodbine Open Space Eco-Park- Public Development Application 801 Webster Street and Various Parcels. We would also like to request an appointment to review and voice our concerns. We would like the appointment to be locally held in Woodbine preferable. We really think this is a wonderful Idea. We just would like to know exactly what is the detailed plan proposed. One Concern that we have, Without Knowing, So please forgive me. We do not want any Vehicles to have access from Adams Ave., Woodbine. So we would like an opportunity to be involved with our community's planning. We are very optimistic about the said plan and are hoping for a amicable neighborly Plan. Thank you for your time.

Looking Forward,  
Yours Truly,

Gerard and Lisa Gilroy  
826 Adams Ave, Woodbine  
NJ 08270  
Gerard : 856-300-3271  
Lisa : 610-348-1545  
lisatkoppola@yahoo.com  
Whistlerloop@yahoo.com

**From:** Bradley Rosenthal <rosenthalbt@cmcmua.com>  
**To:** <Appinfo@njpinestates.nj.us>  
**Date:** 10/24/2016 12:02 PM  
**Subject:** Application No 2005-0162.004

When completed, I would like to receive a copy of the Executive Director's findings and conclusion for Application Number 2005-0162.004 - Woodbine Open Space Eco-Park. Thank You - Brad

—  
Brad Rosenthal  
Executive Assistant  
Cape May County Municipal Utilities Authority  
P.O. Box 610 | 1523 U.S. Route 9 North | Cape May Court House, N.J. 08210  
609.465.9026 ext. 1210  
rosenthalbt@cmcmua.com



Chris Christie  
Governor

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Lt. Governor

## State of New Jersey

THE PINELANDS COMMISSION

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Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

### 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 at the Commission office no later than 5:00 PM on October 31, 2017 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.

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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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

Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

October 13, 2017

Daniel Teefy, Mayor  
Monroe Township  
125 Virginia Avenue  
Williamstown, NJ 08094

Re: Application # 2017-0166.001  
Block 11603, Lot 6  
Monroe Township

Dear Mayor Teefy:

The Commission staff has completed its review of this application for demolition of a duplex dwelling. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Monroe Township Planning Board (via email)  
Monroe Township Construction Code Official (via email)  
Monroe Township Environmental Commission (via email)  
Secretary, Gloucester County Planning Board (via email)  
John Helbig





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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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

Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

October 13, 2017

Daniel Teefy, Mayor  
Monroe Township  
125 Virginia Avenue  
Williamstown, NJ 08094

Application No.: 2017-0166.001  
Block 11603, Lot 6  
Monroe Township

This application proposes demolition of a duplex dwelling located on the above referenced 0.23 acre parcel in Monroe Township. The Township owns the parcel.

### STANDARDS

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

#### Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. The demolition of a building is permitted in the Pinelands Area.

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

The evidence of cultural activity on the parcel, including the existing building, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

### PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on October 2, 2017. The Commission's public comment period closed on October 13, 2017. No public comment was submitted to the Commission regarding this application.

**CONDITIONS**

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

**CONCLUSION**

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



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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NEW LISBON, NJ 08064  
(609) 894-7300  
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Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)



Sean W. Earlen  
Chairman

Nancy Wittenberg  
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 at the Commission office no later than 5:00 PM on October 31, 2017 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. PC4-17- 40

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1987-0914.004)

Commissioner Galletta moves and Commissioner Lohbauer seconds the motion that:

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

<b>1987-0914.004</b>	
<b>Applicant:</b>	<b>Burlington County</b>
Municipality:	Evesham Township
Management Area:	Pinelands Rural Development Area
Date of Report:	October 13, 2017
Proposed Development:	Widening of Taunton Lakes Road.

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

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

**WHEREAS**, the Pinelands Commission hereby determines that the proposed public development 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 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 1987-0914.004 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun			X	Jannarone			X	Quinn	X		
Avery	X			Lloyd			X	Rohan Green			X
Barr	X			Lohbauer	X			Earlen	X		
Chila	X			McGlinchey	X						
Galletta	X			Prickett			R				

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 3, 2017

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Sean W. Earlen  
Sean W. Earlen  
Chairman



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

## State of New Jersey

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General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

October 13, 2017

Joseph Brickley, P.E.  
Burlington County Board of Chosen Freeholders  
P.O. Box 6000  
Mt. Holly, NJ 08060

Re: Application # 1987-0914.004  
Taunton Lakes Road  
Evesham Township

Dear Mr. Brickley:

The Commission staff has completed its review of this application for the widening of Taunton Lakes Road. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Evesham Township Planning Board (via email)  
Evesham Township Construction Code Official (via email)  
Evesham Township Environmental Commission (via email)  
Secretary, Burlington County Planning Board (via email)  
Lisa Dunne (via email)  
Bruce Easterly, PE





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Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2017

Joseph Brickley, P.E.  
Burlington County Board of Chosen Freeholders  
P.O. Box 6000  
Mt. Holly, NJ 08060

Application No.: 1987-0914.004  
Taunton Lakes Road  
Evesham Township

This application proposes to widen approximately 5,200 linear feet of Taunton Lakes Road from Tomlinson Mill Road to Kings Grant Drive in Evesham Township. The roadway will be widened from an existing paved width of 23 feet to a proposed paved width of 40 feet.

**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(b)10)

The development is located in a Pinelands Rural Development Area. The proposed development is a permitted land use in a Pinelands Rural Development Area.

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

There are wetlands located within 300 feet of the proposed development. The proposed widening will require the disturbance of 1,388 acres of wetlands and will also be located in the required buffer to wetlands.

The CMP permits road improvements (linear improvements) in wetlands and the required buffer to wetlands provided the applicant demonstrates that certain 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 that will result in a less significant adverse impact to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the wetlands. The applicant has represented that the concerned roadway has a high number of motor vehicle accidents,

including fatalities. The proposed road improvements are necessary to improve the safety of the existing roadway. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetlands.

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

The proposed development will be located within existing developed areas, grassed shoulders and forested areas. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

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

The applicant proposes to construct a stormwater infiltration basin at the Taunton Lakes Road and Tomlinson Mill Road intersection to collect and infiltrate stormwater runoff from the proposed road improvements. The proposed infiltration basin will store and infiltrate approximately 57% (16,022 cubic feet) of the stormwater volume required to meet the CMP stormwater management standard.

Based upon the proximity of wetlands to the existing road, the applicant has indicated that it is not feasible to construct additional stormwater facilities within the project area to meet the CMP stormwater management standards. The CMP (N.J.A.C. 7:50-6.84(a)6vi(4)) provides that if an applicant for public development demonstrates that the stormwater management standards cannot be met for a proposed project, the Commission may grant an exception to the standards. To grant such an exception, the Commission must find that the applicant proposes alternative stormwater management measures within the Pinelands Area and within the same drainage area as the proposed development and that the proposed stormwater management measures are sufficient to offset the granting of the exception.

As an alternative stormwater measure, the applicant also proposes to remove 27,878 square feet of pavement from the Taunton Lakes Road right-of-way between Tomlinson Mill Road and Westcott Roads. The pavement proposed to be removed is located within the Pinelands National Reserve, immediately adjacent to, but outside of the Pinelands Area. The pavement is located within the same drainage area as the proposed road improvements. Stormwater runoff from the pavement to be removed drains into the Pinelands Area.

The proposed stormwater infiltration basin and pavement removal will provide 95 percent of the volume of stormwater runoff required to be stored and infiltrated to meet the CMP stormwater standard for the proposed road improvement.

The applicant also proposes to connect two stormwater treatment devices to existing stormwater collection pipes serving Taunton Lakes Road, Taunton Boulevard and Hopewell Road. The stormwater treatment devices will be located approximately 6,000 linear feet from the proposed improvement to Taunton Lakes Road. The proposed treatment devices will result in improved water quality by removing sediment, debris and oils in stormwater currently being directly discharged to wetlands (Blue Lake Run). The two stormwater treatment devices will be located within the Pinelands Area and within the same drainage area as the proposed road improvement.

The proposed alternative stormwater management measures are sufficient to offset the granting of the stormwater management exception.

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

The applicant prepared a cultural resource survey for the proposed development. The survey determined that no cultural resources eligible for Pinelands designation were found within the project area.

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Newspaper public notice was completed on March 3, 2017. The application was designated as complete on the Commission's website on September 27, 2017. The Commission's public comment period closed on October 13, 2017. 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 Road Reconstruction Plan, consisting of 13 sheets, prepared by Taylor, Wiseman & Taylor and dated as follows:

Sheets 1 & 3-12 - June 2008; revised to March 10, 2016

Sheet 2 - July 2008; revised to March 10, 2016

Sheet 13 - June 2008; revised to June 28, 2016

Except as modified by the below conditions, the proposed development shall adhere to the Pavement Removal Plan prepared by Taylor, Wiseman & Taylor and dated August 2017.

Except as modified by the below conditions, the proposed development shall adhere to the Stormwater Treatment Device Plan prepared by the Burlington County Engineering Office and dated July 2016.

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Prior to the construction of any portion of the proposed development which will result in the disturbance of any wetland area, a Freshwater Wetland Permit shall be obtained pursuant to the New Jersey Freshwater Wetlands Protection Act.
6. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been

completed and the area has been stabilized.

### CONCLUSION

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



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

## State of New Jersey

THE PINELANDS COMMISSION

PO Box 359  
NEW LISBON, NJ 08064  
(609) 894-7300  
www.nj.gov/pinelands



Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

General Information: [Info@npjines.state.nj.us](mailto:Info@npjines.state.nj.us)  
Application Specific Information: [AppInfo@npjines.state.nj.us](mailto:AppInfo@npjines.state.nj.us)

### 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 at the Commission office no later than 5:00 PM on October 31, 2017 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. PC4-17- 41

**TITLE:** Approving With Conditions an Application for **Public Development** (Application Number 1989-0349.019)

Commissioner Avery moves and Commissioner Quinn seconds the motion that:

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

**1989-0349.019**

**Applicant:**  
**Municipality:**  
**Management Area:**

**Burlington County**  
Pemberton Township  
Pinelands Agricultural Production Area  
Pinelands Regional Growth Area

**Date of Report:**

October 13, 2017

**Proposed Development:**

Construction of a 200 foot high wireless communication tower and a 4,900 square foot accessory equipment compound.

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

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

**WHEREAS**, the Pinelands Commission hereby determines that the proposed public development 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 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 1989-0349.019 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*					
Ashmun			X	Jannarone			X	Quinn	X				
Avery	X			Lloyd			X	Rohan Green			X		
Barr	X			Lohbauer	X			Earlen	X				
Chila	X			McGlinchey	X								
Galletta	X			Prickett			R						

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 3, 2017

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Sean W. Earlen  
Sean W. Earlen  
Chairman



State of New Jersey  
 THE PINELANDS COMMISSION  
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Chris Christie  
 Governor

Kim Guadagno  
 Lt. Governor

General Information: Info@njpinelands.state.nj.us  
 Application Specific Information: ApplInfo@njpinelands.state.nj.us

Sean W. Earlen  
 Chairman

Nancy Wittenberg  
 Executive Director

October 13, 2017

Eve A. Cullinan, Administrator  
 Burlington County  
 PO Box 600  
 Westampton, NJ 08060-6000

Re: Application # 1989-0349.019  
 Block 812, Lot 9.01  
 Pemberton Township

Dear Ms. Cullinan:

The Commission staff has completed its review of this application for construction of a 200 foot high wireless communication tower and a 4,900 square foot accessory equipment compound. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)  
 Pemberton Township Construction Code Official (via email)  
 Pemberton Township Environmental Commission (via email)  
 Secretary, Burlington County Planning Board (via email)  
 Dominic Villecco (via email)





# State of New Jersey

THE PINELANDS COMMISSION

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NEW LISBON, NJ 08064

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Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

October 13, 2017

Eve A. Cullinan, Administrator  
Burlington County  
PO Box 600  
Westampton, NJ 08060-6000

Application No.: 1989-0349.019  
Block 812, Lot 9.01  
Pemberton Township

This application proposes construction of a 200 foot high wireless communication tower and a 4,900 square foot accessory equipment compound located on the above referenced 351.92 acre parcel in Pemberton Township.

### STANDARDS

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

#### Land Use (N.J.A.C. 7:50-5.24 and 5.28)

The parcel is located partially in a Pinelands Regional Growth Area (101.92 acres) and partially in a Pinelands Agricultural Production Area (250 acres). The proposed development is located in the portion of the parcel located in a Pinelands Regional Growth Area. The proposed wireless communication tower is a permitted land use in a Pinelands Regional Growth Area.

#### Wetlands Standards (N.J.A.C. 7:50-6.14)

There are wetlands located on the parcel. The wetlands consist of maintained lawn areas and successional wooded wetlands. The proposed communications tower and equipment compound will maintain a greater than 300 foot buffer to wetlands. The proposed underground electrical and telephone service lines extending from the proposed tower to Pemberton-Browns Mill Road will maintain a 50 foot buffer to existing lawn wetland areas. The proposed development will not result in a significant adverse impact on the wetlands.

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

The proposed development will be located in an existing grassed area. All 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 does not propose any revegetation.

**PUBLIC COMMENT**

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on October 2, 2017. The Commission's public comment period closed on October 13, 2017. 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 15 sheets, prepared by VCOMM Telecommunications Engineering, all sheets dated September 22, 2015 and revised to September 25, 2017.
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. The proposed development shall be located at least 50 feet from all maintained lawn wetlands.

**CONCLUSION**

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



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

## State of New Jersey

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General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

### 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 at the Commission office no later than 5:00 PM on October 31, 2017 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. PC4-17- 42

**TITLE:** Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 1989-0139.003)

Commissioner Bass moves and Commissioner McGlinchey seconds the motion that:

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

**1989-0139.003**

<b>Applicant:</b>	<b>Robert Smith</b>
Municipality:	Monroe Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	October 13, 2017
Proposed Development:	Single family dwelling.

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

**WHEREAS**, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the 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 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 1989-0139.003 for a Waiver of Strict Compliance is hereby **approved** subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun			X	Jannarone			X	Quinn	X		
Avery	X			Lloyd			X	Rohan Green			X
Barr	X			Lohbauer	X			Earlen	X		
Chila	X			McGlinchey	X						
Galletta	X			Prickett	X						

\*A = Abstained / R = Recused

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

Date: November 3, 2017  
Sean W. Earlen  
Sean W. Earlen  
Chairman



State of New Jersey

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Chris Christie
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Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

October 13, 2017

Robert Smith (via email)
18 Steeplechase Drive
Turnersville, NJ 08012

Re: Application # 1989-0139.003
Block 9801, Lot 30
Monroe Township

Dear Mr. Smith:

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 Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 3, 2017 meeting.

FINDINGS OF FACT

This application is for the development of a single family dwelling served by an onsite septic system on the above referenced 44.27 acre parcel in Monroe Township. The parcel is located partially in a Pinelands Rural Development Area (44.08 acres) and partially in a Pinelands Regional Growth Area (0.19 acres). The Pinelands Rural Development Area portion of the parcel is located in Monroe Township's RD-A zoning district. The Pinelands Regional Growth Area portion of the parcel is located in Monroe Township's RG-MR zoning district. The proposed single family dwelling will be located within the Pinelands Rural Development Area portion of the parcel. In the Township's RD-A zoning district, a single family dwelling requires a minimum lot size of 8 acres in accordance with Monroe Township's certified land use ordinance.

A portion of the parcel is wetlands as defined in the Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-6.5(a)). The wetland continues onto adjacent lands. Any development of the parcel would be located within 300 feet of these 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 requirements contained in the N.J.A.C. 7:50-6.14.

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



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 Rural Development Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on or within 50 feet of wetlands. The applicant has demonstrated that no development, including clearing and land disturbance, will be located on or within 170 feet of wetlands.

Information available to the Commission staff indicates the potential presence of threatened and endangered (T&E) animal species or habitat critical to their survival and populations of T&E plant species on and in the vicinity of the parcel. The applicant proposes to locate all development on the 44.27 acre parcel within a proposed 0.405 acre development envelope fronting on an existing road. The applicant proposes to impose a deed restriction on the remaining 43.87 acres of the parcel to prohibit any further development, including clearing or land disturbance, unless a T&E species survey is undertaken demonstrating consistency with the T&E species protection standards of the Monroe Township land use ordinance and the CMP. With the conditions recommended below the applicant has demonstrated that the proposed development is designed to avoid irreversible adverse impacts on habitat that is critical to the survival of any local population of T&E animal species or to any local population of T&E plant species in accordance with N.J.A.C. 7:50-6.27 and 6.33.

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 Monroe Township's certified land use ordinances. A single family dwelling can be developed on the parcel without violating any of the criteria contained in N.J.A.C. 7:50-4.65(b) if the conditions recommended below are imposed.

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on the wetlands be minimized.

### PUBLIC COMMENT

The applicant has provided the requisite public notice. Public notice to all property owners within 200 feet of the parcel was completed on April 19, 2017. Newspaper public notice was completed on July 27, 2017. The application was designated as complete on the Commission's website on September 8, 2017. The Commission's public comment period closed on October 13, 2017. No public comments regarding this application were 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 an application to be approved based on extraordinary hardship the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

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 the CMP (N.J.A.C. 7:50-6) for certain specified development. One of the specified categories of development is as follows:

- vii. A single family dwelling on a parcel within a Pinelands Rural Development Area that complies with the density and lot area standards set forth in N.J.A.C. 7:50-5.26(a) and (c);

This application is only for a Waiver from the wetlands buffer requirements. The applicant is seeking to develop a single family dwelling on a lot within a Pinelands Rural Development Area that complies with the residential density and lot area standards set forth in N.J.A.C. 7:50-5.26(a) and (c). The proposed single family dwelling on the 44.27 acre parcel that meets the residential density and lot area standards established in this portion of the Pinelands Rural Development Area in Monroe Township's certified land use ordinances. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1vii.

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 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. Monroe Township's master plan and land use ordinances have been certified by the Pinelands Commission. The certified ordinances do not require any municipal lot area or density variances. 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. 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 application meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all the 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.

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. With the conditions recommended below, the applicant meets the requirements contained in N.J.A.C. 7:50-4.62(c).

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)1.iii) 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 applicant is obtaining a Waiver

from the minimum buffer to wetlands standard (N.J.A.C. 7:50-6.14), a condition is included to require the applicant to purchase the requisite 0.25 PDCs. With the conditions recommended below, the applicant meets the requirements contained in N.J.A.C. 7:50-4.62(d).

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 plot plan prepared by Datz Engineering & Land Surveying, dated April 26, 2015 and last revised April 22, 2017.
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. Prior to Commission issuance of a letter advising that any municipal or county approval or permit may take effect, a copy of a recorded deed restriction proposed by the applicant must be submitted to the Commission prohibiting any development, including clearing and land disturbance, outside of the designated development envelope on the above referenced plan unless a threatened and endangered species survey is undertaken demonstrating consistency with the threatened and endangered species protection standards.
4. Appropriate measures shall be taken prior to construction to preclude sedimentation from entering wetlands.
5. Sufficient dry wells or a comparable alternative shall be installed to contain all stormwater runoff from the house.
6. The driveway shall be constructed of crushed stone or other permeable material.
7. The septic system shall be located at least 270 feet from all wetlands. All other development, including clearing and land disturbance, shall be located at least 170 feet from all wetlands. No development, including clearing and land disturbance, shall occur except as shown on the above referenced plan.
8. 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.
9. 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.
10. This Waiver shall expire November 3, 2022 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 November 3, 2022, or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
11. 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, Monroe Township, the Gloucester 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.

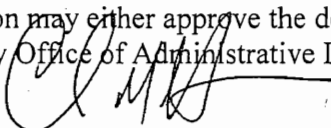
Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver subject to the above conditions.

### 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 at the Commission office no later than 5:00 PM on October 31, 2017 and must 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 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, Monroe Township Planning Board (via email)  
 Monroe Township Construction Code Official (via email)  
 Monroe Township Environmental Commission (via email)  
 Secretary, Gloucester County Planning Board (via email)  
 Gloucester County Health Department (via email)

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

MINUTES

**November 17, 2017**

Commissioners Present

Bob Barr, Paul E. Galletta, Mark Lohbauer, Ed McGlinchey, Richard Prickett, and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Bruce Velzy.

Commissioners Participating by Phone

Candace Ashmun, Alan W. Avery Jr., Giuseppe Chila, Jane Jannarone and Gary Quinn.

Commissioners Absent

Ed Lloyd and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:04 a.m.

DAG Velzy read the Open Public Meetings Act Statement.

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 11 Commissioners who participated in the meeting.)

Resolution to Retire into Closed Session

DAG Velzy read a resolution to enter into closed session to discuss revisions to the Commission's salary structure. The Commission agreed to retire into closed session by a vote of 11 to 0, beginning at 9:06 a.m.

Return to Open Session

The Commission entered back into open session at 9:27 a.m.

DAG Velzy said that in closed session the Commission discussed potential changes to the salary structure.

Chairman Earlen presented a resolution regarding the new salary structure.

Commissioner Lohbauer moved the adoption of a resolution to Implement the Organizational Restructuring (See Resolution # PC4-17-43). Commissioner McGlinchey seconded the motion.

The Commission adopted the resolution by a vote of 11 to 0.

Adjournment

Commissioner Prickett moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 9:31 a.m.

Certified as true and correct:

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

Date: November 17, 2017



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

NO. PC4-17- 43

**TITLE:** To Implement the Organizational Restructuring

Commissioner Lohbauer moves and Commissioner McGlinchey seconds the motion that:

WHEREAS, a comprehensive review was completed which concluded that a restructuring and revision of the Commission's Salary Structure was needed in order to offer and maintain "comparative salaries in similar positions in other governmental organizations", as required by the personnel policies; and

WHEREAS, since approximately April 2007, the certain members of the Commission staff have been represented by the Communications Workers of America (CWA), AFL-CIO, Local 1040; and

WHEREAS, the CWA, Local 1040 has reviewed the new Salary Structure attached to this Resolution and has signed the attached Memorandum of Agreement approving same; and

WHEREAS, the Personnel and Budget Committee reviewed the attached Salary Structure at its November 3, 2017 meeting; 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 the Commission:

1. Adopts the attached Salary Structure and MOA that implements said Structure.
2. Authorizes the Executive Director to execute the attached MOA in order to implement the Salary Structure.

**Record of Commission Votes**

AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun	X			Jannarone	X			Quinn	X		
Avery	X			Lloyd		X		Rohan Green			X
Barr	X			Lohbauer	X			Earlen	X		
Chila	X			McGlinchey	X						
Galletta	X			Prickett	X						

\*A = Abstained / R = Recused

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

Date: November 17, 2017  
Sean W. Earlen  
Sean W. Earlen  
Chairman

MEMORANDUM OF AGREEMENT

The New Jersey Pinelands Commission and Communications Workers of America (CWA), AFL-CIO, Local 1040 agree as follows:

This Memorandum of Agreement covers the Non-Supervisory Unit (RO-2007-053); the Professional Unit (RO-2007-063); and the Supervisory Unit (RO-2007-067).

1. As a result of a restructuring, new positions and associated pay ranges, as set forth in the attached schedules, shall be implemented, effective retroactively to July 1, 2017. The attached pay ranges supersede the Commission's Salary Structure set forth in Appendix A of the Pinelands Commission's Personnel Policies, last revised January 2010.
2. This Memorandum of Agreement shall remain in effect, to the fullest extent permitted by law, until new collective negotiation agreements are implemented.
3. This Memorandum of Agreement represents the parties' complete agreement. All of the terms and conditions of the parties' 2011-2015 collective negotiation agreement not expressly addressed by this Memorandum of Agreement shall remain in full force and effect and shall be incorporated into the new collective negotiation agreements for the above referenced units.
4. This Memorandum of Agreement shall be approved by the Pinelands Commission and the Local 1040, CWA, AFL-CIO.

NJ Pinelands Commission

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: November \_\_, 2017

Local 1040, CWA, AFL-CIO

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated: November \_\_, 2017

SALARY SCHEDULES

<b>Support Assistants: Custodian and Clerical</b>						
<b>Current Level</b>	<b>Current Minimum</b>	<b>Current Maximum</b>	<b>New Level</b>	<b>New Range #</b>	<b>New Minimum</b>	<b>New Maximum</b>
Principal	* \$25,322	\$44,014	1	5	\$35,250	\$51,112
1	\$24,172	\$42,013	2	3	\$31,973	\$46,360
2	\$20,718	\$32,780	3	1	\$29,000	\$42,050

<b>Support Assistants: Business and Maintenance</b>						
<b>Current Level</b>	<b>Current Minimum</b>	<b>Current Maximum</b>	<b>New Level</b>	<b>New Range #</b>	<b>New Minimum</b>	<b>New Maximum</b>
Principal	\$33,379	\$58,018	1	7	\$38,863	\$56,351
1	\$27,623	\$48,168	2	5	\$35,250	\$51,112
2	\$24,172	\$36,761	3	3	\$31,973	\$46,360

<b>Technical Assistants: Land Use, Planning, Legal, Public Programs</b>						
<b>Current Level</b>	<b>Current Minimum</b>	<b>Current Maximum</b>	<b>New Level</b>	<b>New Range #</b>	<b>New Minimum</b>	<b>New Maximum</b>
Principal	\$33,379	\$58,018	1	13	\$52,080	\$75,516
1	\$29,350	\$51,014	2	10	\$44,989	\$65,233
2	\$25,322	\$38,511	3	7	\$38,863	\$56,351
			4	5	\$35,250	\$51,112

<b>Specialists: Environmental, Public Programs, GIS, MIS</b>						
<b>Current Level</b>	<b>Current Minimum</b>	<b>Current Maximum</b>	<b>New Level</b>	<b>New Range #</b>	<b>New Minimum</b>	<b>New Maximum</b>
Supervising/ Principal	\$61,577	\$101,350	1	20	\$73,282	\$106,258
1	\$47,765	\$83,487	2	15	\$57,418	\$83,256
2	\$39,709	\$65,228	3	13	\$52,080	\$75,516
3	\$36,256	\$47,364	4	11	\$47,238	\$68,495

**Research Scientists**

<b>Current Level</b>	<b>Current Minimum</b>	<b>Current Maximum</b>	<b>New Level</b>	<b>New Range #</b>	<b>New Minimum</b>	<b>New Maximum</b>
Supervising/ Principal	\$61,577	\$101,350	1	20	\$73,282	\$106,258
1	\$52,945	\$92,027	2	16	\$60,289	\$87,419
2	\$44,888	\$73,147	3	14	\$54,684	\$79,292
3	\$39,709	\$51,766	4	12	\$49,600	\$71,920

## New Salary Ranges

1	29,000	30,450	31,900	33,350	34,800	36,250	37,700	39,150	40,600	42,050
2	30,450	31,973	33,495	35,018	36,540	38,063	39,585	41,108	42,630	44,153
3	31,973	33,571	35,170	36,768	38,367	39,966	41,564	43,163	44,762	46,360
4	33,571	35,250	36,928	38,607	40,285	41,964	43,642	45,321	47,000	48,678
5	35,250	37,012	38,775	40,537	42,300	44,062	45,825	47,587	49,350	51,112
6	37,012	38,863	40,713	42,564	44,415	46,265	48,116	49,966	51,817	53,668
7	38,863	40,806	42,749	44,692	46,635	48,578	50,522	52,465	54,408	56,351
8	40,806	42,846	44,887	46,927	48,967	51,007	53,048	55,088	57,128	59,169
9	42,846	44,989	47,131	49,273	51,415	53,558	55,700	57,842	59,985	62,127
10	44,989	47,238	49,487	51,737	53,986	56,236	58,485	60,734	62,984	65,233
11	47,238	49,600	51,962	54,324	56,686	59,047	61,409	63,771	66,133	68,495
12	49,600	52,080	54,560	57,040	59,520	62,000	64,480	66,960	69,440	71,920
13	52,080	54,684	57,288	59,892	62,496	65,100	67,704	70,308	72,912	75,516
14	54,684	57,418	60,152	62,886	65,621	68,355	71,089	73,823	76,557	79,292
15	57,418	60,289	63,160	66,031	68,902	71,773	74,643	77,514	80,385	83,256
16	60,289	63,303	66,318	69,332	72,347	75,361	78,376	81,390	84,404	87,419
17	63,303	66,469	69,634	72,799	75,964	79,129	82,294	85,460	88,625	91,790
18	66,469	69,792	73,115	76,439	79,762	83,086	86,409	89,733	93,056	96,379
19	69,792	73,282	76,771	80,261	83,750	87,240	90,730	94,219	97,709	101,198
20	73,282	76,946	80,610	84,274	87,938	91,602	95,266	98,930	102,594	106,258
21	76,946	80,793	84,640	88,487	92,335	96,182	100,029	103,877	107,724	111,571
22	80,793	84,833	88,872	92,912	96,951	100,991	105,031	109,070	113,110	117,150
23	84,833	89,074	93,316	97,557	101,799	106,041	110,282	114,524	118,766	123,007
24	89,074	93,528	97,982	102,435	106,889	111,343	115,796	120,250	124,704	129,158

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**Evaluating the State of Predatory Alienation in New Jersey  
Final Report**

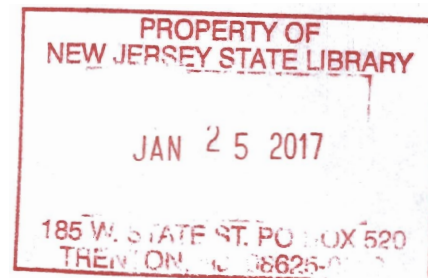
Report Prepared for:  
**The New Jersey Department of Children and Families  
The New Jersey Department of Human Services**

Project Conducted By:  
**Center on Violence Against Women and Children  
Rutgers University School of Social Work**

Principal Investigator:  
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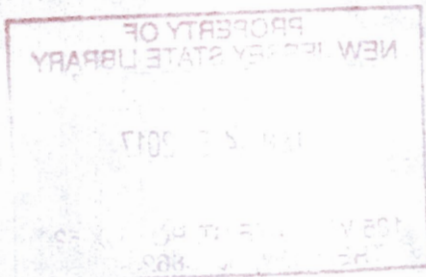
**November 2017**



This material is based upon work supported by the Department of Children and Families and the Department of Human Services, State of New Jersey under Contract # 17AAMA with Rutgers University. Any opinions and conclusions or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the official opinion of the State of New Jersey, the Department of Children and Families, or the Department of Human Services.

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## Introduction

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The objective of the project, “Evaluating the State of Predatory Alienation in New Jersey,” was to identify the nature of predatory alienation and its effects on young adults and older adults. The Department of Children and Families and the Department of Human Services contracted the Center on Violence Against Women and Children (VAWC) at the Rutgers School of Social Work to study this issue.

In 2012, a family in New Jersey began a nonprofit organization, NJ Safe & Sound, to advocate for legislation to protect families in cases of undue influence and predatory alienation. Their own personal experience with predatory alienation led them to their advocacy efforts. Their son was alienated from his home, family, and friends through coercion and manipulation by another family. Since their son was over the age of 16, there was no legal recourse for the family to pursue to protect their son.

As a result of the advocacy efforts of NJ Safe and Sound, Senate Bill 2562<sup>1</sup> and Assembly Bill 4244 were passed and signed by the Governor (P.L. 2017, Chapter 64), requiring the Department of Children and Families (DCF) and the Department of Human Services (DHS) to conduct a joint study and make recommendations concerning predatory alienation. The Act defines predatory alienation as “extreme undue influence on, or coercive persuasion or psychologically damaging manipulation of another person that results in physical or emotional harm or the loss of financial assets, disrupts a parent-child relationship, leads to a deceptive or exploitative relationship, or isolates the person from family and friends.” With this definition in mind, researchers at VAWC sought to answer the following questions:

- 1) How do online predators, human traffickers, con artists, gangs, cults, and other groups use predatory alienation to isolate young adults and senior citizens from their family and friends?
- 2) What are the grooming practices used to target and control young adults and older adults?
- 3) What are the high-pressure tactics used in scams and exploitative relationships to manipulate, control, and take advantage of older adults?
- 4) Why are young adults and older adults particularly vulnerable to predatory alienation?
- 5) What can young adults and older adults do to protect themselves from predatory alienation?

VAWC used a two-phased approach to gain a better understanding of predatory alienation and how it affects young adults and older adults, including a comprehensive literature review and key stakeholder interviews. This report presents a synthesis of the findings from these two phases of the research project.

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<sup>1</sup> New Jersey Senate Bill 2562: <https://legiscan.com/NJ/text/S2562/2016>

## Methods – Overview

---

Approval from the Institutional Review Board (IRB) at Rutgers University was received prior to conducting this research. First, VAWC conducted a comprehensive literature review to examine the state of predatory practices targeting young adults and older adults across the United States. Second, in-depth interviews were completed with key stakeholders from organizations serving or advocating on behalf of individuals who have fallen victim to predatory behaviors. These interviews aided the researchers in gaining an understanding of current practices in responding to victims of predatory behaviors. Third, this report was written which includes a synthesis of findings from the literature review and in-depth interviews, and recommendations for policy, practice, and research.

### **Phase One – Literature Review**

The first step involved a comprehensive literature review of sources related to predatory behaviors used against young adults and older adults. Qualitative content analysis was conducted to identify common themes across the literature.

**Data Collection.** The research team searched Academic Search Premier, Ebscohost, and Google Scholar for existing academic literature, research studies, technical reports, fact sheets, white papers, working papers, and committee reports. Additional articles were collected based on relevant references from these sources. Various combinations of the following search terms were used:

predatory alienation; coercion; persuasive coercion; manipulation; isolation; recruitment; undue influence; (sexual) exploitation; exploitative relationships; coercive control; domestic violence; financial exploitation; scams; fraud; elderly; older adults; senior citizens; young adults; youth; teens; trafficking; street gangs; cults; extremism; terrorists; recruitment; grooming; internet; online; technology; risk factors; protective factors.

The literature review included research on: predatory behaviors; isolation and grooming tactics used by traffickers, scammers, cults, gangs, extremist groups, domestic violence perpetrators, and online predators; risk factors for victimization of young adults and older adults; protective factors for young adults and older adults; and research on best practices and policy related to addressing predatory behaviors.

**Data Analysis.** As sources were collected, they were entered into a tracking sheet for review. The research team reviewed each article to identify which sources were most relevant for this project and to identify preliminary themes for further consideration. A VAWC research assistant conducted primary coding of all relevant articles in NVivo guided by a coding list based on the research questions for this study and the preliminary themes found during the first review of articles. A second VAWC research assistant then reviewed each article and the coding conducted by the first assistant to determine if any additional concepts or themes needed to be added. The research assistants met weekly through this process to discuss and come to consensus on project findings.

## Phase Two – Stakeholder Interviews

Following the literature review, interviews were conducted with key stakeholders such as Department of Children and Families (DCF) and Department of Human Services (DHS) staff and contractors, law enforcement, service providers, and other advocates for families who experienced predatory alienation. These interviews were conducted in-person at a VAWC office or public area, over the phone, or over Skype video call. Qualitative analysis was completed to examine common themes among participant responses.

**Sample.** Potential stakeholders were identified by the VAWC research team, DCF, DHS, and interview participants. Criteria for participation included professional engagement in issues of predatory alienation through advocacy, direct services, research or practice expertise, law enforcement, or legal services. Each stakeholder was contacted via email to participate in the project; those interested were asked to complete a one-time, in-depth interview on the date and at the location of their choice. Each interview lasted approximately one hour. Snowball sampling was used to identify additional stakeholders by asking participants to provide the names of other possible stakeholders. The original sample of potential key stakeholders included 22 individuals. Another 10 individuals were identified via referral of study participants. A total of 22 key stakeholders participated in interviews from July 2017 through September 2017.

**Data Collection.** Two research team members attended each stakeholder interview. This included one facilitator who obtained informed consent and facilitated the interview, and one research assistant who recorded detailed notes on a laptop. Each stakeholder interview was also audio recorded. The facilitator protected the confidentiality of each participant by assigning and using a numerical identifier used in place of the participant's name. The research assistant used these codes in place of names while taking notes. Following each interview, the notes were uploaded to a password-protected secure folder located on the Rutgers University School of Social Work server, to which only members of the research team had access. The notes were then reviewed and compared to the audio recording by both the note taker and another member of the researcher team to ensure accuracy. Direct quotes were included in research notes whenever possible. Only minimal grammatical corrections for clarity were made, thus retaining the meaning of participant quotes in analysis. See Appendix A for interview guide.

At the conclusion of Phase II stakeholder interviews, five of the twenty-two participants were asked to complete follow-up interviews in order to collect participant feedback on interview findings and recommendations. The five participants were selected to represent the perspectives of professionals working in the areas of cults, gangs, trafficking and domestic violence, and older adults. The same consent and recording procedures were used for these interviews including completion of a new consent form. Participants were first presented with a summary of interview findings and then asked to provide their impressions. Participants were then presented with a summary of recommendations and then again asked to provide their impressions. Participant feedback was compiled and used to clarify and expand upon study findings. See Appendix B for follow-up interview guide.

**Instruments.** Qualitative interviews (Phase II) were semi-structured, which adhered to a guide with several domains of open-ended questions. This allowed flexibility for participants to speak about their own personal experiences.

The interview guide included the following topics (see Appendix A for full guide):

- Participant understanding of predatory alienation
- The nature of the participant’s work with victims of predatory alienation
- How participants identify victims of predatory alienation
- Risk factors participants observe among victims
- Common tactics participants observe among perpetrators

Each participant was asked about barriers to assisting victims, needed improvements to the current system, and general feedback about the investigation of perpetration and advocacy efforts for victims of predatory alienation.

**Data Analysis.** The research team conducted a multi-step content analysis of qualitative interview data using NVivo qualitative data analysis software. First, a member of the research team coded participant responses by question, comparing responses to each interview question across all participants. The researcher then grouped these codes into broader categories and overarching themes. To ensure the rigor of the qualitative findings, a second member of the research team then coded each individual participant interview, and grouped these codes into broader categories and themes. Both coding lists were compared to ensure that all concepts were thoroughly captured in the qualitative analysis. Finally, the entire research team met to discuss and come to consensus on the codes, categories, and themes.

All descriptive summaries of demographics were conducted in SPSS version 23.

## Results – Literature Review

---

The results from the literature review have been synthesized into several themes including: 1) definitions, 2) historical, legal, and theoretical background; 3) predatory tactics; 4) grooming techniques; 5) isolation techniques; 6) compliance without physical boundaries; 7) effects of predatory alienation; 8) factors that put individuals at risk; and 9) strategies for protection against predatory alienation. Each of these themes are reviewed below.

### 1. Definitions

The Act defines predatory alienation as “extreme undue influence on, or coercive persuasion or psychologically damaging manipulation of another person that results in physical or emotional harm or the loss of financial assets, disrupts a parent-child relationship, leads to deceptive or exploitative relationship, or isolates the person from family and friends.” A search for predatory alienation produced no results, revealing a dearth of literature on the specific topic. Hence, our search turned to concepts indicative of situations where alienation and predatory behaviors are used to gain a better understanding of how we might conceptualize predatory alienation, the grooming and isolation tactics associated with this practice, the effects of predatory alienation on

victims, as well as what makes someone vulnerable to or protected against predatory alienation. The areas of focus included: human trafficking, sexual predation or abuse, exploitation of older adults, cults, gangs, and extremist groups. Literature on coercive control was also reviewed due to the similarity in tactics used by perpetrators to maintain control over victims in intimate relationships. For this literature review, we focused on the experiences of young adults and older adults.

Although predatory alienation is not a mainstream term, conceptually we focused on the actions that characterize victimization. Predatory alienation involves the use of predatory behaviors such as entrapment, coercion, and undue influence on the part of the perpetrator to establish and maintain a relationship with the victim and to isolate the victim from existing relationships and support systems, including family and friends. Deceptive trust development and a cycle of entrapment, through grooming, isolating, and approach tactics, help to establish and solidify the relationship between perpetrator and victim (Olson et al., 2007). Various actual or threatened forms of coercion may be used in cases of predatory alienation. Physical forms of coercion tend to be more blatant, whereas social, psychological, or financial manifestations of coercion are more covert (Singer, 1992). Undue influence may also be at play when the weaker individual in a relationship is exploited and is forced into making questionable decisions by the stronger individual in the relationship (Wood & Liu, 2012). Undue influence, when involving older adults, often centers on a confidential relationship and a power differential leading the weaker individual to be coerced into making questionable decisions about finances, transfer of property, and signing of wills (Singer, 1992; Wood & Liu, 2012). Many tactics are used to maintain control and keep victims in the relationship including those that facilitate compliance in the absence of physical boundaries.

In most instances, the primary goal is control over the victim. However, in some instances the goal may be control only for the sake of control while others seek control for another motive such as human trafficking, sexual predation, abuse, scams, or financially exploitative relationships. Cults, religious sects, gangs, and extremist groups may use predatory tactics for the purpose of group recruitment to spread belief systems, carry out crime, or political agendas.

## **2. Historical, Legal, and Theoretical Background**

An examination of the state of predatory alienation in New Jersey and the United States must consider a review of the current legal definitions and the status of policies addressing the various topics of concern. Following is a summary of state and/or federal definitions as they are relevant, and the legal responses to the issues of elder abuse, sexual exploitation, gang activity, and cults. For more details please see Appendix C.

**Legislative Definitions and Legal Recourse.** The state and federal definitions of the topics of concern vary, and policies addressing these concerns offer a range of legal recourses for prosecution. Elder abuse is defined at both the state and federal level. However, it is prosecuted at the state level, with laws and punishments varying across state lines. In New Jersey, the Adult Protective Services Act classifies older adults as a vulnerable group due to diminished capacity to make decisions and defines exploitation as the act or process of illegally or improperly using a

person or his resources for another person's profit or advantage (Civil N.J. Stat. 52:27D-407). New Jersey's Domestic Violence Act also provides guidance for some cases of elder abuse that occur within intimate or caregiving relationships. Domestic violence, more broadly, is addressed through state and federal law, with punishment for perpetrators including fines, imprisonment, restraining orders, and mandated professional counseling. Federal legislation defines domestic violence as crimes of violence committed by a current or former spouse or intimate partner of the victim, and also includes various other relationships (US Code §34: 12291). New Jersey legislation details domestic violence acts to include assault, false imprisonment, harassment, criminal coercion, and other crimes. (N.J.S.2C25-19).

Sexual exploitation may be covered under several laws, both at the state and federal level. However, it is typically prosecuted at the state level. Sexual exploitation includes both child sexual abuse and sexual assault. New Jersey criminal code highlights the use of physical force or coercion in its definition of sexual assault (NJ Rev Stat § 2C:14-2). Punishment for crimes involving sexual exploitation at the state and federal level varies, and involves fines, imprisonment, or both for the perpetrator. Human trafficking incorporates sexual exploitation into some aspects of its definition and has some overlap in terms of legal response. Within federal trafficking legislation such as the Trafficking Victims Protection Act of 2000 and state-level legislation like New Jersey's Human Trafficking Prevention, Protection and Treatment Act, there are specific guidelines for legal response to trafficking crimes. The common element defining trafficking comes from federal legislation that characterizes the problems as the "recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act" where the act is induced by force, fraud or coercion, or where the person is a minor (22 USC § 7102).

Criminal code on the federal and state level addresses criminal street gang activity. Criminal street gangs are defined as an association of people that engages in criminal offenses as one of its main activities (NJS 2C:44-3(h); US Code §18:521). While there is no offense for recruiting a gang member, punishment may result for crimes committed as part of a criminal street gang depending on the class and nature of the crime committed. Penalties for activities related to extremist group recruitment and involvement focus on acts or threats of international and domestic terrorism and are available at both the federal and state level. Terrorism is defined as acts that are dangerous to human life, are in violation of criminal laws, and are committed with the intent to intimidate or coerce civilians or to influence the government through mass destruction, assassination, or kidnapping (US Code §18: 2331). Punishment for engagement in terrorism includes a term of imprisonment, and includes life imprisonment for those acts where death resulted (NJ Rev Stat § 2C:38-2).

Cults are different than the previously mentioned areas, as they are not defined or punished at the state or federal level. Instead, experts who conduct research on victims and/or perpetrators have shaped our understanding to include ideological organizations that are held together by charismatic relationships, require high levels of commitment from members, and may become exploitative and abusive to members (International Cultic Studies Association). Prosecution for recruitment by or involvement in a cultic group is not punishable unless a separate illegal action has been taken, and at which point prosecution would be guided by legislation specific to those particular crimes (Olgoff & Pfeifer, 1992).

**Theory and Conceptual Frameworks.** There are a few existing theories and frameworks that help contextualize the phenomenon of predatory alienation. These include: 1) Coerced persuasion and Coercive Control, 3) Stockholm Syndrome, and 4) Luring Communication Theory.

**1) Coerced Persuasion and Coercive Control.** The study of psychological coercion was first conducted in the context of confinement of American soldiers during the Korean War by sociologist, Albert Biderman (Baldwin et al., 2015). Biderman examined interrogation techniques used to manipulate the behavior of captive American soldiers in the absence of physical force (Baldwin et al, 2015). This resulted in eight methods of compliance-inducing coercion: 1) isolation, 2) monopolization of perception, 3) induced debility or exhaustion, 4) threats, 5) occasional indulgences, 6) demonstration of omnipotence, 7) degradation, and 8) enforcing trivial demands (Baldwin et al., 2015)

The theory of coercive control draws parallels between coerced persuasion techniques, such as those used during the Korean War, and the tactics used by perpetrators of abuse in intimate relationships (Stark, 2009). These tactics result in the breakdown of the victim's personality due to extreme threats, and also result in extreme emotional and behavioral adaptations such as guilt, loss of self-esteem, detachment, overreaction, fear of escape, identifying with the perpetrator, and others (Stark, 2009). The theory highlights how experiences of survivors of intimate partner violence mirror experiences of hostages, inmates in concentration camps, and American prisoners of war with regard to the eight methods of compliance-inducing coercion (Baldwin et al., 2015; Stark, 2009).

**2) Stockholm Syndrome.** Stockholm syndrome is associated with the psychological bond that hostages develop with their captors during captivity as a coping mechanism for victimization (Jameson, 2010). Victims develop positive feelings toward their captors and sympathy for their motives, and develop negative feelings toward police and authorities (Adorjan, Christensen, Kelly & Pawluch, 2012). Stockholm syndrome is said to occur when face-to-face contact has transpired between victim and perpetrator, and when victims experience extreme helplessness, powerlessness, and submission to the perpetrator (Adorjan et al., 2012).

**3) Luring Communication Theory.** Luring Communication Theory (LCT; Olson et al., 2007) was developed to explain the cycle of entrapment involved in cases of sexual predation. However, this theory may be applied more broadly to better understand the cycle of entrapment that occurs in other scenarios involving predatory alienation. In LCT, the perpetrator first gains access to the victim, and then engages them in a cycle of entrapment centered on the establishment of trust between the perpetrator and the victim or the victim and their family. This allows the perpetrator to then groom, isolate, and approach a potential victim. These actions take place simultaneously and create a scenario in which a perpetrator is able to exploit the victim. A power differential creates a sense of respect toward the perpetrator that facilitates the development of trust.

### 3. Predatory Tactics

Perpetrators use a variety of predatory tactics to establish and maintain relationships with victims. Grooming and isolation techniques are actions taken to gain control over victims, encourage their compliance, and maintain control over them in the relationship. The creation of compliance despite a lack of physical boundaries is also a key part of maintaining the relationship. Perpetrators who are strangers to the victims may use these tactics. However, there are some cases, as in cases of sexual exploitation, where the victim and their family may know the perpetrator.

Perpetrators target, lure, and control their victims using various modes of communication. The use of telephone, television, mail, or personal interaction have all been cited as means for engaging with victims. Service providers and sales people have targeted older adults in person, through telemarketing calls, mail offers, or television advertisements (Reisig & Holtfreter, 2013). The growth of technology and increased availability of the Internet have created additional ways for perpetrators to lure and maintain control over victims, such as through social media and messaging apps. Traffickers may initially contact potential victims through social networking sites like Facebook, Twitter, or Instagram (Dixon, 2013). Internet advertisements for employment may also be used to lure potential victims to a secluded place where they are then trafficked (Dixon, 2013). In cases of extremist group recruitment, the Internet is used to radicalize potential victims and facilitate recruitment (Hills, 2015; Rogan, 2006).

### 4. Grooming Techniques

Grooming techniques involve: 1) establishing trust, 2) desensitizing the victim to the abuse or exploitation they are experiencing, 3) providing a sense of a faux family, 4) romancing and buying gifts for the victim, and 5) high pressure or special tactics.

**1) Trust.** Establishing trust is a key tactic used by perpetrators to prime victims for further grooming and exploitation. As described in LCT (Olson et al., 2007), the cycle of entrapment begins with the development of trust and the cultivation of a relationship between the perpetrator, victim, and sometimes the victim's family. In cases of financial scams and exploitation of older adults, con artists will gain the victim's confidence via salesmanship focused on promised benefits and rewards of the scam (Langenderfer & Shrimp, 2001). Crimes of predation against older adults involving finances have also included the building of trust with a professional advisor or through a relationship that may be romantic or otherwise, that is then used to exploit the victim at a later time (MetLife, 2011). Scammers may gain a victim's trust by providing them with an opportunity to share their deepest thoughts, thoughts typically not discussed with other people (Whitty, 2013). Trust has been identified as key in victims' descriptions of their relationships with perpetrators in cases of online relationships and cyber abuse (Mishna et al., 2009). Building rapport and establishing trust have also been identified as tactics used by extremist groups to initiate recruitment of young women in the Western world (Hills, 2015). Traffickers also develop trust with their victims by helping youth and young adults

in ways they need, such as providing shelter, food, clothing, money, personal items, or transportation (Reid, 2016).

**2) Desensitization.** Desensitization is also a key tactic in the grooming of victims. This involves the gradual and incremental exposure of abuse or exploitation so victims are less likely to feel distress as it builds in frequency and intensity. In the case of sexual predation, perpetrators will begin grooming youth by verbally and physically desensitizing them to sexual contact, finding intimate situations in which to be with the victim as a way to get them used to the abuser's presence (Olson et al. 2007). Online predators use prior sexual acts as a way to coerce youths to engage in new acts (Mishna et al., 2009).

This practice is also discussed in relation to trafficking. Traffickers use peers such as friends and boyfriends to recruit new victims by normalizing prostitution (Reid, 2016). Traffickers also glamorize prostitution by telling youth that prostitution is a smart way to make money and that it provides evidence of their worth (Reid, 2016).

Older adults who experience abuse and exploitation are often isolated, dependent on caregivers and local agencies for support, and desensitized to what is going on around them. Perpetrators often befriend older adults and may begin by asking for small amounts of money or gifts, and then increase the request based on those initial responses (Whitty, 2013). Giving money to fraudsters is normalized by the claim that it will be used to help someone such as a sick child, someone in an urgent and financially worrisome situation, or for medical or educational expenses (Whitty, 2013).

In situations of cults, individuals are slowly brought in and encouraged to increase their involvement as a way to keep them unaware of their resulting entrenchment in the group. Whether it may be bible study or therapy, the goal is to get the individual to spend more time with the group by increasing the frequency of sessions they attend (Singer, 1995).

**3) The Faux Family.** As part of the grooming and isolation process, perpetrators may aim to provide an alternative family connection for the victim. In research conducted on gangs, it is suggested that youth perceive gang membership as a way to escape their own dysfunctional families (Moore & Hagedorn, 2001). Victims of online sexual predation talked about engaging in cybersex or meeting for sexual encounters as a way to engage with someone who would listen or as a distraction from trouble at home (Mishna et al., 2009). The idea of perpetrators providing love and affection not available from others was also present in research on sexual predation of youth (Olson et al., 2007). In cases of trafficking, victims reported loving their pimps and sometimes viewed the other youth they worked with as a team or family (Reid, 2016).

**4) Romancing and Gift Giving.** Another tactic used by perpetrators to develop and maintain control over victims is the idea of romancing and gift giving to lure the victim. In cases of extremist group recruitment, "love bombing" was used to influence potential victims through extreme attention and affection, or by offering a prize in exchange for an agreement (Hills, 2015). In sexual predation of youth, perpetrators may take a victim out on a date or on a special outing, provide bribes or gifts, and show affection and understanding (Gilgun, 1994).

Traffickers also use romancing, buying gifts, and spending money on victims as ways to convince them to engage in prostitution (Reid, 2016). This form of targeting and control is also used in cases of exploitation of older adults, where a perpetrator will send a small gift such as flowers or a teddy bear to a female victim, hoping that the victim will then send the requested money in return (Whitty, 2013). In some cases, older adults describe being in love with the fake persona on the other end of the financial scam, viewing them as the ideal romantic partner, which motivated them to provide the money requested (Whitty, 2013).

**5) High Pressure Tactics.** In some cases involving older adults, high-pressure tactics are used. This might involve scams where victims are lured into paying money upfront for a good or service, or for a prize to be released upon receipt of “customs duties” paid by the victim (Langenderfer & Shrimp, 2001). These requests may raise concerns for the victim, but the skill of the perpetrator to focus the victim’s attention on the reward is what makes the tactic successful (Langenderfer & Shrimp, 2001). Victims are often blinded by greed or focused on the reward more than on any concern about having to provide money up front (Langenderfer & Shrimp, 2001).

## 5. Isolation Techniques

Isolation can occur in physical or mental forms, and acts in a way that keeps victims away from social support, including family and friends (Baldwin et al., 2015). Perpetrators use isolation to limit communication with social support, with perpetrators acting as “gatekeepers” that control incoming and outgoing information (Singer, 1992; Whitsett & Kent, 2003). In cults, isolation may involve taking control over the victim’s social and/or physical environment, including controlling their time (Singer, 1995; Whitsett & Kent, 2003). Phone calls and meetings including the victim result in the victim spending more time with the group, and as they spend more time there, they become more distant from their pre-cult identity (Singer, 1995). Physical isolation may also include the geographical relocation of a victim to another place as in cases of trafficking (Reid, 2016). Traffickers may also isolate youth by checking and controlling access to cell phones and social media, and by changing phone numbers and passwords (Reid, 2016). In some cases involving the use of the Internet, victims become so involved in the online communication they are receiving from the perpetrator that they withdraw from other environments (Whitty, 2013).

Mental isolation occurs when the perpetrator creates or enlarges a psychological and emotional separation between the victim and their support networks so the perpetrator can then occupy that space (Olson et al., 2007). In trafficking situations, women have described how their traffickers limited exposure to and understanding of the outside world, and how they called them frequently as a way to monopolize their attention even when they were not physically with the victim (Baldwin et al., 2015). Cults may interfere with a victim’s ability to assess what is going on around them (Whitsett & Kent, 2003) or keep a person unaware of what is happening on a larger scale or how they are changing in small ways that are cumulative over time, that lead to increasing entrenchment (Singer, 1995). Victims of elder abuse involving undue influence may be isolated through the construction of a false reality in which they are manipulated into believing only what that the perpetrators want them to believe about the world around them, and

in which someone who is highly stressed and captive will begin to form bonds with and become dependent on the perpetrator (Singer, 1992).

## 6. Compliance without Physical Boundaries

One of the primary means for keeping a victim in a relationship once it has been established is by creating compliance in the absence of physical boundaries. Tactics used to maintain victims in the relationship despite a lack of physical boundaries may include: creating conditions that render victims physically unable to leave or that entice victims to stay; deprivation of basic human needs; creation of dependency on the perpetrator; exertion of extreme control; implementation of a reward and punishment system; intimidation and threats; deception and manipulation; shame, blackmail and humiliation; reconstruction of the victim's world view; creation of a power differential in the relationship; or by fostering a trauma bond with the victim.

In some cases, perpetrators create conditions for the victim that render them unable to leave or that entice them to stay. Illicit substances, such as alcohol or drugs, may be forced upon or be taken willingly by the victim. In cases of trafficking, this approach has been used to induce weakness and lower resistance of victims or to facilitate abduction (Baldwin et al., 2015; Reid, 2016). In situations of sexual predation of youths, marijuana and crystal meth have been used to groom for sexual encounters (Mishna et al., 2009).

Deprivation of basic human needs is another way victims are kept in abusive situations they may otherwise leave. Traffickers have induced weakness and exhaustion in victims by depriving them of food, sleep, and health care, and by working them for long periods of time (Baldwin et al., 2015). In situations of cults or religious extremist groups, victims may be denied physical or mental health care outside of the group (Ward, 2011).

Emotional dependency on the perpetrator may also keep victims compliant without physical boundaries. Trafficking victims became increasingly emotionally and socially dependent on traffickers due to isolation from other people (Baldwin et al., 2015). In cases of abuse and exploitation of older adults, a perpetrator might create a sense of dependency by leading the victim to believe the perpetrator is the only person they can trust (Singer, 1992). In cults or religious extremist groups, victims spend so much time in the group that the norms of the group become the norms for the victim, creating an emotional dependency on the group (Singer, 1995). Cult or extremist group victims may also experience regression to an earlier developmental stage due to parent-like treatment by cult leaders that does not allow followers to question leadership or God. This leads to dependency on the leaders because followers felt they were not able to think for themselves (Ward, 2011). For many types of perpetration, perpetrators may use coercive control to create a situation of child-like dependency for the victim (Stark, 2009).

Perpetrators may also exercise extreme control over the victim's environment or require that victims ask permission to do things. In situations of trafficking, some victims may be under constant surveillance by security cameras at their residences, with security alerts sent to a trafficker if the victim tried to leave without permission (Reid, 2016). The victim may be faced with extreme consequences for leaving or with an unpredictable reward and punishment system. Traffickers may provide indulgences or demonstrate compassion or kindness intermittently to

counter abusive behavior as a way to encourage compliance, leaving victims in fear of making mistakes and in hope of pleasing traffickers (Baldwin et al., 2015). Victims of online sexual predation discussed online rewards or higher grades for failing students as tactics used to engage them in online encounters (Mishna et al., 2009). Cults have also been noted to use a system of rewards and punishments that promotes learning the belief system of the group and leaving behind the person's former social identity (Singer, 1991).

Intimidation and threats of physical or emotional harm to the victim or their family are common. In cases of trafficking, threats of deportation, against family members, of violence and death have all been used to control victims (Baldwin et al., 2015). Victims of trafficking have also been threatened with or intimidated with sexual and physical assault, pregnancy, abortion, or the harm to or selling of their children (Reid, 2016). Perpetrators of sexual predation of youth may threaten to harm or kill the child or a loved one, may threaten that they will lose their "special relationship," or they may threaten that the child will not be believed or will be blamed if they tell someone about the sexual encounter (Olson et al., 2007).

Perpetrators of financial abuse of older adults also achieve their goals through deceit, threats, and emotional manipulation of the victim (MetLife, 2011). Fear and vulnerability of an older adult may be encouraged through exaggeration of physical ailments and by reframing their view of people in their surroundings as threatening or having ill intentions (Singer, 1992). Where older adults are being targeted in a financial scam, perpetrators may threaten withdrawal of their relationship if the victim does not provide the money they are requesting (Whitty, 2013). This unfounded sense of danger is also present in cult situations where victims are threatened if they consider leaving or actually leave the group (Ward, 2011).

Shame, blackmail, and humiliation are also used by perpetrators to keep victims in a relationship. Traffickers may degrade victims by insulting and humiliating them, denying them privacy and dignity, and by reducing them to an animal level with no control (Baldwin et al., 2015). Victims of online sexual predation may feel shame about publicly shared explicit photos and be reluctant to contact police due to the possibility of their parents finding out (Mishna et al., 2009). Victims of trafficking may feel shame at the demeaning of traffickers or their voyeurism during sexual encounters, or at the prospect of family members finding out about prostitution arrests or explicit photos (Reid, 2016). Cults may reframe a victim's previous life in a negative way or shame them as a way to exert control (Whitsett & Kent, 2003). Blackmail may be used in cases when older adults no longer have money to provide to online financial scammers who are engaging them in false romantic relationships. In these cases, the perpetrator often threatens to share a sexually explicit recorded video with the victim's work or family as a way to blackmail the victim (Whitty, 2013).

In some cases, perpetrators reconstruct the victim's world view or view of themselves as a way to keep them in the relationship. Sexual predators may modify a youth's understanding of right and wrong, their sense of self, and their agency, or frame abuse as being beneficial for them later in life, as a way to facilitate continued abuse (Olson et al., 2007). Perpetrators in cases of financial abuse of older adults might create a scenario in which the victim believes they are under attack from nonexistent sources (Singer, 1992). Victims in cults may be unable to assess

their situation objectively, or may reinterpret their past through their current lens and no longer be able to conceive of a life outside the group (Singer, 1995; Whitsett & Kent, 2003).

Some victims are enticed to stay in the relationship due to the nature of the relationship they have formed with the group leader or perpetrator. Traffickers often demonstrate omnipotence, claiming powerful connections to law enforcement, immigration official, or gods, creating a situation where victims believe their resistance would be pointless (Baldwin et al., 2015). Sexual predators also place themselves in or take advantage of being in positions of authority that demand respect and obedience, such as a teacher or priest, as a way to lay the groundwork for achieving the goal of a sexual encounter (Olson et al., 2007). In cases of abuse of older adults, a perpetrator may create a sense of powerlessness for the victim via isolation, dependency, and the idea that they are under attack from outside sources so that the victim sees the perpetrator as the only one with the power to do anything (Singer, 1992). Older adults involved in fake online relationships with financial scammers also reported that the fake persona of the perpetrator was often that of a person with authority who they felt they could trust, such as a doctor, army general, or successful businessman (Whitty, 2013). Cults also facilitate relationships via an authoritarian structure in which victims are accountable to leadership (Singer, 1995).

Trauma bonding, similar to Stockholm Syndrome, is also relevant in some relationships. This occurs when an emotional connection has been formed with the perpetrator that may keep the victim in the relationship (Reid, 2016). Trauma bonding happens when a victim is subject to intermittent abuse that alternates with positive or neutral interactions, resulting in feelings of terror, helplessness and vulnerability, as well as gratitude and intense loyalty (Dutton & Painter, 1993; James, 1994).

## **7. Effects of Predatory Alienation**

Victims of predatory alienation experience a multitude of negative effects. There are lasting physical and psychological implications, as well as economic effects. Isolation and disruption of relationships also occur in many cases.

Physical and emotional harm are felt in many situations. Psychological stress along with physical and sexual violence is common in situations of trafficking (Baldwin et al., 2015). Those who experience cyber abuse have experienced depression, confusion, guilt, and shame, and have also self-harmed (Mishna et al., 2009). Victims of cult involvement experience physiological difficulties along with physical and psychological repercussions (Ward, 2011). Older adults involved in financial scams experience shame, embarrassment, shock, anger, worry and stress, fear, or that they had been mentally violated (Whitty & Buchanan, 2016). Some older adults even experience feeling as if they have been sexually abused if they engaged in cybersex or expressed symptoms of PTSD (Whitty & Buchanan, 2016). Devastation at the loss of the perceived romantic relationship with the perpetrator was also expressed (Whitty & Buchanan, 2016).

Victims of sexual predation may experience a disruption in the parent-child relationship and fear disclosing the abuse due to feelings of shame or fear of potential consequences suggested by the perpetrator (Olson et al., 2007). Perpetrators may further erode an already damaged relationship between parent and child (Olson et al., 2007). This is also true for online sexual predation

victims, where shame and guilt, and the belief that their parents would hate them or severely punish them if they found out about the activities all inhibited disclosure (Mishna et al., 2009).

Isolation from family and friends serves as both a grooming tactic to target and control victims, and as a negative effect of engaging with the perpetrator. Withdrawal from peers and family is evident in cases of online sexual abuse (Mishna et al., 2009). Social support was often withheld from important people like family, friends, and work colleagues (Whitty & Buchanan, 2016). Victims felt they were changed personally and socially for the worse, losing trust in others and feeling less inclined to be social (Whitty & Buchanan, 2016).

In cases of financial abuse of older adults, there is a clear loss of financial assets (MetLife, 2011; Whitty & Buchanan, 2016). Victims lose varying amounts of money, but some were affected greatly even by small losses due to already strained financial standing (Whitty & Buchanan, 2016).

## **8. Factors that Put Individuals at Risk**

There are various factors that put victims at risk for experiencing predatory alienation. For youth and young adults, experiencing childhood or adolescent adversity, or significant emotional or psychological challenges contributes to overall risk. Witnessing and experiencing violence first hand and risk-taking are also indicators of risk. Various demographic characteristics were also identified as increasing risk of falling victim to predatory alienation. For older adults, physical and cognitive functioning, demographic characteristics, as well as social realities associated with older age may signal increased risk of predatory alienation.

Youth and young adults are particularly vulnerable to predatory alienation when experiencing some form of childhood or adolescent adversity. Dysfunctional family relationships, fragile parental relationships, or alienation from family are common among gang-involved youth, and victims of sexual predation and abuse and online abuse (Countryman-Roswurm & Bolin, 2014; Merrin et al., 2015; Mishna et al., 2009). Family disruption in the form of divorce, never married parents, or deceased parents are also risk factors (Simi et al., 2016). High amounts of conflict and low amounts of communication between parent and child also increase vulnerability of potential victims (Wolak et al., 2003). Lack of parental supervision, support and involvement, as well as weak attachment can increase the risk of sexual predation (Kenny & Wurtele, 2012).

Risk taking behaviors such as abuse of alcohol or drugs are also indicators of risk for victims of trafficking, cyber abuse, as well as extremist groups (Countryman-Roswurm & Bolin, 2014; Mishna et al., 2009; Simi et al., 2016). School problems and delinquency are also experiences associated with victimization in situations of gang-involvement, cyber abuse, and involvement in extremist groups (Merrin et al., 2015; Mishna et al., 2009; Simi et al., 2016; Wolak et al., 2003).

Witnessing and experiencing violence and neglect were also identified as risk factors for youth and young adults. Witnessing serious violence has been identified as a risk factor for victims of extremist group recruitment (Simi et al., 2016). Childhood neglect and abuse in physical and sexual forms contribute to the vulnerability of victims of trafficking and recruitment into extremist groups as well (Countryman-Roswurm & Bolin, 2014; Simi et al., 2016).

Victims facing significant emotional or psychological challenges may also be at increased risk to predatory behaviors (Mishna et al., 2009). Self-harm was identified as a risk factor for trafficked youth (Countryman-Roswurm & Bolin, 2014). Victims of cyber abuse were found to be highly troubled and also had depression (Wolak et al., 2003). Depression and suicidal ideation were found to be predictive of gang involvement (Merrin et al., 2015). Suicidal ideation, attempted suicide, and general mental health problems were associated with involvement in extremist groups (Simi et al., 2016). Individuals with an intellectual disability have also been targeted by traffickers while leaving home or waiting for the school bus, and more easily manipulated due to their disability (Reid, 2016).

Demographics such as age, sex, race and ethnicity may also contribute to risk. Youth who are naïve to potential abuse may engage in actions without understanding the situation or how to stop the abuse, particularly when it comes from a trusted adult (Olson et al., 2007). Other demographics such as identifying as a racial or ethnic minority, or being male, have also shown to increase vulnerability to gang involvement (Merrin et al., 2015).

Risk factors for older adults are also of note. Overall wellness and functioning contribute to the vulnerability of older adults to exploitation and scams. Mental state and cognitive function, in particular, have been found to have an effect on this group. Lower levels of cognitive function in general, or related to dementia or intellectual disability have been cited as increasing vulnerability (James, Boyle, Bennett, 2014; MetLife, 2011; Pesiah et al., 2009). Lower levels of psychological well-being are also associated with vulnerability to exploitation (James, Boyle, Bennett, 2014). Mental health disorders were also found to be possible risk factors for susceptibility to undue influence in older adults (Pesiah et al., 2009). Substance abuse may also contribute due to its ability to affect a victim's cognitive state (Pesiah et al., 2009). A victim's physical and/or psychological dependence on a caregiver has also been linked to vulnerability (Pesiah et al., 2009). Physical impairment, such as physical disability, or vision, hearing, and mobility impairment, may also put an older adult at risk of victimization (MetLife, 2011; Pesiah et al., 2009). Illness has also been identified as increasing vulnerability due to regression and dependency of the older adult in that state (Pesiah et al., 2009).

Demographics also contribute to vulnerability. One study found that women were almost two times as likely to be victims as men (MetLife, 2011). In another study, age was identified as a stand-alone factor contributing to risk for older adults, with the “oldest old” demonstrating increased vulnerability to exploitation (James, Boyle, & Bennett, 2014).

Some have suggested that the trusting nature of older adults places them at increased risk for exploitation (MetLife, 2011). Low levels of financial literacy are also associated with abuse of older adults (James, Boyle, & Bennett, 2014). Living alone and loneliness have also been associated with vulnerability, as older adults in this situation are increasingly isolated, and may also require assistance with care, opening the door for potential exploitation by those contracted to provide that care (MetLife, 2011; Pesiah et al., 2009). Some older adults become susceptible to exploitation via family conflict where a person of influence, typically a child, brings the older adult into the conflict for their personal gain (Pesiah et al., 2009). Exploitation via family

members increases during the holidays, highlighting time of year as contributing to risk for older adults (Pesiah et al., 2009).

## **9. Strategies for Protection Against Predatory Alienation**

Specific prevention and protection strategies have been identified for youth and young adults, as well as for older adults. Online and on the ground outreach and training for parents and educational institutions are key focuses in the literature in protecting youth and young adults. Training for professionals working with youth has also been identified as a key way to identify potentially abusive situations in organizational settings (Kenny & Wurtele, 2012). Healthy relationship education and fostering supportive environments for youth and young adults have also been identified as ways for lowering risk. For older adults, psychological intervention, financial literacy training, and increased public awareness and collaboration are seen as ways to intervene and prevent victimization.

There are various suggested prevention and intervention strategies for youth and young adults at risk of being exploited. Where the Internet is used, anonymous counseling has been identified as a requested resource for those who have experienced cyber abuse (Mishna et al., 2009). Parent/teacher awareness, monitoring, and early intervention have been suggested as important in combatting extremist group recruitment through the Internet (Morris, 2016). Collaboration between social media platforms, governments, law enforcement and NGOs to develop tools to remove dangerous content, and the work of search engines to highlight counter messaging and remove illegal extremist content are mentioned as important in preventing recruitment in this area (Morris, 2016). It was also recommended that education and community engagement occur so that an understanding of online trends and technology used to target and exploit potential victims is more easily identified and counteracted (Morris, 2016). Online safety curriculums may also be adapted to include information about extremist content, and critical thinking skills should be taught so youth are able to effectively evaluate the information they come across (Morris, 2016).

Healthy relationship education was also a primary focus in the literature, with one study reporting that teens who participated in relationship training learned skills that would aid them in developing healthier relationships with peers, family, dating partners and themselves (Countryman-Roswurm & Bolin, 2014). These teens learned: 1) about the differences between healthy and unhealthy relationships; 2) how to set boundaries in relationships; and 3) what to do and how to get help for themselves or someone else if in an abusive relationship or if trafficked (Countryman-Roswurm & Bolin, 2014). Participants in this particular intervention also reported decreased involvement in commercial sex activities, as well as a lower likelihood of becoming involved in trafficking (Countryman-Roswurm & Bolin, 2014). These types of interventions are also suggested for their potential to expose traffickers' grooming tactics and potentially prevent manipulation of adolescents in sexually exploitative relationships (Reid, 2016). In relation to cults or extremist religious groups, teaching about healthy versus unhealthy spiritual leadership may also be protective against recruitment into these groups (Ward, 2011).

Potential protective factors from predatory behaviors included having a functional home environment, adult support in the community, and perceived neighborhood safety, as these were

factors that aided youth in avoiding gang membership (Merrin et al., 2015). The home environment is also important in protecting youth from falling victim to sexual predation. Protective factors against sexual predation include: making sure parents provide supervision of their children in the home and on the Internet, that parents are involved in their children’s lives, have open lines of communication, provide social support, and have appropriate boundaries (Kenny & Wurtele, 2012). As such, interventions focused on fostering this environment may be helpful in reducing exploitation of youth and young adults.

For older adults, early psychological intervention was suggested as a way to help victims recover from instances of exploitation and to help prevent additional waves of the scam (Whitty & Buchanan, 2016). Financial and health literacy interventions were also suggested as ways to decrease susceptibility to exploitation and scams (James, Boyle, & Bennett, 2014). The idea was that by increasing awareness of financial concepts and how financial and health care institutions work, older adults would be less likely to believe false information presented to them by a perpetrator (James, Boyle, & Bennett, 2014). Increasing public awareness through educational materials has also been suggested as a mode of preventing of the financial exploitation of older adults (Brown, 2012). Collaboration between social services, law enforcement, and banks was also encouraged as a way to screen for and report exploitation more effectively (Brown, 2012). In this vein, local initiatives involving multidisciplinary groups that meet to discuss and resolve cases of abuse involving older adults have been formed, and federal level grants have been made to encourage this collaboration (Brown, 2012).

## Results – Stakeholder Interviews

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Results are presented using data from the stakeholder interviews. Participants were first asked a series of questions regarding their demographic information (see Table 1). There were slightly more male participants than female participants and the majority of participants (86.4%) identified as White. Participants also identified as Black (9.1%) or Hispanic (4.5%).

**Table 1. Participant Demographics**

Demographic Variable	Interview Participants (n=22) %
<b>Gender</b>	
Male	59.1
Female	40.9
<b>Race/Ethnicity</b>	
White	86.4
Black/African-American	9.1
Hispanic/Latino	4.5

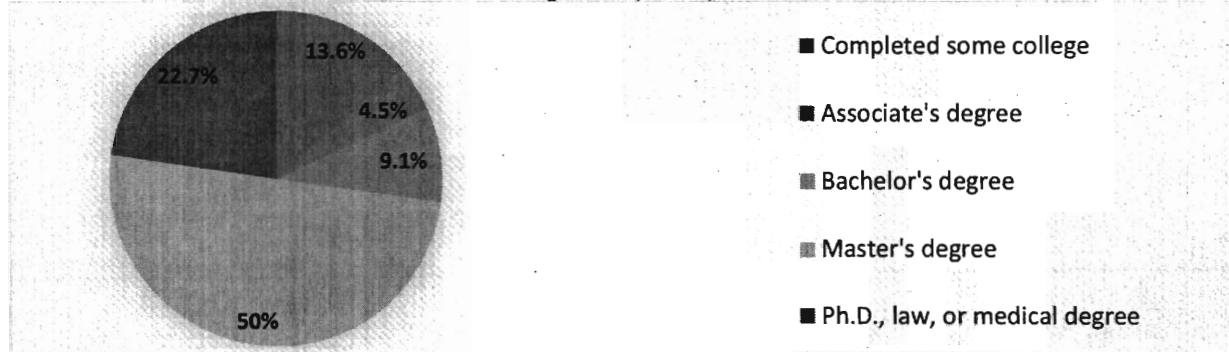
Stakeholders were asked to identify their age by selecting one of five age ranges (see Chart 1). No participants were in the 21 to 30-year age range. About 9.1% of participants were between the ages of 31 and 40, 31.8% were between the ages of 41 and 50, 22.7% were between the ages of 51 and 60, and 36.4% were 60 and older.

**Chart 1. Age of Interview Participants (n=22)**



Half of the participants had a Master’s degree, 18.2% had a Ph.D., law, or medical degree, 9.1% had a Bachelor’s degree, and 4.5% had an Associate’s degree. Another 13.6% of participants indicated that they had completed some college (see Chart 2).

**Chart 2. Education of Interview Participants (n=22)**



Participants were also asked about their professional position and field of current employment (see Table 2). These positions included law enforcement and legal services (40.9%) and service providers (59.1%). Law enforcement and legal services included positions such as prosecutors, investigators, and lawyers serving in administrative roles. Service providers included direct service providers, expert consultants, and advocates. Most of the participants worked in a nonspecific field with multiple populations (27.3%). Participants also worked in the fields of trafficking and sexual abuse (22.7%), gangs (18.2%), elder abuse (13.6%), domestic violence (9.1%), and cults (9.1%).

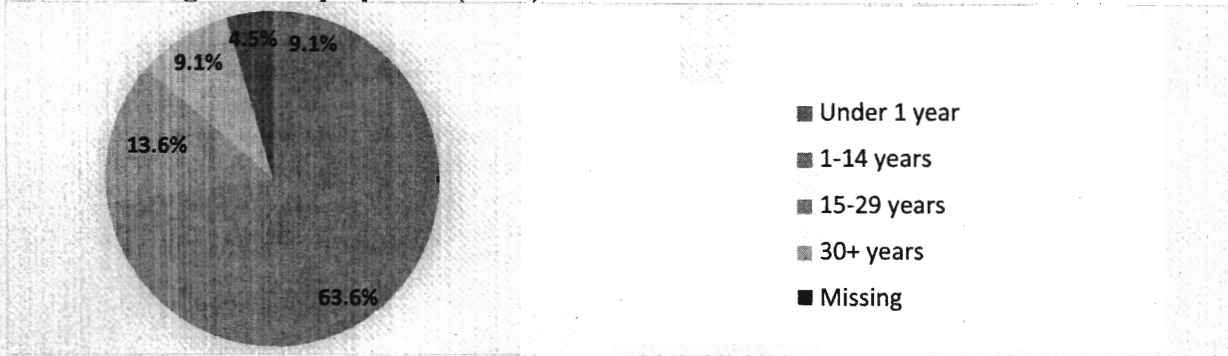
**Table 2. Participant Employment**

Variable	Interview Participants (n=22) %
<b>Position</b>	
Law enforcement and legal	40.9%
Service providers	59.1%
<b>Field</b>	
Nonspecific	27.3%
Elder abuse	13.6%
Trafficking/sexual abuse	22.7%

	Domestic violence	9.1%
	Gangs	18.2%
	Cults	9.1%

The majority of participants had been in their current position between 1 and 14 years (63.6%). Other participants had been in their professional positions less than a year (9.1%), between 15 to 29 years (13.6%), and over 30 years (9.1%). The one missing response was from a retired participant who did not indicate his former professional role or length of employment (4.5%) (see Chart 3).

**Chart 3. Length of Employment (n=22)**



Participants were then asked a series of questions as outlined by the Act including:

- 1) What is predatory alienation?
- 2) How do online perpetrators, human traffickers, con artists, gangs, cults, and other groups use predatory alienation to isolate young adults and senior citizens from their family and friends?
- 3) What are the grooming practices used to target and control young adults and older adults?
- 4) What are the high pressure tactics used in scams and exploitative relationships to manipulate, control, and take advantage of older adults?
- 5) Why are young adults and older adults particularly vulnerable to predatory alienation?
- 6) What can young adults and older adults do to protect themselves from predatory alienation?

These questions were addressed through direct feedback from the interview participants. To frame these questions, we also asked questions about their roles and the particular populations that they served.

Three main themes were derived from the interviews: 1) Naming the Concept; 2) Victim Risk Factors and Vulnerabilities; and 3) Predatory Patterns and Tactics. Each theme includes subthemes that expand on the topics that emerged from the data to thoroughly address each research question. Participant identities are confidential. However, their job position and title may be included to understand context. Whenever possible, direct quotations from the interviews are included.

## 1. Naming the Concept

In order to understand the research question: *What is predatory alienation?* we asked participants to identify and define all terms they use in their own work that describe phenomena that are similar to predatory alienation. Although participants were not asked if they had heard or were familiar with the term, “predatory alienation,” roughly a third of them mentioned that they had never heard the term before. Seventeen terms resulted from this, as seen in Table 1. The use of certain terms seemed to vary by field of work or position of the participant. For example, the term coercive control was used by participants who had experience working with survivors of domestic violence and the term cultic influence was used by individuals who work with or advocate on behalf of survivors of cults.

**Table 1. Similar Terms Identified**

Term	Times Used
Coercive control	3
Grooming	3
Coercive persuasion	3
Undue influence	3
Mind control	2
Brainwashing	2
Predatory	2
Purposeful isolation	1
Sexual exploitation	1
Psychological manipulation	1
Emotional abuse	1
Membership	1
Manipulation	1
Coercion	1
Cultic influence	1
One-on-one cult	1
Coercive isolation	1

## 2. Risk Factors and Vulnerabilities

Participants were also asked to characterize the ways in which young adults and older adults may be vulnerable to predatory alienation. Participants commonly identified low family involvement, lack of support systems, loneliness, and social isolation as risk factors among both young adults and older adults. Among youth, single parent homes or living with grandparents was viewed as a risk factor. Loneliness was identified by participants as occurring more frequently among older adults. The following are direct responses from participants:

*It's about family structure. If they don't get love and attention from their family, that's when they look for attention elsewhere. (Criminal Justice System/Gangs A)*

*They are lured in and don't really have support systems. (Service Provider/Trafficking A)*

*I find that's there is very little family involvement at all anymore. (Service Provider/Older Adults A)*

*It seems like the traffickers are specifically looking for the children saying on social media "I'm sad today, I'm lonely, I don't have any friends, my family isn't paying attention to me." (Criminal Justice System/Trafficking A)*

The desire to be a part of a group and the need for companionship or love was also identified as a risk factor:

*I think the kids signal that they want to be a part of something. They want to play with other kids. That dynamic is wired into their psyche. When you're in college, you want to be involved. It's always the same. I think these perpetrators just key in on this dynamic and some kids are more susceptible because they have a greater desire to belong. Some kids may have the tools necessary to resist it such as strong family, strong religion, stronger friends and values. Some kids have absolutely nothing and any group is better than no group. Any attention is better than no attention. They just want to belong and depending on where they are at, they are going to join. (Criminal Justice System/Gangs B)*

*They have reached a point where they crave companionship and need other people. They have to trust somebody and they wind up trusting the wrong person. (Criminal Justice System/Older Adults A)*

Other participants noted that while isolation is a risk factor, there are particular scenarios that may lead to further social isolation. Cultural differences, especially language differences and legal status, could make an individual vulnerable to predation. Technology was also described for its separation from an individual's proximal relationships with the potential for connection to distant predators.

*Cultural differences, disabilities, lack of English proficiency, anything that keeps them isolated or in a closed community. (Service Provider/Domestic Violence A)*

*I think about online child exploitation. Technology is rapidly changing all the time. Now there are apps, they can communicate through games, they are hard to trace and tap into. If you are a perpetrator and you can come into contact with a kid, the kid is already isolated. (Criminal Justice System/Trafficking B)*

Lack of education was another common risk factor listed. Lack of education could include a lack of awareness about predatory behaviors or educational disparity. Several participants mentioned educational disparity as a problem in low-income neighborhoods. Additionally, one participant, who works as a service provider for trafficked youth, noted that youths who qualify for

Individual Education Plans (IEPs) were at risk reflecting the youths' learning difficulties or other qualifying needs for special services.

Substance abuse and previous trauma, including domestic violence, sexual violence, and child abuse, were identified as risk factors. A few participants identified unresolved trauma as a particular vulnerability:

*...delays due to trauma in their childhood including sexual violence, community violence, and family violence. A lot of the service providers diagnose them with things that have nothing to do with trauma. Some of them don't even screen them for PTSD. That's a huge stumbling block. If they're labeled with ODD and not labeled with a trauma disorder, it's often made to feel like it's their fault when they get taken advantage of or trafficked. A good portion of them have untreated trauma. (Service Provider/Trafficking B)*

*Individuals who have experienced previous violence who haven't processed their trauma [are vulnerable]. If they know that's their vulnerability, perpetrators use that as a way to groom them. Individuals who have previous childhood trauma – having access to trauma informed care is important. (Service Provider/Trafficking C)*

Many participants identified lack of basic needs, lack of options, and lack of resources as increasing vulnerability for victimization. In particular, limited or deficient resources were defined as financial resources and options for community support.

*I look at where they are in their hierarchy of needs. Some kids are at that very bottom level where they are just trying to survive. Kids at that level are easy prey. (Criminal Justice System/Gangs B)*

*It comes down to options - people have limited options. How educated they are, what kind of family support, do they have financial options. (Criminal Justice System/Trafficking B)*

In regards to age, older adults were perceived to be trusting and gullible, and more vulnerable if they had higher levels of dependency, lower levels of cognitive functioning, and less mobility. Risk factors facing older adults included health concerns, cognitive impairments, dementia, compromised decision making abilities, grief, loss, access to financial resources, and lack of technological skills. These risk factors were identified for both elders in the community and those in institutional settings. However, one participant noted that those in the community may face more isolation.

*With older adults is the level of dependency on the caretaker. Could be physical, could be mental deterioration such as dementia or Alzheimer's, could be a lack of technological knowledge. It's easier to disconnect them from other people. People with more money or resources can be more vulnerable. . . They capitalize on vulnerability in mental capacity, dementia, or forgetfulness. Likely the victim has not been exposed to information about the scams because they may be naturally isolated from people overall. (Service Provider/Domestic Violence A)*

*Health concerns, lack of resiliency, lack of supports. Perpetrators prey on forgetfulness. Skepticism diminishes with age. A lot of has to do with mobility. If they can get around on their own, they are better able to resist. (Service Provider/Older Adults B)*

Youth and young adults were reported as being more vulnerable to victimization due to their lack of cognitive and emotional maturity and their exposure to social media and the Internet. Youth with developmental delays and cognitive impairments were also identified as being at increased risk.

*The kids are left a lot to their own devices. They don't have the maturity or cognitive ability to cope. (Service Provider/Trafficking B)*

*The young people are vulnerable because they don't have enough life experience. It's the innocence of youth. They haven't learned to put up their guard because nobody should have to learn that. They haven't been able to build their defenses. (Criminal Justice System A)*

*It's hard to answer this because there are some commonalities but I also think because of social media any child is vulnerable to being a victim. Now with social media, the access to our children has grown exponentially, that unless we specifically instruct our children, any of them can be vulnerable to it. (Criminal Justice System/Trafficking A)*

Individuals who worked with cults identified transition periods as a risk factor. Transition periods were defined as any period of change in someone's life such as going off to college, the loss of a loved one, moving, experiencing a decline in cognitive abilities, or the desire to seek meaning in life.

*People who are going through transitions or setbacks. When someone has experienced a setback in life which was taken as a blow to their self-esteem, it leaves them feeling depleted, dysphoric, and depressed . . . So the vulnerability is somewhat transit. It can be when people lose a job, fail out of school, moving. Part of it is developmental, they are searching and learning about one's self. (Service Provider/Cults A)*

*All of the victims are in transition. However, we're almost always in transition. The transition period that everyone goes through is late adolescence. Young adults are particularly vulnerable. Older people also experience diminished capacity. (Service Provider/Cults B)*

One participant emphasized that *anyone* can be at risk, even if there are none of the telltale risk factors.

*Everyone is at risk because we all become vulnerable at times in our life. Any time in a period of transition, young adults going to college, widower, your world is changed and you're seeking meaning and new friendship. Anyone is at risk at any point in time. (Service Provider/Cults A)*

There were also a number of risk factors that were particular to gangs. Participants identified neighborhood, existing family involvement in gangs, and the need for protection as risk factors to joining a gang.

*There are certain kids living in certain areas who don't have protection unless they join a gang. Traditionally, it seems like a majority of them come from a single parent home, or they are raised by their grandparents. There's often drug addicted mothers and a father is incarcerated. Their uncle or father might be in the gang and they're brought in that way. (Criminal Justice System/Gangs C)*

### **3. Predatory Patterns and Tactics**

Participants were also asked to identify predatory patterns and tactics used by perpetrators. Responses could be grouped into several subthemes including: 1) Dynamics; 2) Grooming Tactics; 3) Isolation Tactics; 4) Abuse and Threats; and 5) High-Pressure Tactics.

**1) Dynamics.** Many participants described the dynamics of perpetration. They discussed how perpetration occurs over time and space as do the dynamics of recruitment and psychological coercion. Participants also highlighted how perpetration dynamics might vary and depend on whether an individual or a group of perpetrators is attempting to lure a victim.

Participants noted that perpetration usually takes place over time in which the perpetrator grooms and isolates the victim. This can occur over a week or months and is in contrast to a one-time crime that is committed in a single incident. Financial scams may be short or quick and take place at one time or take place over time.

Participants also discussed the spaces in which perpetration occurs. The places where perpetrators recruit victims depend on the motive of their crime and the individuals being targeted. For example, perpetrators may use the Internet, chat rooms, social media and gaming platforms to find youth and young adults in cases of trafficking, gangs, and child sex abuse. In person, perpetrators may go to senior centers or find vulnerable youth on the streets. Cults may recruit on college campuses. Perpetrators using technology as a means for recruitment may continue to use that medium while building up the relationship and eventually convince the victim to meet in person. Additionally, the Internet serves as a way to sell the individual in cases of sex trafficking.

The ability of perpetrators to maintain control over a victim, even in the absence of physical restraint, was discussed by some participants.

*A lot of them [victims] are "compliant". They are not really compliant because they don't have physical chains on them but there are psychological chains on them in order to maintain control and compliance from the victim. (Criminal Justice System/Trafficking A)*

*The unique characteristic is that they cross social space. Coercive control is control without physical boundaries. A major mechanism that is carried out is stalking and surveillance. (Service Provider/Domestic Violence B)*

Participants also mentioned that predatory behaviors can occur within a group of varying sizes or in a one-on-one relationship. For example, gangs and cults involve a group dynamic. These relationships may be initiated with a one-on-one dynamic that facilitates a victim being brought into a group dynamic at a later time.

**2) Grooming Tactics.** Grooming tactics were identified as the ways a perpetrator gains the victim's trust and establishes a relationship. Participants described a process where the perpetrator fulfills a need for the victim – such as providing love, completing errands, providing basic needs like food, or even by serving as a replacement family (See Table 2). The most common way perpetrators achieved this was through what several participants called “love bombing.” This tactic involves bestowing a wealth of compliments, affection, and gifts upon a victim to make them feel special. For older adults, perpetrators may run errands for them or complete tasks they cannot do themselves. Several participants described these processes:

*Perpetrators use that and the technology to groom them and make them feel special, focus on them and make them feel important. (Service Provider/Domestic Violence A)*

*....the “Romeo” trafficker which seduces the child themselves or through this female to convince them they are in legitimate relationship and they will give them care and love that they don't get from their family. Initially, they will give them clothes, food, a place to stay, get their nails done. (Criminal Justice System/Trafficking A)*

*He would bring her groceries, he would stop by and see her after work... he would cut the lawn for her. He would do a lot of things that she needed to do that she couldn't do herself. And really didn't have the wherewithal to make the arrangements to have these things done. He started filling a lot of those gaps in her life. (Service Provider/Older Adults A)*

A common predation theme that emerged was the incremental escalation of exploitation. This includes exposing the victim to lesser forms of exploitation and gradually increasing the severity of the exploitation so that the victim becomes desensitized.

*The foot in the door technique - "would you contribute to our charity?" Once they get you committed to even a small donation, they do a love bombing and say "we know you are good and we can count on you." (Criminal Justice System B)*

*There is always an escalation of violence. They start them out with small crimes like robbery, then selling drugs, and eventually shootings. (Criminal Justice System/Gangs C)*

Participants discussed how perpetrators reframe victims' past experiences or interrupt their belief system.

Controlling and restricting access to basic needs	Restrict and monitor access to money, restrict access to basic survival needs such as food, water, medication
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**4) Abuse and Threats.** Perpetrators will use threats or abuse to keep the victim fearful and compliant (See Table 4).

**Table 4. Abuse or Threats**

Tactic	Example
Physical or sexual violence or threats	Physical acts to cause injury such as punching, hitting, or other acts; forced sexual interaction, sexual coercion or assault; or threats of such acts
Degradation	Make verbal insults or negative comments to negatively affect the victim’s self-esteem
Threats to family	Threaten to injure members of the victim’s family; show the victim proof that they know where their family lives
Blackmail	Threaten to show photos of a sexual nature or threaten to share evidence of crimes committed by the victim
Stalking and surveillance	Monitor the victim by following them or by looking through their phone
Threats to self	Threaten to physically harm self or threaten to leave the victim as a way to maintain compliance

**5) High-Pressure Tactics.** Perpetrators who engage in one-time or short-term financial scams may use high-pressure tactics to gain compliance from the victim quickly (See Table 5). These scams often take place over the telephone.

**Table 5. High-Pressure Tactics**

Tactic	Example
Urgency	Create a sense of urgency, “you must do this now!”
Changing numbers and repeat calls	Attempt to call from different numbers, call several times a day
Threats from authority	Threaten that the IRS will pursue the victim, or that a family member is in jail and will stay there if victim doesn’t send money

## Implications and Recommendations

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The goal of this study was to explore the nature of predatory alienation and its effects on young adults and older adults. Through two phases of research, a comprehensive literature review of the practices targeting young adults and older adults was completed and in-depth interviews were finalized with twenty-two key stakeholders responding to predatory alienation with diverse expertise. Based on the syntheses of the results from these two phases along with feedback from direct questioning of key stakeholders’ own recommendations, below are several recommendations for advancing policies, practices, and research in New Jersey. The suggestions of all study participants were considered, reflecting the expertise of diverse professionals ranging from domestic violence to cults, with practices ranging from service to criminal justice.

same field, such as in law enforcement where the sex crime unit might interact with the organized crime unit. We also recommend a strong collaboration between service providers and law enforcement so that law enforcement can understand what services are available and make appropriate referrals, and receive training from service providers on how to properly identify victims. For example, human trafficking service providers in New Jersey continually provide training for law enforcement to properly identify victims of trafficking so they are not mistaken as perpetrators.

***Recommendation 2: Promote Public Awareness and Education***

Almost every participant discussed the need for expanded public awareness and education on predatory behaviors and exploitative relationships. Participants discussed the need for ongoing education campaigns that could be conducted in schools, college campuses, community centers, and retirement homes. They also expressed the need for training and awareness campaigns for first responders, the general public, law enforcement, social services, teachers, and others.

*I think that the best way to do it is education, awareness, and training so the person begins to understand that they are a victim, they can self-report, and they can bring it to someone's attention. There's been a huge effort since 2005 to raise awareness in all sectors including health care workers, taxi or limo drivers, hotel/motel staff, schools – people who may come in contact, other than law enforcement – DCP&P and child services, court system. We have to educate and train which raises awareness of the issue and then we can begin to identify. (Criminal Justice System/Trafficking A)*

In an effort to maximize existing resources, rather than creating new education or awareness campaigns, we recommend strengthening current campaigns on trafficking, gangs, sexual exploitation, domestic violence, elder abuse, or others to include more general language that names the problem of victimization with common language and emphasizes the overlap in coercive and exploitative tactics. Leveraging existing efforts, we recommend public awareness and education should include:

- a) Education about healthy relationships versus exploitative, manipulative, or coercive relationships
- b) Bystander and family education about recognizing risks and signs of victimization (See Table 6)
- c) Training for first responders, police, and service providers at all levels to recognize signs of victimization and take a trauma-informed approach in engaging victims
- d) Promoting public awareness about available services and what they do

These campaigns may achieve the most impact by tailoring their efforts to their target demographic. For example, for the younger demographic, consideration should be given to places youth frequent and media commonly engaged such as schools, social media, or other online platforms such as YouTube. One suggestion provided by a participant was to consider using an anonymous online chatroom where youth can ask questions and receive referrals. Campaigns for older adults could focus on advertisements in senior centers, nursing homes, retirement communities, or banks. Understanding the differences between community-based

As victimization often includes the loss of autonomy due to dependence on a perpetrator, victim advocates, social workers, and other service providers should be trained and remain mindful of the goal for helping a victim regain autonomy while professionally avoiding any interactions that mirror the perpetrator's control. Empathic and respectful service provision will help to establish a strong and trusting relationship between the service provider and the victim.

Additionally, it is important that services are culturally appropriate. It will be more difficult to establish trust with undocumented victims and/or victims who speak a foreign language. Having interpreters available or staff onsite who speak a victim's native language could promote rapport building and the establishment of trust.

Trauma is often a risk factor for victimization and the victimization itself comes with associated trauma. As such, we recommend a trauma-informed approach at all levels of care. This includes using language that is understandable to the victim and does not result in further shame or embarrassment. To have the most influence, a trauma-informed approach should pervade all service delivery positions where a professional interacts with a victim, particularly those professionals working in law enforcement or other first responder roles.

The Substance Abuse and Mental Health Services Administration (SAMHSA) identifies a trauma-informed organization, program, or system that: "realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; responds by fully integrating knowledge about trauma into policies, procedures, and practices; and seeks to actively prevent re-traumatization" (Administration for Children & Families).

#### ***Recommendation 4: Expand Resources and Services***

Many participants identified the need to expand resources and services as a necessary improvement. This includes financial resources, access to services, awareness of existing services, additional community outreach, and better long-term care. Participants gave these specific recommendations on improving service provision:

*Part of it is a lack of services for victims. We have [trafficking agency] but we don't have enough in place for long-term services. (Criminal Justice System/Trafficking A)*

*Organizations are not always out there in terms of people knowing about their services, not enough public awareness or the resources available . . . Policies and procedures that enable the victim to get information about DV, then being able to make an informed decision about whether they are a victim. The safety factor in social services is missing many pieces. Once they have identified as victims, there's a lack of resources for them to become independent. (Service Provider/Domestic Violence A)*

*So, really looking at a systems perspective and having them making appropriate referrals. The second is around self-identification. Helping individuals who are exiting situations and giving them access to services that are trustworthy. Building trust is very*

Participants representing cults and domestic violence victims described a lack of legal protection in cases of cultic influence and coercive control. Coercive control can be difficult to measure and there may be a lack of physical evidence if other forms of abuse (e.g., emotional, financial) were used. One participant felt the field should move away from dependence on the legal system and focus on preventative efforts. As mentioned in participant interviews, only individuals with financial resources can pursue civil legal action against cults. We recommend looking for similar policies, such as undue influence in California or the coercive control law in the United Kingdom, to examine opportunities to expand definitions or change policies to include generalized language to help these victims.

A few participants engaging in cultic advocacy and/or expertise, called for legal recourse to address cultic influence through some form of court intervention. These participants described a desire for families to have the opportunity to bring their victimized loved one to court to present evidence of victimization that would lead to the loved one being removed from the individual(s) of cultic influence. These participants described this court involvement as essential for families to achieve a period of separation between the loved one and perpetrator because cultic victims often do not self-identify as victims. Cultic victimization presents a quandary where on the one hand there is concern for protecting an individual, while on the other hand there is concern for acknowledging an individual's capacity to make decisions and their own autonomy. The ACLU examined this issue in the 1970s as many parents were "kidnapping" their children from cult groups. The ACLU felt that, unless physical coercion or threats were used, there was no legal justification for mental incompetency hearings, conservatorships, or temporary guardianships for those who have reached the age of majority (Donohue, 1985).

Following through with this recommendation may become a slippery slope. On the one hand, families are at a loss for what to do when one member is "brainwashed" or experiences undue coercive influence in which the family member does not recognize being victimized. On the other hand, stepping in and forcing adults to leave a situation that they might have voluntarily entered into can run counter to our laws and destroy the autonomy of individual decision-making. For example, family members might see their loved one as a victim of domestic violence and coercive control; yet, the identified family member (i.e. victim) may not recognize their own victimization. Current practices include providing information and education about domestic violence and available services without "forcing" the victim to leave the relationship. Changing those practices through legal recourse may open a Pandora's Box. Our recommendation is to further examine how best to respond legally to such problems that arise and include domestic violence and legal experts to assess the problem and determine what can be done.

In consideration of older adults, one participant working at the state level felt that fines for facilities that fail to report elder abuse are not high enough. This participant described a need for stronger accountability mechanisms to improve efforts for protecting older adults. Another participant expressed the view that criminal statutes for elder abuse are not harsh enough, as elder abuse is only considered a misdemeanor. This participant suggested that elder courts, which are currently being implemented in other states, could be helpful for New Jersey.

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### Appendix A: Interview Guide 1

1. Participant ID Number: \_\_\_\_\_
2. Today's Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_  
mm dd yyyy
3. Please indicate your age group:
  - 20-30
  - 31-40
  - 41-50
  - 51-60
  - 60+
4. What is your gender?
  - Female
  - Male
  - Other
5. What is your racial or ethnic background? *(please check all that apply)*
  - White
  - Black or African-American
  - Hispanic or Latino
  - American Indian/Alaska Native
  - Asian
  - Native
  - Hawaiian/Other Pacific Islander
  - Other (please specify): \_\_\_\_\_
6. What is your education level?
  - Completed some high school
  - High school graduate
  - Completed some college
  - Associate's degree
  - Bachelor's degree
  - Master's degree
  - Ph.D, law or medical degree
  - Other (please specify): \_\_\_\_\_
7. Where are you currently employed?
  - Department of Children and Families
  - Department of Human Services

- a. How long was this training?
  - b. Who conducted the training?
  - c. What was the content of the training?
  - d. Did you find it helpful?
13. How do you recognize a victim or perpetrator of predatory alienation (or term used by interviewee)?
- a. Are there specific predatory patterns and common tactics among perpetrators?
  - b. Are there certain risk factors among victims?
14. What is the nature of your work with victims of predatory alienation (or term used by interviewee)?
- a. Do you provide advocacy? If so, how?
  - b. Do you assist with the investigation? If so, how?
  - c. Do you provide representation (legal or other)? If so, how?
15. How is a victim of predatory alienation (or term used by interviewee) identified among your clients?
- a. Are they referred to you? If yes, how?
  - b. What are some barriers to identifying clients?
  - c. How would you improve identification?
  - d. Is there a specific screening process? If yes, what does the process look like?
16. How do online predators, human traffickers, con artists, gangs, cults, and other groups use predatory alienation (or term used by interviewee) to isolate young adults and senior citizens?
- a. What are the grooming practices used to target and control young adults and senior citizens?
  - b. What are the high pressure tactics used in scams and exploitative relationships to manipulate, control, and take advantage of senior citizens?
17. What makes young adults and senior citizens particularly vulnerable to predatory alienation (or term used by interviewee)?
- a. How can young adults and senior citizens protect themselves from predatory alienation?
18. Do you have other feedback to provide about the investigation or advocacy provided to victims of predatory alienation (or term used by interviewee)?
- a. What are the challenges with the current policy and process?
  - b. What are the strengths of the current policy and process?
  - c. Do you have any specific recommendations for improving service provision for victims of predatory alienation?

## Appendix C: Legal Definitions and Codes

### **Human Trafficking** **Federal Legislation**

According to U.S. code, sex trafficking is defined as the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age (22 USC § 7102). **Labor trafficking** is defined as the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery, (22 USC § 7102). Coercion is defined as threats of serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or the abuse or

The United States Federal Government addresses the crime of human trafficking through the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA establishes human trafficking and related offenses as federal crimes and attaches severe penalties to them. It also establishes methods for prosecuting traffickers. It also mandates that restitution be paid to victims. It creates a federal civil cause of action for victims to sue their traffickers.

Additional laws addressing trafficking are the Justice for Victims of Trafficking Act of 2015 and the Preventing Sex Trafficking And Strengthening Families Act of 2014.

United States Code – Title 22, Chapter 78 – Trafficking Victims Protection, Section 7102.

Definitions. Retrieved from

<https://humantraffickinghotline.org/what-human-trafficking/federal-law>

<http://uscode.house.gov/browse/prelim@title22/chapter78&edition=prelim>

<https://www.law.cornell.edu/uscode/text/18/1591>

<https://www.law.cornell.edu/uscode/text/18/1590>

### **New Jersey Legislation**

The State of New Jersey addresses the crime of human trafficking through the Human Trafficking Prevention, Protection, and Treatment Act (TVPA). This act defines human trafficking as knowingly holding, recruiting, luring, enticing, harboring, transporting, providing or obtaining, by any means, another, to engage in sexual activity or to provide labor or services through the following means: 1) By threats of serious bodily harm or physical restraint against the person or any other person; 2) By means of any scheme, plan or pattern intended to cause the person to believe that the person or any other person would suffer serious bodily harm or physical restraint; 3) By committing a violation of N.J.S.2C:13-5 against the person; 4) By destroying, concealing, removing, confiscating, or possessing any passport, immigration-related document as defined in section 1 of P.L. 1997, c.1 (C.2C:21-31) or other document issued by a governmental agency to any person which could be used as identifying information; or means of verifying the person's identity or age or any other personal; or 5) By means of the abuse or threatened abuse of the law or legal process. Human trafficking also includes the act of receiving anything of value from participation as an organizer, supervisor, financier or manager in a

<https://www.law.cornell.edu/uscode/text/18/2241>

<https://www.law.cornell.edu/uscode/text/18/2242>

<https://www.law.cornell.edu/uscode/text/18/2243>

<http://uscode.house.gov/view.xhtml?path=/prelim@title18/part1/chapter109A&edition=prelim>

<https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-child-sexual-abuse>

### **New Jersey Legislation**

Sex crimes are addressed through Title 2C of the NJ Criminal Code. Within this code, sexual assault is defined as the penetration, no matter how slight, in which physical force or coercion is used or in which the victim is physically or mentally incapacitated. This particular crime is severely punished under state law and includes a range of sexual contact, levels of force, and intimidation. The punishment depends on the nature of the crime and age of the victim. Sexual assault is typically categorized as a second-degree crime, with a maximum of 10 years in prison. Aggravated sexual assault is a first-degree crime with a maximum of 20 years in prison. Title 2C:14-2 further defines sexual contact as “intentional touching by the victim or defendant, either directly or through clothing, of the victim’s or defendant’s intimate parts for the purpose of degrading or humiliating the victim or sexually arousing or sexually gratifying the defendant. Sexual contact of the defendant with himself must be in view of the victim whom the actor knows is present” (NJ Rev Stat § 2C:14-2 (2014)).

<http://statelaws.findlaw.com/new-jersey-law/new-jersey-sexual-assault-laws.html>

<https://njcasa.org/learn/law-and-legislation/>

[http://www.nj.gov/njsp/spoff/megans\\_law.html](http://www.nj.gov/njsp/spoff/megans_law.html)

<http://statelaws.findlaw.com/new-jersey-law/new-jersey-sexual-assault-laws.html>

<https://www.ageofconsent.net/laws/new-jersey>

### **Elder Abuse – Exploitation**

#### **Federal Legislation**

U.S. Code and the Violence Against Women Act of 1994 define elder abuse as any action against a person who is 50 years of age or older that constitutes the willful infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness (US Code §34: 12291). There is currently a lack of federal legislation that provides specific criminal punishment for exploitation of older adults. This legislation and prosecution is handled at the state level, with laws and punishment varying across state lines.

#### **New Jersey Legislation**

##### **Adult Protective Services Act**

Exploitation of older adults is addressed through the Adult Protective Service Act (Civil N.J. Stat. 52:27D-407 (2015)). Under this act, exploitation is defined as the act or process of illegally or improperly using a person or his resources for another person’s profit or advantage.

Vulnerable adult means a person 18 years or older who resides in a community setting and who, because of a physical or mental illness, disability or deficiency, lacks sufficient understanding or capacity to make, communicate, or carry out decisions concerning his well-being and is the subject of abuse, neglect or exploitation.

is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is present household member or was at any time a household member, as well as any person who has been subjected to domestic violence by a person with whom the victim has a child in common or anticipates having a child in common if one of the parties is pregnant, or any person who has been subjected to domestic violence in a dating relationship (N.J.S.2C:25-19).

Sentencing for a person found guilty of a crime or offense involving domestic violence may include a condition where the defendant's ability to have contact with the victim, the victim's friends, coworkers, relatives or animals may be restricted. The court may also require the defendant to receive professional counseling (N.J.S.2C:25-27). Imprisonment of varied lengths of time, as well as varied fine amounts based on the nature of injury suffered by the victim, may be part of sentencing (N.J.S.2C: 43-6, 43-3). Civil penalties may also be incurred of an amount between \$50 and \$500, depending on the nature and degree of injury suffered by the victim (N.J.S.2C:25-29).

[http://www.womenslaw.org/statutes\\_detail.php?statute\\_id=2016#statute-top](http://www.womenslaw.org/statutes_detail.php?statute_id=2016#statute-top)

<http://statelaws.findlaw.com/new-jersey-law/new-jersey-domestic-violence-laws.html>

## **Gangs**

### **Federal Legislation**

According to U.S. criminal code, a criminal street gang is an ongoing group, club, organization or association of five or more persons that has the commission of one or more criminal offenses as one of its primary purposes, where its members engage or have engaged in the past five years, in a continuing series of offenses and where the activities affect interstate or foreign commerce. Offenses include a federal felony involving a controlled substance for which the maximum penalty is not less than five years, a federal felony crime of violence with an element of the use or attempted use of physical force against another person, and a conspiracy to commit either of these crimes. Sentencing for a person convicted of an offense as described here is increased by up to 10 years if committed as part of a criminal street gang.

<https://www.law.cornell.edu/uscode/text/18/521>

### **New Jersey Legislation**

According to New Jersey Criminal Code (2C:44-3(h)), "gang," "street gang," or "criminal street gang," means three or more persons associated in fact. This means: 1) they have in common a group name or identifying sign, symbol, tattoo or other physical marking, style of dress or use of hand signs or other indicia of association or common leadership, and 2) individually or in combination with other members of a criminal street gang, while engaging in gang related activity, have committed, conspired or attempted to commit, within the preceding three years, two or more offenses of robbery, carjacking, aggravated assault, assault, aggravated sexual assault, sexual assault, arson, burglary, kidnapping, extortion, or a violation of chapter 11, section 3, 4, 5, 6 or 7 of chapter 35 or chapter 39 of Title 2C of NJ Statutes. Sentencing for crimes committed as part of a criminal street gang varies based on the underlying crime committed (N.J.S. 2C:33-29). Solicitation or recruitment to join a criminal street gang is also punishable offense under New Jersey criminal code, with sentencing for this crime based on the

radiation, producing or possessing chemical weapons, biological agents or nuclear or radiological devices, burglary, possession of prohibited weapons and devices, possession of weapons for unlawful purposes, unlawful possession of weapons, weapons training for illegal activities, racketeering, and any other crime involving risk of death or serious bodily injury to any person.

Terror is defined as the menace or fear of death or serious bodily injury. Terrorize means to convey the menace or fear of death or serious bodily injury by words or actions.

Terrorism is a crime of the first degree under New Jersey law. Conviction of terrorism results in a sentence of 30 years without parole, or a term between 30 years and life imprisonment, where parole eligibility does not occur prior to serving a minimum of 30 years. If death occurred as a result of terrorist acts, life imprisonment without parole is the accompanying sentence for that crime.

NJ Rev Stat § 2C:38-2 (2013)