



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

State of New Jersey
THE PINELANDS COMMISSION
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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

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

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, July 8, 2022 - 9:30 a.m.

This meeting will be held in-person and virtually

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

Watch the meeting on the Pinelands Commission YouTube channel:

www.youtube.com/c/PinelandsCommission

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 849 1366 9864

1. Call to Order

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

2. Adoption of Minutes

- June 10, 2022

3. Committee Chairs' and Executive Director's Reports

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

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approvals
 - None
- Public Development Projects and Waivers of Strict Compliance:
Resolution Approving With Conditions (3) Applications for Public Development:
 - Application No. 1987-1159.062 - Stafford Township
Construction of a 4,000 square foot emergency services building and associated site

improvements
Stafford Township

- Application No. 1991-0820.118 - Pemberton Township Board of Education
Construction of a parking lot, placement of a 4,980 square foot temporary classroom unit and the realignment of an existing driveway at the Fort Dix Elementary School
Pemberton Township
- Application No. 2009-0213.002 - Galloway Township
Installation of a public sanitary sewer main within the White Horse Pike and Mannheim Avenue rights-of-way
Galloway Township

B. Planning Matters

- Municipal Master Plans and Ordinances
 - Issuing an Order to Certify Ordinance 10-2022, Amending Chapter 225 (Zoning) of the Code of Egg Harbor Township by Adopting the Timber Ridge Redevelopment Plan
 - Issuing an Order to Certify the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022, Amending Chapter 160 (Zoning) of the Code of Evesham Township
- Other Resolutions
 - None
- CMP Amendments
 - None

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

A. Public Development Projects

- Application No. 1984-1078.008 – South Jersey Transportation Authority
Establishment of a threatened and endangered avian grassland conservation area
Hamilton Township
- Application No. 1986-0944.008 – Town of Hammonton
Construction of a twelve-space municipal parking lot
Town of Hammonton
- Application No. 1990-0421.015 – Atlantic County
Construction of a new spillway at the Lake Lenape Dam
Hamilton Township

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Shamong Township Ordinances 2021-6, 2022-6 & 2022-7
- Woodland Township Ordinance 2022-4

7. Other Resolutions

- To Authorize the Acting Executive Director to Propose Amendments to the Comprehensive Management Plan in Accordance with the Administrative Procedure Act (Water Management)
- To Authorize the Acting Executive Director to Continue to Expend Funds for Fiscal Year 2023 at the Same Level of Expenditures as Fiscal Year 2022 until the Adoption of the Fiscal Year 2023 Budgets

8. General Public Comment

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

10. Adjournment

Upcoming Meetings

Tue., July 26, 2022	Municipal Officials Orientation/Pinelands Municipal Council (4:00 p.m.)
Fri., July 29, 2022	Policy & Implementation (P&I) Committee Meeting (9:30 a.m.)
Fri., July 29, 2022	Climate Committee (immediately following P&I)
Fri., August 12, 2022	Pinelands Commission Meeting (9:30 a.m.)
Tue., August 23, 2022	Personnel & Budget Committee Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES
June 10, 2022

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=NefRhdiPRMc>

Commissioners Participating in the Meeting

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

Commissioners Absent

Gary Quinn & Jane Jannarone

Call to Order

Chair Matos called the meeting to order at 9:30 a.m.

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

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

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's May 13, 2022 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Irick seconded the motion.

The minutes from the May 13, 2022 Commission meeting were adopted by a vote of 10 to 0. Commissioner McCurry abstained from the vote.

Committee Reports

Chair Matos provided a summary of the May 27, 2022 Policy and Implementation Committee meeting:

The Committee adopted the minutes from the April 29, 2022 meeting.

Stockton University officials briefed the Committee on the University's 2020 Facilities Master Plan. This included an explanation of the master plan updates between 2010 and 2020, an overview of Stockton's land conservation obligations, and a summary of upcoming development projects on Stockton's campus. Staff discussed the need to correct a recorded deed restriction to recognize existing infrastructure and allow for its improvement. No formal action was needed from the Committee.

The Committee reviewed the final draft rule proposal for the Kirkwood-Cohansey Aquifer Comprehensive Management Plan (CMP) amendments. Staff has submitted these rules to the Governor's office and is waiting for approval so that the Commission can formally act. The Committee was briefed on an amendment petition submitted by Bill Wolfe, asking that the Commission prohibit development and reconstruction in extreme wildfire risk areas.

Acting ED Grogan discussed the formal rule petitioning process and explained why the petition submitted by Mr. Wolfe was incomplete. Both the Highlands Council and the New Jersey Department of Environmental Protection (DEP) have denied the petition. Again, no formal action was needed from the Committee.

Commissioner Lohbauer provided a summary of the May 27, 2022 Climate Committee meeting:

The Committee adopted minutes from its February 25, 2022 meeting.

The Committee received an update on the project to install a rain garden at the Commission's headquarters.

The Committee discussed findings from the local government energy audit. The Committee will consider suggestions from that audit during its next meeting.

The Committee also received updates on the following state initiatives: Forest Stewardship Task Force and the 2021 Solar Act.

He said Acting ED Grogan provided information on drafting a Resilience Action Plan and potential CMP amendments related to climate impacts.

Acting Executive Director's Report

Acting ED Grogan provided information on the following matters:

- Staff is preparing the Fiscal Year 2023 budget. Staff will begin to share work plans with Committees.
- The New Jersey Office of Planning Advocacy recently released a guidance document on developing warehouses in the state. The Executive Director of the State Planning Commission led the process. The document will be helpful to all New Jersey municipalities faced with the growing demand of warehouse development. The document encourages towns to involve their neighbors and counties. Some Pinelands municipalities are more enthusiastic about the construction of warehouses in their towns and some municipalities are more skeptical of the idea.
- The Kirkwood-Cohansey rules were submitted to the Governor's office for review and approval.
- Staff prepared and sent the Governor's office a draft plan to implement the State's Telework Pilot Program.

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

- Staff is currently reviewing three cell tower applications all proposing to install FirstNet antennas. FirstNet's primary area of communications coverage is for public safety but the antennas also provide general, commercial service. The Commission is in the process of determining whether this constitutes an accessory use or a principal use.
- In 2009, the Commission approved a general development plan for 600 dwelling units located in Hamilton Township. The applicant completed threatened and endangered species surveys for both plant and animal species in 2006. Staff is in the process of determining if the applicant will have to undertake those studies again.

Commissioner Lohbauer recused himself from the update on the Forest Stewardship Task Force. He said he has a personal involvement. Commissioner Lohbauer was placed in a waiting room.

- Director Horner said that after the April 28th kick-off meeting of Senator Smith's Forest Stewardship Task Force, two Committees were formed: the climate workgroup and the ecological health workgroup. He said he and Commission Environmental Specialist Branwen Ellis are both members of the two Committees.

He said he and Ms. Ellis will share the Commission's concerns as the work of the Committees gets underway. He said the task force will eventually formulate state policy recommendations.

Commissioner Lohbauer rejoined the meeting and Director Horner finished his update.

- Staff is scheduled to meet with the NJDEP to discuss pre-approved enduro routes on existing trails at Brendan T. Byrne State Forest.
- Staff participated in Hamilton Township municipal court regarding a clearing violation.

Stacey Roth, Chief, Legal & Legislative Affairs, provided the following update:

- Staff met with NJDEP Assistant Commissioner, Vincent Mazzei, to discuss the New Jersey PACT (Protection Against Climate Threats) rules. Stakeholder meetings took place at the end of May and the draft rules are 1,100 pages. NJDEP is proceeding with emergency rules for Flood Hazard Areas and Stormwater Management. Commission staff anticipated some of the changes, and formal rulemaking to amend the CMP should not be necessary at this time.
- Staff submitted comments on the New Jersey Board of Public Utilities (BPU) Straw proposal regarding the Community Solar Incentive (CSI) Program. The anticipated rules provide for incentives and include the opportunity for BPU to grant waivers. Staff felt that applicants may confuse BPU waivers with the waiving of CMP standards, and asked for the opportunity to speak with BPU to ensure that Pinelands land use regulations are not waived.

Paul Leakan, Communications Officer, provided the following information:

- Approximately 100 students from the Town of Hammonton participated in a springtime version of World Water Monitoring Challenge at Batsto Lake on June 2.
- The Commission's native Pinelands rain garden is scheduled for installation on June 27th through June 29th. The wayside panel that will be placed next to the garden will include a QR code that takes you to a webpage describing the purpose and benefits of rain gardens.

He added that he is representing the Commission on the Interagency Council on Climate Resilience's Communications Working Group. The group held its first meeting on June 1.

Public Development Projects and Other Permit Matters

Chair Matos presented a resolution for the construction of an access driveway and bus loop at the Maurice River Township Elementary School.

Commissioner Avery made a motion Approving With Conditions an Application for Public Development (Application Number 1990-1140.003) (See Resolution # PC4-22-21). Commissioner Lohbauer seconded the motion.

Director Horner said at first glance, the application looks relatively straightforward. The applicant is proposing to construct a driveway off of Fox Street (an aerial was displayed, see attached). He said the application is more complex. He said the application also proposes to establish a municipal storage facility in an existing masonry garage on Lot 30. Lot 30 is owned by Maurice River Township and is subject of an existing groundwater contamination cleanup from a former manufacturing plant. Lot 30 is also subject of a Green Acres deed restriction. A cultural resource survey was completed and artifacts were identified in the proposed development envelope for the driveway. The proposed driveway was redesigned. The proposed driveway will require the clearing of approximately .25 acres of forest. A number of public comments were received for this application, most of which do not relate to the Commission's regulations. After the public development report was issued, the Commission received statements from three local residents advising that they observed sightings of the Northern pine snake in the vicinity of the proposed development area. Director Horner said the Commission was aware of Northern pine snake sightings in the wooded area to the east of Lots 10 and 30. He said staff believes that the development will have no irreversible, adverse impacts on the Northern pine snake population.

Lastly, Director Horner highlighted two significant conditions referenced in the report: no development shall occur on Lot 30 until the NJDEP modifies the existing deed restriction and the applicant must receive a written determination from the NJDEP that the property has been deemed safe before the masonry garage can be used as storage.

Commissioner Irick asked if a threatened and endangered (T&E) species study was conducted for the site.

Director Horner said staff determined that a T&E study was not warranted.

Commissioner Lettman asked what type of deed restriction is on Lot 30.

Branwen Ellis, Environmental Specialist, said it's a conservation deed restriction.

Acting ED Grogan said the property was deed restricted through the Limited Practical Use (LPU) acquisition program, where funds were provided by the federal government and matching funds were provided by state government. The Commission identified many parcels that were protected under the LPU acquisition program. The NJDEP identified additional parcels that were protected under the Department's version of the LPU program. NJDEP worked with Pinelands municipalities and in the case of Maurice River, came up with a 10-page list of lots to be deed restricted. Most of the lots were very small and vacant. Lot 30 ended up on the list unbeknownst to the Commission and even the town. She said she believes it was a mistake, as Lot 30 is a large parcel and contains multiple structures, and is not a typical LPU lot.

Commissioner Lettman said based on her research, she found no evidence that the public hearing process has begun at Green Acres to release the deed.

Acting ED Grogan said the NJDEP is aware of the application and that it wanted to be sure the development application was approved by the Commission before moving forward with lifting the deed restriction. She added that the NJDEP is also aware of the condition in the Public Development report.

Commissioner Lettman said she thought the Township should go through the process with the NJDEP to remove the deed restriction before the Commission approves the application.

Acting ED Grogan said someone had to initiate the process. She added that the town received grant funding for the project and needed to receive approval from the Commission.

Commissioner Lettman she said she will not support the application because she is uncomfortable with the fact that the deed has not been lifted.

Commissioner McCurry asked if an application to the Commission would be required for any other development on Lot 30.

Director Horner said yes.

Commissioner Avery asked what happens if the Commissions approves the application today and the NJDEP does not lift the deed restriction.

Director Horner said if that happens it would be highly unlikely that the project would move forward. He said, however, Lot 10 is not subject of the deed restriction.

Director Horner added that staff believes the application has met the requirements of the CMP.

Acting ED Grogan called the roll:	yes
Commissioner Avery	
Commissioner Christy	not present
Commissioner Holroyd	yes
Commissioner Irick	yes
Commissioner Lettman	no
Commissioner Lloyd	yes
Commissioner Lohbauer	yes
Commissioner McCurry	yes
Commissioner Meade	abstain
Commissioner Pikolycky	yes
Chair Matos	yes

The motion carried by a vote of 8 to1.

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

Chair Matos read the list of Public Development applications up for comment.

No one provided comment on the three Public Development applications. Members of the public did call in during this time. See General Public Comment below.

Ordinances Not Requiring Commission Action

Chair Matos said there are a number of ordinances listed on today's agenda that do not require action.

- Cape May County 2022 Comprehensive Plan
- Galloway Township Ordinances 2062-2021 & 2075-2022
- Manchester Township Ordinance 22-12
- Medford Township Ordinance 2021-12
- Ocean Township Ordinances 2022-7 & 2022-8
- Pemberton Township Ordinance 8-2022

Acting ED Grogan noted that one of the Galloway ordinances includes the adoption of a redevelopment plan to facilitate the development of a warehouse. She said the Ocean and Pemberton Township ordinances clarify accessory structures.

Commissioner Irick asked if staff would be using the new state guidelines when reviewing warehouse ordinances.

Acting Ed Grogan said staff will be sharing the guidance with all Pinelands municipalities and encourage them to consider the relevant recommendations.

Commissioner Irick asked if the warehouse applications would come before the Commission for a vote.

Acting Ed Grogan said warehouses are typically private applications and would be reviewed by staff.

Commissioner Pikolycky left the meeting at 10:35 a.m.

Permanent Land Protection Database and Interactive Map

Acting ED Grogan said after years of tracking and reporting on preserved lands, the Commission now has a functional, new database that houses that information.

Gina Berg, a Commission Resource Planner, said staff created an in-house interface that makes the process of searching and accessing deeds much easier. The database was funded with a grant from National Park Service (NPS). She displayed the web-based interface on the Smartboard and demonstrated how it works, including the many categories by which a deed can be searched.

Acting ED Grogan added that the Commission now has the ability to track if a deed restriction is in or out of the targeted acquisition area that the Commission designated back in 1980, also known as the Section 502 federally designated areas.

Mark DeLorenzo, a Commission GIS Specialist, provided a demonstration of the Pinelands Interactive map that now features the capability to view the geographic location and extent of deed restricted properties and, where available, provides a link to the actual deed.

The Pinelands Interactive map can be found at this link:
<https://www.nj.gov/pinelands/home/maps/interactivemap/>

Commissioner Avery said the mapping component is a great tool to help determine if a specific property is worth acquiring or preserving.

Acting ED Grogan agreed and said staff would be using it for that purpose. She said staff can now assist appraisers more quickly and efficiently.

Commissioner Meade asked if there is a specific filter to identify the targeted 502 areas that have been preserved.

Acting ED Grogan said that 502 data can be accessed through the in-house interface but not the interactive map. She noted that because that specific data is so old and mostly paper, it continues to be entered into the system, so some of the data can be viewed. She thanked NPS for the funding to help this project come to fruition.

General Public Comment

Holly Cox of Montvale, NJ, said the Commission should support the recommendations of the Pinelands Preservation Alliance (PPA) to mitigate the threats of climate change. She listed the climate effects due to the rising global temperatures. She said governments need to reassess their energy policies for earth to remain habitable.

Grace Rapp of Port Elizabeth, NJ, asked when a transcript of the meeting would be available.

Chair Matos said the minutes of this meeting would be available in the July Commission meeting materials. She added that the meeting could be viewed on the Commission's YouTube channel immediately following the meeting.

Ms. Rapp said she could not hear what was being said.

She asked if the application for the school bus loop would be discussed again at the June 14th meeting.

Acting ED Grogan said formal action on development applications only occurs at monthly Commission meetings. She said the application was approved today and the Commission provides meeting minutes but not provide transcripts. She noted that the meeting scheduled for Tuesday, June 14th is a Personnel and Budget Committee meeting.

Ms. Rapp added that this is not a settled matter, and there will be a public hearing on the matter, held by NJDEP.

Georgina Shanley of Red Bank, NJ said the Commission should not vote on applications before public comment. She said the Commission should be focused on the climate as the threat of overdevelopment is too great. She said the Commission should create new standards for conducting and accepting threatened and endangered species reports. She said solar should be mandated on all new buildings and that applicants should be held under a microscope.

Peter Ferwerda, Warren Grove, NJ, raised concerns about a resource extraction operation in close proximity to his home that has lowered its lake by eight feet. He said he thinks the operation may be in violation of their NJDEP water permit. He said the state statute does not permit motorized vessels to operate on water bodies in the Pinelands, and he provided a photo from Google Earth of a vessel in the lake.

Rhyan Grech of the Pinelands Preservation Alliance read a letter into the record regarding the need for the Commission to adopt specific regulations to mitigate climate change and for the Climate Committee to meet monthly. A petition of almost 700 members of the public was also submitted (see attached).

Agnes Marsala, Chesterfield, NJ suggested that the Commission get on the net zero bandwagon and begin to require all new development in the protected zone to use alternate energy sources. She said noted that many cities are requiring new buildings to limit carbon emissions.

Carleton Montgomery of the Pinelands Preservation Alliance asked if the Commission would be willing to share a shape file of the PLP data. He also asked if there was a way to track a deed restriction that never was filed or recorded. Lastly, he asked if the Commission's deed restriction data has been compared to the Recreation and Open Space Inventory (ROSI).

Ms. Berg said the PLP data can be shared. She said on occasion an old paper deed has been found in a file and added to the database. She said at this time, the Commission has not compared the PLP data with the ROSI.

Acting ED Grogan added that the PLP database is used to manage the data and does not have the ability to track or determine if a deed that was supposed to be recorded has actually been filed. She said some of the properties listed on the ROSI are not what the Commission considers preserved lands. She said if a township sends the ROSI to the Commission staff does check to see if any property should be added to the PLP database, but we do not seek it out.

Commissioner Irick said several members of the public raised issues with the application that the Commission voted on today. He asked if there is any reason why the public cannot comment before the vote.

Acting ED Grogan said the public is provided the opportunity to comment on Public Development applications at the Commission meeting one month prior to the vote. She said this permits staff the opportunity to respond to the comment and address any concerns in the report.

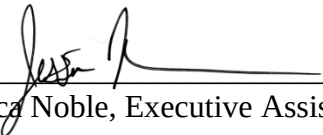
Director Horner added that when a Public Development application is submitted it is immediately posted on the website so members of the public can follow along. He added that as part of the application the applicant is required to do public notice in the newspaper and provide surrounding property owners with notice that the application has been filed with the Commission. He said at any point in the process the public can submit public comment.

Commissioner Lohbauer said a few members of the public today raised criticism of the Climate Committee for not taking enough action in the wake of the climate crisis. He said he will be making a greater effort to move forward with CMP amendments related to climate mitigation.

Adjournment

Commissioner Avery moved to adjourn the meeting. Commissioner Irick seconded the motion. The Commission agreed to adjourn at 11:25.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: June 21, 2022



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22- 21

TITLE: Approving With Conditions an Application for Public Development (Application Number 1990-1140.003)

Commissioner Avery moves and Commissioner Lohbauer seconds the motion that:

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

1990-1140.003
Applicant: Maurice River Township
Municipality: Maurice River Township
Management Area: Pinelands Village
Date of Report: May 20, 2022
Proposed Development: Construction of a 1,337 linear foot school bus driveway to serve the Maurice River Township Elementary School.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1990-1140.003 for public development is hereby approved subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 10, 2022

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair



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Chair
SUSAN R. GROGAN
Acting Executive Director

May 20, 2022

Denise Peterson (via email)
Maurice River Township
P.O. Drawer D
Port Elizabeth NJ 08348

Re: Application # 1990-1140.003
Block 230, Lots 10 & 30
Maurice River Township

Dear Ms. Peterson:

The Commission staff has completed its review of this application for construction of a 1,337 linear foot school bus driveway to serve the Maurice River Township Elementary School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 10, 2022 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure
Public Comments

c: Secretary, Maurice River Township Planning Board (via email)
Maurice River Township Construction Code Official (via email)
Secretary, Cumberland County Planning Board (via email)
Cormac Morrissey, PE, PP, CME (via email)
John Cecil, Director, NJDEP Parks and Forestry (via email)

Judith Yeany, NJDEP (via email)
Valerie & Joseph Piper (via email)
Frank E. Davis, Sr. (via email)
Mrs. Reeves c/o Terance J. Bennett, Esq. (via email)



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PUBLIC DEVELOPMENT APPLICATION REPORT

May 20, 2022

Denise Peterson (via email)
Maurice River Township
P.O. Drawer D
Port Elizabeth NJ 08348

Application No.: 1990-1140.003
Block 230, Lots 10 & 30
Maurice River Township

This application proposes construction of a 1,337 linear foot school bus driveway to serve the Maurice River Township Elementary School on the above referenced 20.5 acre parcel. The school is located on Block 230, Lot 10.

Block 230, Lot 10 is owned by the Maurice River Township Board of Education. Block 230, Lot 30 is owned by Maurice River Township.

Block 230, Lot 30 was acquired by the Township in 2003 and contains a former manufacturing foundry. This application also proposes to establish a Township equipment storage building in an existing one-story 5,199 square foot masonry garage located on Block 230, Lot 30. The application further proposes the demolition of three frame buildings, each 50 years old or older, located on Block 230, Lot 30.

Maurice River Township is conducting a preliminary assessment and site investigation for soil and groundwater contamination at the former manufacturing foundry located on Block 230, Lot 30. The manufacturing foundry operations ceased in 1993. There are known soil and groundwater contaminants on Block 230, Lot 30. The school bus driveway proposed in this application is not located within the identified potential soil and groundwater contamination "Areas of Concern" located on Block 230, Lot 30. The existing one-story 5,199 square foot masonry garage proposed to be utilized as a Township equipment storage building is located within the identified potential soil and groundwater contamination "Areas of Concern" located on Block 230, Lot 30. This Public Development Application Report includes a condition to address the proposed use of the existing one-story 5,199 square foot masonry garage. The preliminary assessment and site investigation for soil and groundwater contamination on the lot is ongoing.

Block 230, Lot 30 is also subject of a March 21, 2003 Deed of Conservation Easement between Maurice River Township and the New Jersey Department of Environmental Protection (NJDEP). The conservation easement prohibits some or all of the development proposed in this application on Block 230, Lot 30. By email dated August 24, 2021, the NJDEP, Director of Parks and Forestry authorized the

Pinelands Commission to approve the development proposed in this application on Block 230, Lot 30 provided any such approval was conditioned upon NJDEP modifying the conservation easement to allow for the proposed development on Block 230, Lot 30. This Public Development Application Report includes such a condition.

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)

The parcel is in the Pinelands Village of Port Elizabeth-Bricksboro. The proposed development is a permitted land use in a Pinelands Village.

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

The proposed development will be located within a maintained grassed area and a forested area. Approximately 0.25 acres of forest will be cleared to accommodate the proposed development.

As required by the CMP (N.J.A.C. 7:50-6.23(a)), all clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The CMP (N.J.A.C. 7:50-6.23(b)) also provides that, where practical, all clearing and soil disturbance associated with the proposed development shall avoid forested areas. Approximately 0.25 acres of forest area will be cleared to accommodate the proposed school bus driveway. The applicant has indicated that the location of the proposed bus driveway is necessary for public safety.

The Landscaping and Revegetation guidelines of the CMP (N.J.A.C. 7:50-6.26(a)4) recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The application does not propose revegetation.

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

The applicant has demonstrated that the proposed development is consistent with CMP stormwater management standards. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin.

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

A cultural resource survey was completed for the proposed development. That survey discovered significant historic and pre-historic artifacts within a 0.4 acre portion of an area that was previously proposed to be disturbed by the school bus driveway. The proposed school bus driveway was realigned to avoid the 0.4 acre area. Additional cultural resource survey work was completed in the new area proposed to be disturbed by the realigned school bus driveway. No artifacts were recovered within the limits of the area proposed to be disturbed by the redesigned school bus driveway. No cultural resources eligible for Pinelands designation were identified by the cultural resource survey.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on April 7, 2021. Newspaper public notice was completed on April 9, 2021. The application was designated as complete on the Commission's website on May 2, 2022. The Commission's public comment period closed on May 13, 2022. The Commission received written public comments (attached) from three individuals regarding this application.

- Commenter #1: The commenter expressed concern that the proposed development would be detrimental to their neighborhood due to loss of woodland buffer and the introduction of thru-traffic. The commenter also expressed concern with potential disturbance to rich wildlife habitat where they have observed many species, including the threatened Northern pine snake.
- Staff Response: The Commission staff appreciates the commenter's interest in and concern for the Pinelands. Our review determined that the proposed development meets all CMP regulations, including those regulations applicable to vegetation clearing and threatened and endangered species protection. The CMP does not regulate traffic. The commenter may wish to discuss their traffic concerns with an appropriate Board of Education or Township official.
- Commenter #2: Commenter #2 submitted two separate emails. The commenter expressed concern regarding the potential increase in traffic, impact to wildlife, loss of trees, remediation activities at the former manufacturing foundry, noise, gasoline fumes, provision of storm drains, mosquitos, lack of sidewalks and introduction of trash into the neighborhood. The commenter also expressed concerns regarding personnel and property safety because the proposed drive increases accessibility to their property. The commenter further expressed concern that Civil War graves may not be recognized in the general area of Port Elizabeth.
- Staff Response: The Commission staff appreciates the commenter's interest in and concern for the Pinelands. Our review determined that the proposed development meets all CMP regulations, including those regulations applicable to threatened and endangered species protection and stormwater management. The CMP does not regulate traffic, noise, mosquitos, trash, address personnel and property safety or require the provision of sidewalks. The commenter may wish to discuss these concerns with an appropriate Board of Education or Township official.
- Maurice River Township is conducting a preliminary assessment and site investigation for soil and groundwater contamination at the former manufacturing foundry located on Block 230, Lot 30. The proposed school bus driveway is not located within the identified potential soil and groundwater contamination "Areas of Concern." The preliminary assessment and site investigation for soil and groundwater contamination is ongoing.
- The applicant completed a cultural resource survey for the proposed development. No Civil War grave sites were located. Available information indicates that the concerned grave sites may be located on an adjacent parcel.

Commenter #3: The commenter expressed concern that the proposed development would result in a loss of woodland and wildlife habitat, and concerns regarding school taxes, litter, noise, traffic, trash and vehicle emissions.

Staff Response: The Commission staff appreciates the commenter's interest in and concern for the Pinelands. Our staff determined that the proposed development meets all CMP regulations, including vegetation clearing and threatened and endangered species protection. The CMP does not regulate school taxes, litter, noise, traffic, trash or vehicle emissions. The commenter may wish to discuss these concerns with an appropriate Board of Education or Township official.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of four sheets, prepared by Dixon Engineering Associates, LLC and dated as follows:

 Sheets 1, 3 & 4 - January 15, 2021; revised to April 29, 2022
 Sheet 2 - January 15, 2021; revised to February 17, 2022
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. No development subject of this application shall occur on Block 230, Lot 30 until NJDEP modifies the conservation easement to accommodate the development proposed in this application on Block 230, Lot 30.
6. Prior to the use of the existing 5,199 square foot masonry garage located on Block 230, Lot 30 as a Township equipment storage building, the applicant shall obtain a written determination from NJDEP or other authorized entity that the use of the building raises no concerns with the ongoing soil and groundwater contamination investigation and with public health.

CONCLUSION

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



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

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



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

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

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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

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

Commenter # 1:

Dear Sirs:

I represent Linda Cox Reeves of Fox Street, Port Elizabeth. In response to notice sent by Dixon Associates Engineering, LLC on April 7, 2021, Mrs. Reeves would like to register a comment on the above-referenced Application.

Specifically, Mrs. Reeves is of the position that the construction of a "bus and emergency access drive" will be detrimental to her neighborhood due to the loss of the current woodland buffer and the introduction of thru-traffic onto what is currently a dead-end residential street.

Further, the proposed access drive would disturb what Mrs. Reeves knows firsthand to be rich wildlife habitat, where she regularly observes many species of indigenous animals, including the threatened northern pine snake.

For these reasons, Mrs. Reeves objects to the Township's proposal, and requests that the Pinelands Commission deny the Application.

- Terance J. Bennett, Esq.
3431 Route 47
PO Drawer 520
Port Elizabeth, NJ 08348
(856) 506-8102
TerryBenet@Yahoo.com

Commenter # 2:

Subject: [EXTERNAL] RE: Pinelands Application #1990-1140.003, Maurice River Township BOE

Attachments: Port Elizabeth Map.pdf

Good Afternoon – Please find attached a map dated from the 1800's of Port Elizabeth – the general area that is looking to be used for Bus Traffic/Roads, Public Works Storage or whatever planned for the future. It needs to be recognized there are Civil War Graves in that area. I hope this is taken serious.
Thank you for your time.

Frank E Davis Sr
49 Port Elizabeth Cumberland Rd
Port Elizabeth, NJ

Commenter # 2:

Frank E. Davis Sr

4 pages

49 Port Elizabeth Cumberland Rd | Port Elizabeth, NJ 08348 |

April 15, 2021

Pinelands Commission

PO Box 359

New Lisbon, NJ 08064

Re: My Comment/Objections - Pinelands Application NO. 1990-1140.003

As a property owner whose property backs up to the proposed Bus and Emergency Route, I object to traffic, noise, fumes, trash and problems in my back yard.

I feel this driveway makes it even more accessible to "problems" after dark for unwanted activity, and that is a safety issue to myself and my property. This area has had theft from vehicles, garage locks tampered with and property stolen – should a Driveway be constructed it makes it easier to enter and exit our properties and/or it "welcomes problems" to the back of our properties. If the area is lighted, it makes it more welcoming to problems and would destroy my ability to star watch.

Who is regularly going to maintain the area for cleanliness – when the trash blows over my fence ? Will a special fence be constructed so that I do not hear School Buses rambling down this driveway; would a Sound Barrier fence be constructed? We are sure, passenger vehicles will be using this Driveway in addition to the buses, is a person going to be stationed at the School to control that it's only a "Bus Exit"?

Should this access drive be constructed, where will the storm drains be placed, another catch basin to accumulate mosquito larvae and add to the mosquito problem? Or will the Storm Drains drain into our properties? Our water table is high enough, we do not need additional water problems.

Will this 20' Access Road include sidewalks ? one sidewalk ? Will this Access Road take property from the Homeowners of Fox Street. Their front yards are tiny enough. Who is supposed to maintain those sidewalks for snow and ice? The elderly Homeowners that live on Fox Street ? Who is going to clean up the additional trash from this new "Route", the elderly Homeowners that live on Fox Street ?

Continued on Page 2

Frank E. Davis Sr

49 Port Elizabeth Cumberland Rd | Port Elizabeth, NJ 08348 |

Page 2 Continued

I'm shocked if the Pinelands Commission would allow destruction of an area that is home to Wild Turkey, Deer, Fox, Hawk, Eagles, Owls and a multitude of amphibians, recently I discovered Ground Skinks in those woods, which are a threatened species, aren't they? Isn't this area considered "Pinelands" and to be protected however concrete and pavement is going to replace some of our Woods.

I have lived on the property for 57 years and have enjoyed the wildlife that visits my yard, the peace and quiet. Why disrupt my backyard when easily a Crossing Guard could be hired for 2 hours a day, for the School year - to assist Bus Traffic exiting the School property onto Route 47 OR possibly make exiting the school driveway onto Route 47 a "No Left Turn" which directs Buses and Passenger Cars to travel North on Route 47 to make rights onto Broadway or Quaker Street to travel South on Port Elizabeth Cumberland Road to the Traffic Signal, allowing safe travel South onto Route 47.

Why not use the money to create an Agricultural Program and construct a Greenhouse on school property? Why not spend the money on an educational program for kids instead of a handful of School Buses to use a driveway for 10 hours a week?

In regards to the Demolition of Buildings at the Sapello Foundry site and the same area to be used for storage, will this area be Remediated beforehand? Currently that address is listed as an "Active Site with Confirmed Contamination" (please see attached 2 pages from the NJDEP website).

We hope that a more sensible plan and expense of monies could be devised instead of cutting into our little slice of heaven in regards to our backyards.

Sincerely,



New Jersey Department of Environmental Protection

Site Remediation Program

Active Sites With Confirmed Contamination

Prepared: 4/14/2021 10:27 AM

Cumberland

Greenwich Twp

Site ID	PI Number	PI Name	Address	Home Owner
660177	918109	517 MYRTLE AVENUE	517 MYRTLE AVE	Yes
149962	738498	NJSP OEM SOIL SPILL	1000 YE GREATE ST	No
2	Site Count			

Hopewell Twp

Site ID	PI Number	PI Name	Address	Home Owner
662012	922619	140 RIVER RD	140 RIVER RD	Yes
56059	030388	NEW JERSEY DOT - RTE 49 & BARRETTS RUN RD	8 HILOH PK & BARRETTS RUN RD	No
2	Site Count			

Maurice River Twp

Site ID	PI Number	PI Name	Address	Home Owner
64182	133385	ACKLEY GARAGE	3098 3102 DELSEA DR	No
14510	003986	BAYSIDE STATE PRISON	4293 DELSEA DR	No
15449	005773	BROWNS GETTY STATION	4071 DELSEA DR	No
9450	012077	DORCHESTER CONOCO	3890 RT 47	No
9499	009452	DORCHESTER INDUSTRIES	13 FRONT ST	No
47148	012299	MAURICE RIVER TWP	590 MAIN ST	No
* 94522	133268	SAPELLO FOUNDRY	65 BROADWAY	No
16014	030073	WHIBCO INC	377 PORT ELIZABETH CUMBERLAND RD	No
8	Site Count			

Millville City

Site ID	PI Number	PI Name	Address	Home Owner
476733	601337	117 VINE STREET EAST	11 / 119 VINE ST E	No
106006	761844	3110 3120 NORTH 2ND STREET	3110 3120 N 2ND ST	No
324787	494180	2126 SOUTH DELSEA DRIVE	2126 S DEALSEA DR	No
530673	686238	321 NORTH HIGH STREET	321 HIGH ST N	No
622872	791784	328 E OAK STREET	328 E OAK ST	No

Commenter # 3:

Pinelands Commission:

My lot joins the back of Maurice River Township School and this application and the contents within the letter received from Dixon Assoc is quite disturbing. I have attached a letter and reasons why this should not be approved. It is unnecessary and a waste of money not to mention tax payers who will be affected by increase of school taxes. We are still in a Covid pandemic where people are utilizing their backyards more than ever and such an eye sore and destruction of beautiful grounds is just disturbing. The reasoning behind this application is shady. This is not for an EMERGENCY ACCESS ROAD by far, the people of Port Elizabeth already know this. Please keep our best interests in mind and follow your own guidelines in preservation over destroying.

Thank you for your time.

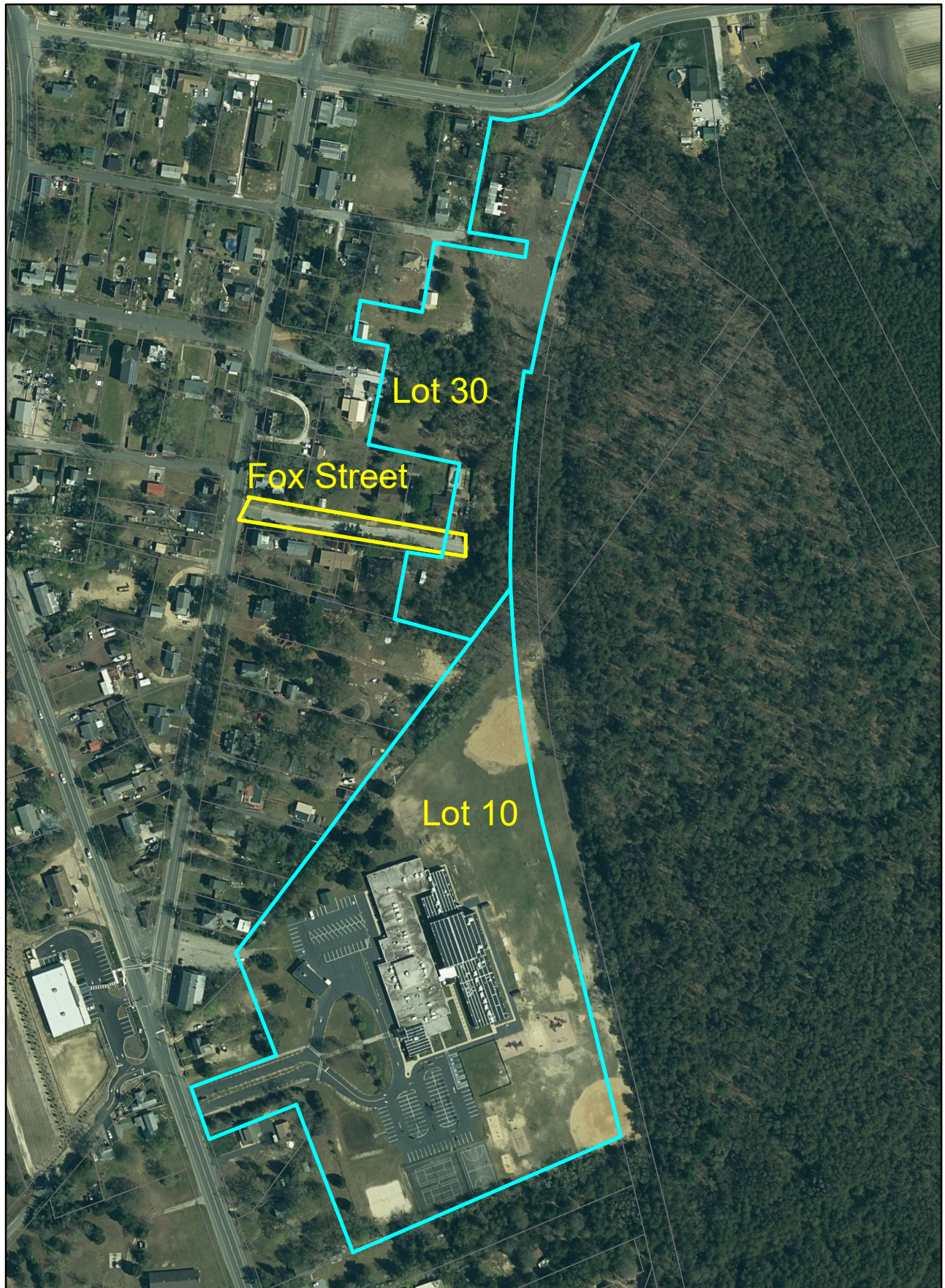
Valerie and Joe Piper
41 Port Cumberland Road
Port Elizabeth, NJ 08348

DISRUPTION: My backyard is my safe haven in which many things happen. My husband and I always have a garden and the entire back is fenced for our rescue dog Angel to be free and roam. She suffers from anxiety and is frightened by large objects such as tractor trailers and loud noises. The quietness of our backyard is wonderful. There are many animals that come up from the woods into our field which include deer, foxes, wild turkeys (which come up to our birdfeeders and eat), box turtles, dragon flies, bees, butterflies, many species of birds and owls. We also have seen the fence lizard (which I have a picture of from last year) and the skink. The school field you can watch the purple martins dive bomb eating insects which is a spectacular sight. At night in summer, we take our chairs and visit the night sky and gaze and name the stars and constellations. Losing this to the sight of school buses, litter, emissions, black exhaust smoke, noise in general, and the many trees and landscape that would be demolished would be devastating, not just to the wildlife itself but to our personal lively hood. This is not an EMERGENCY ACCESS ROAD as titled in the letter we received. The board of education and Maurice River Township have been wanting this for a couple of years now. I have attended some board meetings and got the blueprint of this devious plan and this "said road" would be used on a daily basis as a one way street so the buses turning left would now hit the traffic light instead of sitting there at the main entrance trying to make a left onto Route 47 because no one can figure out a game plan for the buses to make a left hand turn.

GREED: The Board of Education is being very greedy on this dream plan. This plan is just an excuse to use grant money they can get and if not used they will lose it. Education as I know it, should be the focal point of using any money towards learning tools and to promote outside activities using the grounds you already have not for an EXIT BUS ROUTE disturbing sacred ground that has been here way before any of us. Does the Pineland Commission pick and choose on applications where they see fit or perhaps benefit from it? Could this be politically motivated? If this application passes, to me my questions will be answered.

NJ PINELAND COMMISSION: The reason for the Pineland Commission as taken from your website, "The New Jersey Pinelands Commission is an independent state agency whose mission is to "preserve, protect, and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose." This being said, you voted down the gas pipeline that was proposed and years ago on Weatherby Road a parcel of land being sold by Lewis Fitzgerald Sr was looked at by my husband to perhaps buy and build a home. This was shot down instantly with a big NO! Its pinelands and you cannot build on it. So, stand behind your own policies and what you represent. The properties and owners that will be affected by this application need help to stop developers and businesses doing just what they intend to do which is destroy natural habitats.

CONCLUSION: The land, wildlife, properties, and the people are the reason why we need the Pineland Commission to say **NO** to this application. Who else is going to protect this parcel of land and the wildlife and joy that it brings? As I am the voice of our rescue dog Angel, the Pineland Commission becomes the voice for the land and for the many species of wildlife found in it. Another reason to say **NO** comes from results of the Covid pandemic which has pretty much left people finding their backyards again. Would you want your backyard with a large driveway installed and school buses going by .. I don't think so. This virus is not going away anytime soon. The people who are behind this application do not see the wonderful wildlife it brings along with the peacefulness of it all.





PINELANDS
PRESERVATION
ALLIANCE

June 10, 2022

Dear Chairwoman Matos,

Last August, climate change was described by the United Nations Secretary-General as “a code red for humanity. The alarm bells are deafening, and the evidence is irrefutable”. Governor Murphy brought that climate crisis message to New Jerseyans when he said that “our state and economy are uniquely vulnerable to its devastating effects. Confronting climate change requires decisive and intentional action across all sectors and levels of government.” **But, the Pinelands Commission, the state agency charged with management of the Pinelands National Reserve, has yet to respond with that “decisive and intentional action”.**

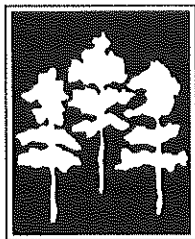
Resolution PC4-20-37, adopted by unanimous vote by the Pinelands Commission in November 2020, committed the Pinelands Climate Committee to identifying “existing CMP standards that may be strengthened and new CMP standards that may be adopted to mitigate the effects of climate change on the Pinelands environment and shall recommend such standards to the Pinelands Commission for consideration as proposed amendments to the CMP.” To date, no such identification or recommendation has taken place.

Other state agencies, such as the Department of Environmental Protection and the Board of Public Utilities, have launched numerous policies and initiatives over the past several years to mitigate climate change impacts and to prepare NJ communities for what is to come. The Pinelands Commission, with more direct regulation of land use than either of those agencies, has failed to keep pace. **Instead, the Commission has reduced the meeting frequency of the Climate Committee from last year to an every-other-month schedule.**

We, the undersigned, need the Pinelands Commission to get to work on specific regulations that will address the root causes of climate change, and to engage the scientific community, including your own science staff, in creating forward-looking policies and regulations based on the latest scientific data. To achieve these goals, **the Pinelands Climate Committee must commit to regular monthly public meetings and a focused effort by the staff to respond to the climate crisis, and add public experts to the committee as necessary to keep the process moving.** The Pinelands can't wait!

Sincerely,

698 Concerned residents



PINELANDS
PRESERVATION
ALLIANCE

Take Action on Climate Change

Pinelands Commission Must Act Now

The Pinelands Commission needs to prioritize action on climate change so the Pinelands National Reserve is protected. *Right now their Climate Committee is only scheduled to meet every other month this year!*

We need the Pinelands Commission to work on specific regulations that will address the root causes of climate change and to engage the scientific community, including their science staff, in creating forward-looking policies based on the latest scientific data.

The Pinelands Climate Committee must commit to regular monthly public meetings. There must be a focused effort by the staff to respond to the climate crisis. And they need to add public experts to the committee as necessary to keep the process moving. The Pinelands can't wait!

First Name	Last Name	City	State	Zip Code	Comment
Jennifer	Stein	Ramsey	NJ	07446	
Robert	Pollitto	Colts Neck	NJ	07722-1076	
Karen	Kent	Pennington	NJ	08534-1910	
John Alexander	Walsh	Blairstown	NJ	07825	
michael	paxton	Brick	NJ	08724	
Marcy	Glantz	Marlton	NJ	08053-1066	
John	Steponick	Vincentown	NJ	08088	
Cynthia	Kellogg	Mantoloking	NJ	08738-1811	
Donna	Edwards	Plainfield	NJ	07063	
Sally	Warner	Califon	NJ	07830-3211	Act now for climate change and the Pine Lands!
Janice	Cooper	Glen Rock	NJ	07452-2302	
Denise	Clarke	Mount Arlington	NJ	07856	
Franta	Broulik	Lambertville	NJ	08530-1625	
Nancy	Thelot	Maplewood	NJ	07040	
Michael	Halm	Lakewood	NJ	08701	
Kristy	Raber	Surf City	NJ	08008-4925	
Heidi	Donahue	Estell Manor	NJ	08319-1727	
Corey	Schade	Allenhurst	NJ	07711-1201	
Barbara	Vreeland	Long Valley	NJ	07853	
Harry	Bratty	Medford	NJ	08055-3405	
					Wouldn't it be nice if Climate Change only operated every other month? Unfortunately it does not - it's Going On Every Moment of Every Day!! The Pinelands Commission needs to be meeting Every Month in order to address the ongoing concerns climate change causes, especially in regards to the Pinelands. Please respect your commitment to these efforts to keep this pristine area viable into the future.
Sharon	Errickson	Medford	NJ	08055-9325	
Christine	Zon	Cedar Grove	NJ	07980	
Susan	Mikaitis	Atlantic Highlands	NJ	07716	
John	Hovan	Haledon	NJ	07508	We need to stop over development in New Jersey!
Keith	Wilkins	Mount Laurel	NJ	08054-1912	
Debra	Delaney	Newark	DE	19711-4821	
Charles	Rinear	Gibbstown	NJ	08027-1335	
Daniel	Brennan	East Rutherford	NJ	07073	
					Please take NJ climate action to heart and meet mnthly t discuss and ACT on our behalf. Thank you,
Tara	Collins	Little Egg Harbor Tw	NJ	08087-2007	
Dawn	Zelinski	Middletown	NJ	07748-3057	
eric	whitman	Branchburg	NJ	08876-5461	
Ralph	Notaro	Colonia	NJ	07067-3907	

Pat	Richter	Red Bank	NJ	07701	
Shirley	Hawthorne	Ocean View	NJ	08230-1382	
Virginia	Read	Irvington	NY	10533-2641	
Patricia	Beatty	Atco	NJ	08004-1324	
Jamey	Stofko	Barnegat	NJ	08005-2439	
Maria Nina	Scarpa	Merchantville	NJ	08109-2805	
Amanda	Smock	Kingston	NY	12401-3537	
					We need the Pinelands Commission to do all they can to protect the Pinelands National Reserve and address the Climate Change problem. We are at a critical point and action now is imperative.
Susan	Slater	Toms River	NJ	08757-6405	
Bharat	Adarkar	Englishtown	NJ	07726	
Christine	Skierski	Trenton	NJ	08610-3323	
Jessica	Romeo	Chatham	NJ	07928-1629	
Debra	Thomas	Hammonton	NJ	08037-1127	
					Please prioritize our response to climate change and how we can protect the pinelands. The Pinelands Climate Committee should meet monthly to be effective.
Janice	Ludden	Hainesport	NJ	08036-6249	
Holly	Cox	Towaco	NJ	07082-1462	
Paul	Riley	Sparta	NJ	07871-3457	
Dan	Dunn	Cherry Hill	NJ	08034-1904	
Marintha	Farber	Montague	NJ	07827	
E.	Neal	Cape May Court Hou	NJ	08210-1153	
Keri-Bo	Bates	Toms River	NJ	08753	
Michele M	Dupey	Bayonne	NJ	07002-2833	
Laura	Baehr	Laurel Springs	NJ	08021-2056	The time to act on climate change is NOW!
Laurie	Gregory	Pittstown	NJ	08867	
Jessica	Van Liere	Cherry Hill	NJ	08003-1143	
Mark	Guarino	Lakewood	NJ	08701	
Kevin	Callahan	Little Egg Harbor Twp	NJ	08087-1647	
Cathy	Taati	Marlton	NJ	08053-1433	
Bonney	Parker	Toms River	NJ	08753-7640	
Renee	Artymyshyn	Flemington	NJ	08822	
Deena	Meevers-Scholte	Toms River	NJ	08753	
virginia	puckett	Cinnaminson	NJ	08077-3404	
Thomas	Little	Berlin	NJ	08009-1449	
Julia	Cranmer	Southampton	NJ	08088-8833	
ann	malyon	Oakland	NJ	07436-2909	
Erica	Ryan	Hazlet	NJ	07730-1320	
Marc	Mostovoy	Lumberton	NJ	08048-5276	
Dennis	Morey	Millville	NJ	08332-2162	
Louis	Toscano Jr	Howell	NJ	07731-9034	

Kelly	Riley	Hatfield	PA	19440-4142	
Jeremy	Schlosberg	Avalon	NJ	08202	
Meredith	Mejia	Bloomfield	NJ	07003	
Anthony	Robiolio	Secaucus	NJ	07094-3309	
Frederick	Hills	Thorofare	NJ	08086	
Dorothy	Foley	Merchantville	NJ	08109-2642	
Julianna	King Williams	Moorestown	NJ	08057-1524	
Wendy	Armacost	Rutherford	NJ	07070	
Sandra	Van Sant	Monmouth Beach	NJ	07750-1039	
Edward	Cohen	Mount Laurel	NJ	08054	
Tabitha	Totten	Cliffside Park	NJ	07010	
Christine	Koehler	Vineland	NJ	08360-4931	
Albert	Valeri	New Brunswick	NJ	08901-2658	
Nicole	Gillespy	Trenton	NJ	08605-0851	
Jill	Aquino	Newton	NJ	07860	The Pinelands Climate Committee must commit to regular monthly public meetings. There must be a focused effort by the staff to respond to the climate crisis. And they need to add public experts to the committee as necessary to keep the process moving. The Pinelands can't wait!
Daurie	Pollitto	Matawan	NJ	07747-1506	We need the Pinelands Commission to work on specific regulations that will address the root causes of climate change and to engage the scientific community, including their science staff, in creating forward-looking policies based on the latest scientific data. The Pinelands Climate Committee must commit to regular monthly public meetings. There must be a focused effort by the staff to respond to the climate crisis. And they need to add public experts to the committee as necessary to keep the process moving.
Christine	Lytle	Hazlet	NJ	07730-2681	
Jaszmene	Smith	Bridgeton	NJ	08302-4242	
Lori	Cz	Fort Lee	NJ	07024	
Jason	Kemple	Phillipsburg	NJ	08865	
B	Hugelmeyer	Hackensack	NJ	07601	
Linda	Elsenhans	Cranbury	NJ	08512-2544	
Barbara	Avallon	Toms River	NJ	08757	
Therese	Cooper	Titusville	NJ	08560-2012	
Lisa	Elderton	Bayville	NJ	08721	
William	Tamblyn	Medford	NJ	08055	

Samantha	Feuss	Woodland Park	NJ	07424-2553	
Kirill	Bouek	South Orange	NJ	07079	
Elizabeth	Cuccaro	Montclair	NJ	07043	
Robert	MacFarlane	Barnegat	NJ	08005-2201	
Linda	DeMarzo	High Bridge	NJ	08829-1516	
Stephen	Carlson	Whiting	NJ	08759-4102	
Arthur	Douglass	Lakehurst	NJ	08733-2529	
William	Plowman	Medford	NJ	08055-9525	Thanks for all that you do
Jack	Natalini	Medford	NJ	08055-3469	
Nicole	Zanetakos	Ho Ho Kus	NJ	07423-1529	
Nan	Guptill Crain	Glen Rock	NJ	07452	
Roberta	Gardner	Jersey City	NJ	07306-5907	
Joseph	Harrington	Philadelphia	PA	19121-2709	
					Our state gem is worth more than what the Pinelands Commission is giving. Please commit to REGULAR MONTHLY MEETINGS and please ADDRESS CLIMATE CHANGE IN OUR STATE! Also, the spotted lanternflies are poised to decimate our wild blueberries, huckleberries and red maple trees. PLEASE TAKE ACTION NOW!
Tina	Cooper	Medford	NJ	08055-9154	
Steve	Urgo	Vincentown	NJ	08088	
Leon	Paley	East Brunswick	NJ	08816	
Jennifer	Talarico	Haddon Township	NJ	08108-2303	
					The climate crisis is upon us and requires our full-time, not part-time, attention.
Hallie	Bulleit	Morristown	NJ	07960	
Adele	Loigu	Whiting	NJ	08759-3110	
Thomas	Thompson	Sarasota	FL	34235-0909	Don't be complacent, be a leader.
					Yesterday yet another climate change record was broken in addition to the staggering devastation on the ground right in front of us: a continent being burned to cinders. The CO 2 level was reported to have exceeded atmospheric levels back to 40 Million years ago. Who cannot process that in their mind--mankind has one crisis above all others. So, yes, I will sign every petition of every organization with which I am affiliated to move now and hold back nothing.
Bradford	Whitman	Wynnewood	PA	19096	
Stanley	Enzweiler	Union City	NJ	07087-4186	
Paul	Sauers	Highland Park	NJ	08904-2833	
Ari	Schwartz	Teaneck	NJ	07666-4711	
Nancy	Markalunas	Eatontown	NJ	07724	
Rayat	Ahmad	Egg Harbor Township	NJ	08234	
Ruth	Bloom	Morristown	NJ	07960	

					WE ARE TIRED OF WAITING AND YOUR STALLING ON IMPORTANT ACTION. YOU, the Pinelands Climate Committee, must commit to regular monthly public meetings. YOU and your STAFF must have a focused effort to respond to the climate crisis. YOU need to add public experts to your committee to keep the process moving. The Pinelands can't wait!
Paul	Jeffrey	Seaside Heights	NJ	08751-1634	
Robert	Hearn	Maywood	NJ	07607-0974	
Jenna	Forte	Sicklerville	NJ	08081-9347	
Jennifer	Lyke	Cinnaminson	NJ	08077-2209	
Derek	Bloom	Asbury Park	NJ	07712	
Anthony	Luciotti	Cherry Hill	NJ	08002-3867	
Daniel	Kurz	Monroe Township	NJ	08831-6682	
Daniel	Weinberger	West Orange	NJ	07052-4434	
John	Meddick	Glassboro	NJ	08028	
Mary	Huber	Basking Ridge	NJ	07920	Now, more than ever, we need action. Please meet more often.
GIANNA	FLOYD	Florence	NJ	08518	
Walter	Malar	Cranford	NJ	07016-2408	
Toni	M Nase	Point Pleasant Beach	NJ	08742	
Betty Ann	Duggan	Princeton	NJ	08540-3925	
Rebecca	Rinald	Beachwood	NJ	08722	
Melissa	Pflugh	Oakland	NJ	07436-3626	
Elizabeth	Kimball	Haddonfield	NJ	08033-3818	
John	Picaroni	Edison	NJ	08820-2605	
Brian	Schwartz	Freehold	NJ	07728-8548	
Jessica	Ramirez	Butler	NJ	07405	
Glenn	Juelg	Shamong	NJ	08088-8953	
Linda	Mack	Red Bank	NJ	07701-0542	
Jeanine	Rosen	Princeton	NJ	08540	
Jyh	Lay	Kearny	NJ	07032	
Elizabeth	Poole	Shamong	NJ	08088-8904	
Elizabeth	Cerceo	Cherry Hill	NJ	08002	
Cheryl	Kobran	Beachwood	NJ	08722-2412	
Sherry	Taylor	Plainfield	NJ	07062-2206	
Jeanne	Van Orman	Pennington	NJ	08534	There is no more serious issue before us than the climate crisis. You have real power to effect outcome. PLEASE USE IT
Kate	Richman	East Brunswick	NJ	08816-2250	
Meera	Jaffrey	Jersey City	NJ	07307	The Pinelands Commission needs to meet once a month to address the root causes of climate change and create meaningful policies to combat extreme weather conditions that we are experiencing.

Ron	De Stefano	Mount Arlington	NJ	07856-2300	
Angie	Farmer	New Brunswick	NJ	08901-0414	
Barbara	Gaffney	Hillsborough	NJ	08844	
Batja	Bell	South Orange	NJ	07079	
Louis	Surovick	Voorhees	NJ	08043-2956	
Paula	Bushkoff	Princeton	NJ	08540-3925	
Anita	Kasbarian	Kenilworth	NJ	07033-1423	
Alexander	Dinell	Ocean City	NJ	08226	
Melissa	Molloie	Vincentown	NJ	08088	
Janet	Netzke	New York	NY	10024-1568	
Adelina	Floyd	Florence	NJ	08518	
Edward	Brigante	Moorestown	NJ	08057	
Cate	Manochio	Caldwell	NJ	07006-5411	
Linda	Woolston	Medford	NJ	08055-2257	
Barbara	Diamantopoulos	Toms River	NJ	08755-4008	
Jessica	Caron	Glen Rock	NJ	07452-1853	
Joan	Bernstein	Moorestown	NJ	08057-2305	
Kim	Luke	East Windsor	NJ	08512-3021	
					I am a handicapped by mobility person and can't attend the meeting or many of the activities but I am very interested in the health of the Pinelands! Those legally in charge should do their jobs. I vote!!
Georgetta	Ackers	Palmyra	NJ	08065-1728	
Tania	Rivera	Hammononton	NJ	08037-1386	
Leona and George	Fluck	Robbinsville	NJ	08691-2314	
Logan	Penna	Riverside	NJ	08075-1879	
Bonnie	Tillery	Trenton	NJ	08620-9736	
Zoe	Leach	Lawrence Township	NJ	08648-3849	
Molly	Weigel	Trenton	NJ	08618	
laura	dickey	Boonton	NJ	07005-1589	
Helen	Sheehan	Sea Girt	NJ	08750-2212	
Richard	Askins	Hillsdale	NJ	07642-1217	
Mimely	Little	Augusta	NJ	07822	
Vicki	Malsbury	Florence	NJ	08518-2703	
Holly	McDonald	Robbinsville	NJ	08691-4198	
emily	hall	Montclair	NJ	07042-4508	
					Climate change is a deadly threat. Treat this seriously!
Victoria	Gillen	Browns Mills	NJ	08015-6547	
Randall	Blecher	Hoboken	NJ	07030-5874	
Jean	Kim	Ridgewood	NJ	07450-2808	
Pamela	Lindquist	Bayonne	NJ	07002	
Kathleen	Koempel	Brick	NJ	08724-4411	
Lynnette	Krueger	Allendale	NJ	07401-2218	
					We have ONE EARTH and it is important to protect what little there is that MUST be saved. YOU are vital! Commit to regular monthly meetings!!!! Thank you
Gail	Harris	Cherry Hill	NJ	08034-3904	

Zachary	Soricelli	Jackson	NJ	08527	
Linda	Beauregard	Matawan	NJ	07747-3761	
MERJA	HARJU	VAASA	DC	65200	
Evelyn	Coscia	Maple Shade	NJ	08052	
Danielle	Petoukhoff	Haddon Heights	NJ	08035-1226	
Jennie	Pakradooni	Devon	PA	19333-1546	
Dymphna	Agos	Trenton	NJ	08610	
Jennifer	Yard	Mays Landing	NJ	08330	
Alexander	Mateus	Lexington	KY	40509-2248	
Jeanne	Golden	Linden	NJ	07036-3808	
Mark	Canright	Asbury	NJ	08802-2106	
Gordon	Carney	Atco	NJ	08004-2208	
Stephen	Borres	Teaneck	NJ	07666-4038	
Lorraine	Sing	Morristown	NJ	07960-6565	
Harriet	Hirshoren	Oakland	NJ	07436-3905	
Victoria	Druding	Egg Harbor Township	NJ	08234-7045	
Ronald	Harkov	Princeton	NJ	08540-8602	
Reed	DuBow	Bloomington	NJ	07403	
Sheila	Gujral	Maplewood	NJ	07040-1143	
Franccesca	Cardona	Davenport	FL	33897	
Mon	Mor	Elizabeth	NJ	07208	
Barbara	Sayres	Summit	NJ	07901-4106	
Megan	Murray	Matawan	NJ	07747	
Donna	Dimino	Montclair	NJ	07042	
Frances	Recca	Netcong	NJ	07857-1129	
Andy	Loigu	Manchester Townsh	NJ	08759	
Greg	Krawczyk	Princeton Junction	NJ	08550-1657	
Nancy	Corlis	Toms River	NJ	08755	
denise	meyer	Bridgewater	NJ	08807-1904	
James	Shinners	Short Hills	NJ	07078-1806	
Jill	Quaranta	Brick	NJ	08723-6220	
					The Pinelands National Reserve is an international treasure that we in New Jersey depend on. It must be protected, and climate action must be a priority for the Pinelands Commission.
Mark	Canright	Asbury	NJ	08802-2106	
Viola	Markus	Stockton	NJ	08559-1215	
Nancy	Denbo	Mount Laurel	NJ	08054	
Charlotte	Fahey	Manchester Townsh	NJ	08759	
Deanna	Amodeo	Brick	NJ	08724-2560	
Jarrett	Cloud	Morris Plains	NJ	07950-2699	
Ellen	Bleidorn	Moorestown	NJ	08057-2871	
Robert	Frederick	Lindenwold	NJ	08021-7510	
Carol	Klevans	Short Hills	NJ	07078-1018	
Takako	Ishii-Kiefer	Matawan	NJ	07747-1820	
Marilyn	Oldfield	Whiting	NJ	08759-1720	
Nicola	Vigh	Burlington	NJ	08016	

Christine	Calka	Philadelphia	PA	19135-4033	
Debra	Miller	Belvidere	NJ	07823-2710	
Michael	DiGiore	Manchester	NJ	08759-5429	
Frank	Brincka	Sussex	NJ	07461	
Justine	Floyd	Florence	NJ	08518	
Casey	VanNewenhizen	Blackwood	NJ	08012-5556	
Brian	Murray	Matawan	NJ	07747	
Stephen	Halpern	Collingswood	NJ	08108-3025	
Frank	DiDonato	Ewing	NJ	08618-1805	
Lorraine	Brabham	Hoboken	NJ	07030-5108	
Thomas	Floyd	Florence	NJ	08518	
Victoria	Mack	East Windsor	NJ	08520-5669	
Peggy	Barbella	Whitehouse Station	NJ	08889-3538	
Joseph	Barstys	Cherry Hill	NJ	08002-2322	
Joan	Batory	Philadelphia	PA	19130-7702	Original Pinelands Commissioner
Girard	Castine	Egg Harbor City	NJ	08215-4020	
Michael	Gallaway	Collingswood	NJ	08108-1917	
Francis	Genova	Union	NJ	07083-7905	
Martin	Judd	Red Bank	NJ	07701-5010	
Elizabeth	Keat	Chatham	NJ	07928-2036	
Janet	Larson	Toms River	NJ	08755-5122	
Patrick	Mulligan	Mullica Hill	NJ	08062-9569	
Stephen	Politowski	Clementon	NJ	08021-2903	
Robert	Rulli	Browns Mills	NJ	08015-8386	
Linda	Milan	West Creek	NJ	08092-9634	
Frank	Snope	Medford	NJ	08055-2219	
Randi	Rothmel	Mount Holly	NJ	08060-1824	
James	Hemm	Manahawkin	NJ	08050-3718	
					It is a disgrace that such an important committee does not meet regularly as required. Please comply with your commitment to this very important issue.
Carl	Keiser	Chester	NJ	07930	
Mary Jean	Gibbons	Browns Mills	NJ	08015-6544	
Roberta	Scott	Dunellen	NJ	08812-1244	
John	Thonet	Pittstown	NJ	08867-4113	
Barbara	Trought	Medford	NJ	08055-2220	
Michael	Paul	Hopewell	NJ	08525-1611	
Betsy	Schnorr	Moorestown	NJ	08057-3005	
Gayle	Miner	Little Egg Harbor Twp	NJ	08087-1007	
John	Swanson	Cherry Hill	NJ	08034-2837	

					Dear Commissioners, Because climate change is happening so fast, our Pinelands will be majorly impacted. Please, you need to take climate change VERY seriously and do all you can get on top and ahead of climate change impacts, for the health of the Pinelands, our wildlife, and our children and their future. Thank you.
Jane	Wiltshire	Moorestown	NJ	08057-3315	
Susan	Dowling	Medford	NJ	08055-2260	
Debra	Brewin-Wilson	Sparta	NJ	07871-2557	
					There is no path forward except effective action to halt climate change. There will be devastation of the Pinelands and the very systems that people and wildlife depend upon if we do not act.
Temma	Fishman	Medford	NJ	08055-1842	
C. DeWitt	Peterson	Moorestown	NJ	08057-4300	I thought the whole idea of the COMMISSION was to PRESERVE NATURE!!
Michael	McClure	Marlton	NJ	08053-2178	
Bonnie	Herman	Cherry Hill	NJ	08003-1406	
Christina	Zack	Burlington	NJ	08016-2357	
Robert	Colella	Marlton	NJ	08053-3935	
Roger	Graham	Moorestown	NJ	08057-1424	
Julie	Akers	Newtonville	NJ	08346-0109	
Joy	Ramer	Elwood	NJ	08217-0585	
Patricia	Hilliard	Bayonne	NJ	07002-3799	Save the Pinelands! Take action to protect one of NJ's most important natural areas.
Lisa	Quartararo	Colonia	NJ	07067-1823	
Robert W	Titus	Mahwah	NJ	07430-3104	
Robert	Kecskes	Pennington	NJ	08534-2131	
Donald	Vonderschmidt	Marlton	NJ	08053-4924	
					Please commit to regular monthly meetings to address the urgent climate issues facing our Pinelands, our country and our planet! We can not, and must not, leave this crisis to our children and grandchildren! The clock is ticking and we need to act now before it's too late.
Phil	Levy	West Creek	NJ	08092-9670	Thank you!
					We need monthly meetings to be effective and relevant. Please do not be lazy on this point.
Guy	Calafato	Brick	NJ	08724-1851	
Geraldine	Brennan	Pennsauken	NJ	08110-1734	
Beverly	Solomon	Voorhees	NJ	08043-4348	
Theodore	Chase Jr	Princeton	NJ	08540-8612	
Donna	Hadsall	Collingswood	NJ	08108-3139	
Arleen	Carlson	Whiting	NJ	08759-4102	

Robert	Steinfort	Cinnaminson	NJ	08077-2156	The earth's 6th extinction has already started. Push back against it, PLEASE!
James	MacNair	Browns Mills	NJ	08015-6636	
Karen	Crisfulla	Medford	NJ	08055-3904	
Steve	Mattan	Southampton	NJ	08088-9662	
Kathleen	Comer	Whiting	NJ	08759-3675	
Jan	Varan	Ewing	NJ	08638-1321	
Linda	McKillip	Sicklerville	NJ	08081-1613	
Erica	Johanson	Hopewell	NJ	08525-2709	
Arlene	Balassaitis	Marlton	NJ	08053-1304	
Patricia	Marino	princeton	NJ	08540	
James	Rosenthal	Cherry Hill	NJ	08003-2904	
Mark	Elman	Park Ridge	NJ	07656-1902	
Tari	Pantaleo	Plainsboro	NJ	08536-1905	
Catharine	Flaherty	Elmer	NJ	08318-2744	
Joseph	Grecco	Tabernacle	NJ	08088-9022	
Linda	Williams	Cape May Court Hou	NJ	08210-1217	
					Climate change is humanity's most critical environmental crisis. The Pinelands Commission needs to shift their focus to appropriately address its threat to the NJ Pinelands.
Harriet	Rola	Point Pleasant Boro	NJ	08742-2955	
Steven	Master	Voorhees	NJ	08043-4709	
Darene	Yersak	Shamong	NJ	08088-9464	
Jeanne	Giordano	Manahawkin	NJ	08050-3104	
Athena	Katsifis	Burlington	NJ	08016-3828	
Victor	Sytzko	Fair Lawn	NJ	07410-3706	
Patricia	Williamson	Mount Arlington	NJ	07856-1370	
Steven	Fenster	Pemberton	NJ	08068-1231	
Marilyn	Miller	Toms River	NJ	08757-4618	
Linda	Pasqule	Egg Harbor City	NJ	08215-4157	
Carol	Bishop	Delran	NJ	08075-1411	
					If not you, then who will address this climate crisis? Meet monthly and get the job done.
Bonnie	MacFarlane	Manchester	NJ	08759-5116	
Frank	Forsyth	Denville	NJ	07834-1329	
Stephanie	Seymour	Ringwood	NJ	07456-2712	
Ingeborg	Langer	Park Ridge	NJ	07656-2114	
					You must take this responsibility seriously so please start now to become more proactive in preserving our pinelands and our climate!! Future generations are depending on you.
Patricia	Budd	Mount Laurel	NJ	08054-6912	
Jane	Marancik	Basking Ridge	NJ	07920-1502	
Virginia	Testa	Clifton	NJ	07013-1382	
Timothy	Knotts	West Long Branch	NJ	07764-1188	
Carol	Fucci	Shamong	NJ	08088-9421	
Lucy	Savarese	Audubon	NJ	08106-1618	

Yvette	Lytle	Edison	NJ	08817-5713	
Kyran	Connor	Medford	NJ	08055-2742	What are y'all waiting for? The end times approach!
Katharine	LaRocca	Barnegat	NJ	08005-3319	
Carol	Suplee	Lumberton	NJ	08048-5281	
Dan	Alexander	Audubon	NJ	08106	
Randy	Brown	Egg Harbor City	NJ	08215-4162	
Alice	Andrews	Medford	NJ	08055-9423	
					The Pinelands has been a wonderful source of beauty and tranquility for us, especially during the pandemic. But we can't take it for granted. Many pressures, including industrial and residential expansion and irresponsible recreation, keep the Pinelands constantly under threat. Vigilance and decisive action are needed more than ever.
Linda	Henson	Haddon Township	NJ	08107-1834	
Ruth	Boice	Shamong	NJ	08088-8956	
Ken	Burkhardt	Quakertown	NJ	08868-0420	
Donna	Ellis	Wenonah	NJ	08090-2039	
John	D'Agostino	East Hanover	NJ	07936-3043	
ALAN	ARONOVITZ	Ventnor City	NJ	08406-1627	
Nancy	Fritz	Tuckerton	NJ	08087-3434	
Jody	Vaughn	Marmora	NJ	08223-1648	
DUSTAN	WENGER	Bellmawr	NJ	08031-2717	
Joan	Hess	Southampton	NJ	08088-9760	
Kathleen	Gardiner	Little Egg Harbor Tw	NJ	08087-1008	
Anthony	Infante	Marlton	NJ	08053-3506	
Joanne	Pannone	Robbinsville	NJ	08691-2502	
Robert	Von Zumbusch	Princeton	NJ	08540-4131	
Bob	Love	Little Egg Harbor Tw	NJ	08087-9721	
Gibson	Reynolds	Oaklyn	NJ	08107-1718	
Lori	Hartley	Mount Laurel	NJ	08054-4519	
					The Pinelands Commission needs to prioritize action on climate change. You need to act NOW to respond to the climate crisis by meeting on a monthly basis. You need to add public experts who understand the science of this crisis in order to preserve this unique, beautiful Pinelands reserve.
Rita	Reisman	Nutley	NJ	07110-2026	
Jeanette	Bergeron	Trenton	NJ	08619-1355	Leaders need to lead now.
Craig J.	Thompson	Middlesex	NJ	08846-2047	
Elaine	Egidio	Atlantic Highlands	NJ	07716-1040	
Beverly	Chabalowski	Sicklerville	NJ	08081-1329	
Patricia	Balko	Denville	NJ	07834-2820	
Regina	Gentert	Roebbing	NJ	08554-1002	
Catherine	Keim	Morristown	NJ	07960-5963	
Trudy	Gerlach	Wyalusing	PA	18853-8537	

Joan	Fitzsimmons	Manahawkin	NJ	08050-5439	Please increase your meetings to keep the ball rolling on this and other important issues!
Mary Anne	Borge	Lambertville	NJ	08530-1034	
John	Silverio	Marlton	NJ	08053-4233	
Janice	King	Burlington	NJ	08016-3641	
Joann	Ramos	Iselin	NJ	08830-1445	
Raven	Potosky	Whiting	NJ	08759-4113	
Ryan	Rebozo	Bradford	VT	05033-8829	
Nancy	Reid	Barnegat	NJ	08005-3306	
Edward	Tenthoff	Medford	NJ	08055-2712	Please commit to monthly public meetings.
Diane	McCreary	Sicklerville	NJ	08081-4329	
DIANE	FANUCCI	Pemberton	NJ	08068-1231	
Nan	Doud	Southampton	NJ	08088-8730	
Edward	Norkus	West Berlin	NJ	08091-1370	
Lynne	Covely	Haddonfield	NJ	08033-2109	
John J	McCoy	Vincentown	NJ	08088	
Jon	Rosenblatt	Piscataway	NJ	08854-3308	Updated regs should be put in place ASAP
Carol	Seftel	Montville	NJ	07045-9140	
karen	Timmons	Toms River	NJ	08757-5622	
Donald	Weigl	Barnegat	NJ	08005-3395	
Theresa	Donatiello-Neidich	Branchburg	NJ	08876-6101	
Margaret	Powell	Medford	NJ	08055-9370	
Laurence	Anouna	East Brunswick	NJ	08816-2833	
Terry	Friedman	Montvale	NJ	07645-1114	
Charles	Caruso	Lawrence Township	NJ	08648-1443	
M	Rossner	Summit	NJ	07902-1405	
thomas	dyer	West Long Branch	NJ	07764-1820	
William	Brown	Medford	NJ	08055-2260	
Marie	D'Anna	Ridgefield	NJ	07657-2111	
Sandra	Gordon	Whiting	NJ	08759-4306	
Elise	Aronov	Montclair	NJ	07042-5019	
Jayne	Selwa	Medford	NJ	08055-2310	
Anne	Simms	South Orange	NJ	07079-2331	
Tracy	Foster	Egg Harbor Township	NJ	08234-7806	
Curtis	Baker	Ocean City	NJ	08226-4041	
Carl	Oerke Jr	River Edge	NJ	07661-1006	
Susan	Nierenberg	Teaneck	NJ	07666-3024	
John	Kashner	Trenton	NJ	08610-1806	
Michael	Luczkow	Forked River	NJ	08731-4718	
Susan	Wheeler	Cape May	NJ	08204-4135	
William	Dreisbach	Medford	NJ	08055-9103	please prioritize actions on climate change.
Fred	Fall	Cherry Hill	NJ	08034-3724	There is no time to waste in fighting Climate Change.
Phyllis	Garr	Marlboro	NJ	07746-1379	
Beth	Obiedzinski-Garvin	Tuckerton	NJ	08087-2603	

Michele	Julian	Toms River	NJ	08753-8609	
Jay	Stephens	Island Heights	NJ	08732-0772	
Hilary	Persky	Princeton	NJ	08540-3408	
Angela	Imhof	Bloomfield	NJ	07003-3044	
Susen	Shapiro	Egg Harbor City	NJ	08215-3246	
SCOTT	BRUNO	Lawrence Township	NJ	08648-3629	
HAROLD	BLADES	Ocean	NJ	07712-3345	
Louis	Discepola	Hackensack	NJ	07601-2718	Earth and Pinelands can't wait!
Alan	Anderer	Medford	NJ	08055-9378	
Catherine	Biel	Medford	NJ	08055-2405	
Tse-en	Fan	Lindenwold	NJ	08021-1046	
Michael	Foose	Mount Laurel	NJ	08054-5920	
Joni	Wisniewski	New Egypt	NJ	08533-1610	
Richard	Puglisi	Bridgewater	NJ	08807-2533	
Michael	Lombardi	Levittown	PA	19054-2023	
Robert	Findlay	Flanders	NJ	07836-7108	
Adaria	Armstrong	Bridgeton	NJ	08302-7159	
Laura	Nesbitt	Mount Laurel	NJ	08054-6208	
Ellen	Pedersen	Vineland	NJ	08360-4118	
Victoria	Kulikowski	Highland Park	NJ	08904-2636	
Judy	Little	Berlin	NJ	08009-1449	
Arthur	Brown	Moorestown	NJ	08057-3991	
Mary	Loielo	Voorhees	NJ	08043-4781	
Irene	Osten	Jamesburg	NJ	08831-2536	
Margaret	Middaugh	Whiting	NJ	08759-2308	Climate change is impacting our precious Pinelands. Please address this critical issue!
Daniel	Scholnick	Philadelphia	PA	19143-3402	This is so important, to all of us who hold the Pinelands dear to our hearts.
Geralyn	Moss	Howell	NJ	07731-1446	
Michael	Shakarjian	Milltown	NJ	08850-1126	
Kimberly	Bayer	Toms River	NJ	08753-2380	
Donna	Connor	Hammonton	NJ	08037-4120	We need to protect these valuable Pinelands, not only for us but for the diverse insect and animal populations as well. Please get back to regular sessions. Without your help and dedication, we stand to lose so much.
Christina	Dutcher	Voorhees	NJ	08043-0263	
James	Auletto	Tabernacle	NJ	08088-9429	
Suzanne	McCarthy	Franklinville	NJ	08322-2615	
James	Florance	Denville	NJ	07834-1706	
Beverly	Neyenhouse	Barnegat	NJ	08005-2308	We need the Pinelands, not more development!
Dale	Barth	Highlands	NJ	07732-1953	
Howard	Mendel	Medford	NJ	08055-4029	
Shannon	Jacobs	Dorothy	NJ	08317-9729	

Yvonne	De Carolis	Plainsboro	NJ	08536-3112	
Thomas	Groeller	Medford	NJ	08055-8110	
Frederick	Worth	Ashland	VA	23005-3021	
Laura	Campbell	Mays Landing	NJ	08330	
Sharon	Zimmerman	Whiting	NJ	08759-3210	
Matt	Willenkin	Browns Mills	NJ	08015	
Karen	Kramer	Lumberton	NJ	08048-5048	
Shawn	Liddick	South Amboy	NJ	08879-1005	
Rebecca	Canright	Asbury	NJ	08802-2106	
Migdalia	Gonzalez	Vineland	NJ	08360	
Joseph	Boffardi	Jackson	NJ	08527-4617	Please stop corrupt builders from destroying Jackson and surrounding areas.
Mark	Stigliano	Point Pleasant Boro	NJ	08742-5257	
Edward	Casson	Cherry Hill	NJ	08003	
Melanie	Kiely	Clinton	NJ	08809	
					We need the Pinelands Commission to work on specific regulations that will address the root causes of climate change and to engage the scientific community, including their science staff, in creating forward-looking policies based on the latest scientific data. The Pinelands Climate Committee must commit to regular monthly public meetings. There must be a focused effort by the staff to respond to the climate crisis. And they need to add public experts to the committee as necessary to keep the process moving.
Nancy	Pollitto	Colts Neck	NJ	07722-1076	
Ashley	Toal	Philadelphia	PA	19146	
David	White	Beverly	NJ	08010-1847	
Kimberly	Myers	Toms River	NJ	08753-4454	
David	Snope	Califon	NJ	07830-4341	Let's go Climate Committee. Put some interest and effort into your position.
Judith	Carlson	Marlton	NJ	08053	
Ann	Sandritter	Old Bridge	NJ	08857-4521	
Rosemarie	Ceaser	Clifton	NJ	07011-1754	
Adrienne	Haberl	Little Egg Harbor Twp	NJ	08087-1763	
Theresa	Sapigao	Marlton	NJ	08053-4924	
Joseph	Ponisciak	Willingboro	NJ	08046-1924	
Carole	Griffiths	Ocean View	NJ	08230	
Susan	Cole	Matawan	NJ	07747	
Maria	Lind-Hansen	Toms River	NJ	08753	
Gene	Yuzawa	Wyckoff	NJ	07481-2807	
Rosalie	Murray	Blairstown	NJ	07825	
Peter	Gotlieb	West Orange	NJ	07052-3679	
Mary	Gallagher	Maplewood	NJ	07040-2649	
millicent	rein	Matawan	NJ	07747	
Marianne	Smith	Neptune	NJ	07753-5888	

Nancy	Cunningham	Ringoes	NJ	08551-1031	
Susan	Jakob	Dumont	NJ	07628-3109	
Dean	Cifelli	Toms River	NJ	08753-2848	
Therese	Ogden	Mount Holly	NJ	08060-3262	
Amy	Greene	Flemington	NJ	08822	
Hayley	Berliner	Berkeley Heights	NJ	07922	
Carla	Elberson	Medford	NJ	08055-4014	Please take climate change more seriously by meeting monthly. This is a crisis that we are facing!
Melissa	Ramundo	Long Branch	NJ	07740-8110	
Virginia	Carbone	Brick	NJ	08723-7834	
jane	leichner	Haddon Township	NJ	08108-3532	Please address climate change as the crisis that it is here and now by restoring your meetings to once a month and calling in public experts as needed. It is past time to get serious about this issue and to make that clear by your actions.
Joanne	Grossi	Toms River	NJ	08757-2267	
Susan	Eckstein	Stanhope	NJ	07874-2433	
leora	broche	Berkeley Heights	NJ	07922	
Keith	Megay	Mantua	NJ	08051	
Karen	Olden	Mount Arlington	NJ	07856	
Jorge	Matos	Columbus	NJ	08022	Don't miss out on this opportunity to plan for our uncertain future. You have the power, use it wisely.
jeremy	delaney	Stockton	NJ	08559	
Lisa	Solon	Oakland	NJ	07436	
Janice	Zembrzuski	Whiting	NJ	08759-1887	
Andrew	Colletto	New Brunswick	NJ	08903-5142	
Jeff	Tober	Southampton	NJ	08088-8811	The problem isn't theoretical and it isn't going away on its own. We need strong action and we need to TALK about and explain why we are taking strong actions. People really want leadership on this one.
Joy	Atkin	Union	NJ	07083-7628	
Robert	Dodge	Princeton	NJ	08542-3852	
Valeriya	Efimova	Jersey City	NJ	07302-2760	
warren	suckonic	Cherry Hill	NJ	08002-1856	Action has to be pusued by the legislature & Governor on climate change
Melissa	Willhouse	Marlton	NJ	08053-3612	
Anna	DeLanzo	Woodbine	NJ	08270	
Medora	Falkenberg	Little Silver	NJ	07739-1155	
Tina	Solak	Haddonfield	NJ	08033-1319	

					Climate change will not wait for us. It's here and the impact is huge already. Monthly public meetings with inclusion of climate experts will be critical in protecting such an important NJ treasure.
Beth Ann	Egan	Gibbsboro	NJ	08026	
Marylin	Wechselblatt	Wharton	NJ	07885-1816	
Gregg	Sparkman	Cranbury	NJ	08512	
Dean	Blumetti	Sparta	NJ	07871	
Alice	Ciuffo	Manchester Townsh	NJ	08759-1362	
					Please act now on climate change. Please commit to a regular monthly meeting and add experts to the committee so action can be taken now!
Linda	Newman	Medford	NJ	08055-1423	
Suzanne	Grund	Medford	NJ	08055-9706	
Steve	Koster	Trenton	NJ	08620	
					They need to be meeting more often. It's indecision and half measures like this that will leave us unprepared for serious impacts due to climate change.
Joe	Anderson	Bellmawr	NJ	08031-1403	
Lawrence	Mitchell	Medford	NJ	08055-9209	
Brian	Morrell	Stanhope	NJ	07874-0572	
Maria Rute	Correia	Elizabeth	NJ	07201-1645	
Paul	Lucente	Flemington	NJ	08822-1529	
					We must address all that Climate Change brings.
Ray	Elberson	Medford	NJ	08055-4014	
josh	noreuil	Stirling	NJ	07980-1228	
Lisa	D'Alessandro	Mays Landing	NJ	08330	
Rosemary	Weaver	Whiting	NJ	08759-3245	
Natalie	Maher	Medford	NJ	08055-9205	
Barbara	Tillman	North Bergen	NJ	07047-4125	
Debra	Marshall	Ventnor City	NJ	08406-2213	
sandra	garcia	Newark	NJ	07105-1281	
					Just look around at current development. Tell me we don't need some open space?
Francis	Groff	Brielle	NJ	08730-1208	
Sam	Zappala	Mullica Hill	NJ	08062-9339	Please give-a-damn.
John	Theobald	Asbury Park	NJ	07712-5714	
Alarys	Medina	Rutherford	NJ	07070	
Amy	Hansen	Asbury	NJ	08802-2106	
ann	malyon	Oakland	NJ	07436	
Susan	Rogozinski	Millville	NJ	08332-9659	
Maki	Murakami	Monroe Township	NJ	08831-1906	
Steve	Trojanovich	Florence	NJ	08518-1615	
Edward	Reichman	West Orange	NJ	07052-5014	
Marie	Keegan	Boonton	NJ	07005-2103	
Maxine	Jacqmin	Princeton	NJ	08540	

					Recommending that the Commission have monthly meetings. There is much to be done.
Irene	Tysh	Whiting	NJ	08759-1818	Nature needs help now.
Ted	Olszowski	Sparta	NJ	07871	
Steven	Ciesla	Branchville	NJ	07826	
Barry	Nealis	Medford	NJ	08055-9021	
Linda	Seelbach	Summit	NJ	07901-1840	
Frances	McKenna	Little Egg Harbor Tw	NJ	08087-1832	
Christina	Little	Mount Laurel	NJ	08054-4715	
Kathe	Christensen	Cape May	NJ	08204-4404	
Chris	Hazynski	Burlington	NJ	08016-3034	
Lascinda	Goetschius	Fair Lawn	NJ	07410-1498	
peter	lenshoek	Lakewood	NJ	08701-7904	we need to protect whatever nature we have left...
Janice	Haggerty	Bedminster	NJ	07921-2527	
Ben	Cohen	Philadelphia	PA	19143-1514	
Patricia	Butenis	Atco	NJ	08004-2201	
Kevin	Kimmel	Summit	NJ	07901-3476	
Stella	Petersen	Clinton	WA	98236-9220	I love the Pinelands keep it wild
Inga	Robbins	Galloway	NJ	08205-3247	
Samantha	Redonda	Bloomfield	NJ	07003-5132	
Patricia	Manno	Jackson	NJ	08527	
Toni	Guerra	Cinnaminson	NJ	08077-1556	Please respond to the climate crisis NOW! We can't wait!
Paul	Hammond	Mount Laurel	NJ	08054-3055	
kristen	bond	Shamong	NJ	08088-8956	Please preserve our beautiful pine lands!
Elizabeth	Jonach	Bernardsville	NJ	07924-2457	
Jordan	Mealey	Flemington	NJ	08822-4635	
Noel	Stoll	Matawan	NJ	07747-1506	We need the Pinelands Commission to work on specific regulations that will address the root causes of climate change and to engage the scientific community, including their science staff, in creating forward-looking policies based on the latest scientific data. The Pinelands Climate Committee must commit to regular monthly public meetings. There must be a focused effort by the staff to respond to the climate crisis. And they need to add public experts to the committee as necessary to keep the process moving.
Darren	Kramer	Newfield	NJ	08344-5150	
Linda	Bender	Mount Laurel	NJ	08054-2124	
Roger	Bynum	Mount Holly	NJ	08060-3379	
H	Cyr	Hillsborough	NJ	08844	
Steven	Rossi Jr.	West Deptford	NJ	08096-4009	
Kim	McLaren	Montclair	NJ	07043	
Jayne	Frye	Brick	NJ	08724-8115	

Douglas	Schneller	Cranford	NJ	07016-2414	
Andrew	Mumford	Red Bank	NJ	07701	
Melissa	Eden	Little Egg Harbor Tw	NJ	08087-1237	
Janice	Carlin	Hillsdale	NJ	07642	
Caitlyn	Wright	Manahawkin	NJ	08050-1643	
Judith	Weintraub	Beachwood	NJ	08722-2740	
Patricia	Rossi	Levittown	PA	19056-1016	
Stephen	Marshall	Blackwood	NJ	08012-2420	
Richard	Von Gerichten	Ocean	NJ	07712-3353	
Evie	Wills	Bordentown	NJ	08505-2514	
Brandon	Schwartz	Mahwah	NJ	07430-3420	
Kathia	Ramirez	Hammonton	NJ	08037-1624	
					In addition to meeting more frequently, please publish actionable steps to preserve and increase natural resources (e.g., maintaining and planting trees)
Marian	Reiff	Haddonfield	NJ	08033-1635	
Carly	Jordan	Berlin	NJ	08009-9608	
Dylan	Medici	Boonton	NJ	07005-1785	
Jennie	Sabato	Somers Point	NJ	08244-2223	
Siobhan	Gibbons	North Brunswick	NJ	08902-3505	
Georgian	Arsons	Rumson	NJ	07760	
Marge	Ferrance	Iselin	NJ	08830-2933	
Pamela	Barroway	Cherry Hill	NJ	08003-2253	
Hil	Feusi	Robbinsville	NJ	08691-3033	
Nicholas	Lafranchi	Riverton	NJ	08077	
Carolyn	Jacoby	Ridgewood	NJ	07450-3745	
Peter	Burval	Hillside	NJ	07205-1601	
KAREN	McGUINNESS	Hazlet	NJ	07730	
Maria	Scotto di Carlo	Tuckerton	NJ	08087-9631	Please protect the Pinelands!!!!!!
Paige	Weatherbee	Mount Holly	NJ	08060-1475	
William	Vachula	Iselin	NJ	08830-2865	
Mariel	Dryl	Denville	NJ	07834-1146	
					This cannot wait. The climate is changing for everyone RIGHT NOW! Sitting on our hands is NOT an option!
Ann	Van Hise	Cream Ridge	NJ	08514-1802	
Barbara	Andrew	Princeton	NJ	08540	
Madison	Goldeck	Sicklerville	NJ	08081-2218	
Barbara	Gombach	Hoboken	NJ	07030-4753	
Karen	Adezio	Bridgeton	NJ	08302	
Ann	Cahill-Makowsky	Bordentown	NJ	08505-2753	
James C	Walton	Elizabeth	NJ	07208	
Susan	Clark	Califon	NJ	07830-3526	
					Please commit to regular monthly meetings! It is essential to make sure the P.C. is staying up to date with the effect climate change will have on the pines.
Rachel	Grace	Marlton	NJ	08053-2665	

					We cannot lose this pristine forestland! It should be preserved permanently, as it is home to native wildlife, flora & fauna as well as a vital natural resource for carbon capture! It needs to be there in its purest state for future generations. I urge the Pinelands Climate Committee to accelerate their efforts to address climate issues which affect our Pinelands now & in future!
Nancy M	Francy	Old Bridge	NJ	08857	
Roberta	Markow	Oakhurst	NJ	07755-0636	
william	Kenney	Haddon Heights	NJ	08035	We're out of time to be out of time!
Jane	Frantz	Bordentown	NJ	08505-1324	
ANN	Robideaux	Hopewell	NJ	08525	
James	Blinn	Berkeley Heights	NJ	07922-1223	
kirk	frost	Somerset	NJ	08873	
					Climate change is a pressing issue that is continuously exacerbated by harmful anthropogenic behaviors. The Climate Committee must be made up of people that truly care about our planet and its life, and its imperative that this panel meets at least monthly (if not more frequently!) in order to discuss climate issues facing the Pine Barrens and the global community as well as solutions to reduce our exacerbation of climate change and adapt our most vulnerable to changing conditions.
Sophia	Milone	Galloway	NJ	08205	
andrew	tabussi	Toms River	NJ	08757-2614	
Michael	Munafo	Elmer	NJ	08318-3922	
Theresa	Thorsen	Somerset	NJ	08873	
Christopher	Hoffman	Raritan	NJ	08869	
William	Mccauley	Wyckoff	NJ	07481-2011	
Philip	Pepe	Brigantine	NJ	08203-3641	
John	Wheeler	Ocean View	NJ	08230-1703	
Peter	McCarthy	Newton	NJ	07860-5109	
Anita	Bhala	Pennington	NJ	08534-4308	Timeless
Denise	Scholz	Bayonne	NJ	07002-4719	
Elaine	Strause	Paoli	PA	19301-1801	
Matthew	Glassman	Trenton	NJ	08690-3308	
Cassiel	Ramirez	Elizabeth	NJ	07202-3899	
MK	Adams	West Orange	NJ	07052	
Michael	Nelson	Haworth	NJ	07641-1820	
Daniel	van Kammen	Princeton	NJ	08540-3857	
june	tullman	Morristown	NJ	07960-4802	
Cheryl	Dzubak	Trenton	NJ	08620-1531	
Laura	Otterbourg	Medford	NJ	08055-1314	

Cheryl	Alexander	Audubon	NJ	08106	
James	Pagnotta	Toms River	NJ	08757-5768	
Jean	Kalembe	Brick	NJ	08724	
Arlene	Aughey	Saddle Brook	NJ	07663-5208	
Pat	Rogers RN	Haddon Township	NJ	08108-2328	
marianne	coffey	Northvale	NJ	07647	
Diane	Lamorte	Pine Brook	NJ	07058	
Joseph	Balwierczak	Madison	NJ	07940	We need Climate Action now!
Martha	Kuhnert	Westwood	NJ	07675	
Thomas	Pluck	Clementon	NJ	08021-7404	
Robert	Sala	Belvidere	NJ	07823-2713	
Kim	Sellon	New Providence	NJ	07974-2931	
Margaret	Coveney	Westfield	NJ	07090-4368	
Nadine	Eltakhawi	Marlboro	NJ	07746-1322	
Jackie	Bain	Beach Haven	NJ	08008-4744	
Michelle	Knox	Keyport	NJ	07735	
allison	Donahue	Brick	NJ	08723-7683	
					We need the Pinelands Commission to work on specific regulations that will address the root causes of climate change and to engage the scientific community, including their science staff, in creating forward-looking policies based on the latest scientific data.
Emily	Wallace	Maple Shade	NJ	08052-2818	
Denise	Benson	Tabernacle	NJ	08088-9154	
Daryl W.	De Boer	Toms River	NJ	08757-4416	
Jeffrey	Danielewicz	Mount Ephraim	NJ	08059	
Kathleen	Bell-de los Reyes	Barnegat	NJ	08005-5642	
Leslie	Cohen	Egg Harbor City	NJ	08215	
Edward	Lang	East Brunswick	NJ	08816	
Wayne	Person	Mount Laurel	NJ	08054	
Ruth	Boroshok	Summit	NJ	07901-2981	
Wendy	Brophy	Barnegat	NJ	08005-1179	
Corinnne	White	Voorhees	NJ	08043	
Phuong	Truong	Philadelphia	PA	19111-4910	
Rhyan	Grech	Mays Landing	NJ	08330-2113	
					Our planet is burning and we can't afford to allow our Pinelands to succumb to this Climate Crisis. Protect, Preserve and Enhance this Crown Jewel of our state.
Georgina	Shanley	Red Bank	NJ	07701-2005	
Glenn	Klotz	Margate City	NJ	08402	
Bettie	Reina	Mays Landing	NJ	08330-3063	
Morgan	Cormia	Cliffside Park	NJ	07010	
Bryan	Wishik	Cliffside Park	NJ	07010	
Nancy	Cormia	Cliffside Park	NJ	07010	
Steven	Fenichel	Red Bank	NJ	07701-2005	
					The pine lands need to be protected for future generations.
Jennifer	Brennan	Florence	NJ	08518	

Shoshana	Osofsky	Bridgeton	NJ	08302-7277	Yes, yes, yes, yes we are in a climate crisis the time to act is NOW.
Cindy	Esworthy-Menendez	Moorestown	NJ	08057-1204	Every report that comes out on climate demonstrates the direction need for action
Leslie	Klemm	Moorestown	NJ	08057-2226	
John	Volpa	Marlton	NJ	08053-2503	Humanity is thirty years behind in dealing with a mass extinction of our own making. It's not only other species, the Sixth Extinction includes us. Duh. Please act now.
Virginia	Tamuts	Hammonton	NJ	08037-2533	Please start having the meetings every month, and in this age where there are extremists who want to keep drilling and polluting our environment, we need to push for renewable energy options, otherwise they'd finish making this earth uninhabitable.
Jeffrey	Tandul	Linden	NJ	07036	
Sean	Ryan	Roselle Park	NJ	07204	
Jim	Cochran	Mount Holly	NJ	08060	It's the least we can do for NJ and our planet.
Martin	Levin	Mt. Laurel	NJ	08057	
Lisa	Cubeiro	Manahawkin	NJ	08050-5203	
Maureen	Morello	Ocean City	NJ	08226-4440	
Jen	Grissom	Hopewell	NJ	08525-2808	
Charles	Maack	Trenton	NJ	08638	
Martha	Steinberg	West Creek	NJ	08092-3010	
Ibn-Umar	Abbas Parker	Fords	NJ	08863-1427	
Eleanor	Dill	Collingswood	NJ	08108-1105	The Climate Committee's work is essential. Monthly meetings need to be happening now, as well as frequent interfaces with the public.
Becky	Free	Bordentown	NJ	08505	The time is now. Climate change won't wait. Please take action.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1987-1159.062, 1991-0820.118 & 2009-0213.002)

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

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

1987-1159.062	
Applicant:	Stafford Township
Municipality:	Stafford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	June 15, 2022
Proposed Development:	Construction of a 4,000 square foot emergency services building and associated site improvements;
1991-0820.118	
Applicant:	Pemberton Township Board of Education
Municipality:	Pemberton Township
Management Area:	Pinelands Military/Federal Installation Area
Date of Report:	June 15, 2022
Proposed Development:	Construction of a parking lot, placement of a 4,980 square foot temporary classroom unit and the realignment of an existing driveway at the Fort Dix Elementary School; and
2009-0213.002	
Applicant:	Galloway Township
Municipality:	Galloway Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	June 15, 2022
Proposed Development:	Installation of a public sanitary sewer main within the White Horse Pike and Mannheim Avenue rights-of-way.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1987-1159.062, 1991-0820.118 & 2009-0213.002 for public development are hereby **approved** subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair



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



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

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

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

June 15, 2022

Matthew von der Hayden, Administrator (via email)
Stafford Township
260 Bay Avenue
Manahawkin NJ 08050

Re: Application # 1987-1159.062
Block 25, Lot 36
Stafford Township

Dear Mr. von der Hayden:

The Commission staff has completed its review of this application for construction of a 4,000 square foot emergency services building and associated site improvements. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 8, 2022 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Stafford Township Planning Board (via email)
Stafford Township Construction Code Official (via email)
Stafford Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Frank J. Little, PE, PP, CME (via email)



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

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



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

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

PUBLIC DEVELOPMENT APPLICATION REPORT

June 15, 2022

Matthew von der Hayden, Administrator (via email)
Stafford Township
260 Bay Avenue
Manahawkin NJ 08050

Application No.: 1987-1159.062
Block 25, Lot 36
Stafford Township

This application proposes construction of a 4,000 square foot emergency services building and associated site improvements on the above referenced four acre parcel in Stafford Township.

STANDARDS

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

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

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

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

The existing four acre parcel is primarily forested. Approximately 1.1 acres of forest will be cleared to accommodate the proposed development. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

The proposed development will be serviced by public sanitary sewer.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the applicant proposes to construct a stormwater infiltration basin.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on February 7, 2022. Newspaper public notice was completed on February 25, 2022. The application was designated as complete on the Commission's website on May 10, 2022. The Commission's public comment period closed on June 10, 2022. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 13 sheets, prepared by Owen, Little & Associates, Inc., and dated as follows:

 Sheets 1, 3-6 & 8 - November 30, 2021; last revised June 13, 2022
 Sheets 2, 7 & 11 - November 30, 2021; last revised January 18, 2022
 Sheets 9, 12 & 13 - November 30, 2021; last revised March 1, 2022
 Sheet 10 - January 18, 2022; last revised March 1, 2022
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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

State of New Jersey
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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

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

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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

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



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Lt. Governor

General Information: Info@pinelands.nj.gov
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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Acting Executive Director

June 15, 2022

Daniel Smith (via email)
Pemberton Township Board of Education
PO Box 228
Pemberton NJ 08068

Re: Application # 1991-0820.118
Block 943, Lot 1
Pemberton Township

Dear Mr. Smith:

The Commission staff has completed its review of this application for construction of a parking lot, placement of a 4,980 square foot temporary classroom unit and the realignment of an existing driveway at the Fort Dix Elementary School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 8, 2022 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure
c: Secretary, 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)
Andrew Yoder, EIT (via email)



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PUBLIC DEVELOPMENT APPLICATION REPORT

June 15, 2022

Daniel Smith (via email)
Pemberton Township Board of Education
PO Box 228
Pemberton NJ 08068

Application No.: 1991-0820.118
Block 943, Lot 1
Pemberton Township

This application proposes construction of a parking lot, placement of a 4,980 square foot temporary classroom unit and the realignment of an existing driveway at the Fort Dix Elementary School located on the above referenced 709.56 acre parcel in Pemberton Township. The proposed parking lot will contain 45 parking spaces.

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. 7:50-5.29(a))

The proposed development is located in a Pinelands Military and Federal Installation Area. The proposed development will be located in the Pinelands Protection Area portion of the Military and Federal Installation Area. No development is proposed in the Pinelands Preservation Area District or a Pinelands Forest Area. The proposed development is a permitted land use in a Pinelands Military and Federal Installation Area.

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

There are wetlands located within 300 feet of the parcel. The proposed development will be located at least 300 feet from wetlands.

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

The proposed development will be located partially within an existing forested area and partially within a maintained grass area. Approximately 0.77 acres of forest will be cleared to accommodate the

proposed parking lot. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin.

On July 9, 2004, the Commission approved the development of parking improvements and a stormwater infiltration basin on Block 943, Lot 1 (App. No 1991-0820.031). The stormwater infiltration basin that was constructed as part of App. No. 1991-0820.031 is not properly infiltrating stormwater runoff. To address this issue, the applicant has submitted information proposing to remove and replace the soils within the bottom of the existing stormwater infiltration basin approved in App. No. 1991-0820.031 within six weeks of initiation of the development proposed in App. No. 1991-0820.118.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on February 16, 2022. Newspaper public notice was completed on February 21, 2022. The application was designated as complete on the Commission's website on May 26, 2022. The Commission's public comment period closed on June 10, 2022. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 12 sheets, prepared by Remington & Vernick Engineers, all sheets dated September 2, 2021 and last revised May 5, 2022.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

6. Within six weeks of initiation of the development proposed in this application, or not later than December 31, 2022, the soils within the bottom of the existing stormwater infiltration basin approved by the Commission in App. No. 1991-0820.031 shall be remove and replaced as proposed by the applicant.

CONCLUSION

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



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

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

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

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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

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



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

June 15, 2022

Christian Johansen, Township Manager (via email)
Galloway Township
300 E. Jimmie Leeds Road
Galloway NJ 08205

Re: Application # 2009-0213.002
White Horse Pike and Mannheim Avenue rights-of-way
Block 459, Lot 10
Galloway Township

Dear Mr. Johansen:

The Commission staff has completed its review of this application for installation of a public sanitary sewer main within the White Horse Pike and Mannheim Avenue rights-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 8, 2022 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Galloway Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Vincent J. Polistina, PE, PP, CME (via email)



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

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

PUBLIC DEVELOPMENT APPLICATION REPORT

June 15, 2022

Christian Johansen, Township Manager (via email)
Galloway Township
300 E. Jimmie Leeds Road
Galloway NJ 08205

Application No.: 2009-0213.002
White Horse Pike and Mannheim Avenue rights-of-way
Block 459, Lot 10
Galloway Township

This application proposes installation of 2,105 linear feet of public sanitary sewer main within the White Horse Pike and Mannheim Avenue rights-of-way in Galloway Township. This application also proposes the installation of a sanitary sewer pumping station on Block 459, Lot 10.

The proposed sanitary sewer main will service existing commercial and residential development that are currently serviced by onsite septic systems.

STANDARDS

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

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

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

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

There is a wetland located on the southerly side of the White Horse Pike right of way. The CMP prohibits most development in wetlands and requires a buffer of up to 300 feet to wetlands.

The proposed sanitary sewer pumping station will be located greater than 300 feet from wetlands.

Approximately 950 linear feet of the proposed public sanitary sewer main in the White Horse Pike right of way will be located within 300 feet of the wetland. The approximately 950 linear feet of the proposed

public sanitary sewer main will maintain a 100 foot buffer to the wetland. The sanitary sewer main will be located in the disturbed road shoulder of the White Horse Pike.

Approximately 110 linear feet of the proposed public sanitary sewer main in the Mannheim Avenue right-of-way will be located within 300 feet of the wetland. The approximately 110 linear feet of the proposed public sanitary sewer main will maintain a 175 foot buffer to the wetland. The sanitary sewer main will be located in the disturbed road shoulder of Mannheim Avenue.

The CMP permits the installation of linear improvements (public sanitary sewer mains) in the required buffer to wetlands provided the applicant demonstrates that certain CMP conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer 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 required buffer to wetlands. The portion of the proposed sanitary sewer main within the required buffer to wetlands is required to replace an existing failed commercial onsite septic system. The applicant has demonstrated that the need for the sanitary sewer main overrides the importance of protecting the required buffer to wetlands.

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

The proposed development will be located under existing pavement and within maintained grassed road shoulders. The proposed soil disturbance is limited to that which is necessary to accommodate the development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The existing grasses within the maintained road shoulder are non-native. The applicant proposes to replant non-native grasses along the maintained road shoulder.

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

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

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 May 7, 2022. Newspaper public notice was completed on May 10, 2022. The application was designated as complete on the Commission's website on May 25, 2022. The Commission's public comment period closed on June 10, 2022. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of five sheets, prepared by Polistina Associates, LLC and dated as follows:

Sheet 1 - April 2022

Sheets 2 & 4 - October 12, 2018; last revised December 10, 2018

Sheet 3 - October 12, 2018; last revised May 18, 2022

Sheet 5 - January 1, 1998; last revised December 10, 2018

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



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

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

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

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: Issuing an Order to Certify Ordinance 10-2022, Amending Chapter 225 (Zoning) of the Code of Egg Harbor Township by Adopting the Timber Ridge Redevelopment Plan

Commissioner _____ moves and Commissioner _____
seconds the motion that:

WHEREAS, on October 1, 1993, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Egg Harbor Township; and

WHEREAS, Resolution #PC4-93-139 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and review of amendments to certified municipal master plans and land use ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-93-139 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on April 20, 2022, Egg Harbor Township adopted Ordinance 10-2022, amending Chapter 225 (Zoning) of the Township Code by revising Section 225-99, Timber Ridge Redevelopment Area, to incorporate the Timber Ridge Redevelopment Plan, dated February 2022; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 10-2022 on April 25, 2022; and

WHEREAS, by letter dated May 18, 2022, the Acting Executive Director notified Egg Harbor Township that Ordinance 10-2022 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 10-2022 was duly advertised, noticed and remotely held on June 7, 2022 at 9:30 a.m. with live broadcast on the Pinelands Commission’s public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Acting Executive Director has found that Ordinance 10-2022 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Acting Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 10-2022 is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission’s CMP Policy and Implementation Committee has reviewed the Acting Executive Director’s report and has recommended that Ordinance 10-2022 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 10-2022 and has reviewed the Acting Executive Director’s report; and

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

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to

1. An Order is hereby issued to certify that Ordinance 10-2022, amending Chapter 225 (Zoning) of the Code of Egg Harbor Township by adopting the Timber Ridge Redevelopment Plan, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Egg Harbor Township's certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

[illegible]

Date: _____

Laura E. Matos
Chair



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

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

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

Report on Ordinance 10-2022, Amending Chapter 225 (Zoning) of the Code of Egg Harbor Township

June 24, 2022

Egg Harbor Township
3515 Bargaintown Road
Egg Harbor Township, NJ 08234

Findings of Fact

I. Background

The Township of Egg Harbor is located in the southeastern portion of the Pinelands Area, in Atlantic County. Pinelands municipalities adjacent to Egg Harbor Township include Corbin City, Estell Manor City, Galloway Township, Hamilton Township, and Weymouth Township in Atlantic County, as well as Upper Township in Cape May County.

On October 1, 1993, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Egg Harbor Township.

On April 20, 2022, Egg Harbor Township adopted Ordinance 10-2022, amending Chapter 225, Zoning, of the Township's Code to incorporate the Timber Ridge Redevelopment Plan, dated February 2022. The Pinelands Commission received a certified copy of Ordinance 10-2022 on April 25, 2022.

By letter dated May 18, 2022, the Acting Executive Director notified the Township that Ordinance 10-2022 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following ordinance has been submitted to the Pinelands Commission for certification:

- * Ordinance 10-2022, amending Chapter 225, Zoning, of the Code of Egg Harbor Township, introduced on March 2, 2022 and adopted on April 20, 2022.

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

1. Natural Resource Inventory

Not applicable.

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

Ordinance 10-2022 amends Chapter 225, Zoning, of the Code of Egg Harbor Township to incorporate the Timber Ridge Redevelopment Plan, dated February 2022. The redevelopment plan applies to a 48.5-acre redevelopment area consisting of four vacant, wooded lots (Block 1223, Lots 5, 6, 8; Block 1305, Lot 7) located in the vicinity of the Black Horse Pike (US Route 322), Spruce Avenue and Fork Road (see Exhibit 1). Approximately 41.8 acres of the redevelopment area is within the Highway Business (HB) District, while 6.7 acres is within the RG-4 Residential (RG-4) District. The entire redevelopment area is located in a Pinelands Regional Growth Area.

The goal of the plan is to redevelop the area with commercial uses fronting the Black Horse Pike and garden apartments sited in the rear of the lots. To that end, the redevelopment plan establishes the Timber Ridge Redevelopment Area (TRRA) Overlay District. Except as modified by the redevelopment plan, the TRRA Overlay District incorporates all the land development regulations applicable to the underlying certified zoning districts, including the minimum environmental standards of the Pinelands CMP.

The TRRA Overlay District permits garden apartments at a gross residential density of 4.5 units per acre for the entirety of the redevelopment area. The redevelopment plan also requires 8 residential units be made affordable to low- and moderate-income households, which would be in addition to the maximum number of units permitted at 4.5 units per acre. In total, the redevelopment plan permits up to 226 units within the redevelopment area, which represents an increase in the residential zoning capacity of the Township's Regional Growth Area of 186 units. Standards for garden apartments include a minimum tract size of 7 acres, a maximum of 12 units per building, and a maximum building height of 35 feet.

The TRRA Overlay District also permits a variety of commercial uses, including retail, restaurants, professional and business offices, medical offices, banks, supermarkets, personal services, shopping centers, and commercial recreation facilities. Standards for commercial development include a minimum tract size of 5 acres, a minimum gross floor area of 2,500 square feet and a maximum building height of 45 feet. Within the commercial portion of the site, multiple buildings are permitted on one parcel if they are under common ownership and designed in a coordinated manner with shared maintenance, access, and parking.

The redevelopment plan also includes various design, parking and landscaping standards applicable to both residential and commercial developments. Any proposed development under this redevelopment plan is required to be substantially similar to the concept plan incorporated therein (see Exhibit 2).

Within a Regional Growth Area, the CMP allows Pinelands municipalities to permit any use, except for certain waste management facilities, provided that residential density and opportunities for the use of Pinelands Development Credits (PDCs) are appropriately accommodated (N.J.A.C. 7:50-5.28). The Township has determined that the entire redevelopment area, including the 41.8 acres currently zoned Highway Business (HB), is appropriate for residential uses. Therefore, the Township is required to provide appropriate residential densities and opportunities for the use of PDCs.

The CMP (N.J.A.C. 7:50-5.28(a)1) assigns Egg Harbor Township's Regional Growth Area a base density of 3.5 units per upland acre and requires the Township to provide bonus density of an additional 1.75 units per upland acre through the use of PDCs. In 2002, the Commission approved a 30% reduction in these required densities for the Township's Regional Growth Area in accordance with N.J.A.C. 7:50-5.28(a)7iii. As a result, the Township's overall Regional Growth Area zoning plan must accommodate a base density of only 2.5 units per upland acre and provide for additional bonus density of 1.25 units per upland acre through the use of PDCs. Based on these reduced densities and taking into consideration the 40 units already permitted by the existing underlying zoning, the Township is required to zone for at least 196 units on the 48.5 acres included in the Timber Ridge Redevelopment Area. As noted above, the Redevelopment Plan adopted by Ordinance 10-2022 permits a maximum of 226 units, which satisfies this residential zoning obligation. As discussed further in Section 8 below, opportunities for PDC use have been sufficiently accommodated and *guaranteed* if any residential units are developed in the redevelopment area.

Ordinance 10-2022 is consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

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

The Timber Ridge Redevelopment Plan adopted by Ordinance 10-2022 maintains the existing development application submission requirements and review procedures applicable to the underlying zoning districts. This includes the requirement that no local permitting agency shall determine that any application for development is complete unless it is accompanied by a Certificate of Filing from the Pinelands Commission. Therefore, this standard for certification is met.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

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

In order to comply with N.J.A.C. 7:50-5.28(a)3, the Timber Ridge Redevelopment Plan requires that PDCs be acquired and redeemed for 25% of all residential units within the redevelopment area, with the exception of up to 8 units made affordable to low- and moderate-income households as required by the plan. Any affordable units beyond the 8 required by the plan will require that PDCs be acquired and redeemed at the 25% rate. This 25% requirement is identical to that already in place in the Township's RG-4 District, which underlies a small portion of the Redevelopment Area.

As discussed in Section 2 above, the CMP requires the Township to adopt a zoning plan that permits at least 196 units in the redevelopment area. The Timber Ridge Redevelopment Plan adopted by Ordinance 10-2022 meets this requirement by permitting a maximum of 226 units, 218 of which will be market rate units and 8 of which will be affordable housing units.

The CMP also specifies that the Township's zoning plan for the area should provide an *opportunity* for the use of 60 rights (15 PDCs). Under this traditional approach, PDCs would need to be used for 33% of the units permitted in the Redevelopment Area, but only when a developer chooses to exceed the permitted base density. The adopted Redevelopment Plan takes a slightly different approach and mandates the use of PDCs for 25% of all market rate units in the Redevelopment Area, regardless of project density. This results in a requirement for acquisition and redemption of up to 55 rights (13.75 PDCs), which is 47 rights more than provided by the Township's current certified zoning plan.

While the 25% PDC requirement is not as high a number as would be provided through the more traditional approach described above requiring 33%, it is important to remember that the traditional base-density/bonus-density approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional

approach that any PDCs be used in any particular development project. Ordinance 10-2022 *guarantees* a PDC redemption rate of 25% for the residential component of any project within the redevelopment area. Given the greater certainty provided by this approach, the Acting Executive Director finds that the PDC requirements adopted by Ordinance 10-2022 are consistent with CMP standards.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Ordinance 10-2022 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Ordinance 10-2022 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

Ordinance 10-2022 does not affect lands that are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated. This standard for certification is met.

Public Hearing

A public hearing to receive testimony concerning Egg Harbor Township's application for certification of Ordinance 10-2022 was duly advertised, noticed and held on June 7, 2022, at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on Ordinance 10-2022 were accepted through June 10, 2022. However, no written comments were received.

Conclusion

Based on the Findings of Fact cited above, the Acting Executive Director has concluded that Ordinance 10-2022, amending Chapter 225, Zoning, of the Code of Egg Harbor Township, complies with Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Acting Executive Director recommends that the Commission issue an order to certify Ordinance 10-2022 of Egg Harbor Township.

SRG/DBL/KLE/CEH
Attachments

Egg Harbor Township Timber Ridge Redevelopment Plan

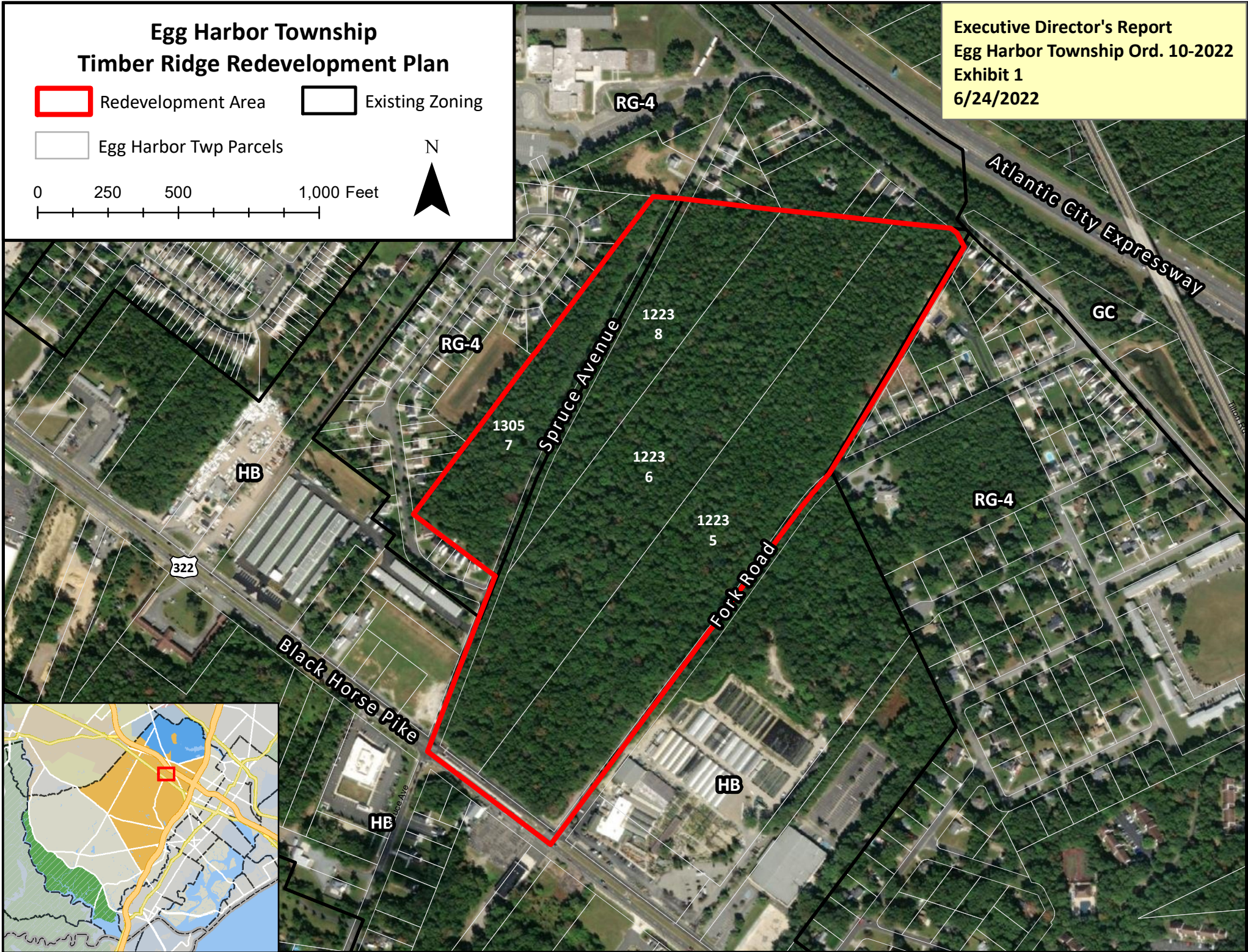
 Redevelopment Area  Existing Zoning

 Egg Harbor Twp Parcels

0 250 500 1,000 Feet

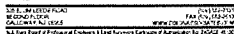


Executive Director's Report
Egg Harbor Township Ord. 10-2022
Exhibit 1
6/24/2022



Received 10 November 2004; accepted 12 November 2004

Order to graphic scale 100%, as drawing may be reduced in size during reproduction.



24



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: Issuing an Order to Certify the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022, Amending Chapter 160 (Zoning) of the Code of Evesham Township

Commissioner _____ moves and Commissioner _____
seconds the motion that:

- WHEREAS**, on July 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Evesham Township; and
- WHEREAS**, Resolution #PC4-83-57 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and review of amendments to certified municipal master plans and land use ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and
- WHEREAS**, Resolution #PC4-83-57 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and
- WHEREAS**, Resolution #PC4-06-43 of the Pinelands Commission endorsed the Southern Medford/Evesham Sub-regional Natural Resource Protection Plan, which put forth a series of implementation strategies designed to: protect important natural resources in Medford and Evesham Townships, most notably water quality; promote less land-consumptive development patterns and accommodate development within appropriate areas; establish greater predictability in the development permitting process to avoid site-specific development and natural resource conflicts; and promote land stewardship practices to further conservation objectives; and
- WHEREAS**, Resolution #PC4-06-43 further directed the Executive Director to work with the Townships of Evesham and Medford and the New Jersey Department of Environmental Protection to implement the strategies of the Southern Medford/Evesham Sub-regional Natural Resource Protection Plan; and
- WHEREAS**, on January 20, 2022, the Evesham Township Planning Board adopted Resolution 2021-PB-20, approving the Evesham Township General Reexamination and Master Plan Amendment, dated December 6, 2021; and
- WHEREAS**, the Evesham Township General Reexamination and Master Plan Amendment recommends amending the Township’s zoning plan within the Pinelands Area portion of the Township consistent with the Southern Medford/Evesham Sub-regional Natural Resource Protection Plan; and
- WHEREAS**, the Pinelands Commission received a certified copy of Planning Board Resolution 2021-PB-20 and the General Reexamination and Master Plan Amendment on January 21, 2022; and
- WHEREAS**, pursuant to N.J.A.C. 7:50-3.32 of the Comprehensive Management Plan, the Executive Director cannot accept a master plan amendment for formal review and certification without an adopted ordinance that implements said master plan, unless no such ordinance is necessary; and
- WHEREAS**, by letter dated March 9, 2022, the Acting Executive Director notified Evesham Township that the General Reexamination and Master Plan Amendment would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification; and

WHEREAS, on May 4, 2022, Evesham Township adopted Ordinance 5-3-2022, amending Chapter 160 (Zoning) of the Code of Evesham Township, which implements the recommendations of the General Reexamination and Master Plan Amendment; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 5-3-2022 on May 17, 2022; and

WHEREAS, by letter dated May 18, 2022, the Acting Executive Director notified Evesham Township that the General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 was duly advertised, noticed and remotely held on June 7, 2022 at 9:30 a.m. with live broadcast on the Pinelands Commission’s public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Acting Executive Director has found the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Acting Executive Director has submitted a report to the Commission recommending issuance of an order to certify the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 are in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission’s CMP Policy and Implementation Committee has reviewed the Acting Executive Director’s report and has recommended that the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 and has reviewed the Acting Executive Director’s report; and

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

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

- 1. An Order is hereby issued to certify that the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022, amending Chapter 160 (Zoning) of the Code of Evesham Township, are in conformance with the Pinelands Comprehensive Management Plan.
- 2. Any additional amendments to Evesham Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____



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



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

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

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

Report on the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022, Amending Chapter 160 (Zoning) of the Code of Evesham Township

June 24, 2022

Evesham Township
984 Tuckerton Road
Marlton, NJ 08053

Findings of Fact

I. Background

The Township of Evesham is located in the western portion of the Pinelands Area, in Burlington County. Pinelands municipalities adjacent to Evesham Township's Pinelands Area include the Townships of Berlin and Waterford in Camden County and Medford Township in Burlington County.

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

Starting in June 2004, the Pinelands Commission, in coordination with Evesham Township, Medford Township, and the New Jersey Department of Environmental Protection (NJDEP), facilitated a planning process to develop the Southern Medford/Evesham Sub-regional Natural Resource Protection Plan (M-E Plan). The multi-year planning effort culminated in a plan that included strategies designed to: protect important natural resources in the project area, most notably water quality; promote less land-consumptive development patterns and accommodate development within appropriate areas; establish greater predictability in the development permitting process to avoid site-specific development and natural resource conflicts; and promote land stewardship practices to further conservation objectives.

In July 2006, the Pinelands Commission endorsed the M-E Plan and directed the Executive Director to work with the Townships of Evesham and Medford and the NJDEP to implement the strategies recommended in the plan. Subsequently, the Commission identified implementation of the M-E Plan's recommended strategies as a priority during its 2014 comprehensive plan review process.

On January 20, 2022, the Evesham Township Planning Board adopted Resolution 2021-PB-20, approving the Evesham Township General Reexamination and Master Plan Amendment, dated December 6, 2021. The report recommends amendments to the Township's zoning ordinance to establish two new zoning districts and to adopt a revised zoning map. The recommended zoning changes align with the strategies of the M-E Plan and implement a number of the rezoning recommendations made in the M-E Plan. The Pinelands Commission received a certified copy of Planning Board Resolution 2021-PB-20 and the General Reexamination and Master Plan Amendment on January 21, 2022.

By letter dated March 9, 2022, the Acting Executive Director notified Evesham Township that, in accordance with N.J.A.C. 7:50-3.32, the General Reexamination and Master Plan Amendment would be deemed incomplete until such time that one or more necessary implementing ordinances were adopted and submitted to the Commission for certification.

On May 4, 2022, Evesham Township adopted Ordinance 5-3-2022, amending Chapter 160 (Zoning) of the Code of Evesham Township and implementing the recommendations of the General Reexamination and Master Plan Amendment. The Pinelands Commission received a certified copy of Ordinance 5-3-2022 on May 17, 2022.

By letter dated May 18, 2022, the Acting Executive Director notified Evesham Township that the General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following documents have been submitted to the Pinelands Commission for certification:

- * Planning Board Resolution 2021-PB-20, approving the Evesham Township General Reexamination and Master Plan Amendment, adopted January 20, 2022; and
- * Ordinance 5-3-2022, amending Chapter 160 (Zoning) of the Code of Evesham Township, introduced on March 9, 2022 and adopted on May 4, 2022.

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

1. Natural Resource Inventory

Not applicable.

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

General Reexamination Report and Master Plan Amendment

Evesham Township's General Reexamination and Master Plan Amendment reviews the major problems and objectives related to land development identified in the Township's previous Master Plan (2006) and subsequent Reexamination Reports (2010, 2011, and 2012). It discusses the extent to which those problems and objectives have been addressed or remain valid and the extent to which there have been changes in the assumptions, policies, and objectives that previously informed the Township's master plan and development regulations. The report includes various recommendations as well as a draft ordinance and draft zoning map. These recommended zoning changes align with the strategies of the Southern Medford/Evesham Sub-regional Natural Resource Protection Plan (M-E Plan).

For the Pinelands Area portion of the Township, the report recommends rezoning a contiguous area of undeveloped, permanently preserved forested land from the Rural Development-2 (RD-2) District to the Township's existing Forest Agricultural (FA) District (see Exhibits 4 and 5). The M-E Plan recommended these lands be redesignated as Pinelands Forest Area to maintain the open space corridor that connects to Wharton State Forest in Medford Township. The proposed zoning change will necessitate a change in the underlying Pinelands Management Area from a Rural Development Area (RDA) to Forest Area.

The report also recommends establishing two new zoning districts that better recognize the large, developed communities of Barton Run and Kings Grant (see Exhibit 2 and 3). These two communities are in a Pinelands Rural Development Area (RDA). They are both sewered, include multiple housing types, and exhibit lot patterns that equate to densities of between 5 and 9 dwelling units per acre. The CMP does not permit this level of intensity in the RDA, nor does it permit sewer infrastructure in the RDA. Both developments were approved by the Commission through Waivers of Strict Compliance in the early 1980's. The Township's existing zoning for these areas is consistent with the CMP. However, in meeting the CMP's RDA requirements, it has resulted in many non-conforming lots and structures in these communities. Consequently, minor expansions or modifications to existing residential structures (i.e., construction of an outdoor deck) may only be permitted through the municipal variance process.

The M-E Plan recommended that the existing Kings Grant community be redesignated from RDA to a Regional Growth Area to ameliorate these nonconforming lots and structures and the administrative costs associated with them. The Barton Run community was not included in the M-E Plan study area. However, it is similarly impacted by its RDA status and is contiguous with an existing Regional Growth Area in Evesham Township. The proposed zoning changes will necessitate a change in the underlying Pinelands Management Area from RDA to Regional Growth Area.

Ordinance 5-3-2022

Ordinance 5-3-2022 amends Chapter 160, Zoning, of the Code of Evesham Township and implements the recommendations of the General Reexamination and Master Plan Amendment. It adopts an amended zoning map, dated August 11, 2021 (see Exhibit 1). The amended zoning map rezones approximately 671 acres from the Township's Rural Development-2 (RD-2) District to the Forest Agricultural (FA) District, where permitted uses are limited to agriculture,

forestry, low intensity recreation and clustered single-family homes at a density of one unit per 20 acres. With the exception of one relatively small lot, all lands subject to the rezoning have been permanently preserved as a result of NJDEP Green Acres easement purchases, the Sanctuary settlement agreement and homeowners association open space agreements. Redesignation to Forest Area appropriately recognizes the existing deed restrictions and land uses in the area (open space and a Girl Scout camp).

The ordinance also establishes two new zoning districts: the Regional Growth – 1 Barton Run (RG-1BR) District and the Regional Growth – 2 Kings Grant (RG-2KG) District. As discussed above, the goal of these two new districts is to align the Township's zoning plan to the existing development patterns of the Barton Run and Kings Grant communities.

The RG-1BR District permits single-family detached dwelling units, group homes, low-intensity recreation facilities and high-intensity recreation facilities, excluding amusement parks, hotels, and motels. The district also permits *existing* two-family dwelling units, single-family semi-detached, townhouses and multi-family dwelling units. The RG-1BR District has a base residential density of 0.5 units per acre and a maximum residential density of 3.0 units per acre achievable through the use of Pinelands Development Credits. The minimum lot size requirement for new single-family dwelling units is 10,000 square feet.

The RG-2KG District permits the same uses as the RG-1BR District, and additionally permits golf courses and accessory uses thereto in recognition of the existing Links Golf Club. Although the golf course itself is not included in the zoning change, the RG-2KG District boundaries have been drawn so as to incorporate the existing golf clubhouse, thereby facilitating its reconstruction and connection to sanitary sewer. In terms of residential development, the RG-2KG District has a base residential density of 0.5 units per acre and a maximum residential density of 2.0 units per acre achievable through the use of Pinelands Development Credits. The minimum lot size requirement for new single-family dwelling units is 20,000 square feet.

Dimensional requirements for existing residential uses in the RG-1BR and RG-2KG districts have been carefully selected by the Township based on a detailed survey of existing development patterns within each of these communities in order to minimize non-conforming lots and structures.

The adopted zoning map delineates the boundaries of the new RG-1BR and RG-2KG districts. These new districts incorporate lands formerly zoned Rural Development-1 (RD-1). Acreages of the zoning changes are displayed in Table 1 below. The boundaries of these zones are aligned with the existing developed areas of these communities, thereby limiting additional growth potential within these areas. It is noted that within Kings Grant, a large area of open space has been included within the RG-2KG District. This area is permanently preserved open space owned by the Kings Grant Homeowners Association. Given its relationship to the existing Kings Grant community, the Township opted to include it in the RG-2KG District.

Table 1. Summary of Pinelands Area Zoning Changes in Acres

Certified Zoning District	Proposed Zoning District			Total
	Regional Growth - 1 Barton Run (RG-1BR)	Regional Growth - 2 Kings Grant (RG-2KG)	Forest Agricultural (FA)	
Rural Development 1 (RD-1)	119	733	-	852
Rural Development 2 (RD-2)	-	-	671	671
Total	119	733	671	1,523

As noted above, all of the zoning changes implemented by Ordinance 5-3-2022 require changes to the underlying Pinelands management areas. The acreages of the management area changes are summarized in Table 2 below.

Table 2. Summary of Evesham Township's Pinelands Management Area Changes

Pinelands Management Area	Total Acres Existing	Total Acres Proposed	Net Change
Pinelands Area			
Regional Growth Area	649	1,484	+ 875
Rural Development Area	8,546	7,047	- 1,546
Forest Area	1,243	1,907	+ 671
Non-Pinelands Area			
Regional Growth Area (PNR)	3,867	3,867	-
Outside Pinelands National Reserve	4,626	4,626	-
Total	18,931	18,931	0

N.J.A.C. 7:50-5.11 of the CMP provides guidelines for the Commission to use when determining whether management area changes are appropriate to be considered via the municipal conformance process or through a formal rulemaking process to amend the CMP's Land Capability Map. Among these guidelines is consideration of whether a proposed management area change would create a free-standing management area. As indicated on the attached exhibits, the lands rezoned by Ordinance 5-3-2002 from RDA to the Forest Area represent the expansion of an existing Pinelands Forest Area. Likewise, the new RG-1BR District is connected to an existing Regional Growth Area within the Township. However, the new RG-2KG District is separated from the expanded RGA by a single lot, thus creating a small gap. The lot in question is currently zoned for commercial development and the Township has opted not to rezone it at this time. It will remain in the RDA. Although this creates a small separation between the two new RGA zoning districts, the intent of the CMP guideline is met because the management area change is merely a recognition of existing development.

Since the new RG-1BR and RG-2KG Districts will be located within a Regional Growth Area, the CMP requires that appropriate residential density and opportunities for the use of Pinelands Development Credits are provided (N.J.A.C. 7:50-5.28). The CMP (N.J.A.C. 7:50-5.28(a)1) assigns Evesham Township's Regional Growth Area a base density of 2.0 units per upland acre and requires the Township to provide bonus density of an additional 1.0 unit per upland acre through the use of PDCs. Since minimal opportunities for development are available based on the configuration of the zones, these opportunities would largely apply to redevelopment. For example, there is interest in redeveloping the former Barton Run Swim Club property for residential development. Any such residential development or redevelopment would be subject to the 3.0 dwelling units per acre maximum density established for the new RG-1BR District, and PDCs would be required for any units above the base density of 0.5 dwelling units per acre.

The Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

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

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Ordinance 5-3-2022 rezones 875 acres from the RDA to the RGA and locates this rezoned acreage within two new zoning districts (RG-1BR and RG-2KG), both of which permit residential development. The ordinance establishes permitted residential densities for both zoning districts and provides an opportunity to increase those densities through the use of PDCs.

In the new RG-1BR District, PDCs may be used to increase density from 0.50 to 3.0 units per acre. In the new RG-2KG District, PDCs may be used to increase density from 0.50 to 2.0 units per acre. Because the boundaries of both new zones have been drawn so as to include only developed lands and deed restricted open space, future residential development is likely to be extremely limited, as is the use of PDCs. However, due to the very low base densities established by Ordinance 5-3-2002, any residential redevelopment projects that do occur will almost certainly involve the use of PDCs to achieve densities consistent with the existing developed communities. Therefore, this standard is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

The Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

The Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

The zoning changes implemented by Ordinance 5-3-2022 involve lands that are adjacent to Medford Township. These zoning changes align with a strategy of the Southern Medford/Evesham Sub-regional Natural Resource Protection Plan. The Pinelands Commission coordinated with both Medford Township and Evesham Township in the development of the plan.

Furthermore, the Kings Grant and Barton Run zoning changes have been implemented to align with existing development of those communities with minimal opportunities for additional development. The lands rezoned from RD-2 to FA are almost entirely permanently preserved lands that connect with other preserved lands in Medford. Therefore, intermunicipal conflicts are not anticipated. This standard for certification is met.

Public Hearing

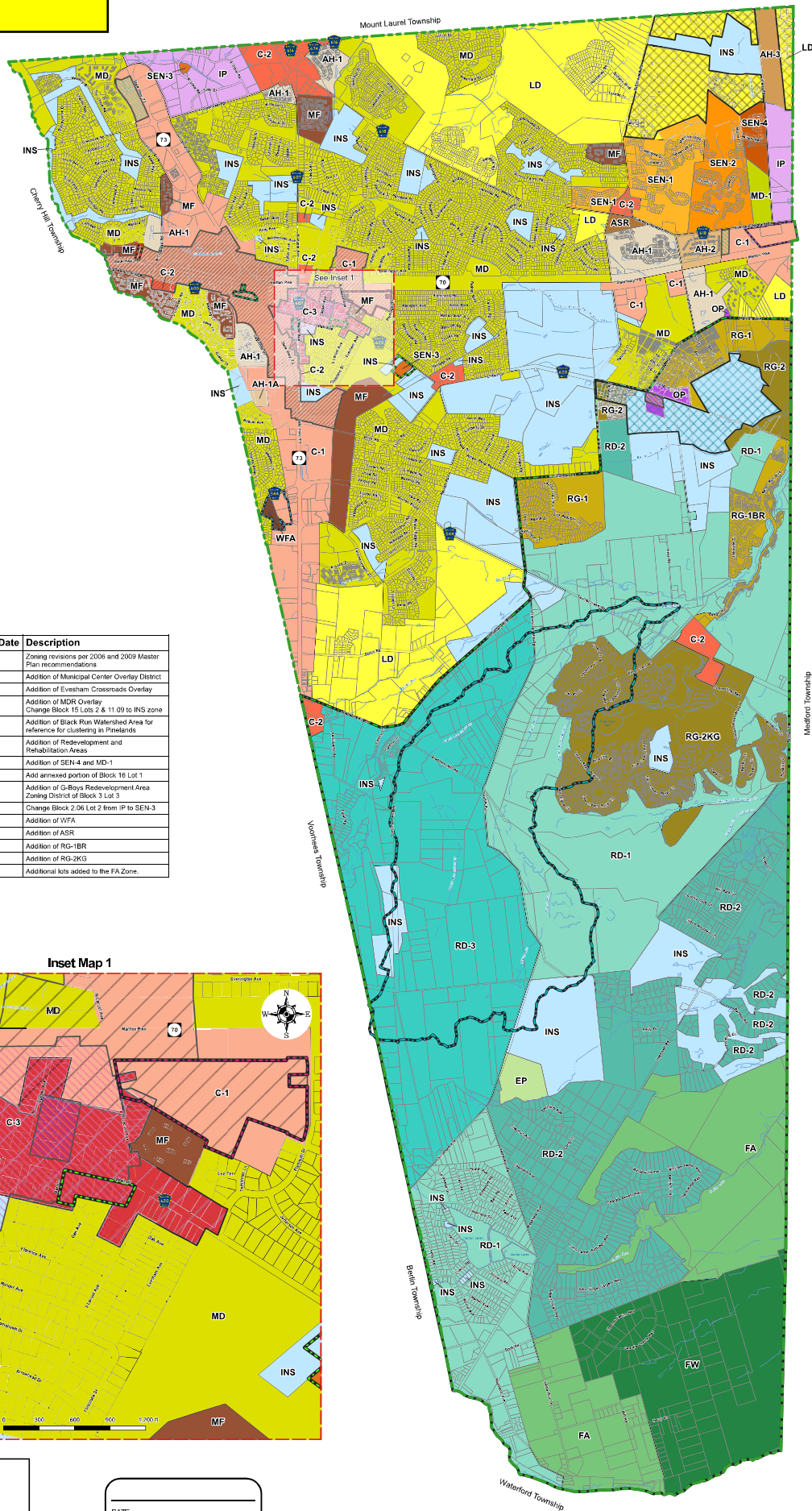
A public hearing to receive testimony concerning Evesham Township's application for certification of its General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 was duly advertised, noticed and held on June 7, 2022, at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 were accepted through June 10, 2022. However, no written comments were received.

Conclusion

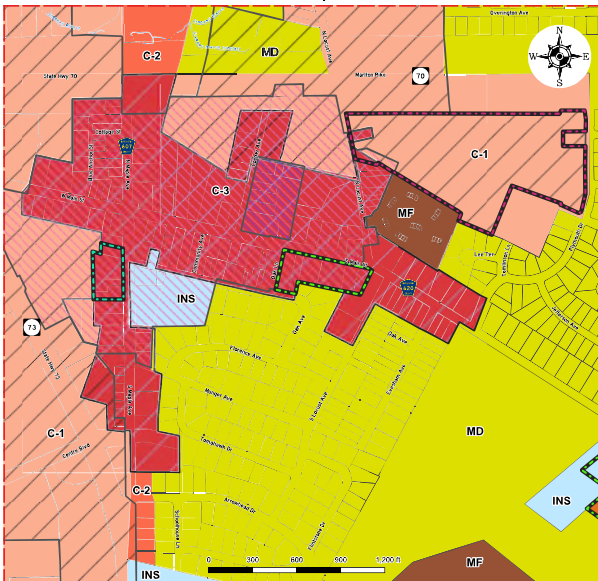
Based on the Findings of Fact cited above, the Acting Executive Director has concluded that the Evesham Township General Reexamination and Master Plan Amendment and Ordinance 5-3-2022, amending Chapter 160, Zoning, of the Code of Evesham Township, comply with Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Acting Executive Director recommends that the Commission issue an order to certify the General Reexamination and Master Plan Amendment and Ordinance 5-3-2022 of Evesham Township.

SRG/DBL/KLE/CEV
Attachments



Ordinance No.	Adoption Date	Description
12-9-2009	9/15/2009	Zoning revisions per 2008 and 2009 Master Plan recommendations
15-12-2009	12/15/2009	Addition of Municipal Center Overlay District
16-7-2010	7/13/2010	Addition of Evesham Crossroads Overlay
15-6-2011	5/17/2011	Addition of MDR Overlay Change Block 15 Lots 2 & 11 to INS zone
20-7-2012	7/25/2012	Addition of Black Run Watershed Area for reference for clustering in Prelands
28-11-2013	11/12/2013	Addition of Redevelopment and Rehabilitation Area
31-12-2013	12/17/2013	Addition of SEN-4 and MD-1
5-3-2015	3/3/2015	Add amended portion of Block 15 Lot 1
16-5-2015	5/26/2015	Addition of G-Bays Redevelopment Area Zoning District of Block 3 Lot 3
13-6-2016	6/13/2016	Change Block 2,06 Lot 2 from IP to SEN-3
14-6-2016	6/13/2016	Addition of VFA
24-12-2018	12/11/2018	Addition of ASR
--	--	Addition of RG-1BR
--	--	Addition of RG-2KG
--	--	Additional lots added to the FA Zone.

Inset Map 1



Evesham Township
 Burlington County
 August 11th, 2021

REMINGTON & VERNICK ENGINEERS
 THE PRESIDENTIAL CENTER, LINCOLN BUILDING, SUITE 600
 130 ROUTE 130, CHINAQUEN, NJ 08077
 (610) 401-2841, FAX (610) 401-1018, WWW.RVE.COM
 2014 AIA AIAA 2014 AIAA 2014 AIAA 2014 AIAA 2014 AIAA
 -AWARDING EXCELLENCE-

DATE: _____
JOSEPH M. PETRONGOLO, PP
 NJ PROFESSIONAL PLANNER No. 331.00625100

DRAFT

REVISIONS				
NO.	DESCRIPTION	DATE	BY	CHECKED BY
1				
2				
3				
4				

[illegible]

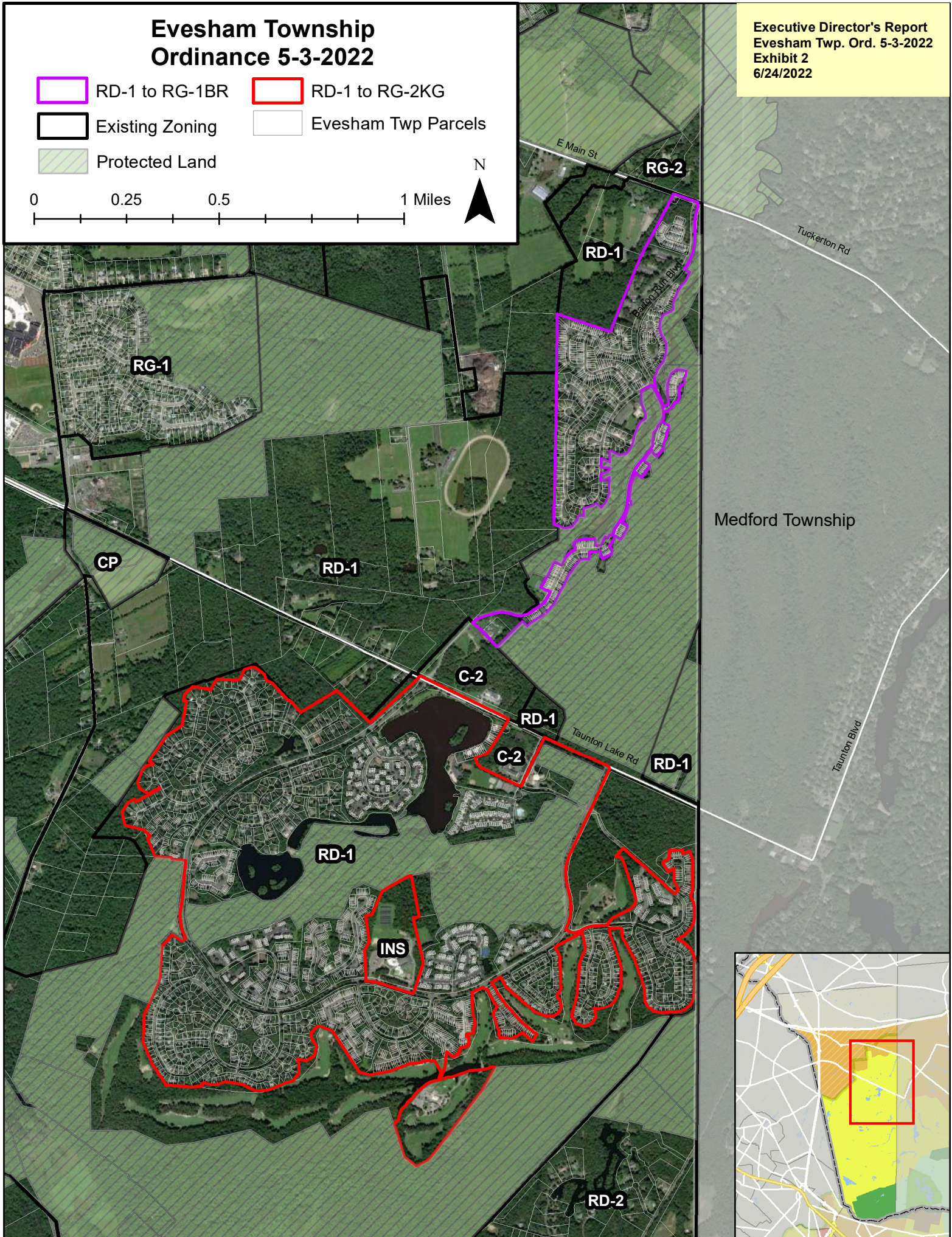
Evesham Township Ordinance 5-3-2022

- | | |
|--|---|
|  RD-1 to RG-1BR |  RD-1 to RG-2KG |
|  Existing Zoning |  Evesham Twp Parcels |
|  Protected Land | |

0 0.25 0.5 1 Miles



Executive Director's Report
Evesham Twp. Ord. 5-3-2022
Exhibit 2
6/24/2022



Medford Township

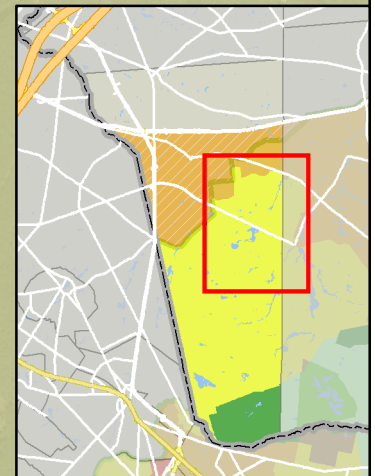
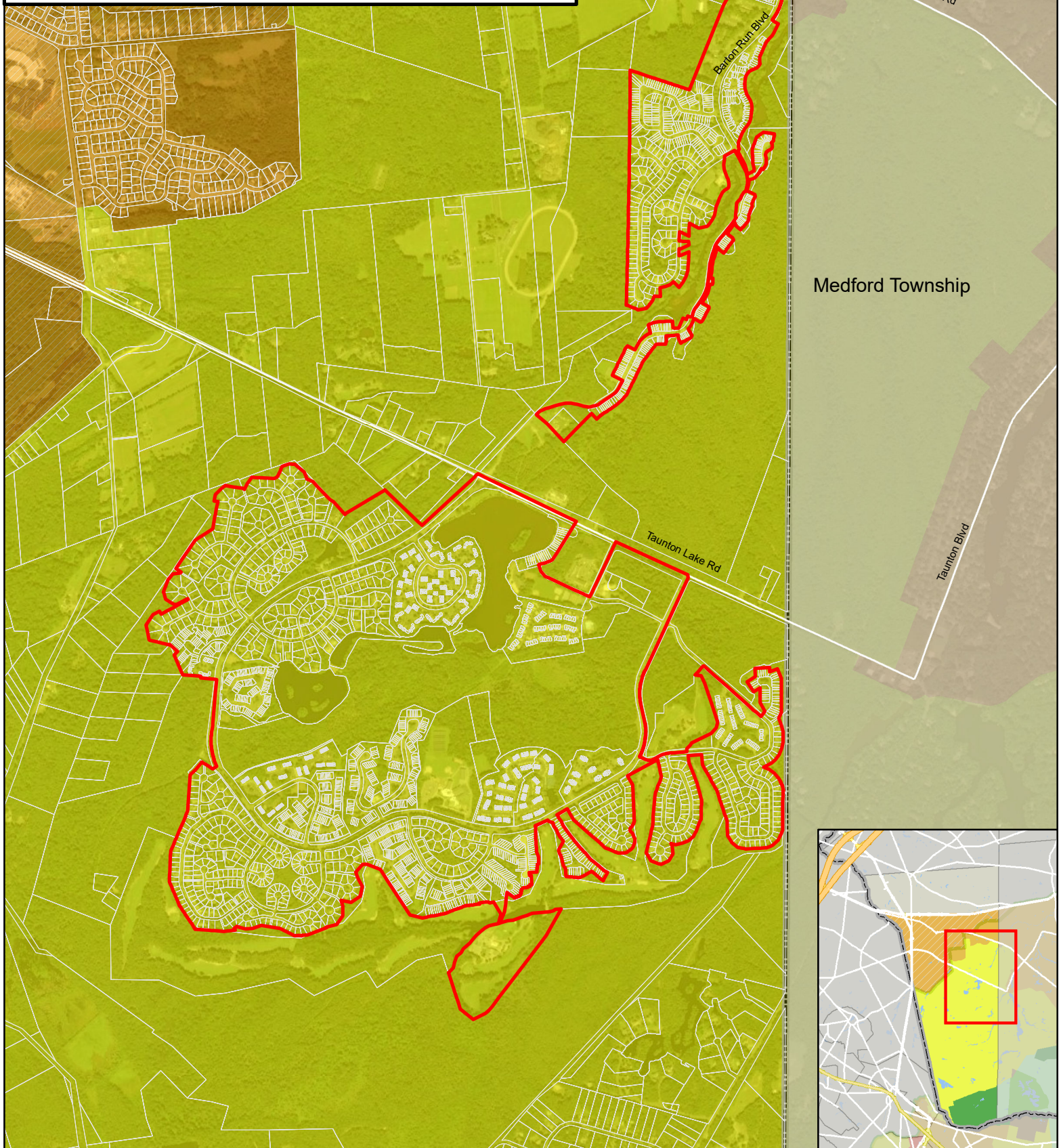
Evesham Township Ordinance 5-3-2022

-  RDA to RGA
-  Regional Growth Area
-  Evesham Twp Parcels
-  Rural Development Area

0 0.25 0.5 1 Miles



Executive Director's Report
Evesham Twp. Ord. 5-3-2021
Exhibit 3
6/24/2022



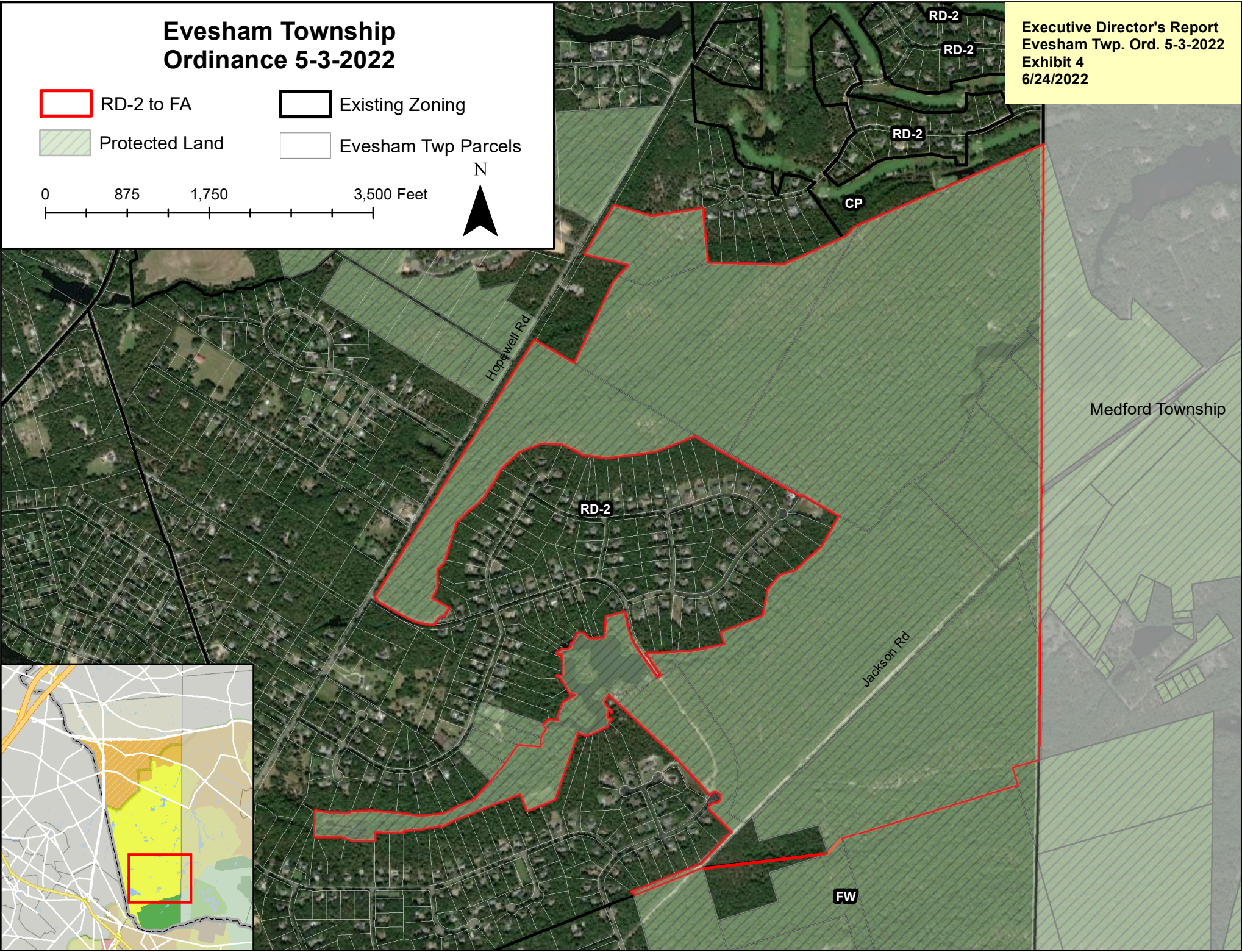
Evesham Township Ordinance 5-3-2022

- RD-2 to FA
- Existing Zoning
- Protected Land
- Evesham Twp Parcels

0 875 1,750 3,500 Feet



Executive Director's Report
Evesham Twp. Ord. 5-3-2022
Exhibit 4
6/24/2022



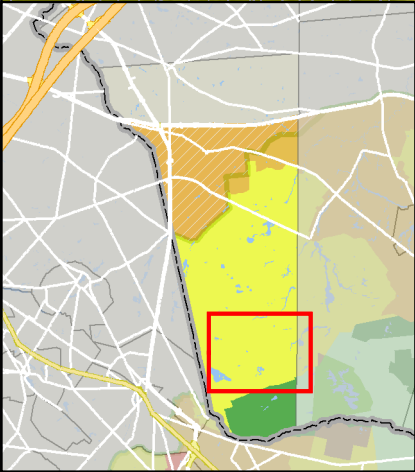
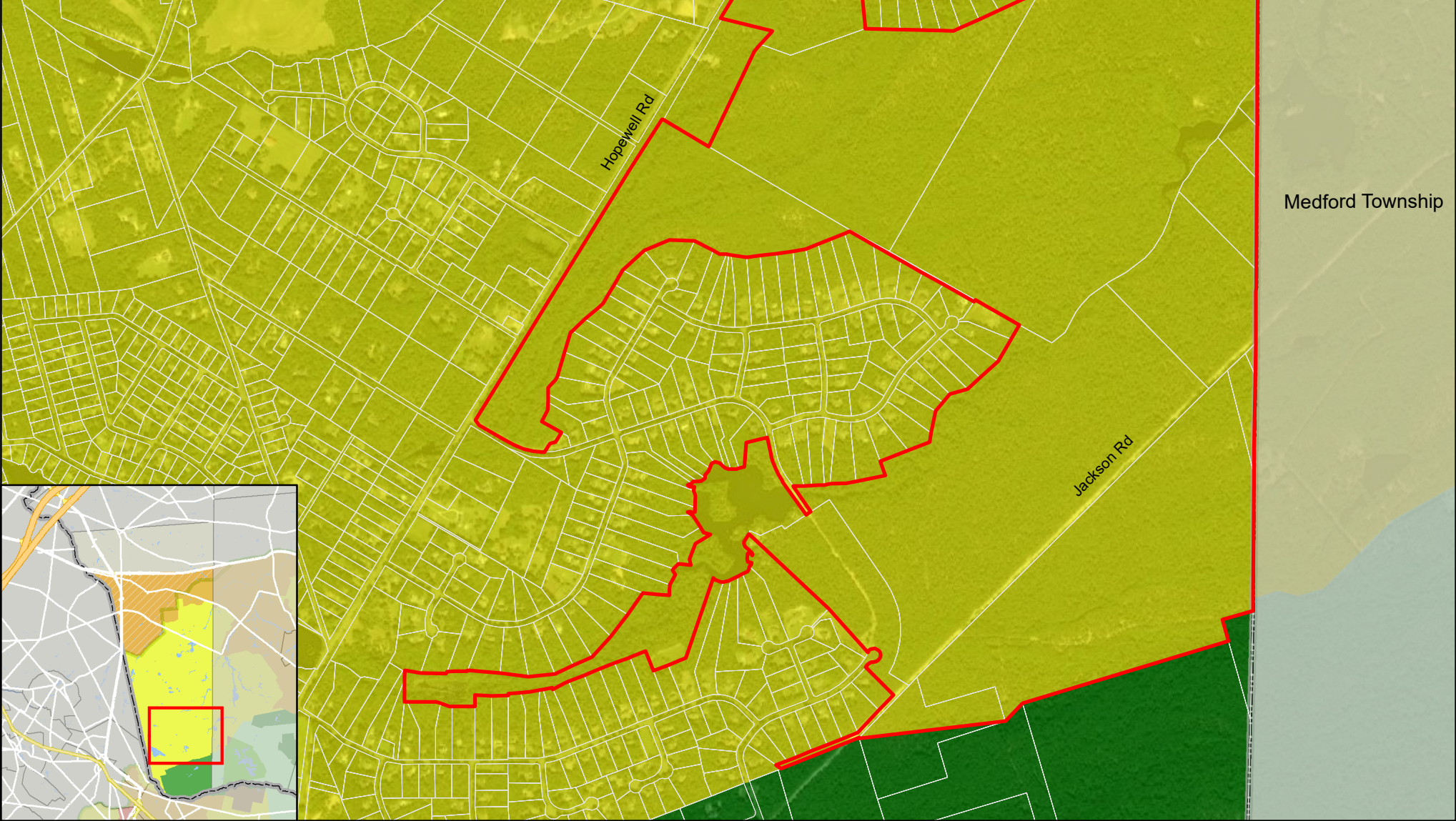
**Evesham Township
Ordinance 5-3-2022**

Executive Director's Report
Evesham Twp. Ord. 5-3-2022
Exhibit 5
6/24/2022

- RDA to FA
-
- Rural Development Area

 Evesham Twp Parcels

0 875 1,750 3,500 Feet





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: To Authorize the Acting Executive Director to Propose Amendments to the Comprehensive Management Plan in Accordance with the Administrative Procedure Act (Water Management)

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

WHEREAS, the Kirkwood-Cohansey aquifer is a fresh-water reservoir underlying the New Jersey Pinelands that contains at least 17 trillion gallons of water; and

WHEREAS, the Kirkwood-Cohansey aquifer provides potable and non-potable water to hundreds of thousands of people in South Jersey and sustains the ecology of the Pinelands by supporting wetlands and unique Pinelands vegetation and animal communities; and

WHEREAS, withdrawals from the Kirkwood-Cohansey aquifer can adversely impact the essential character of the Pinelands environment if they cause changes to habitats, reduce the quantity of water in the Preservation Area or encourage inappropriate patterns of development; and

WHEREAS, in 2001, the New Jersey Legislature enacted a law (P.L. 2001 c.165) calling for a study of the ecological impacts of human activities, including wells and diversions, on the ecology of the Pinelands Area; and

WHEREAS, the law directed the Commission, in cooperation with the New Jersey Department of Environmental Protection, Rutgers University, the United States Fish and Wildlife Service and the United States Geological Survey, to “assess and prepare a report on the key hydrologic and ecological information necessary to determine how the current and future water supply needs within the pinelands area may be met while protecting the Kirkwood-Cohansey aquifer system”; and

WHEREAS, twelve separate studies were ultimately completed in order to address two major questions: the hydrologic effects of groundwater diversions from the Kirkwood-Cohansey aquifer on stream flows and wetland water levels; and the ecological effects of streamflow and groundwater-level changes on aquatic and wetland communities; and

WHEREAS, pump tests, monitoring, and hydrologic modeling and assessment studies characterized the aquifer and generated data and an understanding of the changes to groundwater levels and streamflow that might occur from groundwater pumping; and

WHEREAS, the habitat, plant, and animal studies simulated changes to groundwater levels and evaluated the impacts of the lowered water table on those habitats, plants, and animals; and

WHEREAS, the water depth reductions simulated in the “Frog Development” study showed a clear increase in impacts to the studied species, including Pine Barrens tree frog, spring peeper, and southern leopard frog, beginning at 10 cm (4 inches) of groundwater drawdown with increasing impacts from successively greater drawdown depths; and

WHEREAS, based on these findings, the Pinelands Commission has determined that it is appropriate and necessary to amend the Comprehensive Management Plan to significantly strengthen the ecological protections of the Kirkwood-Cohansey aquifer; and

WHEREAS, the Commission is therefore proposing amendments that will provide clearer, quantifiable standards for assessing the ecological impacts of nonagricultural diversions from the aquifer, introduce new, quantifiable standards to protect the available water supply in the watershed in which a division will be located, expand the scope of wells that will be subject to the new standards, limit new or increased diversions from the Kirkwood-Cohansey to appropriate Pinelands management areas and clarify and expand water conservation requirements; and

WHEREAS, the Acting Executive Director has submitted to the Commission draft amendments to N.J.A.C. 7:50-1.6, 2.11 and 6.86 of the Comprehensive Management Plan to accomplish the above-described objectives in a manner that furthers the goals of the Comprehensive Management Plan and recognizes the special resources of the Pinelands that the Commission is charged with protecting; and

WHEREAS, the proposed Comprehensive Management Plan amendments were discussed and reviewed during focus group meetings from 2015 to 2022 hosted by the Commission, through presentations at the New Jersey Water Supply Advisory Council and during multiple public meetings of the Commission’s CMP Policy & Implementation Committee over the past several years; and

WHEREAS, the proposed amendments to the Comprehensive Management Plan have been reviewed by the Pinelands Commission; and

WHEREAS, the Pinelands Commission wishes to formally consider the amendments to the Comprehensive Management Plan set forth in the attachment hereto, dated June 22, 2022; and

WHEREAS, the Administrative Procedure Act of 1968, as amended, and the Office of Administrative Law implementing regulations set forth a detailed procedure governing proposed rulemaking; and

WHEREAS, the Pinelands Commission also wishes to obtain the comments of the public, governmental agencies and the Pinelands Municipal Council on the proposed amendments, in accordance with the Pinelands Protection Act and Subchapter 7 of the Comprehensive Management Plan; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that:

- 1. The Commission hereby authorizes the Acting Executive Director to submit the proposed amendments to the Comprehensive Management Plan, attached hereto and dated June 22, 2022, and the required supporting documentation to the Office of Administrative Law for publication as proposed regulations;
- 2. The Acting Executive Director shall transmit the proposed amendments to all Pinelands municipalities and counties and the Pinelands Municipal Council for review;
- 3. The public comment period on the proposed amendments shall extend 60 days from the date of publication of the proposal in the *New Jersey Register* and the Acting Executive Director shall affix the date of a public hearing to receive comments on the proposed amendments; and
- 4. Subsequent to the comment period, the Acting Executive Director shall expeditiously prepare proposed final amendments, with any pertinent changes to these amendments, for review by the Commission’s CMP Policy and Implementation Committee, and shall submit same to the Commission for final action.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair

June 22, 2022

ENVIRONMENTAL PROTECTION

PINELANDS COMMISSION

Pinelands Comprehensive Management Plan

Fees; Definitions; and Water Quality

Proposed Amendments: N.J.A.C. 7:50-1.6, 2.11, and 6.86

Authorized By: New Jersey Pinelands Commission, Susan R. Grogan, Acting Executive
Director.

Authority: N.J.S.A. 13:18A-6.j.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number:

A **public hearing** concerning this notice of proposal will be held on:

October 12, 2022, at 9:30 A.M.

Richard J. Sullivan Center

15C Springfield Road

New Lisbon, New Jersey

Submit written comments by regular mail, facsimile, or email by November 5, 2022, to:

Susan R. Grogan, P.P., AICP

Acting Executive Director

Pinelands Commission

PO Box 359

New Lisbon, NJ 08064

Facsimile: (609) 894-7330

Email: planning@pinelands.nj.gov or through the Commission's website at
<http://nj.gov/pinelands/home/contact/planning.shtml>

The name and mailing address of the commenter must be submitted with all public comments. Commenters who do not wish their names and affiliations to be published in any notice of adoption subsequently prepared by the Commission should so indicate when they submit their comments.

The agency proposal follows:

Summary

The New Jersey Pinelands Commission (Commission) proposes to amend Subchapter 1, General Provisions; Subchapter 2, Interpretations and Definitions; and Subchapter 6, Management Programs and Minimum Standards of the Pinelands Comprehensive Management Plan (CMP). The CMP has been guiding land use and development activities in the Pinelands since it took effect on January 14, 1981. The CMP has been amended many times, most recently in January 2022 through a set of amendments related to stormwater management (see 54 N.J.R. 138(b)).

The Kirkwood-Cohansey aquifer is a fresh-water reservoir underlying the New Jersey Pinelands and containing an estimated 17 trillion gallons of water. It is a source of potable and non-potable water to hundreds of thousands of people in South Jersey and sustains the ecology of the Pinelands by supporting wetlands and unique Pinelands vegetation and animal communities. As a result, withdrawals from the aquifer can impact the essential character of the Pinelands

environment if they cause changes to habitats, reduce the quantity of water in the Preservation Area, or encourage inappropriate patterns of development. Water withdrawals are also referred to as diversions or wells throughout this rulemaking.

The current standards in the CMP that govern water withdrawals in the Pinelands Area were last amended in 1994. As explained in greater detail below, a series of studies on the impacts of diversions on the Kirkwood-Cohansey aquifer illuminated the need to update the CMP to better protect the aquifer. The proposed amendments strengthen protections to the Kirkwood-Cohansey aquifer and the Pinelands ecology while ensuring a sufficient water supply for development in the more growth-oriented areas of the Pinelands Area.

The New Jersey Legislature enacted a law in 2001 calling for a study of the ecological impacts of human activities, such as diversions, on the ecology of the Pinelands Area. The bill directed the Commission, in cooperation with the Department of Environmental Protection, Rutgers University, the United States Fish and Wildlife Service and the United States Geological Survey, to “assess and prepare a report on the key hydrologic and ecological information necessary to determine how the current and future water supply needs within the pinelands area may be met while protecting the Kirkwood-Cohansey aquifer system.” (P.L. 2001 c. 165).

The series of studies that resulted from this bill became collectively known as the Kirkwood-Cohansey Project. The Project addressed two major questions: (1) the hydrologic effects of ground-water diversions from the Kirkwood-Cohansey aquifer on stream flows and wetland water levels and (2) the ecological effects of streamflow and ground-water-level changes on aquatic and wetland communities.

Twelve separate studies were completed as part of the Kirkwood-Cohansey Project, which are described at <https://www.nj.gov/pinelands/science/complete/kc/>. They showed a direct

correlation between simulated groundwater withdrawals and/or simulated streamflow reductions on the distribution and composition of wetland-forest communities, individual wetland species, and wetland-indicator groups. The studies assessed impacts from diversions on nine frog species, the federally endangered wetlands plant swamp pink, fish and invertebrate assemblages, and vegetation types. Taken together, the studies predicted reductions in the plants and animals that are characteristic of undisturbed Pinelands ecosystems caused by groundwater withdrawals. In particular, the studies showed that a decline of the water table by more than four inches in wetlands caused a sharp decline in wetlands vegetation and reduced the survival rates of three species of frogs found in the Pinelands, including the spring peeper, the southern leopard frog, and the state-threatened Pine Barrens tree frog.

Multiple studies in the K-C Project assessed impacts related to water supply in terms of the water budget. These studies compared water inputs through rainfall and infiltration versus water losses through transpiration and pumping. A hydrologic framework study characterized the hydrogeology of the aquifer. A hydrologic assessment of three watersheds modeled changes to the water budget and created water table maps. An evapotranspiration study evaluated impacts to the water budget due to loss of water evaporated from surfaces or transpired by vegetation. Finally, a hydrologic modeling study built on the other water budget studies by measuring groundwater and stream flow responses to groundwater withdrawal scenarios. Models were developed to estimate withdrawal impacts. The findings of the Kirkwood-Cohansey Project form the basis for most of the proposed amendments, which significantly strengthen the ecological protections of the Kirkwood-Cohansey aquifer. The Commission is proposing clearer, quantifiable standards for assessing the ecological impacts of nonagricultural diversions from the Kirkwood-Cohansey aquifer (referred to in the proposal as “adverse local impact”) and

introducing new, quantifiable standards to protect the available water supply in the watershed in which a diversion will be located (referred to in the rule as “adverse regional impact.”).

The protections to the Kirkwood-Cohansey aquifer will also be strengthened by expanding the scope of wells that will be subject to the proposed standards. The threshold pumping volume at which a well will need to meet the standards in N.J.A.C. 7:50-6.86 is being reduced from 100,000 gallons per day to 50,000 gallons per day.

The proposed amendments require applicants for diversions in the Kirkwood-Cohansey aquifer to conduct specific tests, analyses, and modelling to demonstrate whether the proposed diversion will have an adverse regional or local impact.

To protect the more ecologically sensitive areas of the Pinelands Area, the Commission is proposing to limit new or increased diversions from the Kirkwood-Cohansey aquifer to Agricultural Production Area and the more growth-oriented Pinelands Management Areas. In addition, a diversion will only be permitted if an applicant can demonstrate that no alternative water supply source is available or viable.

The amendments clarify the current water conservation requirements and impose notice requirements on well applicants in the Kirkwood-Cohansey aquifer to better address issues associated with potential limits on water available for future growth and water demand.

The only two amendments that do not apply solely to the Kirkwood-Cohansey aquifer are those related to inter- and intra-basin transfers of water. The Commission is proposing to strengthen and clarify provisions related to such transfers.

New definitions are being proposed at N.J.A.C. 7:50-2.11 for terms that are used in the proposed amendments at N.J.A.C. 7:50-6.86. The Commission is also proposing to amend its fee

schedule at N.J.A.C. 7:50-1.6 to specifically address applications for wells, in addition to making minor, non-substantive changes to the existing fee rules.

The current water management rule is broader in that it addresses diversions from all aquifers in the Pinelands Area, except for one provision that applies only to diversions in the Kirkwood-Cohansey aquifer. As explained in greater detail below, the Commission is proposing to eliminate the standards for diversions in the other aquifers and adopt standards that will apply only to diversions in the Kirkwood-Cohansey aquifer that are above the pumping threshold of 50,000 gallons per day or more. All other wells, however, will be considered development pursuant to N.J.A.C. 7:50-2.11 and subject to all other applicable provisions of the CMP. These include geothermal wells, wells not in the Kirkwood-Cohansey aquifer, and wells that are below the threshold pumping volume in the proposed new standards.

It is also important to note that the proposed new water management standards do not replace any development standards in the CMP. Well applicants must continue to comply with all other applicable standards in the CMP, including those related to the protection of threatened and endangered species at N.J.A.C. 7:50-6.27 and 6.33 and wetlands and wetlands transition areas at N.J.A.C. 7:50-6, Part 1.

Given the technical nature of the proposed standards and analysis, the United States Geological Survey (USGS) will be assisting the Commission in its review of diversion applications. To offset the costs of the USGS's review, the Commission intends to require escrow payments from diversion applicants pursuant to N.J.A.C. 7:50-1.7.

The proposed amendments were discussed and reviewed during various focus group and stakeholder meetings from 2015 to 2022 hosted by the Commission, through presentations at the New Jersey Water Supply Advisory Council, and during multiple public meetings of the full

Commission and the CMP Policy and Implementation Committee. If requested, Commission staff will also provide a presentation on the proposed amendments at a public meeting of the Pinelands Municipal Council (PMC). The PMC, created by the Pinelands Protection Act (N.J.S.A. 13:18A-1 et seq.), is made up of the mayors of the 53 municipalities in the Pinelands Area, or their designees. The Council is empowered to review and comment upon changes to the CMP proposed by the Commission and advises the Commission on matters of interest regarding the Pinelands.

A more detailed description of the proposed amendments follows.

Subchapter 1

The Commission is proposing to amend its existing fee schedule to include a specific fee for certain well applications at N.J.A.C. 7:50-1.6. The current fee rule does not distinguish wells from other types of nonresidential development and does not adequately represent the projected costs for reviewing well applications under the proposed new standards. The Commission is proposing an application fee of \$6,000 for any well in the Kirkwood-Cohansey aquifer that is required to meet the criteria and standards at proposed N.J.A.C. 7:50-6.86(d). For all other wells, including geothermal wells and those that are not subject to the standards at proposed N.J.A.C. 7:50-6.86(d), the application fee will continue to be calculated based on construction costs as set forth at N.J.A.C. 7:50-1.6(c). The difference in the two fees reflects the more extensive review process that is concurrently being proposed at N.J.A.C. 7:50-6.86 for wells of a certain size in the Kirkwood-Cohansey aquifer.

Additional amendments to the existing fee schedule are proposed to correct a cross-reference at N.J.A.C. 7:50-1.6(c), relocate the existing text in N.J.A.C. 7:50-1.6(c) describing

typical construction costs so that it more logically follows the table provided in the rule, and clarify at N.J.A.C. 7:50-1.6(a) that development application fees, once submitted to the Commission, are not transferable to subsequent applicants.

Subchapter 2

New definitions are being added at N.J.A.C. 7:50-2.11 for terms in the proposed amendments at N.J.A.C. 7:50-6.86: “divert” or “diversion,” “stream low flow margin,” “well,” and “zone of influence.” The definitions of “divert” or “diversion” and “well” refer to withdrawals of water and are identical to those used by the New Jersey Department of Environmental Protection (hereafter referred to as DEP) in its water supply allocation permits rules at N.J.A.C. 7:19-1.3. “Stream low flow margin” and “zone of influence” are hydrogeologic terms used to measure the impacts of a diversion on the available water supply and the hydrogeology surrounding the diversion, respectively.

Subchapter 6

The Commission is proposing amendments to the water management rule at N.J.A.C. 7:50-6.86, which governs the transfer, exportation, and withdrawal of water in and from the Pinelands Area.

Export of Water Outside the Pinelands Area (recodified N.J.A.C. 7:50-6.86(a))

The Commission is proposing to recodify N.J.A.C. 7:50-6.86(b), which prohibits the export of water outside the Pinelands Area except as provided for in N.J.S.A. 58:1A-7.1, as N.J.A.C. 7:50-6.86(a).

Interbasin Transfer of Water (recodified N.J.A.C. 7:50-6.86(b))

The proposed amendments clarify and strengthen the current restriction on transferring water between different basins in the Pinelands Area (“interbasin transfer”) by explicitly prohibiting such transfers and identifying and defining two basins in the Pinelands Area at recodified N.J.A.C. 7:50-6.86(b).

The current rule at existing N.J.A.C. 7:50-6.86(a) merely requires that interbasin transfers be avoided to the “maximum extent practical.” The Commission is proposing to prohibit such transfers, to better align with the intent of the statute and reflect past policy, and to limit adverse impacts to the Pinelands environment related to the reduction in stream base flows that can result from interbasin transfers.

The current rule does not define the term “basin,” which can describe many different drainage areas or watersheds. Using watershed management areas designated by the New Jersey Department of Environmental Protection (DEP), the Commission has clarified what the term “basin” means by delineating two basins in the proposed amendments: the Atlantic and Delaware basins. As used in this provision, the Atlantic Basin includes those portions of watershed management areas within the Pinelands Area that drain to the Atlantic Ocean, including the Barnegat Bay Watershed (WMA 13), the Mullica Watershed (WMA 14), the Great Egg Harbor Watershed (WMA 15), and the Cape May Watershed (WMA 16). The Delaware River Basin includes those portions of watershed management areas that drain to the Delaware River or the Delaware Bay, including the Rancocas Watershed (WMA 19) and the Maurice, Salem, and Cohansey Watershed (WMA 17). Delineating specific basins in this way reduces ambiguity in the existing rule.

Intrabasin Transfer of Water (new N.J.A.C. 7:50-6.86(c))

The Commission is proposing to add a provision to explicitly allow the transfer of water between HUC-11 watersheds within either the Atlantic or Delaware basins at proposed N.J.A.C. 7:50-6.86(c). HUC-11 watersheds are geographic areas delineated by the United States Geological Survey and are defined in the CMP at N.J.A.C. 7:50-2.11.

This provision is intended to add clarity and flexibility to the water management standards, as the current rule is unclear as to whether such transfers are permissible. The specific allowance of intrabasin transfers is designed to provide an opportunity to address the needs of future permitted growth in the Pinelands Area. If the intrabasin transfer involves water sourced from the Kirkwood-Cohansey aquifer, it must meet the criteria and standards set forth in proposed N.J.A.C. 7:50-6.86(d).

Diversions from the Kirkwood-Cohansey Aquifer (recodified N.J.A.C. 7:50-6.86(d))

The current standard in the CMP for nonagricultural diversions from the Kirkwood-Cohansey aquifer requires only that the diversion “not result in any adverse ecological impact on the Pinelands Area.” Existing N.J.A.C. 7:50-6.86(e). The Commission is proposing to recodify this provision at N.J.A.C. 7:50-6.86(d) and strengthen it by: (1) defining “ecological impact” with specific, measurable standards; (2) requiring well applicants to conduct tests, analyses, and modelling to evaluate ecological impacts; and (3) expanding the scope of wells that will be subject to the new standards and requirements. Proposed N.J.A.C. 7:50-6.86(d).

Scope of proposed rule

The current water management standards for withdrawals from the Kirkwood-Cohansey aquifer apply only to diversions over 100,000 gallons of water per day. Existing N.J.A.C. 7:50-6.86(e). The Commission is proposing, at recodified N.J.A.C. 7:50-6.86(d), to expand the scope

of wells that will be subject to the proposed new requirements by lowering that threshold to 50,000 gallons of water or more a day.

The proposed amendments also specify that the 50,000 gallon per day threshold includes all of an applicant's existing diversions in the same HUC-11 watershed, in addition to the new or increased diversion. For example, if an applicant currently diverts 40,000 gallons of water a day and is proposing to divert an additional 20,000 gallons of water a day through a new well or from one of the applicant's existing wells in the same HUC-11 watershed, the new diversion will be subject to the new standards even though it is less than 50,000 gallons per day, as the total diversion would be 60,000 gallons of water a day. The decision to consider all of an applicant's diversions in the same HUC-11 watershed is based upon DEP's Technical Memorandum 12-2 (TM 12-2), which requires DEP to consider all diversions covered under one DEP Water Allocation Permit when evaluating new water allocation permit applications. Structuring the Commission's evaluation of water diversion impacts to groups of wells and diversions proposed or operated by the same applicant or owner mirrors the DEP requirement and should promote consistency between the two agency's review procedures.

There are two categories of wells in the Kirkwood-Cohansey aquifer that will not be subject to the new standards: (1) diversions to be used exclusively for agricultural or horticultural use; and (2) the replacement of an existing well with a diversion rate of 50,000 gallons of water per day or more, provided the existing well is sealed in accordance with N.J.A.C. 7:9-9 and the replacement well is approximately the same depth as the existing well, diverts from the same aquifer, has the same or lesser pump capacity, is within 100 feet of the existing well, and is in the same HUC-11 watershed as the existing well. N.J.A.C. 7:50-6.86(d)2.

The new standards proposed at N.J.A.C. 7:50-6.86(d) will apply only to diversions from the Kirkwood-Cohansey aquifer. All other wells will continue to be considered development pursuant to N.J.A.C. 7:50-2.11 and subject to all other applicable provisions of the CMP. These include geothermal wells, wells not in the Kirkwood-Cohansey aquifer, and wells that pump less than 50,000 gallons per day.

It should be noted that DEP requires water allocation permits for diversions greater than 100,000 gallons per day. There could be instances under the Commission's proposed amendments where an applicant in the Pinelands Area is required to meet the CMP standards for a new or increased diversion but is not required to apply for a water allocation permit from DEP for the same diversion because it is less than 100,000 gallons per day.

Permissible Areas

To protect the more ecologically sensitive portions of the Pinelands Area, the Commission is proposing to limit new or increased diversions from the Kirkwood-Cohansey aquifer to the following Pinelands Management Areas: Regional Growth Area, Pinelands Towns, Rural Development Area, Military and Federal Installation Area, and the 24 Pinelands Villages that are not located in the Pinelands Preservation Area. Not only is most existing development in the Pinelands Area located in these management areas, but the CMP also directs and encourages new development here as well. Requiring new and increased diversions to be located in the same management areas as the existing and new development to be served is fully in keeping with long-standing CMP requirements for other types of infrastructure. New and increased diversions from the Kirkwood-Cohansey aquifer will also continue to be permitted in the Agricultural Production Area, where the Commission is charged with maintaining agriculture

as an essential element of the Pinelands region. Such diversions will not be permitted in the Preservation Area District, Forest Area and Special Agricultural Production Area, which comprise the most ecologically sensitive portions of the Pinelands Area. Proposed N.J.A.C. 7:50-6.86(d)3.

Alternative Sources

Diversions from the Kirkwood-Cohansey aquifer are currently permitted only if there are no “viable alternative water supply sources” available. Existing N.J.A.C. 7:50-6.86(e)1. The Commission proposes to clarify this standard at N.J.A.C. 7:50-6.86(d)4 by permitting diversions only if an applicant demonstrates that no alternative water supply source is available or viable. The proposed amendment provides examples of alternative sources, which include non-Kirkwood-Cohansey aquifer sources and public water purveyors and suppliers. The Commission will maintain a list of alternative water supply sources, referenced in the proposed rule, which can be found on the Commission’s website. If there is an alternative water supply source on the Commission’s list that an applicant does not believe is viable, the applicant will have to demonstrate to the Commission the reason why the source is not viable. Reasons for lack of viability could include prohibitive cost, limits on available technology, and significant timing issues.

Adverse Ecological Impact

The current rules at existing N.J.A.C. 7:50-6.86(c) require all wells to be “designed and located so as to minimize impacts on wetlands and surface waters” but provide no quantifiable measures to ensure the well meets that standard. Existing N.J.A.C. 7:50-6.86(e)2 is similarly vague as it requires well applicants in the Kirkwood-Cohansey aquifer to demonstrate that the diversion “will not result in any adverse ecological impact on the Pinelands Area,” without

defining adverse ecological impact or providing any criteria for measuring the ecological impacts.

The amendments reframe the existing standards, adding clarity and measurable criteria. Proposed N.J.A.C. 7:50-6.86(d)(5) defines “adverse ecological impact” as an adverse regional impact and/or adverse local impact, which are each explained in detail at N.J.A.C. 7:50-6.86(d)(6) and (7). Quantifiable standards are being proposed at N.J.A.C. 7:50-6.86(d)(6) and (7) to help determine whether a proposed withdrawal from the Kirkwood-Cohansey aquifer will have a regional or adverse local impact.

When determining impacts to the Kirkwood-Cohansey aquifer, the Commission will consider all of the applicant’s allocations under one water allocation permit or water use registration issued by DEP in the same HUC-11 watershed. Although the existing rule at N.J.A.C. 7:50-6.86(c) was always intended to require consideration of all allocations under one permit, the language was not clear and caused confusion. Proposed N.J.A.C. 7:50-6.86(d)1 clarifies that all allocations, in addition to the proposed diversion, will be included in the evaluation if they are under one DEP water allocation permit or water use registration. For example, if an applicant already has a DEP water allocation permit for 100,000 gallons a day and has applied to the Commission for a new well that will withdraw an additional 20,000 gallons a day under the same permit, the Commission will evaluate the ecological impacts from the total withdrawal of 120,000 gallons per day. The new standards and review process set forth in these amendments will apply.

Although the existing rule at N.J.A.C. 6.86(c) requires that all wells be designed to minimize impacts on wetlands and surface waters, the proposed amendments remove that requirement for wells outside the Kirkwood-Cohansey aquifer. The decision to eliminate the

requirement is based on the fact that the Kirkwood Cohansey aquifer is the primary source of water supporting the Pinelands Area and Pinelands ecosystems. Drawdowns from other aquifers do not have the same impact on water availability and ecosystems in the Pinelands as do those from the Kirkwood-Cohansey aquifer. Wells proposed outside the Kirkwood-Cohansey aquifer will remain subject to the wetlands protection standards of the CMP, which apply to all development in the Pinelands Area. At the same time, wells in other aquifers will be required to meet other development standards in the CMP including those in Subchapter 6 that prohibit certain impacts to wetlands (N.J.A.C. 7:50 – 6.1 et seq), vegetation (N.J.A.C. 7:50-6.23 through 6.27), and to fish and wildlife (7:50-6.33 and 6.34).

Adverse Regional Impact

One of the major goals of the proposed rulemaking is to protect against decreases in regional water availability due to new or increased water diversions. A proposed diversion will be deemed to have an adverse regional impact if it, combined with all existing permitted allocations in the same HUC-11 watershed, exceeds a specific threshold at which water availability in that watershed will be deemed to be adversely impacted. Proposed N.J.A.C. 7:50-6.28(d)6. When determining whether a diversion meets this criteria, all allocations permitted and registered by DEP in that HUC-11 watershed will be considered, not just the applicant's permitted allocations.

The water availability threshold proposed by the Commission is based on the stream low flow margin, which is defined in the proposed amendments at N.J.A.C. 7:50-2.11, and used by DEP to estimate water availability throughout the State of New Jersey. Computations of the stream low flow margin are published in the New Jersey Statewide Water Supply Plan ("Water

Supply Plan”) for each HUC-11 in the State. They are an estimate of the amount of water that would remain in a stream system during a specified drought period. The Water Supply Plan includes calculations for the volume of water that can be removed from a HUC–11 watershed without impacting the stream low flow margin and stressing the watershed based on all known allocations.

The Commission is proposing to restrict the amount of water that can be diverted from a HUC-11 watershed to 20 percent of the stream low flow margin. In the event a proposed diversion cannot meet this threshold, the amendments allow applicants to offset the diversion on a gallon-for-gallon basis so that the proposed diversion, combined with all other allocations in the watershed, no longer exceeds 20 percent of the stream low flow margin. Proposed N.J.A.C. 7:50-6.86(d)5i. Examples of offset measures include: the recharge of previously non-infiltrated stormwater runoff in the Pinelands Area; the recharge of treated wastewater that is currently discharged via a regional sewage treatment plant that discharges treated wastewater into the Delaware River or Atlantic Ocean; development of a desalinization facility; and sewerage system inflow and infiltration abatement and/or water distribution infrastructure leak auditing and correction.

This same flexibility is being offered to an applicant who proposes a diversion in a HUC-11 watershed that is already constrained by withdrawals exceeding 20 percent of the stream low flow margin -- before the proposed diversion is even factored in. In those situations, the diversion will be allowed if the applicant can permanently offset the new diversion in the same manner as described at N.J.A.C. 7:50-6.86(d)5i. N.J.A.C. 7:50-6.86(d)6ii.

An applicant will be required to identify all offset measures and provide the Commission a detailed description of the measures, including the volume of water that will be offset,

timeframes for implementing the offsets, a description of the entity that will be implementing the offset measures, and an explanation of the entity's authority to implement the measures. N.J.A.C. 7:50-6.86(d)6iii(2).

It should be noted that the Commission is proposing a more stringent standard for maintaining water availability than that advised by DEP in the Water Supply Plan. As a tool for regional protection of the water table aquifer contributing to stream flows, the Water Supply Plan recommends limiting aquifer withdrawals to no more than 25 percent of the stream low flow margin. The Commission is proposing a lower threshold of total withdrawals from a HUC-11 watershed to better protect water supply in the Kirkwood-Cohansey aquifer. The more restrictive 20 percent of the stream low flow margin volume is intended to recognize climate change effects on aquifer recharge due to greater extremes in drought and rainfall patterns.

In addition, the five percent difference between the Commission's proposal and DEP's threshold also accounts for water diverted for agricultural and horticultural purposes, which the Commission does not have the authority to review or limit. The lower stream low flow margin threshold being proposed by the Commission assures that the additional five percent of the stream low flow margin allowed by DEP could be dedicated to agricultural and horticultural purposes.

The proposed amendments at N.J.A.C. 7:50-6.86(d)6 require an applicant to calculate the sum of the proposed diversion and all existing permitted allocations in the affected HUC-11 watershed. Using data from the Water Supply Plan, the applicant is required to show whether that sum exceeds 20 percent of the stream low flow margin for the year of peak use established in the New Jersey Statewide Water Supply Plan. Lastly, the applicant is required to submit a

report to the Commission detailing the calculations and the impact of the proposed diversion on the available portion of the 20 percent stream low flow margin in the affected HUC-11.

Adverse Local Impact

Proposed N.J.A.C. 7:50-6.86(d)7 prohibits a proposed diversion from having an adverse impact on wetlands and the most ecologically sensitive areas in the Pinelands Area, also referred to as an “adverse local impact.” The Commission is proposing specific, quantifiable standards to determine whether a well will have an adverse local impact. The standards are based on the studies of the Kirkwood-Cohansey Project, which revealed the adverse effects of aquifer withdrawals on the distribution of wetlands and wetland habitats necessary for the survival of threatened and endangered plant and animal species. The proposed amendments also update the methodologies currently at N.J.A.C. 7:50-6.86(c) for measuring the impact of a diversion on wetlands and surface water.

A diversion will be deemed to have an adverse local impact if it results in any drawdown of the water table in the most ecologically sensitive areas of the Pinelands, which include any portion of the Preservation Area District, a Forest Area, or a Special Agricultural Production Area in the affected HUC-11 watershed. A diversion will also be deemed to have an adverse local impact if it results in a drawdown of the water table by more than four inches of the wetland nearest to the “zone of influence,” defined at N.J.A.C. 7:50-2.11 as the area of ground water in the affected HUC-11 watershed that experiences an impact attributable to the pumping well. N.J.A.C. 7:50-6.28(d)7.

The applicant is required to conduct tests and run models to establish whether the diversion will have an adverse local impact. N.J.A.C. 7:50-6.28(d)7i. The proposed application

requirements clarify, strengthen, and update the testing methodologies in existing N.J.A.C. 7:50-6.86(c), which requires only that “hydrologic analyses” be conducted in accordance with DEP guidelines from a technical manual that has since been replaced with a newer manual with a different title. (Technical Memorandum 12-2, Hydrogeologic Testing and Reporting Procedures in Support of New Jersey Water Allocation Permit in effect at the time of application (“TM 12-2”). N.J.A.C. 7:50-6.28(d)7i (1).)

The applicant will first be required to submit an analysis of potential drawdown impacts using the Thiem analysis. After completing the Thiem analysis, the applicant is required to submit to the Commission a proposed hydrogeologic test (also known as a pump test) developed in accordance with TM12-2. N.J.A.C. 7:50-6.28(d)7i(2). This design phase gives applicants the opportunity to demonstrate to the Commission how the pump test will provide accurate results.

The pump test design can be flexible, but the proposed rule lists the minimum required design elements, which include installation of a single pumping well, observation wells to monitor water levels and collect time-drawdown data, and at least one piezometer to measure surface water and water table decline at the wetlands nearest to the proposed well. Other locations to be monitored are the nearest boundaries of a Forest Area or a Special Agricultural Production Area, or the Preservation Area District in the same HUC-11 watershed. Where one of the designated boundaries is located further from, but in the same direction as another management area boundary to be monitored (nested), the more distant boundary would not be required to have a piezometer. Where different management area boundaries are located in different directions from the proposed diversion (not nested, but adjacent), a piezometer would be required at each management area boundary. N.J.A.C. 7:50-6.28(d)7i(2)(A) to (D). The applicant may include additional observation wells or piezometers at additional locations in the

design of the pump test. As pump test design is also required by DEP, it is expected that applicants will also be conferring with the DEP Bureau of Water Allocation during pump test design to assure that the design meets requirements of that agency.

If an applicant is unable to gain access to properties where piezometers are required, the applicant may propose to install them at comparable locations if the alternate placement will adequately measure surface water and water table decline at the locations specified at N.J.A.C. 7:50-6.28(d)7i(2). In such circumstances, the applicant would be required to provide information to the Commission to show how the alternate locations will provide measurements of surface water and water table decline that are comparable to the measurements that would be taken at the preferred locations. Factors that would go into a determination of whether the alternate locations could produce comparable measurements include comparable distance from the preferred location, no known differences in other withdrawals between the preferred and alternate locations, and no known naturally occurring differences in hydrologic or hydrogeologic characteristics. An example of an alternate location that would not be approved is one where there is a 100,000 gallon per day well that is pumping between the proposed new well and the alternate location, but not between the proposed new well and the preferred location. Another example of an unacceptable alternate location is where the preferred location is a wetlands that is fed by groundwater, but the alternate location is known to be perched and fed only by infiltration (rain).

After completing the pump test, the applicant is required to submit to the Commission a hydrogeologic report prepared in accordance with TM12-2 that includes the testing procedures, data collected and analyzed, and evaluation of the effect of the proposed diversion on the Kirkwood-Cohansey aquifer. N.J.A.C. 7:50-6.28(d)7i(3). The Commission will notify the

applicant regarding whether the pump test design, test, and report have been completed appropriately in a consecutively executed application process. Applicants will be encouraged to concurrently consult with DEP as a pump test is also required by that agency.

Using the results of the hydrogeologic test, the applicant is next required to calculate an estimated zone of influence created by the proposed diversion and submit a groundwater flow model using the modular hydrologic model of the United States Geological Survey, MODFLOW. The MODFLOW model will enable the applicant to calculate the zone of influence of the water table at the nearest boundaries of the Preservation Area District, Forest Area, and Special Agricultural Production Area in the affected HUC-11 watershed as well as the boundary of the wetland nearest to the proposed diversion in the same HUC-11 watershed. N.J.A.C. 7:50-6.28(d)7i(4).

Water Conservation

The current water management rule at existing N.J.A.C. 7:50-6.86(d) requires all well applicants to “address measures in place or to be taken to increase water conservation in all areas to be served by the proposed well or system.” The Commission is proposing to reword this requirement and add clarity by defining water conservation measures as “measurable efforts by public and private water system operators and local agencies to reduce water demand by users and reduce losses in the water distribution system.” N.J.A.C. 7:50-6.86(d)8. Examples of water conservation measures include implementation of the WaterSense water conservation program of the United States Environmental Protection Agency, or of the LEEDs building standards of the United States Green Building Council, implementation of a peak demand fee structure, or requiring mandatory soil moisture/rain sensors for all landscape irrigation systems.

The Commission will no longer require water saving devices to be installed in all new development in areas served by central sewers, as is currently required at N.J.A.C. 7:50-6.86(a). Instead, it is proposing at N.J.A.C. 7:50-6.86(d)8 to broaden the water conservation measures that will be deemed acceptable as part of a well application. The current water conservation requirement is limited to areas served by sewers and was meant to be an indirect conservation measure to limit the amount of water exported from the Pinelands Area by sewer pipes, by also targeting those areas likely to be served by public community water systems. The Commission is replacing this requirement with broader and more flexible conservation requirements that do not preclude the implementation of conservation measures in sewer service areas but add options for conservation other than the difficult to enforce requirement to install water saving devices. At the same time, the proposed rule recognizes that there are some areas that may be served by public community water systems but are not connected to public sewers. While those areas may be considered to recharge any water used that is discharged to individual subsurface disposal systems, those areas may also be using large volumes of water for lawn irrigation or other consumptive uses.

Notice Requirements

Recognizing that a diversion in one municipality may affect the availability of water in another municipality, the Commission is proposing at N.J.A.C. 7:50-6.86(d)9 to require well applicants are required to notify the municipality and county in which the proposed diversion will be located as well as all other municipalities and counties in the affected HUC-11 watershed of the proposed diversion. This requirement will apply to private well applicants as well as public well applicants.

Notice for private and public well applicants is to include: a detailed description of the proposed diversion, including the source, location, quantity and/or allocation of water to be diverted; and the potential impact of the proposed diversion on the volume of water in the affected HUC-11 watershed that will be available for future diversions. Private well applicants will also have to include in their notice: a statement advising that written comments on the application may be submitted to the Pinelands Commission; a statement advising that the application is available for inspection at the office of the Pinelands Commission; and the address and phone number of the Pinelands Commission. Public well applicants are also required to comply with the existing notice provisions at N.J.A.C. 7:50-4.53(e), which apply to all major public development.

Social Impact

The Kirkwood-Cohansey aquifer is a vital resource that sustains the Pinelands ecosystem and provides potable and non-potable water to hundreds of thousands of people, businesses, and farms in southern New Jersey. The proposed amendments establish stricter standards for withdrawals from the aquifer, which will result in stronger protections to the ecosystem and greater protections to the supply of water for agricultural operations in the Pinelands Agricultural Production Area and permitted development in the more growth-oriented areas of the Pinelands Area. These enhanced protections to the Pinelands ecology and regional water supply are expected to have a positive social impact in the Pinelands Area, as protection of resources in the Pinelands benefits society within the Pinelands and in the surrounding areas. These stronger protections will ensure that existing users will be able to continue to rely on the Kirkwood-Cohansey aquifer for community water supplies, private home wells, and industrial and agricultural uses in southern New Jersey.

Economic Impact

The proposed amendments will have a positive economic impact on the growth-oriented areas of the Pinelands, as they limit new diversions from the Kirkwood-Cohansey to the Regional Growth Area, Pinelands Towns, Rural Development Area, Agricultural Production Area, Military and Federal Installation Area, and 24 specific Pinelands Villages. Wells that support new or existing development in these areas will be permissible if they meet the new proposed standards and criteria. For the existing residential and nonresidential uses and agricultural operations that currently withdraw water from the Kirkwood-Cohansey aquifer, the rules are designed to ensure continued reliance on the aquifer. This translates into an economic benefit for those water users, as accessing new water sources, such as wells, distribution lines, or utility fees, could be very costly.

There will be added costs for applicants proposing new or expanded non-agricultural diversions of at least 50,000 gallons per day from the Kirkwood-Cohansey aquifer. An application fee of \$6,000 has been established for all such proposed projects, and an escrow payment will be required to fund the USGS's review of the testing, modelling and analysis required by the proposed amendments. Since 2017, the Commission has received 30 applications for new or increased diversions, most of which proposed withdrawals from the Kirkwood-Cohansey. Of those applications, only 13 would have been subject to the application fee and escrow requirements proposed in this rulemaking.

There will be additional costs associated with new non-agricultural withdrawals of between 50,000 to 100,000 gallons per day from the aquifer, as the proposed amendments require testing, modeling and analyses to assess the ecological impact of the proposed withdrawal. DEP already requires similar analyses and modeling for diversions of 100,000

gallons per day or more. By lowering the threshold to 50,000 gallons per day, the proposed amendments will result in smaller wells in the Pinelands Area incurring costs for testing, modeling and analyses that are not currently required under DEP rules. Of the 30 applications for new or increased diversions received by the Commission since 2017, it is estimated that only eight would have incurred these additional costs, either because of the new 50,000 gallon per day threshold or because the proposed rule clarifies that wells owned in common will be grouped for purposes of determining whether the 50,000 gallon per day threshold is exceeded. Based on its past application activity, and the limitations imposed in the proposed amendments, the Commission anticipates that the total number of applications for new and increased divisions in the Kirkwood-Cohansey will continue to be low, with a small percentage subject to the additional costs associated with the proposed amendments.

Additional costs may also be incurred to meet the proposed water conservation and offset requirements, which will vary depending on the type of measures that are implemented. For individual users served by the water system, however, conservation measures may reduce costs based on lower water usage. For the system owner, development costs could potentially be reduced through the Pinelands Infrastructure Trust, which provides low-cost loans and grants to municipalities developing infrastructure to support growth in Pinelands Regional Growth Areas.

In some instances, the proposed amendments will require that new development rely on water outside the Kirkwood-Cohansey aquifer – from alternative water sources in deeper aquifers or from water purveyors or public community system interconnections. The initial costs associated with deeper wells or creating more extensive water supply distribution systems and interconnections may initially be greater than the costs of a new well in the Kirkwood-Cohansey aquifer.

Environmental Impact

The Kirkwood-Cohansey aquifer contains at least 17 trillion gallons of fresh water that lies beneath a 3,000 square mile area of the Pinelands Area. It sustains a vast ecosystem by supplying water to almost all the wetlands, streams, and rivers in the Pinelands, as well as being the primary water source for people, business, and farms in and immediately around the Pinelands Area. The proposed amendments prohibit diversions that will adversely impact the Pinelands ecology and the local water supply based on clear, measurable standards. These enhanced protections are anticipated to have a positive environmental impact.

Through legislation enacted in 2001, the New Jersey Legislature directed the Pinelands Commission to study how future water supply needs can be met from the Kirkwood-Cohansey aquifer without adversely impacting the ecosystem. P.L. 2001, c. 165. The studies, conducted jointly by the Commission and other government and educational entities and known collectively as the Kirkwood-Cohansey Project, established a clear link between the aquifer and the ecosystem. Simulated groundwater withdrawals and streamflow reductions reduced the distribution and composition of wetland-forest communities, individual wetland species, and wetland-indicator groups. In turn, there was a reduction in the survival rate of certain animal and plant species, including the state-threatened Pine Barrens tree frog and federally endangered wetland plant, swamp pink, when the water table in wetlands declined. The study of frogs, in particular, demonstrated a sharp decline in populations when the water table was lowered by four inches. Taken together, the studies predicted that groundwater withdrawals will reduce the populations of plants and animals that are characteristic of undisturbed Pinelands ecosystems.

Based on these studies, the Commission is proposing to strengthen protections for wetlands, and the animal and plant species that rely on wetlands habitats for survival, by requiring an assessment of the ecological impact of a proposed diversion. The amendments will prohibit diversions that would result in the drawdown of the water table of any portion of the most ecologically sensitive Pinelands management areas: the Preservation Area District, Forest Area and Special Agricultural Production Area. In less restrictive management areas, the amendments will prohibit diversions that result in the drawdown of the water table by more than four inches in wetlands nearest to the zone of influence (the area of ground water that experiences an impact attributable to a pumping well).

The proposed amendments expand the scope of diversions that will be subject to the stricter standards and criteria. The CMP's water management provisions currently apply only to total diversions of 100,000 gallons or more per day. The Commission is proposing to lower this threshold to total diversions of 50,000 gallons or more per day from the Kirkwood Cohansey aquifer in the same HUC-11 watershed. The volume determination is based on all of an applicant's allocations under a water allocation permit, water use registration issued by DEP, which will ensure that more wells will be subject to the proposed new standards and further protect the Pinelands ecology and water supply.

The proposed amendments also limit the adverse effects of withdrawals on the sustainability of the water supply in HUC-11 watersheds in the Kirkwood-Cohansey aquifer. Excessive withdrawals can diminish available water supply for existing uses such as community water systems, private home wells, businesses, agriculture, and ecosystems. The Commission is proposing a specific, measurable standard to assess and limit the impact of a proposed diversion on water availability in a particular watershed. The standard is based on the stream low flow

margin, a tool formulated by the DEP for regional protection of the water table aquifer. The New Jersey Statewide Water Supply Plan (Water Supply Plan) includes estimates of this stream low flow margin for each HUC-11 watershed in the State. Withdrawals in any HUC-11 watershed that exceed a specific portion of that low flow margin are expected to reduce stream flows such that a stream may dry up during annual low flow periods or droughts, thus impacting wetlands habitats and species, existing human uses, and stressing the watershed. These calculations are based on all known allocations approved and registered by DEP.

The Commission's proposal to limit aquifer withdrawals to no more than 20 percent of the stream low flow margin for each HUC-11 watershed will strengthen the protections of the water supply in the Pinelands Area, as the CMP does not currently impose specific limits on withdrawals. This threshold limit of 20 percent is also stricter than that recommended by the Water Supply Plan, which says that up to 25 percent of the stream low flow margin could be diverted without causing streams to dry up during annual low flow periods or droughts. The lower threshold will protect Pinelands plants, animals, and habitats, as well as existing withdrawals for public water supplies, agriculture, and other businesses. The Commission also chose a lower threshold in recognition that climate change may result in longer or more frequent drought periods.

When evaluating whether a proposed diversion meets this stream low flow margin threshold, the proposed amendments require the Commission to consider all the existing permitted allocations in the same HUC-11 watershed, not just the proposed diversion. This consideration mirrors the methodology by which the low flow margin is estimated in the Water Supply Plan and will ensure a more complete and accurate evaluation of how stressed the watershed will be from the proposed new diversion in light of all existing allocations.

Other provisions in the proposed amendments also serve to protect the environment, including the explicit prohibition on the interbasin transfers of water. Prohibiting such transfers is a key tool in limiting adverse environmental impacts related to the reduction in stream base flows that can result from the transfers. The restriction against interbasin transfers is also strengthened by defining the two basins between which water cannot be transferred.

To better protect the most ecologically sensitive areas of the Pinelands, the Commission is proposing to limit new or increased diversions from the Kirkwood-Cohansey aquifer to the Agricultural Production Area and the following growth-oriented Pinelands Management Areas: Regional Growth Area, Pinelands Towns, Rural Development Area, Military and Federal Installation Area, and 24 specific Pinelands Villages. This is expected to minimize future impacts to groundwater quantities in the Preservation Area District, the Special Agricultural Production Area, and the Forest Area.

The Commission is proposing to strengthen and clarify the water conservation requirement currently in the CMP by requiring documentation of measures that have been implemented or that are planned for implementation and requiring that the conservation efforts be measurable. The amendments also broaden the water conservation requirements of the current rule by requiring conservation to occur not just in areas served by centralized sanitary sewer systems, but throughout all areas to be served by the proposed diversion.

Federal Standards Statement

Section 502 of the National Parks and Recreation Act of 1978 (16 U.S.C. § 471i) called upon the State of New Jersey to develop a comprehensive management plan for the Pinelands

National Reserve. The original plan adopted in 1980 was subject to the approval of the United States Secretary of the Interior, as are all amendments to the plan.

The Federal Pinelands legislation sets forth rigorous goals that the plan must meet, including the protection, preservation, and enhancement of the land and water resources of the Pinelands. The proposed amendments are designed to meet those goals by imposing stringent requirements and restrictions on groundwater withdrawals from the Kirkwood-Cohansey aquifer, which in turn will protect wetlands habitats and plants and animals that are characteristic of undisturbed Pinelands ecosystems, including at least one wetlands plant that is on the federal endangered species list.

There are no other Federal requirements that apply to the subject matter of these amendments.

Jobs Impact

The Commission anticipates that this rulemaking will not have any significant impact on job creation and retention in New Jersey. Engineering and other professional work will be needed to comply with the testing and modeling requirements in the proposed amendments. These requirements align closely with those currently imposed by DEP but under the proposed amendments, they will apply to a slightly larger group of wells (those that will pump 50,000 gallon per day or more). Overall, the Pinelands Commission does not believe that the rulemaking will result in a significant impact on jobs.

Agriculture Industry Impact

The rulemaking will have no direct impact on the agriculture industry, as exclusively agricultural uses are not deemed development under the CMP and do not require application to

the Commission. The proposed amendments permit new and expanded diversions in the Pinelands Agricultural Production Area and explicitly exempt diversions exclusively for agricultural or horticultural use from complying with the new standards. It is anticipated that the amendments will indirectly benefit farm operations that rely upon the Kirkwood-Cohansey aquifer for water by protecting regional water supply.

The Kirkwood-Cohansey aquifer provides water for upland agriculture and for the cranberry bogs and blueberry farms throughout the Pinelands Area. Farmers depend on water from the aquifer for irrigation and cranberry growers use large amounts of water from the aquifer to maintain their bogs. The amendments strengthen the protections to the Kirkwood-Cohansey aquifer water supply, which in turn will benefit the agriculture industry in the Pinelands Area and surrounding areas.

The proposed standard for maintaining water availability could benefit the agricultural industry. The Commission is proposing to limit withdrawals from the Kirkwood-Cohansey aquifer to no more than 20 percent of the stream low flow margin for the HUC-11 watershed in which a proposed diversion is located. This represents a five percent difference between the Commission's proposal and DEP's recommended threshold, which is 25 percent of the stream low flow margin. The difference in the threshold suggests that an additional five percent of the stream low flow margin might be allowed by DEP for agricultural and horticultural purposes that the Commission does not regulate.

Regulatory Flexibility Analysis

In accordance with the New Jersey Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., the Commission has evaluated whether the proposed amendments will impose any

reporting, recordkeeping, and other compliance requirements on small businesses. Most businesses in the Pinelands Area may be characterized as small in size and employment compared to the rest of New Jersey. However, the proposed amendments do not differentiate by size of business and thus will impact all businesses equally in terms of absolute costs.

Small businesses proposing new or increased diversions in the Kirkwood-Cohansey reservoir may incur costs from hiring professional consultants, such as engineers. Although under the current rules small businesses incur similar costs, the proposed rules require additional analyses and modeling, which could increase the costs. Also, where new or increased diversions require offsets on a gallon-per-gallon basis for withdrawals beyond 20 percent of the stream low flow margin, small businesses may incur costs associated with those offsets depending on the method of implementing the offsets. Similarly, businesses served by a water supply system that is subject of an application for a new or increased withdrawal from the Kirkwood-Cohansey aquifer may also be required to institute water conservation measures and may therefore incur a cost depending on the method of implementing conservation.

The Commission has balanced the costs imposed on small businesses by the proposed amendments against the environmental benefits to be achieved by the amended well requirements and determined that it would be inappropriate to exempt small businesses from these requirements. As noted above in the Environmental Impact statement, the amendments impose stricter requirements on water withdrawals from the Kirkwood-Cohansey aquifer, which will result in healthier ecosystems and less threats to the plants and animals that thrive in those undisturbed ecosystems.

Housing Affordability Impact Analysis

The Commission does not anticipate this rulemaking will have a significant impact on the affordability of housing. Costs may be incurred by developers, municipalities, or utilities related to implementing conservation measures or offsets, where required. Those upfront costs may result in a minor incremental increase in housing costs where a community water supply is served by a new or increased diversion from the Kirkwood-Cohansey aquifer. Additional impacts to housing affordability are expected to be minimal, as DEP already imposes similar requirements for well modeling and testing. There may be situations, however, where the regional impact to the aquifer cannot be offset and a housing project may be required to seek an alternative water supply source. The additional costs for extending the infrastructure would likely be passed along in housing prices.

Smart Growth Development Impact Analysis

N.J.S.A. 52:14B-4 requires that proposed amendments be evaluated to determine their impacts, if any, on housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan (State Plan). Planning Areas 1 and 2 do not exist in the Pinelands Area. Likewise, the State Plan does not designate centers within the Pinelands Area. Instead, N.J.S.A. 52:18A-206.a provides that the State Plan shall rely on the Pinelands CMP for land use planning in the Pinelands. The Commission has evaluated the impact of the proposed amendments on Pinelands management areas designated by the CMP that are equivalent to Planning Areas 1 and 2 and designated centers, namely, the Regional Growth Areas, Pinelands Villages, and Pinelands Towns.

These three management areas are designated for development by the CMP and are equivalent to designated centers under the State Plan. The rulemaking will not increase the amount of permitted residential development in these management areas and is not expected to result in any changes in housing density within designated centers or in any other portions of the Pinelands Area.

There will be no effect on new construction in Planning Areas 1 and 2, as designated by the State Development and Redevelopment Plan, as these State Planning Areas do not exist in the Pinelands Area.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The Commission has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

Full text of the proposal follows (additions indicated with boldface **thus**; deletions indicated in brackets [thus]):

SUBCHAPTER 1. GENERAL PROVISIONS

7:50-1.6 Fees

- (a) Except as provided in (a)1 and 2 below, all applications required or permitted by any provision of this Plan shall be accompanied by a nonrefundable, **nontransferable** application fee of \$250.00 or a fee calculated according to the fee schedule set forth in (b) through (l) below, whichever is greater. No application filed pursuant to this Plan shall be reviewed or considered complete unless all fees required by this Part have been paid and any escrow required pursuant to N.J.A.C. 7:50-1.7 has been submitted.

1.-2. (No change.)

- (b) (No change.)

- (c) The application fee for a commercial, institutional, industrial, or other non-residential development application submitted pursuant to N.J.A.C. 7:50-4.14, 4.33, 4.52, or 4.66 shall be calculated in accordance with the following, based on typical construction costs, except as provided in (c)1 through **10** [9] below: [Typical construction costs shall include all costs associated with the development for which the application is being submitted, including, but not limited to, site improvement and building improvement costs, but shall not include interior furnishings, atypical features, decorative materials or other similar features.]

Construction Cost	Required Application Fee
\$0 - \$500,000	1.25 percent of construction costs
\$500,001 - \$1,000,000	\$6,250 + 1 percent of construction costs above \$500,000
Greater than \$1,000,000	\$11,250 + 0.75 percent of construction costs above \$1,000,000

Typical construction costs shall include all costs associated with the development for which the application is being submitted, including, but not limited to, site improvement and building improvement costs, but shall not include interior furnishings, atypical features, decorative materials or other similar features.

Supporting documentation of the expected construction costs shall be submitted as part of the application for development, unless the maximum fee pursuant to **(e)3** [(e)4] below is required, in which case no such documentation shall be necessary.

1.-7. (No change.)

8. For the demolition of a structure 50 years or older, the fee shall be \$250.00; [and]

9. For the development of a solar energy facility, the fee shall be \$1,500 plus \$500.00 per acre of land to be developed, or portion thereof, including any off-site development; **and**[.]

10. For a well, the application fee shall be:

- i. \$6,000 for any well in the Kirkwood-Cohansey aquifer that is required to meet the criteria and standards at N.J.A.C. 7:50-6.86(d); or**
- ii. Calculated based on construction costs as set forth at N.J.A.C. 7:50-1.6(c) for wells that are not subject to the criteria and standards at N.J.A.C. 7:50-6.86(d).**

(d)-(l) (No change.)

SUBCHAPTER 2. INTERPRETATIONS AND DEFINITIONS

7:50-2.11 Definitions

When used in this Plan, the following terms shall have the meanings ascribed to them.

...

"Divert" or "Diversion" means the taking of water from a river, stream, lake, pond, aquifer, well, other underground source, or other waterbody, whether or not the water is returned thereto, consumed, made to flow into another stream or basin, or discharged elsewhere.

...

"Stream low flow margin" means the difference between a stream's September median flow and its statistical flow, which is the seven-day flow average in the 10-year period for the stream (7Q10) as reported in the New Jersey Statewide Water Supply Plan, New Jersey Department of Environmental Protection, 2017, New Jersey Water Supply Plan 2017-2022: 484p, <http://www.nj.gov/dep/watersupply/wsp.html> " as amended and supplemented.

...

"Well" means a hole or excavation deeper than it is wide, that is drilled, bored, core driven, jetted, dug or otherwise constructed for the purpose of the removal of, investigation of, or exploration for water.

...

"Zone of influence" means the area of ground water that experiences an impact attributable to a pumping well.

...

SUBCHAPTER 6. MANAGEMENT PROGRAMS AND MINIMUM STANDARDS

7:50-6.86 Water Management

[(a) Interbasin transfer of water between watersheds in the Pinelands should be avoided to the maximum extent practical. In areas served by central sewers, water-saving devices such as watersaving toilets, showers and sink faucets shall be installed in all new development.]

[(b)](a) Water shall not be exported from the Pinelands except as otherwise provided in N.J.S.A. 58:1A-7.1.

(b) A diversion that involves the interbasin transfer of water in the Pinelands Area between the Atlantic Basin and the Delaware Basin, as defined in (1) and (2) below, or outside of either basin, shall be prohibited.

- 1. The Atlantic Basin is comprised of Watershed Management Areas 13, 14, 15, and 16, as identified by the New Jersey Department of Environmental Protection at <https://www.state.nj.us/dep/seeds/docs/watersheds.pdf>.**
- 2. The Delaware Basin is comprised of Watershed Management Areas 17, 18, 19, and 20 as identified by the New Jersey Department of Environmental Protection at <https://www.state.nj.us/dep/seeds/docs/watersheds.pdf>.**

(c) A diversion involving the intrabasin transfer of water between HUC-11 watersheds in the same basin, Atlantic or Delaware as defined in (b) above, shall be permitted.

If such an intrabasin transfer involves water sourced from the Kirkwood-Cohansey aquifer, the diversion shall meet the criteria and standards set forth at (d) below.

(d) A new diversion or an increase in allocation from either a single existing diversion source or from combined existing diversion sources in the same HUC-11 watershed and in the Kirkwood-Cohansey aquifer, that results in a total diversion of 50,000 gallons of water per day or more, (hereafter referred to as “proposed diversion”) shall meet the criteria and standards set forth at (3) through (9) below. “Allocation” shall mean a diversion permitted under a Water Allocation Permit or Water Use Registration Number issued by the New Jersey Department of Environmental Protection pursuant to N.J.A.C. 7:19.

1. When evaluating whether the proposed diversion meets the criteria set forth in (3) through (9) below, all of the applicant’s allocations in a HUC-11 watershed, in addition to the proposed diversion, shall be included in the evaluation.

2. The standards set forth at (3) through (9) below shall not apply to:

i. A new well that is to replace an existing well, provided the existing well is sealed in accordance with N.J.A.C. 7:9-9 and the new replacement well will:

(1) Be approximately the same depth as the existing well;

(2) Divert from the same aquifer as the existing well;

- (3) Have the same or lesser pump capacity as the existing well; and
- (4) Be located within 100 feet of and in the same HUC-11 watershed as the existing well; or
- ii. Any diversion that is exclusively for agricultural or horticultural use.
3. A proposed diversion shall be permitted only in the following Pinelands Management Areas:
- i. Regional Growth Area;
- ii. Pinelands Towns;
- iii. Rural Development Area;
- iv. Agricultural Production Area;
- v. Military and Federal Installation Area; and
- vi. The following Pinelands Villages: Milmay; Newtonville; Richland; Folsom; Cologne-Germania; Pomona; Mizpah; Nesco-Westcoatville; Port Republic; New Gretna; New Lisbon; Indian Mills; Tabernacle; Blue Anchor; Elm; Tansboro; Waterford Works; Winslow; Dennisville; Petersburg; Tuckahoe; Delmont; Dorchester; and Port Elizabeth-Bricksboro.
4. A proposed diversion shall only be permitted if the applicant demonstrates that no alternative water supply source is available or viable. Alternative

water supply sources include, but are not limited to, groundwater and surface water sources that are not part of the Kirkwood-Cohansey aquifer, and public water purveyors and suppliers, as defined at N.J.A.C. 7:19-1.3. A list of alternative water supply sources is available at the offices of the Pinelands Commission and at <https://www.nj.gov/pinelands/> .

5. A proposed diversion shall not have an adverse ecological impact on the Kirkwood-Cohansey aquifer. Adverse ecological impact means an adverse regional impact and/or an adverse local impact, as described at (6) and (7) below.
6. A proposed diversion shall be deemed to have an adverse regional impact if it, combined with all existing permitted allocations in the same HUC-11 watershed, exceeds 20 percent of the stream low flow margin for the year of peak use established in the New Jersey Statewide Water Supply Plan at <https://www.nj.gov/dep/watersupply/pdf/wsp.pdf> for the HUC-11 watershed where the proposed diversion will be located (hereafter referred to as “the affected HUC-11 watershed”).
 - i. If a proposed diversion is deemed to have an adverse regional impact, it shall be permitted only if an applicant permanently offsets the diversion on a gallon-for-gallon basis in accordance with the following:

- (1) Offsets shall be implemented in the affected HUC-11 watershed and include, but are not limited to:
 - (A) The recharge of previously non-infiltrated stormwater runoff in the Pinelands Area;
 - (B) The recharge of treated wastewater that is currently discharged via a regional sewage treatment plant that discharges treated wastewater into the Delaware River or Atlantic Ocean;
 - (C) Development of a desalinization facility; and
 - (D) Sewerage system inflow and infiltration abatement and/or water distribution infrastructure leak auditing and correction.
- ii. A proposed diversion in a HUC-11 watershed where water withdrawals already exceed 20 percent of the stream low flow margin established in the New Jersey Statewide Water Supply Plan shall be deemed to have an adverse regional impact unless an applicant can permanently offset the entire diversion in accordance with (i)¹ above.
- iii. Unless the submission requirements are modified or waived pursuant to N.J.A.C. 7:50-4.2(b)3, all applications shall include the information required at N.J.A.C. 7:50-4.2(b)4 or (5) as well as the following:
 - (1) Using data on low flow margin in the New Jersey Statewide Water Supply Plan in effect at the time of application, the applicant shall calculate the sum of the proposed diversion and

ii. A proposed diversion in a HUC-11 watershed where water withdrawals already exceed 20 percent of the stream low flow margin established in the New Jersey Statewide Water Supply Plan shall be deemed to have an adverse regional impact unless an applicant can permanently offset the entire diversion in accordance with (i)¹ above.

iii. Unless the submission requirements are modified or waived pursuant to N.J.A.C. 7:50-4.2(b)3, all applications shall include the information required at N.J.A.C. 7:50-4.2(b)4 or (5) as well as the following:

(1) **Using data on low flow margin in the New Jersey Statewide Water Supply Plan in effect at the time of application, the applicant shall calculate the sum of the proposed diversion and**

all existing permitted allocations in the affected HUC-11 watershed, and show whether that sum exceeds 20 percent of the stream low flow margin for the year of peak use established in the New Jersey Statewide Water Supply Plan. The applicant shall submit a report that includes all required calculations and a summary of the impact of the proposed diversion on the available portion of the 20 percent stream low flow margin in the affected HUC-11.

- (2) The applicant shall identify all offset measures and provide to the Commission a detailed description of the measures, including the volume of water that will be offset, timeframes for implementing the offsets, a description of the entity that will be implementing the offset measures and an explanation of the entity's authority to implement the measures.

7. A proposed diversion shall be deemed to have an adverse local impact in the Pinelands Area if it results in the drawdown of the water table as defined at N.J.A.C. 7:19-6.2 of any portion of the Preservation Area District, Forest Area, or Special Agricultural Production Area in the affected HUC-11 watershed, or of more than four inches of the wetland nearest to the estimated zone of influence in the affected HUC-11 watershed.

- i. Application requirements

- (1) The applicant shall submit an analysis of potential drawdown impacts using the Thiem method in accordance with the New Jersey Geological & Water Survey Technical Memorandum 12-2, Hydrogeologic Testing and Reporting Procedures in Support of New Jersey Water Allocation Permit in effect at the time of application (hereafter referred to as “TM 12-2”).**
- (2) Upon completion of the Thiem analysis, the applicant shall submit a proposed hydrogeologic test procedure, developed in accordance with TM12-2, which shall include, at a minimum, the installation of:**

 - (A) A single pumping well;**
 - (B) Observation wells to sufficiently monitor water levels while the test well is pumped at a constant rate;**
 - (C) Observation wells to collect time-drawdown data for aquifer characterization; and**
 - (D) At least one piezometer to measure surface water and water table decline at: the nearest boundaries of the Preservation Area District, Forest Area or Special Agricultural Production Area in the affected HUC-11 watershed found in any direction from the proposed well location; and the wetlands nearest to the estimated zone of influence in the affected HUC-11 watershed.**

- (I) If the applicant cannot gain access to the parcels at the locations listed in ii(4) above for placement of piezometer(s), the applicant may propose to install piezometers at comparable locations if the alternate placement will adequately measure surface water and water table decline at the locations listed in 2(D) above.**
 - (II) Piezometers shall be tested to ensure hydraulic responsiveness and the results of such testing shall be included in the report submitted pursuant to N.J.A.C. 7:50-6.86(d)7i(3);**
- (3) Following the Commission’s review of the hydrogeologic test procedure, the applicant shall complete the test and submit a final hydrogeologic report prepared in accordance with the “Hydrogeological Report” section of TM 12-2, which shall describe the field procedures used, all data gathered, analysis of the data, and evaluation of the effect of the proposed diversion on the Kirkwood-Cohansey aquifer.**
- (4) Using the results of the hydrogeologic testing performed in accordance with N.J.A.C. 7:50-6.86(d)7i(3), the applicant shall calculate an estimated zone of influence created by the proposed diversion and submit a groundwater flow model using the modular hydrologic model of the United States**

Geological Survey, (MODFLOW) in use at the time of the application. The MODFLOW model shall calculate the zone of influence of the water table at: (1) the nearest boundaries of the Preservation Area District, Forest Area, or Special Agricultural Production Area in the affected HUC-11 watershed and (2) the boundary of the wetland nearest to the proposed diversion in the same HUC-11 watershed.

- 8. An applicant for a proposed diversion shall provide written documentation of water conservation measures that have been implemented, or that are planned for implementation, for all areas to be served by the proposed diversion. Water conservation measures are measurable efforts by public and private water system operators and local agencies to reduce water demand by users and reduce losses in the water distribution system.**
- 9. The following notice requirements shall apply to proposed diversions:**
 - i. For applications submitted pursuant to N.J.A.C. 7:50-4.31 through 4.50, the applicant shall provide notice of the application to the municipality and county in which the proposed diversion will be located, as well as all other municipalities and counties in the affected HUC-11 watershed. The notice shall state:**
 - (1) The nature of the application submitted to the Pinelands Commission and a detailed description of the proposed**

diversion, including the source, location, quantity and/or allocation of water to be diverted;

- (2) The potential impact of the proposed diversion on the volume of water in the affected HUC-11 watershed that will be available for future diversions;**
- (3) That written comments on the application may be submitted to the Pinelands Commission;**
- (4) That the application is available for inspection at the office of the Pinelands Commission; and**
- (5) The address and phone number of the Pinelands Commission.**

ii. For applications submitted pursuant to N.J.A.C. 7:50-4.51 through 4.60, the applicant shall provide notice of the application for public development pursuant to N.J.A.C. 7:50-4.53. In addition, the applicant shall provide notice of the application to all municipalities and counties in the affected HUC-11 watershed. The notice shall include the information required at N.J.A.C. 7:50-4.53(e) as well as the following:

- (1) A detailed description of the proposed diversion, including the source, location, quantity and/or allocation of water to be diverted; and**
- (2) A statement of the potential impact of the proposed diversion on the volume of water in the affected HUC-11 watershed that will be available for future diversions.**

- iii. No application for which notice pursuant to i. or ii. above is required shall be deemed complete until proof that the requisite notice has been given is received.**



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-_____

TITLE: To Authorize the Acting Executive Director to Continue to Expend Funds for Fiscal Year 2023 at the Same Level of Expenditures as Fiscal Year 2022 until the Adoption of the Fiscal Year 2023 Budgets

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

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, it is anticipated that the New Jersey Legislature will appropriate \$3,399,000 to support the Commission’s operations during Fiscal Year 2023; and

WHEREAS, the Commission’s Personnel & Budget Committee has reviewed this resolution and recommended its adoption by the Commission; 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 actions shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Acting Executive Director is authorized to continue to expend funds during Fiscal Year 2023 at the same level of expenditures as Fiscal Year 2022 until the Commission’s adoption of the Fiscal Year 2023 Budgets.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

Susan R. Grogan
Acting Executive Director

Laura E. Matos
Chair



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

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



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

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

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
Planning Specialist

Date: June 29, 2022

Subject: No Substantial Issue Findings

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

Shamong Township Ordinance 2021-6 – amends Chapter 110 (Land Development) of the Code of Shamong Township. The ordinance establishes Section 110-128.5, Cannabis Overlay Zoning, to conditionally permit cannabis cultivation, manufacturing, wholesaling, and distribution (Cannabis Classes 1-4) in the Route 206 Redevelopment Area, the Industrial Park Redevelopment Area, and the Murphy's Pit Rehabilitation Area. The ordinance also conditionally permits cannabis retail (Class 5) in the Route 206 Redevelopment Area. The ordinance provides applicable conditional use standards related to siting requirements, building design, security, odor and noise mitigation, and on-site signage.

Shamong Township Ordinance 2022-6 – amends Chapter 110 (Land Development) of the Code of Shamong Township. The ordinance amends Section 110-28.5 by removing certain lands from the Cannabis Overlay Zone, providing mapping of the overlay zone, and clarifying that the minimum standards of the underlying zoning district will also apply to the permitted uses in the overlay zone. The Cannabis Overlay Zone includes portions of the Township's RDA-C and RD-1 districts, which are located in a Pinelands Rural Development Area, as well as the Village-C and Village-I districts, which are located in a Pinelands Village.

Shamong Township Ordinance 2022-7 – adopts the Atsion Solar Redevelopment Plan, dated May 3, 2022. The redevelopment area encompasses approximately 139 acres, consisting of two lots (Block 10, Lots 24.01 and 24.02). The redevelopment area is the site of an inactive resource extraction operation and an inactive landfill that ceased operation in 1978. The redevelopment area is split between the Township's RD-1 and F Districts. The RD-1 District is located within a Pinelands Rural Development Area, while the F district is located within a Pinelands Forest Area. The purpose of the plan is to

facilitate the development of principal use solar facilities within the RD-1 portion of the redevelopment area. The plan establishes the Atsion Solar Rehabilitation Area (ASRA) District, which includes all of Block 10, Lot 24.02 and the RD-1 portion of Lot 24.01. No lands in the Forest Area are included in the ASRA District. The ASRA District permits ground-mounted solar energy systems as a principal use and includes various bulk, landscaping and design requirements, including standards consistent with the solar energy facilities provisions of the CMP (N.J.A.C. 7:50-5.36). The plan incorporates the minimum environmental requirements of the CMP.

Woodland Township Ordinance 2022-4 – adopts the Route 72 Redevelopment Plan. The plan's redevelopment area encompasses approximately 101 acres of municipally owned land, containing Block 401, Lot 8, and Blocks 501 through 524. The redevelopment area includes lands that are within the Township's Highway Business (H-B) and Pinelands Preservation (PP) districts. The H-B District is an existing commercial infill district. The redevelopment plan maintains the existing underlying zoning without modification. The H-B and PP districts are located in the Pinelands Preservation Area District.