

974.905
P750

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

July 20, 2017

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



Dear Mr. Lupp:

Enclosed is the Pinelands Commission meeting minutes and attachments for June 9, 2017 for your information.

Sincerely,

Teri Melodick
Principal Clerical Assistant

PC1
Enclosure: Minutes

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

MINUTES

June 9, 2017

Commissioners Present

Alan W. Avery Jr., Bob Barr, Giuseppe Chila, Jane Jannarone, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Lisa LeBoeuf and Deputy Attorney General (DAG) Bruce Velzy.

Commissioners Participating by Phone

Candace Ashmun, Bill Brown, Paul E. Galletta, Ed Lloyd and D'Arcy Rohan Green.

Commissioners Absent

Mark Lohbauer.

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

DAG Velzy read the Open Public Meetings Act Statement.

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 13 Commissioners who participated in the meeting.)

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

Minutes

Chairman Earlen presented the minutes from the May 12, 2017 Commission meeting. Commissioner Barr moved the adoption of the minutes. Commissioner Jannarone seconded the motion.

The minutes of the May 12, 2017 Commission meeting were adopted by a vote of 11 to 0, with Commissioner Chila and Chairman Earlen abstaining.

Committee Chairs' Reports

Commissioner Avery said the FY 15 Audit Report was released and identified two minor findings. He said the Commission has purchased new accounting software from Edmunds, and it will help with bank reconciliations issues. He said Bowman and Company, who serves as the Commission's accounting consultant, will review the financials on a monthly basis.

Executive Director's Reports

ED Wittenberg updated the Commission on the following:

- A link to the FY 15 Audit Report will be available from the Commission's website.
- The rule proposal the Commission embarked on some time ago regarding changes to the Comprehensive Management Plan consisting of efficiency measures, language clarifying exemptions and fee updates was recently discussed at a meeting with the Governor's office. Once a few modifications are made, the proposal will go through the normal rule making process.
- The FY2018 Budget will be reviewed at the next Personnel and Budget Committee meeting. The Commission's appropriation has remained the same.
- Equipment has been purchased to live-stream Commission meetings from the website or YouTube. The Commission may begin live-streaming meetings in July.

Paul Leakan provided information on two upcoming events:

- The annual Pinelands Municipal Officials Orientation will be held on Tuesday, July 25, 2017 at the Commission.
- The first-ever Pinelands Summer Short Course will be held on July 27, 2017, at Kramer Hall in Hammonton. He said some of the programs being offered are guided tours and hikes.

Director Larry Liggett provided information on the following:

- Staff will be meeting with the New Jersey Department of Environmental Protection (NJDEP) to discuss the draft Water Supply Master Plan.
- Staff will be briefed by Dan Van Abs on the progress of the 2040 water study, more specifically how different households use water –e.g, elderly household, single-parent household.
- A public hearing was held on Ocean County's amendment to the Public Safety Tower Plan. The amendment will be on the Policy and Implementation Committee's June 30, 2017 agenda.

Director Charles Horner updated the Commission on the following:

- Staff will be meeting with Mullica Township officials and the current owners of the Sweetwater Casino property to discuss reconstruction of the restaurant.
- Staff continues to work with Burlington County on the Taunton Lakes Road widening project. The County has experienced challenges in addressing stormwater management facilities due to the presence of wetlands. The stormwater rules allow for stormwater management facilities to be built off-site as long they are in the same drainage area. The County has been in contact with Evesham Township about siting a stormwater facility on Indian Springs Golf Course, which is in the same drainage area as Taunton Lakes Road.
- On May 15th, staff met with Pemberton Township officials regarding the Township's plans to develop soccer fields in the municipality. The proposed site is in the Regional Growth Area but has a considerable amount of wetlands. At that meeting, staff assisted the town with determining what portion of the site can be used and still maintain the Commission's wetlands protection standard.

Paul Leakan noted that in this month's press release packet there is an article about Jackson Township. He said the article has numerous inaccuracies related to the Commission's rules and that he reached out to the newspaper's editor. He also said that the Pinelands Visitor Center permit was submitted and the State has a few questions about the individual capacities of each office, among other things.

Stacey Roth said Assembly Bill 4849 was introduced in late May and came out of Committee on June 5. She said the bill, sponsored by Assemblyman Andrzejczak, clarifies the law concerning circumstances in which members of Pinelands Commission may vote. The accompanying Senate Bill is S3283. The bill redefines the term personal benefit.

Susan Grogan introduced Gina Berg, who was hired as a Resource Planner. She added that the new round of land acquisition from the Pinelands Conservation Fund (PCF) generated eight applications, five of which were from Ocean County and three from other non-profits.

At the request of Commissioner Lloyd, ED Wittenberg provided an update on the efforts regarding Wharton State Forest. She said at the next Policy and Implementation Committee meeting the Committee will discuss a resolution regarding a map identifying existing roads in Wharton State Forest.

Resolution to Retire into Closed Session

DAG Velzy read a resolution to enter into closed session to discuss the New Jersey Natural Gas pipeline. Commissioner Barr made a motion to enter into closed session. Commissioner Chila seconded the motion. Commissioner Lloyd said his law firm is representing the Sierra Club in this matter and would recuse himself from the discussion. He signed off from the telephone conference. The Commission agreed to retire into closed session by a vote of 12 to 0, beginning at 10:03 a.m.

Return to Open Session

The Commission entered back into open session at 11:02 a.m.

Chairman Earlen presented a resolution regarding the New Jersey Natural Gas (NJNG) pipeline matter that was discussed in closed session.

DAG Velzy said during Closed Session the Commission discussed the following:

- The history of the NJNG pipeline application;
- The litigation and the order remanding the NJNG application back to the Commission;
- The letter from NJNG requesting the Commission consider its application; and
- The various procedures available to the Commission to consider the NJNG application.

Stacey Roth read the last portion of the Resolution into the record.

Commissioner Barr moved the adoption of a resolution entitled: Setting Forth the Process By Which the Pinelands Commission will Review the Determination of its Executive Director Finding that the Installation of 12.1 miles of 30-inch Natural Gas Pipeline Proposed by New Jersey Natural Gas (Pinelands Application No. 2014-0045.001) is Consistent with the Standards of the Pinelands Comprehensive Management Plan. (See Resolution # PC4-17-10). Commissioner Chila seconded the motion.

Stacey Roth clarified dates outlined in the Resolution for Commissioner Prickett.

The Commission adopted the resolution by a vote of 12 to 0, with Commissioner Lloyd recusing from the vote.

Commissioner Galletta and Commissioner Brown left the meeting.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending the approval of the demolition of a commercial building, the placement of two classroom trailers and the demolition of a single family dwelling in Pemberton Township. Commissioner Prickett left the room.

Commissioner Avery moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1984-0606.006, 1985-0641.012 & 2017-0060.001)(See Resolution # PC4-17-11). Commissioner Barr seconded the motion.

Director Horner noted that the Commission was notified by a staff member that the dwelling proposed to be demolished in Application No. 2017-0060.001 has in fact already been demolished. He said language will be included in a letter to the Township advising that unless the structure was a public safety hazard, the dwelling should not have been demolished without Commission approval.

The Commission adopted the resolution by a vote of 10 to 0 with Commissioner Prickett recusing from the vote.

Commissioner Prickett returned to the dais.

Chairman Earlen presented a resolution recommending the approval of the construction of a storage building by the Folsom Borough Board of Education and a five-lot resubdivision in Egg Harbor Township.

Due to technical difficulties with the phone Commissioner Ashmun and Commissioner Lloyd left the meeting.

Commissioner Avery moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1985-0023.004 & 2001-0297.005)(See Resolution # PC4-17-12). Commissioner Chila seconded the motion.

Commissioner McGlinchey said that he did not support the Egg Harbor Township application because this application is creating a vacant lot that does not meet the residential zoning requirement. He also said public development applications should not be treated differently than private development applications.

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

Chairman Earlen presented a resolution recommending the approval of the expansion of an existing parking lot in Manchester Township.

Commissioner Avery moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1987-1326.002) (See Resolution # PC4-17-13). Commissioner Chila seconded the motion.

Commissioner Prickett noted that this application is to resolve a violation.

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

Chairman Earlen presented a resolution recommending the approval of the demolition of six structures in Winslow Township.

Commissioner Barr moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 2016-0142.001, 2016-0153.001, 2016-0154.001, 2016-0155.001, 2016-0156.001 & 2016-0157.001) (See Resolution # PC4-17-14). Commissioner Jannarone seconded the motion.

Commissioner Prickett said he appreciated the pictures of the structures to be demolished.

Commissioner Jannarone asked if the demolitions were legal and if the property owners provided consent for the demolition.

Mr. Horner said the municipality has a process for siting unsafe structures and notifying the property owner. The Commission's role is to review the application and make sure there is no cultural significance. He said any structure 50 years or older that is proposed for demolition requires an application with the Commission.

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

Commissioner Jannarone left the meeting at 11:30 a.m.

Commissioner Lloyd rejoined the meeting.

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

No comment was provided.

Other

Chairman Earlen said the next resolution is something the Commission must adopt annually until the final fiscal year budget is adopted. He said this resolution will allow the Commission to purchase items while waiting for the budget adoption.

Commissioner Avery moved the adoption of a resolution To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2018 at the Same Level of Expenditures as Fiscal Year 2017 until the Adoption of the Fiscal Year 2018 Budgets. Commissioner Chila seconded the motion. (See Resolution # PC4-17-15)

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

General Public Comment

Rich Bizub of the Pinelands Preservation Alliance said he was happy the NJDEP released the draft Water Supply Plan. He said it is an improvement from the last plan but he feels the NJDEP should have mentioned the Kirkwood-Cohansey project in the plan.

Mark Demitroff of Richland, NJ said flooding issues are still occurring in Richland Village. He asked to show the Commissioners a one-minute video of the flooding. He also requested that an Engineer be hired to review the stormwater plans. He said the stormwater management facilities were filled in during the construction of sidewalks and that's why the flooding occurs. Mr. Demitroff provided a handout of an email sent to Director Horner related to Richland Village stormwater basins (See attached).

Chairman Earlen advised Mr. Demitroff that showing a video clip was not possible but asked him to send the video to staff who would then circulate it to Commissioners.

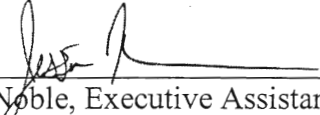
Katie Smith of the Pinelands Preservation Alliance said the process for the New Jersey Natural Gas pipeline should be revised to include a public hearing. In response to a question, Ms. Smith clarified that the revision should include an adjudicatory hearing.

Jason Howell of the Pinelands Preservation Alliance said he had the opportunity to see the film "Pine Barrens" and encouraged Commissioners to see it. He thanked ED Wittenberg and staff for taking a proactive approach with Wharton State Forest. He asked if there was a way the Pinelands Preservation Alliance and the Commission could work together on clean-up projects.

Adjournment

Commissioner McGlinchey moved to adjourn the meeting. Commissioner Barr seconded the motion. The Commission agreed to adjourn at 11:50 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: June 20, 2017



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 10

TITLE: Resolution Setting Forth the Process By Which the Pinelands Commission will Review the Determination of its Executive Director Finding that the Installation of 12.1 miles of 30-inch Natural Gas Pipeline Proposed by New Jersey Natural Gas (Pinelands Application No. 2014-0045.001) is Consistent with the Standards of the Pinelands Comprehensive Management Plan.

Commissioner Bacc moves and Commissioner Chila seconds the motion that:

WHEREAS, the Pinelands Commission (Commission) is an independent political subdivision of the State of New Jersey created pursuant to Section 4 of the Pinelands Protection Act (the Act), N.J.S.A. 13:18A-1, *et seq.*, and charged with the implementation of the Act and the Pinelands Comprehensive Management Plan (the CMP), N.J.A.C. 7:50; and

WHEREAS, the Commission is also the planning entity authorized under Section 502 of the National Parks and Recreation Act of 1978; and

WHEREAS, on April 10, 2015, New Jersey Natural Gas (NJNG) submitted a Pinelands Development Application (Application # 2014-0045.001) to the Pinelands Commission for the construction of a proposed natural gas pipeline in Jackson, Manchester and Plumsted Townships; and

WHEREAS, approximately 0.21 miles of the proposed natural gas pipeline will be constructed within a Regional Growth Area, 1.42 miles within a Rural Development Area and 10.45 miles within a Military and Federal Installation Area (Joint Base McGuire-Dix-Lakehurst (JB-MDL)); and

WHEREAS, the Pinelands CMP at N.J.A.C. 7:50-2.11 defines a natural gas pipeline as "public service infrastructure"; and

WHEREAS, public service infrastructure is a permitted use in a Regional Growth Area (N.J.A.C. 7:50-5.28(a) and a Rural Development Area (N.J.A.C. 7:50-5.26(b)(10)); and

WHEREAS, public service infrastructure is a permitted use in a Military and Federal Installation Area provided it will be associated with the function of the Federal Installation and certain other conditions are met (N.J.A.C. 7:50-5.29(a)); and

WHEREAS, the conditions set forth at N.J.A.C. 7:50-5.29(a) are: 1) the development shall be located in that portion of the Federal Installation located within the Pinelands Protection Area, where feasible; and 2) the use shall not require any development, including public service infrastructure, in the Preservation Area District or in a Forest Area; and

WHEREAS, based on its review of the NJNG application, on December 9, 2015, the Commission staff issued a Certificate of Filing indicating that proposed development was consistent with the standards of the CMP; and

WHEREAS, on February 4, 2016, the Commission staff wrote to the Executive Director of the Board of Public Utilities (BPU), enclosing a copy of the Certificate of Filing, and requested copies of the petition NJNG filed for municipal preemption in accordance with N.J.S.A. 40:55D-19; notice of any hearings, public meetings or other formal proceedings pertaining to that petition; copies of any written reports or comments that the Board may receive that raise issues concerning the standards of the Pinelands CMP; and copies of any draft orders; and

WHEREAS, following review of the information received from the BPU from the public and evidentiary hearings conducted by the BPU for the NJNG petition for a determination pursuant to the provisions of N.J.S.A. 40:55D-19 (BPU Docket Number GE15040402), the Commission's Executive Director, on March 10, 2016, issued a subsequent letter indicating that based on the Commission staff's expertise and experience in administering the Pinelands CMP and its review of the record, the finding of CMP consistency contained within the December 9, 2015 Certificate of Filing remained valid; and

NEW JERSEY STATE LIBRARY

WHEREAS, on or about April 21, 2016, Sierra Club filed a Notice of Appeal of the Commission staff's March 10, 2016 letter, Docket No. A-3753-15; and

WHEREAS, on or about April 28, 2016, the Pinelands Preservation Alliance filed a Notice of Appeal of the Commission staff's March 10, 2016 letter, Docket No. A-3762-15; and

WHEREAS, on November 7, 2016, the Appellate Division, in three unrelated, consolidated appeals involving a petition to the BPU for municipal preemption pursuant to N.J.S.A. 40:55D-19 submitted by the South Jersey Gas Company, issued a decision remanding that application to the Pinelands Commission for its review of the Commission staff's consistency determination on that application and issuance of a final decision as to the proposed project's consistency with the minimum requirements of the Pinelands CMP; and

WHEREAS, the Commission staff utilized the same review process for both the South Jersey Gas Company's and the New Jersey Natural Gas Company's Pinelands Development Applications; and

WHEREAS, given the holding of the Appellate Division in the South Jersey Gas Company consolidated appeals, the Commission passed Resolution PC4-16-43, authorizing the Division of Law to file motions in the Appellate Division to have the two appeals related to the Commission's consideration of the NJNG's proposed pipeline project (Pinelands Development Application 2014-0045-.001) remanded to the Pinelands Commission; and

WHEREAS, on January 10, 2017, motions to remand the two appeals related to the Commission's consideration of the NJNG's proposed pipeline project to the Pinelands Commission were filed; and

WHEREAS, on January 19, 2017, Sierra Club filed a response to the Commission's remand motion; and

WHEREAS, also on January 19, 2017, the Pinelands Preservation Alliance filed a response to the Commission's remand motion and a Cross Motion to Invalidate Resolution PC4-16-42 and Amend the Comprehensive Management Plan in Compliance with APA and Provide a Hearing; and

WHEREAS, on January 31, 2017, the Appellate Division issued an Order granting the Commission's remand motion and dismissing Sierra Club's appeal; and

WHEREAS, in its Order, the Appellate Division directed the Commission to determine whether to render its decision based on the record developed before the Board of Public Utilities or to allow the parties to present additional evidence and to also determine whether to refer the matter to the Office of Administrative Law for an evidentiary hearing before an Administrative Law Judge; and

WHEREAS, on February 15, 2017, the Appellate Division issued Orders granting the Commission's remand motions and denying Pinelands Preservation Alliance's cross motion and motion to amend; 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, in conformance with the Appellate Division's Remand Orders dated January 31, 2017 and February 15, 2017, the Commission will review the Commission staff's consistency determination for the proposed pipeline project according to the following process:

1. The Commission intends to rely on the record developed before the Board of Public Utilities for NJNG's N.J.S.A. 40:55D-19 municipal preemption petition, as well as the Commission's Regulatory Program's application file for Pinelands Development Application 2014-0045.001 and the staff's consistency determination.
2. The Commission has considered whether to refer this matter to the Office of Administrative Law for an evidentiary hearing and has decided not to do so, because:
 - a. An additional evidentiary hearing is not necessary at this time given the limited regulatory issues involved in this application and the extensive record already developed both as part of the Commission's review of the application and hearings conducted before the BPU.

3. The Commission staff shall provide notice of the public's opportunity to provide both oral and written comments regarding the Commission staff's consistency determination. Such notice shall be posted on the Commission's website and mailed to the applicant, the Sierra Club and the Pinelands Preservation Alliance, and any person, organization or agency which has registered under N.J.A.C. 7:50-4.3(b)2i(2). Such notice shall indicate that the oral comment meeting will occur no sooner than 45 days after the execution of this resolution and that written comments may be provided until 5:00 p.m. one week following the meeting at which the opportunity for oral public comment on the proposed pipeline application will be provided.
4. The former Appellants (Sierra Club and the Pinelands Preservation Alliance) may submit any additional information that they wish as part of the public comment process.
5. The Commission staff shall, following the close of the public comment period, review the record and any public comment provided and shall prepare a recommendation as to whether its prior consistency determination should be affirmed. Such recommendation report shall be posted on the Commission's website within 10 days of the Commission meeting at which Commission staff plans to present it for the Commission's consideration.
6. Any interested party who possesses a particularized property interest sufficient to require a hearing on constitutional or statutory grounds in accordance with N.J.S.A. 52:14B-3.2 & 3.3, may within 15 days of the posting of the Commission staff's recommendation report, submit a hearing request to the Commission.
7. At the next Commission meeting after the time for appeal set forth in Paragraph 6 above has expired and if no valid hearing request has been submitted, the Commission, based on the record as delineated in Paragraph 1 above, any public comments received and the Commission staff's recommendation, shall either approve or disapprove such recommendation.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Executive Director

Date: June 9, 2017

Sean W. Earlen
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 11

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1984-0606.006, 1985-0641.012 & 2017-0060.001)

Commissioner Avery moves and Commissioner Barr seconds the motion that:

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

1984-0606.006

Applicant:	Pemberton Township
Municipality:	Pemberton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	May 19, 2017
Proposed Development:	Demolition of an 8,461 square foot commercial building, 50 years old or older;

1985-0641.012

Applicant:	Pemberton Township Board of Education
Municipality:	Pemberton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	May 19, 2017
Proposed Development:	Placement of two classroom trailers; and

2017-0060.001

Applicant:	Pemberton Township
Municipality:	Pemberton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	May 19, 2017
Proposed Development:	Demolition of a single family dwelling, 50 years old or older.

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

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

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

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

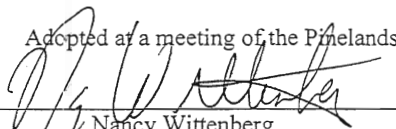
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1984-0606.006, 1985-0641.012 & 2017-0060.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

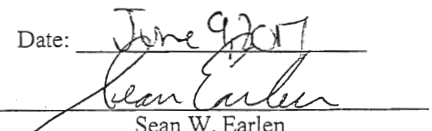
	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				Galletta			X		Prickett				R
Avery	X				Jannarone	X				Quinn	X			
Barr	X				Lloyd	X				Rohan Green	X			
Brown			X		Lohbauer			X		Earlen	X			
Chila	X				McGlinchey	X								

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission


Nancy Wittenberg
Executive Director

Date:


Sean W. Earlen
Chairman



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

David Benedetti
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Re: Application # 1984-0606.006
Block 553, Lot 34
Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for the demolition of an 8,461 square foot commercial building, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

David Benedetti
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Application No.: 1984-0606.006
Block 553, Lot 34
Pemberton Township

This application proposes the demolition of an 8,461 square foot commercial building, 50 years old or older, located on the above referenced 0.35 acre parcel in Pemberton Township. The Township owns the parcel.

STANDARDS

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

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

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

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on April 12, 2017. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 13, 2017. The application was designated as complete on the Commission's website on April 21, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

Pat Austin, Business Administrator
Pemberton Township Board of Education
1 Egbert Street
Pemberton, NJ 08068

Re: Application # 1985-0641.012
Block 839.02, Lot 44.06
Pemberton Township

Dear Ms. Austin:

The Commission staff has completed its review of this application for the placement of two classroom trailers. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

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

NEW JERSEY STATE LIBRARY





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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Pat Austin, Business Administrator
Pemberton Township Board of Education
1 Egbert Street
Pemberton, NJ 08068

Application No.: 1985-0641.012
Block 839.02, Lot 44.06
Pemberton Township

This application proposes placement of two classroom trailers, each containing 1,440 square feet, on the above referenced 35 acre parcel in Pemberton Township. The Samuel T. Busansky Elementary School is located on the parcel. The school is serviced by public sanitary sewer.

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 in a Pinelands Regional Growth Area. The proposed classroom trailers are a permitted use in a Pinelands Regional Growth Area.

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

There are wetlands located within 300 feet of the proposed development. There is existing development, including buildings and parking areas, located closer to wetlands than the proposed development.

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

The proposed development will be located within an existing maintained lawn area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are

tolerant of droughty, nutrient poor conditions. The applicant does not propose any revegetation.

PUBLIC COMMENT

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 10, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of two sheets, prepared by Dante Guzzi Engineering Associates, both sheets dated March 14, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

New Lisbon, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00PM on June 6, 2017 and include the following information:

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

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



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

David Benedetti
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Re: Application # 2017-0060.001
Block 410, Lot 8
Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

David Benedetti
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Application No.: 2017-0060.001
Block 410, Lot 8
Pemberton Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.18 acre parcel in Pemberton Township. The Township owns the parcel.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Area. The demolition of a single family dwelling is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 7, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

New Lisbon, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 12

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1985-0023.004 & 2001-0297.005)

Commissioner Avery moves and Commissioner Chila seconds the motion that:

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

1985-0023.004

Applicant: Borough of Folsom Board of Education
Municipality: Borough of Folsom
Management Area: Pinelands Village
Date of Report: May 19, 2017
Proposed Development: Construction of a 1,808 square foot storage building; and

2001-0297.005

Applicant: Egg Harbor Township
Municipality: Egg Harbor Township
Management Area: Pinelands Regional Growth Area
Date of Report: May 19, 2017
Proposed Development: Five lot resubdivision and no further development.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1985-0023.004 & 2001-0297.005 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017

Nancy Wittenberg
 Executive Director

Sean W. Earlen
 Chairman



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

Christopher Veneziani, Business Administrator
Borough of Folsom Board of Education
1357 Mays Landing Road
Folsom, NJ 08037

Re: Application # 1985-0023.004
Block 801, Lot 9
Borough of Folsom

Dear Mr. Veneziani:

The Commission staff has completed its review of this application for the construction of a 1,808 square foot storage building accessory to the Borough of Folsom Elementary School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Borough of Folsom Planning Board (via email)
Borough of Folsom Construction Code Official (via email)
Borough of Folsom Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
David S. Scheidegg, PE, PP, CME (via email)





State of New Jersey

THE PINELANDS COMMISSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman
Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Christopher Veneziani, Business Administrator
Borough of Folsom Board of Education
1357 Mays Landing Road
Folsom, NJ 08037

Application No.: 1985-0023.004
Block 801, Lot 9
Borough of Folsom

This application proposes the construction of a 1,808 square foot storage building on the above referenced 25 acre parcel in the Borough of Folsom. The proposed storage building will be accessory to the existing Borough of Folsom Elementary School that is located on the parcel. The application also proposes the construction of 134 linear feet of an eight foot wide sidewalk.

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 proposed development is located in the Pinelands Village of Folsom. The proposed development is a permitted land use in a Pinelands Village Management Area.

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

The proposed development will be located in a maintained grassed area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

The applicant previously removed 3,488 square feet of paved area associated with the school from the

parcel. The proposed development, consisting of a storage building, a concrete ramp and sidewalk, results in 3,096 square feet of proposed impervious surfaces. There will be a 392 square foot reduction in the area of impervious surfaces on the parcel. Based upon this reduction, there will be no increase in volume and rate of stormwater runoff after development than occurred prior to the proposed development. No further stormwater management is required. The proposed development is consistent with the stormwater management standards of the CMP.

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 April 13, 2017. Newspaper public notice was completed on April 13, 2017. The application was designated as complete on the Commission's website on May 1, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of two sheets, prepared by Schaeffer Nassar Scheidegg Consulting Engineers, LLC, both sheets dated March 27, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission, received at the Commission office not later than 5:00 PM on June 6, 2017 and include the following information:

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

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



State of New Jersey

THE PINELANDS COMMISSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

Peter Miller, Administrator
Egg Harbor Township
3515 Bargaintown Road
Egg Harbor, NJ 08234

Re: Application # 2001-0297.005
Block 5953, Lots 5, 20, 21, 23 & 24
Egg Harbor Township

Dear Mr. Miller:

The Commission staff has completed its review of this application for a five lot resubdivision and no further development of the above referenced 1.64 acre parcel. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

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

Sincerely,

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

NEW JERSEY STATE LIBRARY

Enc: Appeal Procedure

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





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Peter Miller, Administrator
Egg Harbor Township
3515 Bargaintown Road
Egg Harbor, NJ 08234

Application No.: 2001-0297.005
Block 5953, Lots 5, 20, 21, 23 & 24
Egg Harbor Township

This application proposes a five lot resubdivision and no further development of the above referenced 1.64 acre parcel in Egg Harbor Township.

The Township owns vacant Block 5953, Lot 5. The Township proposes to subdivide vacant Block 5953, Lot 5 into five lots. Four of the proposed vacant lots will then be consolidated with existing Block 5953, Lots 20, 21, 23 & 24. Each of those four lots contains an existing single family dwelling. The fifth proposed lot will be a vacant 8,000 square foot remainder lot.

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. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. Resubdivisions are permitted in the Pinelands Area.

The 1.64 acre parcel subject of this application is located in Egg Harbor Township's RG-1 zoning district. The RG-1 zoning district requires a "by right" residential density of one dwelling unit per acre with a minimum "by right" lot area of 30,000 square per dwelling. Four of the proposed vacant lots will be consolidated with existing residentially developed lots.

The proposed 8,000 square foot vacant lot does not meet the "by right" residential density requirement or the "by right" minimum lot area requirement for a dwelling in the RG-1 zoning district. Based upon the current municipal zoning, any proposed future development of the proposed 8,000 square foot lot may require the purchase of Pinelands Development Credits.

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 April 7, 2017. Newspaper public notice was completed on April 19, 2017. The application was designated as complete on the Commission's website on April 26, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by Mott Associates, LLC and dated January 26, 2017.
2. Any future development of the proposed vacant 8,000 square foot lot requires completion of an application to the Commission.

CONCLUSION

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

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2016 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 13

TITLE: Approving With Conditions an Application for Public Development (Application Number 1987-1326.002)

Commissioner Avery moves and Commissioner Chila seconds the motion that:

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

1987-1326.002

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Manchester Township Board of Education

Manchester Township
Pinelands Town
May 19, 2017
Expansion of an existing parking area to 47 spaces and the paving of the entire parking area.

WHEREAS, the applicant previously expanded the parking area subject of this approval to 30 spaces and paved that parking area without application to, and approval by, the Commission and this constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the completion of this application is intended to address this violation; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-1326.002 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 9, 2017

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

Craig Lorentzen
Manchester Township Public Schools
P.O. Box 4100
Whiting, NJ 08759-4100

Re: Application # 1987-1326.002
Block 109, Lot 3
Manchester Township

Dear Mr. Lorentzen:

The Commission staff has completed its review of this application for the expansion of an existing parking area to 47 spaces and the paving of the entire parking area at the Manchester Township Public Schools District Office. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

The applicant previously expanded the same parking area to 30 spaces and paved that parking area prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure



c: Secretary, Manchester Township Planning Board (via email)
Manchester Township Construction Code Official (via email)
Manchester Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Walter Hopkin (via email)



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

Craig Lorentzen
Manchester Township Public Schools
P.O. Box 4100
Whiting, NJ 08759-4100

Application No.: 1987-1326.002
Block 109, Lot 3
Manchester Township

This application proposes the expansion of an existing parking area to 47 spaces and the paving of the entire parking area at the Manchester Township Public Schools District Office located on the above referenced 10.08 acre parcel in Manchester Township.

The applicant previously expanded the same parking area to 30 spaces and paved that parking area prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.

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 located in the Pinelands Town of Whiting. The proposed development is a permitted use in a Pinelands Town Management Area.

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

The proposed parking area will be located within an existing oak/pine forest area and disturbed areas. The proposed development will disturb approximately 3,800 square feet of forested land. 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 use grass species that meet this recommendation.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on August 31, 2016. Newspaper public notice was completed on September 1, 2016. The application was designated as complete on the Commission's website on May 2, 2017. The Commission's public comment period closed on May 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

Sheets 1-3 - October 23, 2015; revised to April 18, 2017
Sheet 4 - September 8, 2016; revised to April 18, 2017
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 14

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 2016-0142.001, 2016-0153.001, 2016-0154.001, 2016-0155.001, 2016-0156.001 & 2016-0157.001)

Commissioner Barr
seconds the motion that:

moves and Commissioner Jannarone

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

2016-0142.001

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Winslow Township
Winslow Township
Pinelands Village
May 19, 2017
Demolition of a single family dwelling, 50 years old or older;

2016-0153.001

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Winslow Township
Winslow Township
Pinelands Rural Development Area
May 19, 2017
Demolition of a single family dwelling, 50 years old or older;

2016-0154.001

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Winslow Township
Winslow Township
Pinelands Rural Development Area
May 19, 2017
Demolition of a single family dwelling, 50 years old or older;

2016-0155.001

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Winslow Township
Winslow Township
Pinelands Village
May 19, 2017
Demolition of a 1,500 square foot commercial building, 50 years old or older;

2016-0156.001

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Winslow Township
Winslow Township
Pinelands Agricultural Production Area
May 19, 2017
Demolition of a single family dwelling, 50 years old or older; and

2016-0157.001

Applicant:
Municipality:
Management Area:
Date of Report:
Proposed Development:

Winslow Township
Winslow Township
Pinelands Agricultural Production Area
May 19, 2017
Demolition of a single family dwelling, 50 years old or older.

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

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

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

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

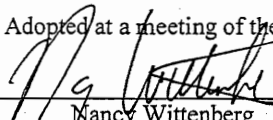
NOW, THEREFORE BE IT RESOLVED that Application Numbers 2016-0142.001, 2016-0153.001, 2016-0154.001, 2016-0155.001, 2016-0156.001 & 2016-0157.001 for public development are hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

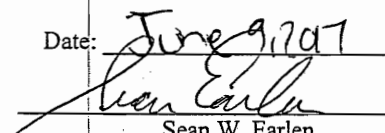
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun			X	Galletta			X	Prickett	X		
Avery	X			Jannarone	X			Quinn	X		
Barr	X			Lloyd			X	Rohan Green	X		
Brown			X	Lohbauer			X	Earlen	X		
Chila	X			McGlinchey	X						

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission


Nancy Wittenberg
Executive Director

Date:


Sean W. Earlen
Chairman



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2016-0142.001
Block 7404, Lot 1
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0142.001
Block 7404, Lot 1
Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 4.36 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

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

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

The parcel is located in a Pinelands Village of Winslow. The demolition of a dwelling is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 13, 2017. The Commission's public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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

NEW JERSEY STATE LIBRARY



State of New Jersey

THE PINELANDS COMMISSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2016-0153.001
Block 2501, Lot 9
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of the application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0153.001
Block 2501, Lot 9
Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older located on the above referenced 0.63 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township has advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

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

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

The parcel is located in a Pinelands Rural Development Area. The demolition of a dwelling is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 13, 2017. The Commission's public comment period closed on May 12,

2017. No public comment was submitted to the commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2016-0154.001
Block 4101, Lot 28
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for the demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0154.001
Block 4101, Lot 28
Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.38 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

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

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

The parcel is located in a Pinelands Rural Development Area. The demolition of a dwelling is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 13, 2017. The Commission's public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



State of New Jersey

THE PINELANDS COMMISSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2016-0155.001
Block 6417, Lot 4
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for the demolition of a 1,500 square foot commercial building, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)





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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0155.001
Block 6417, Lot 4
Winslow Township

This application proposes the demolition of a 1,500 square foot commercial building, 50 years old or older located on the above referenced 0.22 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the structure. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

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

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

The parcel is located in the Pinelands Village of Blue Anchor. The demolition of a commercial building is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 13, 2017. The Commission's public comment period closed on May 12,

2017. No public comment was submitted to the commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2016-0156.001
Block 6601, Lot 14
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)

NEW JERSEY STATE LIBRARY





State of New Jersey

THE PINELANDS COMMISSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0156.001
Block 6601, Lot 14
Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.47 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

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

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

The parcel is located in a Pinelands Agricultural Production Area. The demolition of a dwelling is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 13, 2017. The Commission's public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2016-0157.001
Block 6601, Lot 37.04
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 9, 2017 meeting.

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

Prior to any demolition, 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Application No.: 2016-0157.001
Block 6601, Lot 37.04
Winslow Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 1.93 acre parcel in Winslow Township. By letter dated November 22, 2016, the Township advised the Commission staff that the structure is in an unsafe condition. The Township proposes to demolish the dwelling. The Township has not provided the written permission of the property owner for the filing of this application with the Commission.

STANDARDS

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

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

The parcel is located in a Pinelands Agricultural Production Area. The demolition of a dwelling is permitted by the CMP.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 13, 2017. The Commission's public comment period closed on May 12,

2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. No demolition of the dwelling shall occur without the permission of the property owner unless the Township determines it has the legal authority to undertake the proposed demolition based upon its November 15, 2016 notice of an unsafe structure.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on June 6, 2017 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 15

TITLE: To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2018 at the Same Level of Expenditures as Fiscal Year 2017 until the Adoption of the Fiscal Year 2018 Budgets

Commissioner Avery moves and Commissioner Chila 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 \$2,649,000 to support the Commission's operations during Fiscal Year 2018; 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 Executive Director is authorized to continue to expend funds during Fiscal Year 2018 at the same level of expenditures as Fiscal Year 2017 until the Commission's adoption of the Fiscal Year 2018 Budgets.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date:

June 9, 2017
Sean W. Earlen
Sean W. Earlen
Chairman

Subject: Attn: Mr. Chuck Horner; Deed Restrictions.Fwd: OPRA #77-2017
From: Mark Demitroff <mark@buckhorn-gsi.com>
Date: 6/7/17, 9:51 PM
To: ApplInfo@njpines.state.nj.us

Mr. Horner,

Please note that BVT is unable to produce a record of the deed restrictions that their application required. On BVT's plan submission to you for application #2009-0089.001, they specified in point 7.), "two 6,750 SF deed restricted areas are proposed for non-structural storm water mitigation."

7.) TWO 6,750 SF DEED RESTRICTED AREAS ARE PROPOSED FOR NON-STRUCTURAL STORM WATER MITIGATION MEASURES.

Proposed Development Plan/Richland Village West/Cover Sheet.

Regarding a Pinelands Commission application report letter dated April 8, 2015:

On page 8, the following documentation of the Stormwater Basin 13 preservation easement was noted. According to that application, 0.16 acres on Block 4527, Lot 4 was subject to a proposed preservation easement, which was the easement area associated with Stormwater Basin 13. At that time the Pinelands Commission was under the impression that Stormwater Basin 13 was already in existence. To refresh your memory, an existing depression—an old septic field—was deemed by the township engineer to be an "existing" Stormwater Basin 13. According to recorded P&Z Board hearing testimony, the Township Engineer explained that change was made under the recommendation of the Pinelands staff. The Commission then approved the concept that the depression was an existing basin despite testimony provided in contradiction to what was shown on BVT's plan. A year after the Commission's "existing" stormwater basin approval by the Commission, a septic system reappeared again as a septic system for yet another approval for a separate structure-replacement application. In newly bid construction it now appears that "existing" Stormwater Basin 13 is not "existing" afterall, but is slated to be built in the same location where you were told—and accepted—that a basin already existed. As for Stormwater Basin 13's alternate reality, the original cesspit has since collapsed, even though the pole barn's bathroom outlet has since been connected to the failed septic system. Atlantic County Board of Health does not appear to be willing to approve this hook-up so the township's new structure remains vacant—an apparent stalemate mired in absurdity.

<u>PUBLIC DEVELOPMENT APPLICATION REPORT</u>	
(Corrected Copy – Page 2, para. 2 & page 6, para. 2: Pinelands Management Area)	
April 8, 2015	
Chuck Chiarello, Mayor Buena Vista Township P.O. Box 605 Buena, NJ 08310	
Application No.:	2009-0089.001
Location:	Block 700, Lots 15 - 17 Block 4527, Lots 2 - 5 Buena Vista Township

Public Comments from Commenter Four:

The commenter expressed a concern that the stormwater management plan for the proposed project be thoroughly reviewed.

Staff Response to Commenter Four:

The staff has thoroughly reviewed the proposed stormwater management plan. It is the staff's opinion that the proposed stormwater management plan meets the stormwater management standards of the CMP.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of four sheets, prepared by Schaeffer Nassar Scheidegg, all sheets dated November 24, 2010 and revised to January 19, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
4. 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.
5. Prior to any development, the applicant must provide documentation that the concerned 0.16 acres, proposed to be subject of a preservation easement to meet the CMP nonstructural stormwater management standard, has been filed with the Atlantic County Clerk's office.

In a letter dated October 24, 2012 from Andrew Schaeffer (Schaeffer Nassar Scheidegg) to Charles Horner (Pinelands Commission), another deed-restriction claim is made. The engineer states, "All of the on-site flow paths that are overland have been protected via a deed notice." According to the Pinelands Commission, the proposed total vegetative conveyances have a linear extent of 3,676 linear feet (0.7 miles). Those are required easements to be in compliance with Pinelands, municipal, and NJDOT standards, whether or not they were included in the final approval. As promised below, "all improvements are to be constructed to NJDOT specifications." Nothing is in place to protect the stormwater flow pathway.

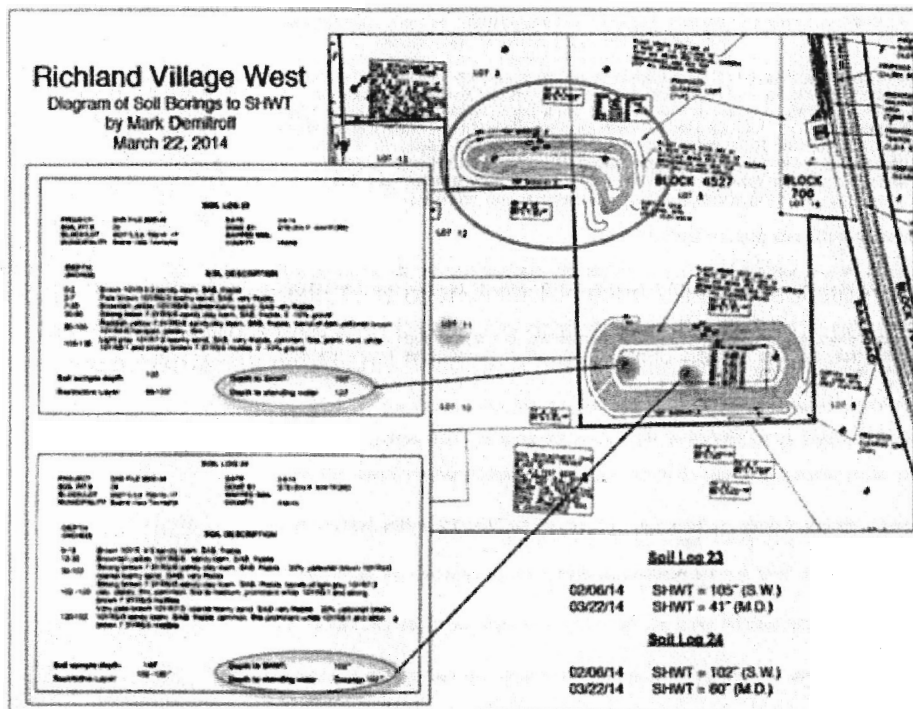
- 1) THE CONTRACTOR SHALL PROCURE ALL REQUIRED PERMITS, LICENSES AND INSPECTIONS, PAY ALL CHARGES AND FEES AND NOTICES FOR AND INCIDENTAL TO THE DUE AND LAWFUL PROSECUTION OF THE PROJECT.
- 2) ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE ONLY AND MUST BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE AWARE OF THIS STATEMENT WHEN SUBMITTING BID PROPOSALS FOR CONSTRUCTION. BEFORE EXCAVATING THE PROJECT AREA THE CONTRACTOR SHALL VERIFY THE LOCATION OF ANY UNDERGROUND UTILITY. SHOULD ANY UNDERGROUND UTILITY INTERFERE WITH CONSTRUCTION THE ENGINEER SHALL BE NOTIFIED BEFORE PROCEEDING WITH WORK. THE CONTRACTOR SHALL NOTIFY ALL UNDERGROUND UTILITY COMPANIES 3-DAYS PRIOR TO COMMENCEMENT OF ANY EXCAVATION FOR ACCURATE FIELD LOCATIONS. FOR MARK OUT CALL 1-800-272-1000. IT SHALL BE THE RESPONSIBILITY OF THE OWNER/CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, BOTH HORIZONTALLY AND VERTICALLY.
- 3) NO TOPSOIL SHALL BE REMOVED FROM THE SITE OR USED AS SPOIL.
- 4) PRIOR TO ANY CONSTRUCTION OF ON-SITE IMPROVEMENTS, A PRE CONSTRUCTION MEETING MUST BE SET UP BETWEEN THE APPLICANT, THE CONSTRUCTION CONTRACTOR, AND THE TOWN OFFICIALS TO REVIEW DETAILS, CONSTRUCTION SCHEDULES TESTING REQUIREMENTS, ETC.
- 5) A SEPARATE STORM WATER MAINTENANCE SCHEDULE, KNOWN AS THE "STORMWATER MANAGEMENT FACILITIES PLAN" INCLUDING ANY REVISIONS HEREAFTER, SHALL BE SUBMITTED TO THE PLANNING BOARD SOLICITOR FOR REVIEW PRIOR TO SAME BEING RECORDED ON THE DEED OF RECORD.
- 6) THE APPLICANT WILL COMPLY WITH ORDINANCE STANDARDS IN ACCORDANCE WITH ANY ON-SITE CLEARING.
- 7) ALL EXISTING CONDITIONS AND DIMENSIONS TO BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- 8) ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH MANUFACTURERS REQUIREMENTS, CODES, SPECIFICATIONS, AND ALL APPLICABLE ORDINANCES.
- 9) CONTRACTOR TO BE RESPONSIBLE FOR MAINTENANCE, CLEANUP, AND SECURITY OF ALL FACILITIES DURING CONSTRUCTION. UPON ACCEPTANCE OF ALL SITE IMPROVEMENTS, OWNER SHALL ASSUME RESPONSIBILITY.
- 10) PRIOR TO CONSTRUCTION, THE AREA TO BE USED FOR THE INFILTRATION BASIN SHALL BE CONDONED OFF TO PREVENT CONSTRUCTION EQUIPMENT AND STOCKPILED MATERIALS FOR COMPACTING SUBSOILS.
- 11) DURING BASIN CONSTRUCTION, THE SAME PRECAUTIONS SHALL BE TAKEN TO PREVENT BOTH SUBGRADE SOIL COMPACTION AND SEDIMENT CONTAMINATION.
- 12) DURING DEMOLITION AND CONSTRUCTION, THE CONTRACTOR SHALL USE DUST AND NOISE CONTROL METHODS IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.
- 13) UNLESS OTHERWISE NOTED, ALL IMPROVEMENTS ARE TO BE CONSTRUCTED TO HUDOF SPECIFICATIONS AND DETAILS, LATEST EDITION AND AMENDMENTS.

Before work can begin, the municipality must get NRCS approval, and must deed restrict the easement areas associated with Stormwater Basins 13 & 18.

Please comment:

- 1) Can BVT move ahead in the absence of deed restrictions, drainage-way easements, and NRCS approval?
- 2) Has BVT created a required "separate storm water maintenance schedule," and submitted it to the Planning Board Solicitor for review as specified?
- 3) As "existing" Stormwater Basin 13 was not in extant as shown in the original application, doesn't BVT have to amend their original application to reflect this new work (e.g., easements)?
- 4) Has the Pinelands staff discussed the potential of Stormwater Basin 18's re-purposing for use as a community septic system component?

My concern is that Stormwater Basin 18 is surreptitiously destined to reappear as a community septic system component, with an alternate stormwater basin schemed to take its place (circled in red below). To bait and switch would be deceptive. After all, no one would ever imagine that—respectively—a septic system is a stormwater basin is a septic system a stormwater basin.



Really, if stormwater basin 18 is overkill for Richland Village West stormwater management, why have another large basin above it on the above draft application? One Pinelands staffer once opined that Stormwater Basin 18 could only become a community sewer plant is another basin were made to replace it....

Forwarded (*below*) is a record of an OPRA request seeking documentation of stormwater basin easements. MIA.

Sincerely,

Mark Demitroff

----- Forwarded Message -----

Subject:OPRA #77-2017

Date:Wed, 7 Jun 2017 15:55:51 -0400

From:Lisa Tilton <ltilton@buenavistani.com>

To:Mark Demitroff <mark@buckhorn-gsi.com>

Dear Mark Demitroff,

The following is in response to your OPRA request received on June 2, 2017.