



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



PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

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

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA
Friday, October 11, 2024- 9:30 a.m.

This meeting will be held in-person and virtually.

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

Watch the meeting on the Pinelands Commission YouTube channel via the following link:

<https://www.youtube.com/watch?v=nhwiaL7DtgU>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 813 1275 5404

1. Call to Order

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

2. Adoption of Minutes

- September 13, 2024 (Open and Closed Session)

3. Committee Chairs' and Executive Director's Reports

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

A. Permitting Matters

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

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

- Application No. 2004-0057.002 - Ocean County Parks & Recreation
Construction of a recreational facility, including athletic fields and a trail system
Manchester Township

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

- Application No. 2010-0008.007 - Egg Harbor City
Construction of a 12,200 square foot public park
Egg Harbor City

B. Planning Matters

- Municipal Master Plans and Ordinances
 - None
- Other Resolutions
 - None
- CMP Amendments
 - None

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

A. Public Development Projects

- None

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Bass River Township Ordinances 2024 -3 & 2024-4
- Berlin Township Ordinance 2024-11
- Lakehurst Borough Ordinance 2024-05
- Winslow Township Ordinance O-2024-021
- Woodland Township Ordinances 2024-4 & 2024-5
- Hamilton Township Ordinances 2081-2024, 2082-2024 & 2083-2024
- Manchester Township Ordinance 24-29 & 24-30
- Monroe Township Ordinances O:41-2024 & O:42-2024
- Shamong Township 2023 Master Plan Reexamination Report
- Shamong Township Ordinances 2023-12 & 2024-9

7. Presentation: Annual Update on Permanent Land Protection and the Pinelands Development Credit Program
8. General Public Comment
9. Resolution to Retire into Closed Session (if needed) – Personnel, Litigation and Acquisition Matters. *(The Commission reserves the right to reconvene into public session to take action on closed session items.)*
10. Adjournment

Upcoming Meetings

Fri., October 25, 2024	Policy & Implementation Committee Meeting (9:30 a.m.)
Tues., October 29, 2024	Personnel & Budget Committee Meeting (9:30 a.m.)
Fri., November 8, 2024	Pinelands Commission Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES
September 13, 2024

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: https://www.youtube.com/live/Hi_T3zUi0yk?feature=shared

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Dan Christy, John Holroyd, Mark Mauriello, Jonathan Meade, William Pikolycky, Jessica Rittler Sanchez, Douglas Wallner and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Alexis Franklin.

Commissioners Absent

Jerome H. Irick, Theresa Lettman and Mark Lohbauer.

Call to Order

Chair Matos called the meeting to order at 9:31 a.m.

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

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

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's August 9 2024 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Asselta seconded the motion.

The minutes from the August 9, 2024 Commission meeting were adopted by a vote of 10 to 0.

Committee Reports

Chair Matos said the August 27, 2024 Policy and Implementation (P&I) Committee meeting was canceled.

Vice Chair Avery read the summary of the August 20, 2024 Personnel and Budget Committee meeting:

The Committee adopted the minutes from its June 18, 2024 meeting.

Staff reviewed the financial records that included: Check Registers, Electronic Disbursements and Application Fees. Fee revenue for Fiscal Year 2024 significantly exceeded the budgeted amount.

It was noted that in preparation for the Fenwick Manor Rehabilitation Project, the MIS office partnered with the NJ Office of Information Technology to relocate the telecommunication fiber optics from the Fenwick Manor basement to the Richard J. Sullivan Center.

Staff presented the draft Fiscal Year 2025 Budgets, which were reviewed by the Committee and recommended to the full Commission for adoption.

Executive Director's Report

ED Grogan provided information on the following matters:

- The Fenwick Manor renovation project Request for Proposal was posted to the NJ Treasury website and a fully executed grant agreement was provided to the Commission. A mandatory pre-proposal meeting is scheduled for September 26th and bids are due October 10th. More details, including project timeline, will be known once this next step is completed.
- A presentation on the Pinelands was provided at the quarterly working group of the US Biosphere Network that met at the beginning of September. A review of the history of the Pinelands was included and an explanation on how the Commission regulates and manages the Pinelands Area. The Commission will need to prepare a report in 2026 in order for the Pinelands to maintain its Biosphere designation.

April Field, Chief Permitting Officer, provided information on the following regulatory matters:

- A large residential development, known as Ocean Acres in Barnegat Township, is planning to construct approximately 108 single family dwellings in an undeveloped section of the subdivision. In 2004, the Commission entered into two agreements and various rezonings occurred to address residential density and Threatened and Endangered

(T&E) species standards, which developed the framework for future development of specific portions of Ocean Acres. Staff is scheduled to meet with the applicant to discuss the proposed development, including what information will be necessary to demonstrate consistency with stormwater and T&E standards.

- A response from the property owner in Pemberton Township who filled wetlands while improving an agricultural access driveway indicated that the soil will be removed from the parcel. The property owner is seeking additional time to remove the soil. Staff will be contacting the property owner to gather additional details.
- An application proposing 578 dwelling units in Pemberton Township is currently before the municipal planning board. The applicant received a Certificate of Filing in 2005 after completing an application and conducting numerous T&E studies. Staff advised the applicant that additional T&E surveys were necessary, including a two-season drift fence snake survey. The results of the first season were negative.

Gina Berg, Director of Land Use Programs, provided an update on the following planning matters:

- Staff continues to spend a great deal of time working with other state agencies on various rule proposal initiatives, including New Jersey Department of Environmental Protection (NJDEP) REAL (Resilient Environments and Landscapes) rules, Hazardous Mitigation Planning efforts, and the Pinelands Infrastructure Trust rules.
- A number of Pinelands Development Credit Letters of Interpretation have been issued. Should the property owners choose to sever their credits, land will be deed restricted and considered permanently protected.
- Project proposals for the 2024 Pinelands Conservation Fund (PCF) land acquisition grant round must be submitted no later than Monday, September 16th.

Stacey Roth, Chief, Legal and Legislative Affairs, said the Commission will be meeting in closed session at the end of the meeting to discuss litigation matters.

Brad Lanute, Chief Planner, provided an update on the Land Use Programs office:

- Staff continue to review ordinances related to the Commission's Kirkwood-Cohansey rule amendments from last December and the NJDEP stormwater amendments from last year. All but seven municipalities have adopted these amendments at this point, which is very good progress.
- Staff continue to work through many tree removal/replacement ordinances, which all Pinelands municipalities have had to adopt to satisfy their MS4 permit requirements. Staff has seen a great deal of variability in these ordinances. Some towns have crafted thoughtful ordinances to the local context, which is positive. On the other hand, it does make staff's review a bit more challenging given the variation across 50 ordinances.

- Staff had a productive meeting with the NJDEP last month regarding tree removal/replacement ordinances. Staff shared the concerns that were raised at the May P&I Committee meeting. Also discussed was how much flexibility the department was affording municipalities regarding these ordinances. In general, it seems like the Commission's concerns can be addressed in these ordinances without compromising the intent of the MS4 permit requirements.

Paul Leakan, Communications Officer, said the next education series on Fungi has closed out with 60 registrants. Staff is currently planning the World Water Monitoring challenge scheduled for October 25th at Batsto Lake.

ED Grogan said a Great Blue Heron carving was donated by the Commission's first Executive Director, Terrence D. Moore, and can be seen in the lobby. She noted that it was a retirement gift to Mr. Moore from Gary Giberson, a well-known wood carver. Staff will be purchasing a plaque with information on who donated it and who carved it.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution approving two public development projects: the construction of recreational facilities at the New Hanover Township Elementary School and the construction of a public safety building in Mullica Township.

Commissioner Avery made a motion Approving With Conditions Applications for Public Development (Application Numbers 1991-0320.005 & 2007-0301.005) (See Resolution # PC4-24-16). Commissioner Pikolycky seconded the motion.

Ernest Deman, Supervising Environmental Specialist, provided details on the two public development applications. He said New Hanover Township is proposing to surface an existing cinder running track with asphalt, install a half court for basketball and construct a combination baseball/ softball field. He said currently the Mullica Township Police Department utilizes the basement level of the existing Mullica Township municipal building. He said the lower level of the building is experiencing a mold issue necessitating the construction of a new building for the public safety employees.

The resolution was adopted by a vote of 10 to 0.

Planning Matters

Chair Matos introduced a resolution regarding a Memorandum of Agreement (MOA) to allow for trail improvements at an existing park in Stafford Township.

Commissioner Mauriello made a motion Authorizing Execution of a Memorandum of Agreement between the Pinelands Commission and Stafford Township Regarding Accessibility Improvements to the Existing Trails at Forecastle Lake Park (See Resolution # PC4-24-17). Commissioner Wallner seconded the motion.

Ms. Roth noted that the Township Administrator, Matthew von der Hayden, and Township Engineer Frank Little are attending the meeting today. She said Stafford Township is proposing to improve existing trails located along Forecastle Lake and resurface four handicap parking spaces at an existing parking lot located close to the trail head. The improvements are intended to make the current trail, which consists of an uneven dirt surface more accessible to individuals with mobility challenges. The Township is proposing to pave a six-foot wide portion of the trail. The proposed improvements are located within wetland buffers. The Pinelands Comprehensive Management Plan (CMP) does not permit paving of trails in wetlands buffers. The proposed MOA would authorize a deviation from the wetland buffer standards of the CMP and establish an alternative permitting process for construction of the trail improvements. She said an offset is required for deviation MOAs that affords an equivalent level of protection for the resources of the Pinelands. She said the town is proposing to reforest a 35,000 square foot area with native Pinelands vegetation. (see attached presentations slides).

Commissioner Rittler Sanchez asked if the Commission staff will be monitoring the area to be revegetated. She said it will take a few years for the area to mature.

Ms. Roth said the MOA requires the Township to submit a reforestation plan and specifies that the area must be maintained in perpetuity. She also noted that MOA requires the Township to attend a meeting of the P&I Committee and provide a summary of the project following its completion.

ED Grogan added that the Commission staff would like to do more monitoring but it's not feasible given current staffing levels. However, should any problems arise with revegetation of the offset area, staff will do a site inspection.

The resolution was adopted by a vote of 10 to 0.

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

Chair Matos read the list of public development applications up for comment.

No one from the public spoke.

Ordinances Not Requiring Commission Action

Chief Planner Lanute said staff reviewed a total of 28 ordinances in the last month, 22 of which were related to the Kirkwood-Cohansey water management and stormwater management model ordinances. One ordinance related to tree removal/replacement.

Other Resolutions

Chair Matos introduced a resolution to adopt the Fiscal Year 2025 Budgets.

Commissioner Avery made a motion To Adopt the Pinelands Commission's Fiscal Year 2025 Budgets for the Operating Fund, Fenwick Manor Preservation Fund and Pinelands Conservation Fund (See Resolution # PC4-24-18). Commissioner Pikolycky seconded the motion.

ED Grogan said the FY2025 budget consists of three separate budgets (Operating Fund, Pinelands Conservation Fund (PCF) and Fenwick Manor Preservation Fund) and each budget supports specific initiatives and projects that staff plan to undertake in this Fiscal Year.

She said she requested an increase of \$200,000 to the state appropriation to cover the cost of salary increases anticipated in the Communication Workers of America (CWA) contract. She said the state supplemental funding continues to remain the same, which means that each year the Commission's portion of health insurance costs increases. Operating fund revenues and expenditures were reviewed, with the budget notes providing the details of each item. She said a new initiative for FY 2025, that will be funded by the National Park Service, is a cultural resource data sharing agreement with the State Historic Preservation Office (SHPO). The presentation slides (see attached) include a lengthy list of the day-to-day responsibilities, upcoming and ongoing projects and unexpected projects for FY2025.

ED Grogan described the four categories of the PCF Budget expenditures that support land acquisition, conservation planning and research, community planning and design and education and outreach. The conservation planning and research account funds much of the Science Office's work. The community planning and design account funds the Pinelands Development Credit Bank, which the Commission has been administering since 2011 and has received no compensation from the Department of Banking and Insurance. This budget also supports World Water Monitoring Day, the speaker series and the Short Courses. The FY25 budget includes money to redesign the Commission website with assistance from the Office of Information Technology. The PCF budget will also support a number of upcoming CMP Amendments. The Commission is hoping to find a stormwater consultant to assist staff in reviewing plans, provide training and create guidance documents.

Lastly, ED Grogan reviewed the budget for the Fenwick Manor Preservation project totaling \$1,195,000. She said this project will likely have a phase two for the items that cannot be addressed due to limited funds.

Commissioner Mauriello asked if staff has list of properties that is used in its land preservation efforts. He noted the importance of County appointed Commissioners notifying their respective local officials of potential acquisition projects. He said it's an opportunity to notify municipalities about the importance of the Commission's work.

ED Grogan said there is a map that includes two specific sets of acquisition target areas: the Section 502 Areas established in the 1980s and, in more recent years, an additional 21 target areas . She said when a new round of acquisition is launched, the map is provided and bonus points are given to properties in the Target Areas. She said counties and non-profit organizations are typically project partners.

Commissioner Mauriello said that changes in regulations, for example, the NJDEP's Flood Hazard Area Control Act rule, impact sites, and the priority to acquire the site becomes more evident due to the constraints from state regulations.

ED Grogan said that's how a new target area in Pemberton Township was added to the land acquisition map. She added that the current source of money in the PCF stems from an agreement with the South Jersey Transportation Authority and is to be used first for grassland habitat.

Commissioner Avery thanked staff for preparing the budget and the analysis that was prepared for the estimate of application fee revenue. He said the problem with the budget is the lack of increase in state supplemental funding, which the Executive Director noted earlier. The Commission must pay the difference in the increase in healthcare costs. He said the state treats the Commission as a local unit of government rather than a state unit of government. He said the explanation of the budget and the work to be completed in FY25 is impressive.

The resolution was adopted by a vote of 10 to 0.

Chair Matos introduced a resolution that would provide an extension of time to Atlantic County to complete its obligations associated with the Secondary Impacts Agreement.

Commissioner Avery made a motion To Authorize an Additional Extension of the Time Period for Atlantic County to Complete its Obligations Under the Secondary Impacts Agreement for Interchange 44 of the Garden State Parkway (See Resolution # PC4-24-19). Commissioner Pikolycky seconded the motion.

Ms. Roth said that in May of 2013, the Commission approved a full interchange for Exit 44 on the Garden State Parkway near Stockton University. As part of the application, Atlantic County agreed to obviate secondary impacts in a 1.5-mile radius from the interchange. The area surrounding the interchange is a Rural Development Area. The county elected to acquire the properties, rather than merely recording easements. So far, the County has acquired 352 acres of the 356 acres in Tier 1. The County only needs to acquire four more acres. The COVID-19 Pandemic along with turnover in the County planning office has made it difficult to complete the remaining acquisitions. The County is requesting an additional 1-year extension to complete the transaction. Commission staff suggested an additional 2-year extension might be more beneficial, extending the time-period to September 7, 2026. (See attached presentation slides.)

Commissioner Mauriello asked if the properties acquired by the County are listed on the Recreation and Open Space Inventory (ROSI).

Ms. Roth confirmed that the properties are listed on the ROSI.

In response to a question from Commissioner Rittler Sanchez, Ms. Roth also confirmed that all of the properties acquired by the County are deed restricted.

The resolution was adopted by a vote of 9 to 0. Commissioner Wallner was not present during the vote.

General Public Comment

Mike Kaliss said he is an 8-year volunteer with the Friends of the Black Run Preserve. He said he supports the Commission's proposal to change the Management Area designation from a Rural Development Area to a Forest Area. He said the development pressure in that area could have a negative effect on the ecosystem. He asked the Commission to expedite the review of the zoning change. He said he supports Evesham Township's proposal to install accessible trails at the Black Run Preserve, however he would like to see the trail in a different portion of the park where tree cutting would not be necessary. He added that the portion of the park where the Township is proposing the trail is very remote and could be tricky to rescue someone using a wheelchair. He noted that he shared his concerns with Evesham Township and the Pinelands Preservation Alliance.

Edward Ferrugia, Voorhees, NJ, said he would like to see the Commission take action on the Black Run Rule proposal. He said he supports the rule proposal, however it is a compromise because although the Black Run watershed is protected, he would like to see the upland forest protected as well. He said that the upland forest is located south of the watershed. He said the matter is becoming critical and he urged the Commission to ask the P&I Committee to proceed with the rule proposal.

Jason Howell of the Pinelands Preservation Alliance said the attorney for the Pole Bridge Road development in Pemberton Township was recently before the Planning Board, and the developer's attorney stated that they would be trying to convince the Commission that a specific area on the parcel is not a wetland. He said an expert ecologist inspected the property and determined that the area in question is in fact a wetland. He said that report will be submitted to the planning board and the Commission. He requested the Commission expedite its review of the Forest Area designation in the Black Run. He said that it is critical to maintain the ecological integrity of the area. He also suggested that it may be helpful to inform the public of the next steps for the Black Run rule proposal.

John Kane suggested that someone from the Commission monitor real estate sales transaction sites so large parcels of land can be acquired for preservation before developers purchase the land. He said he would like to see the Department of Transportation revegetate the area where trees were removed for the Garden State Parkway expansion in Cape May County.

Elizabeth, a Sturbridge Lakes resident, said that the forest near her neighborhood must be protected. She urged the Commission to expedite the rezoning of the Black Run watershed to a Forest Area. She said that like many of her neighbors, she chose to live in her community because of the trees and wildlife that provide a sanctuary where she can reconnect with nature.

Closed Session

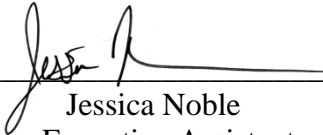
DAG Stypinski read a resolution to retire into closed session. Commissioner Avery made a motion to enter into closed session. The motion was seconded by Commissioner Rittler Sanchez and all voted in favor. The Commission met in closed session beginning at 11:02 a.m.

The Commission returned to open session at 11:30 a.m. Ms. Roth said that during closed session the Commission was provided an update on pending litigation matters: Hovsons Inc., an appeal from Clayton Sand Company on the Kirkwood-Cohansey rules and anticipated litigation involving a property owner in the Pinelands Area.

Adjournment

Commissioner Pikolycky moved to adjourn the meeting. Commissioner Asselta seconded the motion. The Commission agreed to adjourn at 11:32 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: September 20, 2024



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-16

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1991-0320.005 & 2007-0301.005)

Commissioner Avery moves and Commissioner Pikolycky 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:

1991-0320.005

Applicant: **Mullica Township**
Municipality: Mullica Township
Management Area: Pinelands Village
Date of Amended Report: September 3, 2024
Proposed Development: Construction of a 4,473 square foot public safety building; and

2007-0301.005

Applicant: **TJC at Wrightstown, LLC**
Municipality: Borough of Wrightstown
Management Area: Pinelands Town
Date of Report: August 15, 2024
Proposed Development: Construction of recreational facilities at the existing New Hanover Township Elementary School

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 1991-0320.005 & 2007-0301.005 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*
Asselta	X				Lettman			X		Rittler Sanchez	X			
Avery	X				Lohbauer			X		Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd	X				Meade	X								
Irick			X		Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: September 13, 2024

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

September 3, 2024

Ralph Condo (via email)
Mullica Township
4528 White Horse Pike
Elwood NJ 08217

Re: Application # 1991-0320.005
Block 3405, Lot 5
Mullica Township

Dear Mr. Condo:

The Commission staff has completed its review of this application for construction of a 4,473 square foot public safety building. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 13, 2024 meeting.

A Public Development Application Report and a cover letter to that Report, both dated August 22, 2024, were previously issued for this application. A minor revision has been made to the site plan cited in the August 22, 2024 Report. The minor revision clarifies that a second existing septic system that services a municipal garage building on the parcel is also proposed to be abandoned. The attached September 3, 2024 Amended Report reflects that all sheets of the site plan, except sheet 4, have been revised to August 30, 2024 to reflect this minor revision. All other text in the August 22, 2024 Report remains unchanged.

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, Mullica Township Planning Board (via email)
Mullica Township Construction Code Official (via email)
Mullica Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Atlantic County Division of Public Health (via email)
Marianne G. Risley (via email)



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AMENDED PUBLIC DEVELOPMENT APPLICATION REPORT

(See 9/3/24 Cover Letter to this Report for Explanation of Amendment)

September 3, 2024

Ralph Condo (via email)
Mullica Township
4528 White Horse Pike
Elwood NJ 08217

Application No.: 1991-0320.005
Block 3405, Lot 5
Mullica Township

This application proposes the construction of a 4,473 square foot public safety building on the above referenced 1.6 acre parcel in Mullica Township. The Mullica Township municipal complex, including the municipal building and public works facility are located on the parcel.

The Mullica Township police department currently occupies the basement floor of the existing municipal building. The applicant has submitted information indicating that, based upon the presence of mold, there is a health and safety issue with the police department utilizing the basement floor of the existing municipal building. The proposed public safety building will be occupied by the police department. The applicant has indicated that the basement of the municipal building will be utilized only for storage.

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 Village of Elwood. Institutional uses, including public office buildings and law enforcement facilities, are a permitted land use in a Pinelands Village.

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

The existing municipal building is serviced by an existing on-site septic system. The existing on-site septic system does not reduce the level of nitrate/nitrogen in the wastewater.

The CMP requires that ground water exiting a parcel from both existing and proposed development must meet a two parts per million nitrate/nitrogen groundwater quality (septic dilution) standard. The existing

municipal building on the 1.6 acre parcel currently exceeds the groundwater quality (septic dilution) standard. To meet this standard, the applicant proposes to abandon the existing on-site septic system and service the existing municipal building and the proposed public safety building with an on-site septic wastewater treatment system that will reduce the level of nitrate/nitrogen in the wastewater.

The CMP (N.J.A.C. 7:50-6.84(a)5iv(3)) specifies certain requirements for the use of an on-site septic wastewater treatment system that will reduce the level of nitrate/nitrogen in the wastewater. Those requirements include monitoring of the treated wastewater effluent to ensure that the wastewater from the existing and proposed uses will meet the two parts per million nitrate/nitrogen groundwater quality (septic dilution) standard. A condition is included in this Public Development Application Report to address the requirements of the CMP (N.J.A.C. 7:50-6.84(a)5iv(3)) for use of the proposed system.

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

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

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

The proposed development will be primarily located in an existing stone storage area and a grassed area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 2, 2024. Newspaper public notice was completed on April 6, 2024. The application was designated as complete on the Commission's website on July 2, 2024. The Commission's public comment period closed on July 12, 2024. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 12 sheets, prepared by Adams, Rehmann & Heggan Associates and dated as follows:

Sheets 1 - 3 & 5 - 12 - June 14, 2024; last revised August 30, 2024

Sheet 4 - June 14, 2024; last revised August 20, 2024

2. 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.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
4. Prior to issuance of a Certificate of Occupancy for the proposed public safety building, the applicant shall submit to the Pinelands Commission an executed copy of a legal agreement addressing the CMP (N.J.A.C. 7:50-6.84(a)5iv(3)) monitoring and maintenance requirements for the proposed on-site wastewater treatment system.

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



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on September 9, 2024 and include the following information:

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

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



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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

August 15, 2024

Scott Slage (via email)
TJC at Wrightstown, LLC
On Behalf of the New Hanover Township School District
603 First Avenue
Raritan NJ 08869

Re: Application # 2007-0301.005
Block 401, Lot 35.02
Borough of Wrightstown

Dear Mr. Slage:

The Commission staff has completed its review of this application for the construction of recreational facilities at the existing New Hanover Township 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 September 13, 2024 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 Wrightstown Planning Board (via email)
Borough of Wrightstown Construction Code Official (via email)
Secretary, Burlington County Planning Board (via email)
Robert S. Baranowski, Jr. (via email)



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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 15, 2024

Scott Slage (via email)
TJC at Wrightstown, LLC
On Behalf of the New Hanover Township School District
603 First Avenue
Raritan NJ 08869

Application No.: 2007-0301.005
Block 401, Lot 35.02
Borough of Wrightstown

This application proposes the construction of recreational facilities at the existing New Hanover Township Elementary School located on the above referenced 7.3 acre parcel in the Borough of Wrightstown.

This application proposes the surfacing of an existing cinder running track with asphalt, the construction of a basketball one half-court, a softball/baseball field and a 162 square foot gazebo.

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 Wrightstown. Institutional uses, including schools and athletic facilities accessory to a school, are a permitted land use in a Pinelands Town.

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

The proposed development will occur partially within a maintained lawn area and partially in a wooded area. The proposed development will result in the clearing of approximately 1.95 acres of wooded area. The proposed vegetation clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

meets that recommendation.

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

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

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

A cultural resource survey was previously completed on the parcel in 1999 on behalf of the United States Army prior to conveyance of the property from the federal government to the Borough of Wrightstown. That survey concluded that no significant cultural resources exist on the parcel.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on February 23, 2024. Newspaper public notice was completed on February 28, 2024. The application was designated as complete on the Commission's website on July 25, 2024. The Commission's public comment period closed on August 9, 2024. 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 nine sheets, prepared by Matrix New World Engineering, Land Surveying & Landscape Architecture, P.C. and dated as follows:

Sheets 1 & 4-6 - May 24, 2023; last revised June 5, 2024

Sheets 2, 3 & 7-9 - May 24, 2023; last revised March 6, 2024

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

CONCLUSION

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



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General Information: Info@pinelands.nj.gov
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LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on September 2, 2024 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. PC4-24- 17

TITLE: Authorizing Execution of a Memorandum of Agreement between the Pinelands Commission and Stafford Township Regarding Accessibility Improvements to the Existing Trails at Forecastle Lake Park

Commissioner Mauriello moves and Commissioner Wallner seconds the motion that:

WHEREAS, the New Jersey Pinelands Commission (the “Commission”) is a public body, corporate and politic which was established to prepare and administer the Pinelands Comprehensive Management Plan (CMP) to protect the resources of the Pinelands Area; and

WHEREAS, Stafford Township (the “Township”) was formed by Royal Charter on March 3, 1750 and incorporated on February 21, 1798 as one of New Jersey’s first 104 Townships; and

WHEREAS, Forecastle Lake Park is a 7.45 acre area located within the Ocean Acres section of Stafford Township and consists of Block 44.117, Lot 8; Block 44.118, Lot 27 and Block 44.119, Lots 29.01 and 30; and

WHEREAS, there are existing dirt trails within Forecastle Lake Park that run along the top of the banks of Forecastle Lake; and

WHEREAS, the Township is proposing improvements to the existing dirt trails to render them firm, stable and flat from side to side, with a width of 6 ft. and no more than a running slope of 5% along their entire length with a 2% cross slope; and

WHEREAS, specifically the Township is proposing to pave with an asphalt surface approximately 0.34 acres, for a length of 2,670 linear feet, of existing dirt trails; pave 0.0275 acres of an existing stone parking area to create four accessible parking spaces; and construct a 35 ft. x 6 ft. pedestrian footbridge over the lake’s spillway discharge channel; and

WHEREAS, the proposed improvements would make the existing trails more accessible for individuals with ambulatory disabilities; and

WHEREAS, the existing trails within Forecastle Lake Park are located with wetland buffers; and

WHEREAS, although the CMP authorizes the development of trails within wetlands and wetlands buffers if certain standards are met, the proposed improvements are not consistent with all of these standards and may not proceed unless the Commission authorizes a deviation from same; and

WHEREAS, the proposed project is expected to result in 0.55 acres of disturbance of wetland buffers, which includes 0.34 acres of asphalt paving for the trail surface; and

WHEREAS, N.J.A.C. 7:50-4.52(c)2 authorizes the Commission to enter into an intergovernmental memorandum of agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities that may not be fully consistent with the provisions of N.J.A.C. 7:50-5 and 6, provided such agency demonstrates and the Commission finds that variation from the standards of the Pinelands CMP is accompanied by measures that will, at a minimum, afford an equivalent level of protection of the resources of the Pinelands as would be provided through strict application of the CMP’s standards; and

WHEREAS, to offset the impacts associated with the proposed improvements, the Township proposes to: 1) revegetate two existing cleared areas totaling 35,000 sq. ft., in the portion of the park located adjacent to Canal Avenue, so as to restore these areas to a fully forested condition with native Pinelands species; 2) install bollards at the trailhead at each end of the improved trail to prohibit entry by off-road vehicles; and 3) install signage at each end of the trail advising that the trail is designed to be accessible to those using wheelchairs and that use of the trail by motorized vehicles, bicycles and horses is prohibited.

WHEREAS, N.J.A.C. 7:50-4.52(c)1 authorizes the Commission to enter into an intergovernmental agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the provisions of N.J.A.C. 7:50-5 and 6; and

WHEREAS, establishing an alternate permitting process will facilitate the Township’s submission of additional information to the Commission concerning the proposed project and the proposed offsetting measures; and

WHEREAS, the Township has agreed, prior to commencing construction of any portion of the proposed improvements, that it will obtain and provide the following to the Commission: 1) a final reforestation plan for the 35,000 sq. ft. offset area and 2) final construction details for the prefabricated pedestrian footbridge; and

WHEREAS, the Commission’s CMP Policy & Implementation Committee reviewed and indicated support for the draft Memorandum of Agreement at its July 26, 2024 meeting and agreed to forego further review, provided public comment did not result in any recommended substantive changes to the agreement; and

WHEREAS, a public hearing to receive testimony on the proposed Memorandum of Agreement was duly advertised, noticed and held remotely on August 14, 2024 at 9:30 a.m.; and

WHEREAS, following the public hearing the Commission staff became aware of a technical issue involving the live broadcast of the hearing on the Pinelands Commission’s public YouTube channel; and

WHEREAS, a second public hearing to receive testimony on the proposed Memorandum of Agreement was duly advertised, noticed and held remotely on August 29, 2024 with live broadcast on the Pinelands Commission’s public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the comment period for submission of written comments from the public was initially scheduled to close on April 19, 2024, but was extended until August 29, 2024, with no public comments received; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to execute the Memorandum of Agreement; and

WHEREAS, the Commission finds that the offsetting measures proposed by the Township will provide an equivalent level of protection for the resources of the Pinelands as would be provided through strict application of the CMP; and

WHEREAS, the Commission further finds that the Memorandum of Agreement, attached hereto, satisfies the standards of N.J.A.C. 7:50-4.52(c), which authorizes the Commission to enter into such agreements; and

WHEREAS, the Commission has reviewed the Executive Director’s Report and accepts the recommendation of the Executive Director contained therein; and

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

NOW, THEREFORE BE IT RESOLVED that the Commission agrees to enter into the attached Memorandum of Agreement with Pemberton Township.

BE IT FURTHER RESOLVED that the Commission authorizes the Executive Director to execute this Memorandum of Agreement.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman					Rittler Sanchez	X			
Avery	X				Lohbauer					Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd	X				Meade	X								
Irick					Pikolycky	X								

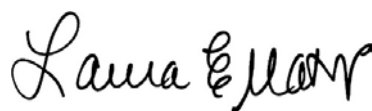
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: September 13, 2024



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



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



PHILIP D. MURPHY
 Governor
 TAHESHA L. WAY
 Lt. Governor

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

September 3, 2024

REPORT ON A PROPOSED MEMORANDUM OF AGREEMENT BETWEEN THE NEW JERSEY PINELANDS COMMISSION AND STAFFORD TOWNSHIP REGARDING ACCESSIBILITY IMPROVEMENTS TO TRAILS AT FORECASTLE LAKE PARK

FINDINGS OF FACT

Stafford Township is proposing to improve existing trails located along the elevated banks of Forecastle Lake and an existing parking lot located close to the trail head near Breakers Drive. These improvements are intended to make the trail accessible to individuals with mobility challenges. The proposed improvements will be conducted within wetland buffers. The proposed Memorandum of Agreement (MOA) would authorize a deviation from the wetland buffer standards of the Pinelands Comprehensive Management Plan (CMP) and establish an alternative permitting process to facilitate construction of the trail improvements.

I. Background and Purpose the of the MOA

Forecastle Lake Park is a 7.45 acre area located in the Ocean Acres section of Stafford Township. The park is adjacent to Forecastle Lake and is bordered by NJ Route 72, Forecastle Drive and Breakers Drive. Forecastle Lake Park is located in a Regional Growth Area within the State designated Pinelands Area.

The trails are a total of 0.66 miles (3,470 ft.) long and consists of 3 parts: 1) a 1,580 ft. section from the Breakers Drive parking area to Forecastle Lake with a 220 ft. side loop in the vicinity of the lake, 2) an 800 ft. section utilizing the existing pavement of Forecastle Avenue to Canal Avenue; and 3) an 870 ft. section at the Canal Avenue section of the park with a stub path connecting to Canal Avenue. Given an 800 ft. section of the trails are already paved, the total length of the trail to be paved is 2,670 linear ft.

The existing trail consists of an uneven and erodible dirt surface. Stafford Township plans to pave a 6-foot width of the existing 10-foot wide trail and install trenches at the edge of the pavement to collect stormwater. Additionally, Stafford intends to install a pedestrian bridge over the lake’s spillway discharge channel and to construct 4 accessible parking spaces within the existing parking area off Breakers Drive.

Forecastle Lake Park is a good candidate for a place for accessible nature recreation. The park is located in a Regional Growth Area near many homes and is readily accessible to residents of Stafford, especially those residents living in Ocean Acres. The trail is relatively short and offers lovely views of the lake and places to fish along its length.

There is growing interest among public and nonprofit land managers in providing better opportunities for people with disabilities to access recreational resources throughout the State, including the Pinelands. People with disabilities that impair their ability to enjoy natural places make up a large portion of the population. The percentage of people in Stafford Township who identify as having a disability is 10.2%. Of these individuals, 6.1% identify as having mobility issues. One mechanism to provide better access to nature is by making accessibility improvements to suitable existing trails.

II. Proposed Project and Offset

As discussed above, the Township is proposing to make improvements to the existing dirt trails, including paving a 6 ft. wide portion of the existing 10 ft. wide trails in Forecastle Lake Park. The proposed improvements would make the trail, firm, flat and stable from side to side and establish a running slope of not more than 5% grade throughout its length.

Additionally, Stafford intends to install a 35 ft. x 6 ft. prefabricated pedestrian footbridge over the lake's existing spillway channel located at the southerly edge of the lake, near Route 72. The footbridge would rest on 2 ft. x 2 ft. concrete abutments that would sit upon 10-inch timber pilings. The pilings would be vibrated into place to avoid the need for excavation.

The Township also proposes to pave 0.0275 acres of an existing stone-surfaced parking area located off Breakers Drive and to construct 4 accessible parking spaces. A 6 ft. wide aisle will connect the parking area to the accessible trail.

The proposed project is expected to result in 0.55 acres of disturbance of wetland buffers, which includes 0.34 acres of asphalt paving for the trail surface. To offset these impacts, Stafford Township is proposing to revegetate a 33,500 sq. ft. area and a 1,500 sq. ft. area, both located in the portion of Forecastle Lake Park adjacent to Canal Avenue. Stafford is proposing to restore these areas to a fully forested condition with native Pinelands species. The areas to be revegetated are sparsely vegetated and dominated by native warm season grasses, punctuated by 47 mature pines, cedars and oaks.

III. Basis of the MOA

Under N.J.A.C. 7:50-4.52(c)2, the Commission may enter into a MOA with a governmental entity to permit development that may not be fully consistent with the land use and development standards (N.J.A.C. 7:50-5 and 6) of the Pinelands CMP. The governmental entity must demonstrate and the Commission must find that proposed deviations from the CMP are accompanied by measures that will, at a minimum, afford an equivalent level of protection for the resources of the Pinelands than would be provided through strict application of the CMP.

The Commission may also enter into an MOA with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the land use and environmental standards of the CMP. N.J.A.C. 7:50-4.52(c)1.

IV. Findings

The information provided in the Township's request for this MOA supports the need for the accessibility improvements proposed for the Pemberton Lake Trail. The Pinelands National Reserve contains a wide assortment of open spaces and recreational opportunities. However, although hundreds of miles of trails

suitable for hiking and bicycling exist throughout the Pinelands, as well as countless unmarked, sand roads that are also used for such purposes, few of these trails would be considered accessible.

As discussed above, the Forecastle Lake Park is a good candidate for accessible natural recreation. Additionally, given the trails to be improved are pre-existing, the improvements required to render them accessible will not result in significant impacts to Pinelands flora or fauna. Although the projects will result in impacts to wetlands buffers, the offsetting measures proposed by the Township will provide an equivalent level of protection of these resources as required by the CMP. The measures include revegetation of a 35,000 sq. ft. area to its prior forested state, installation of bollards at the trailheads to restrict the use of the improved trails by off-road vehicles, and construction of 4 accessible parking spaces and associated signage.

The MOA also establishes an alternate permitting process. In lieu of submitting individual public development applications for the revegetation of the 35,000 sq. ft. offset area or the installation of the prefabricated pedestrian footbridge, the Township would submit the information set forth in the MOA. Provided that this information demonstrates consistency with the relevant provisions of the Pinelands CMP, for which a deviation was not authorized, and the terms of the MOA, such development will be approved through a letter issued by the Executive Director.

The alternate permitting process would also be available to the Township for minor, de minimis changes to the scope or design of the trail improvements, provided such changes do not have more than a de minimis impact to wetland buffers. This process allows for expedited review and approval of the offsets and any de minimis changes and will facilitate completion of the project on a timely basis. Additionally, given the proposed offset affords an equivalent level of protection of the resources of the Pinelands as strict application of the CMP, the proposed project is consistent with the development standards of the CMP and implementation of an alternate permitting process is authorized.

V. Public Hearings

Pursuant to N.J.A.C. 7:50-4.52(c)3, a public hearing to receive testimony concerning the proposed MOA was duly advertised, noticed and held on August 14, 2024 at 9:30 a.m. The hearing was conducted by Executive Director Susan R. Grogan and held virtually, via Zoom. Mr. Frank J. Little, Jr., Owen, Little & Associates Inc., attended the hearing on behalf of Stafford Township. Executive Director Grogan, Stacey Roth and Joel Mott of the Commission's staff were present at the hearing. No one called into the hearing to provide testimony.

Following the hearing, Commission staff became aware of a technical issue with Zoom that effected livestreaming of the public hearing. A second hearing was therefore duly advertised, noticed and held on August 29, 2024 at 9:30 a.m. The August 29th hearing was conducted by Executive Director Grogan and held virtually, via Zoom. Matthew von der Hayden, Stafford Township Administrator, attended the hearing on behalf of Stafford Township. Executive Director Grogan and Paul Leakan of the Commission's staff were present at the hearing.

At the outset of each public hearing, Executive Director Grogan provided a summary of the terms of the MOA being requested and the offset proposed by the Township. Ms. Grogan noted that written comment concerning the proposed MOA would be accepted by mail, fax or email, initially until Monday August 19, 2024, and following the scheduling of the August 29, 2024 public hearing, extended until 5:00 p.m. on Thursday, August 29, 2024.

Ms. Grogan advised the public at both hearings, that following the hearing, a staff report would be prepared with recommended actions concerning the proposed MOA for the Commission's review. This report would include a summary of any testimony provided at the hearing and any written comments received before the record closed. Ms. Grogan further advised that the Commission's CMP Policy & Implementation Committee was expected to discuss the proposed MOA initially at its August 30, 2024 meeting and moved to at its September 27, 2024 meeting as a result of the second public hearing. However, if little public comment was received and did not result in any recommended substantive changes to the MOA itself, the full Commission could consider the proposed MOA at its meeting on September 13, 2024.

The following testimony was received at the August 29, 2024 public hearing:

Matthew von der Hayden, Stafford Township Administrator, thanked the Commission and its staff for working with the Township on the MOA. He noted that the accessibility improvements to the trails at Forecastle Lake Park were part of the Township's comprehensive plan to make all of the parks and recreational facilities within the Township accessible.

There being no further testimony, the hearing concluded at 9:39 a.m.

No written comments were received regarding the proposed MOA.

VI. Conclusions and Recommendations

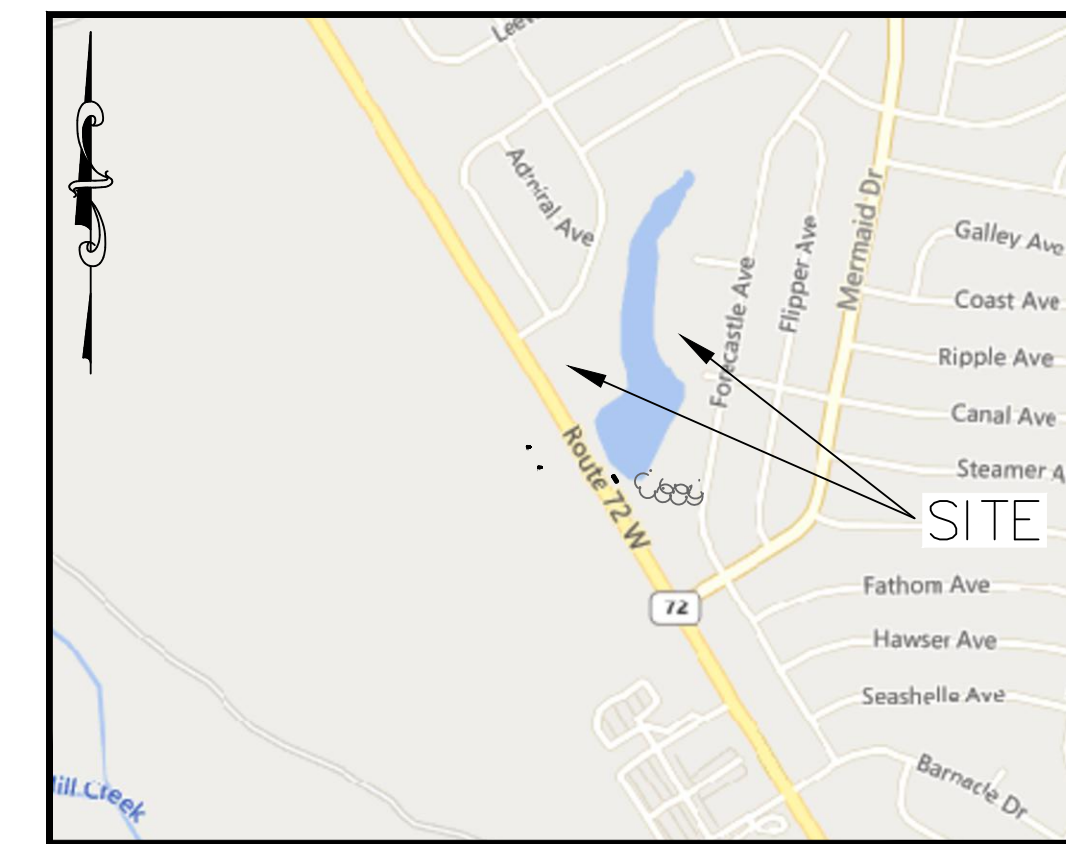
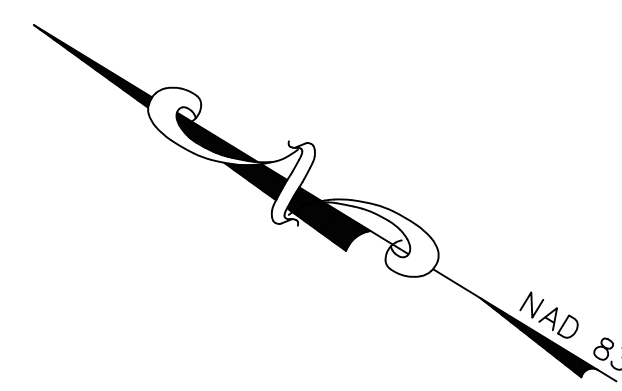
The proposed MOA would authorize a deviation from the wetland buffer standards of the Pinelands CMP in order to permit improvements to the existing trails within Forecastle Lake Park to make them accessible for individuals with mobility challenges. As discussed above, the project involves asphalt paving of a 6 ft. wide portion of the trails for their entire length; the installation of a prefabricated pedestrian footbridge and the asphalt resurfacing of an existing stone-surfaced parking area and construction of 4 accessible parking spaces.

The MOA includes the following measures to offset the wetlands buffer impacts associated with the proposed project:

1. Revegetation of a 33,500 sq. ft. area and a 1,500 sq. ft. area in that portion of Forecastle Lake Park adjacent to Canal Avenue;
2. Installation of bollards at the trail heads to restrict the use of the improved trails by off-road vehicles; and
3. Construction of 4 accessible parking spaces and associated signage.

The MOA is accompanied by measures that, at a minimum, afford an equivalent level of protection for the resources of the Pinelands as required by N.J.A.C. 7:50-4.52(c)2. That being the case, the Commission's authorization of an alternative application process for the Township's revegetation plans for the offset area and the installation of the prefabricated pedestrian footbridge in accordance with N.J.A.C. 7:50-4.52(c)1 is also warranted. The Executive Director, therefore, recommends that the Commission enter into this MOA with Stafford Township regarding implementation of accessibility improvements to the existing trails at Forecastle Lake Park.

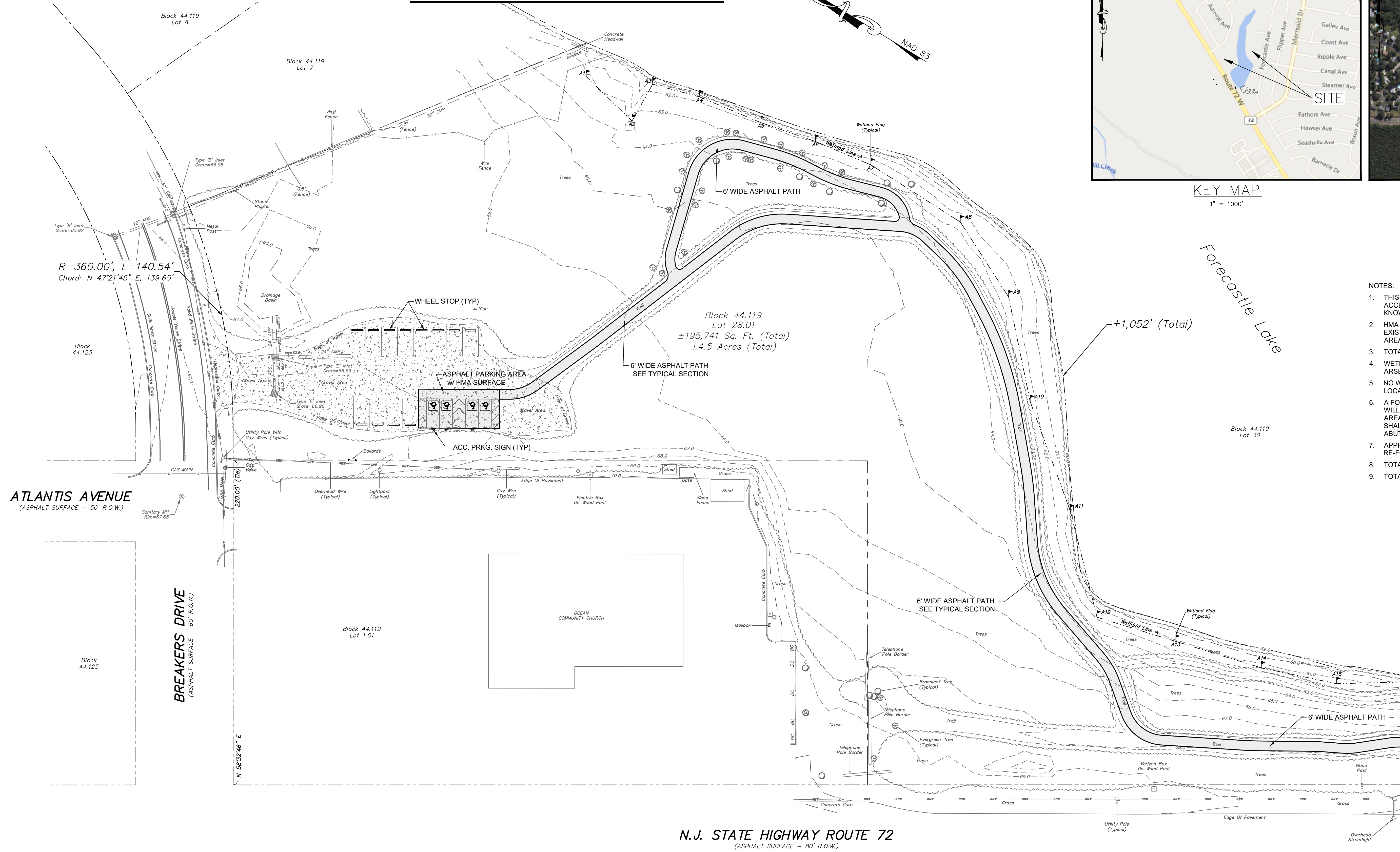
MATCH LINE - SHEET 3



KEY MAP
1" = 1000'



LOCATION MAP
1" = 500'



Forecastle Lake
±1,052' (Total)

ATLANTIS AVENUE
(ASPHALT SURFACE - 50' R.O.W.)

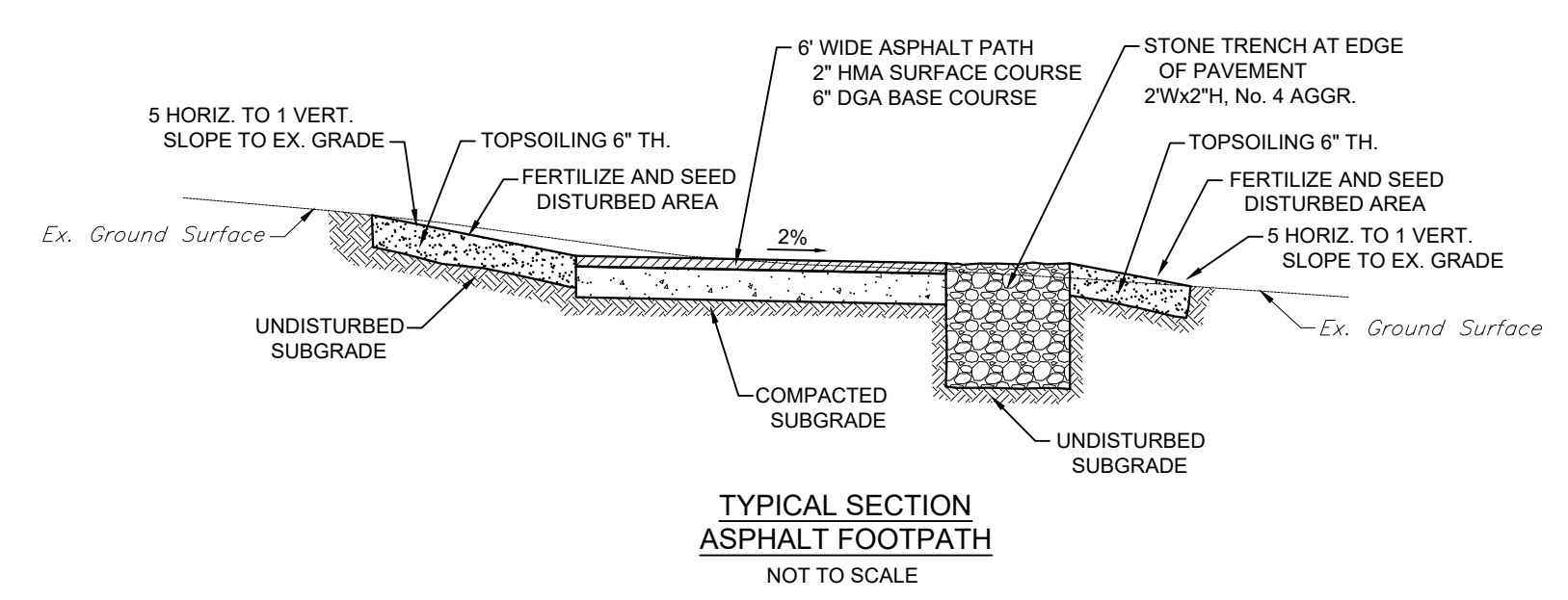
BREAKERS DRIVE
(ASPHALT SURFACE - 60' R.O.W.)

N.J. STATE HIGHWAY ROUTE 72
(ASPHALT SURFACE - 80' R.O.W.)

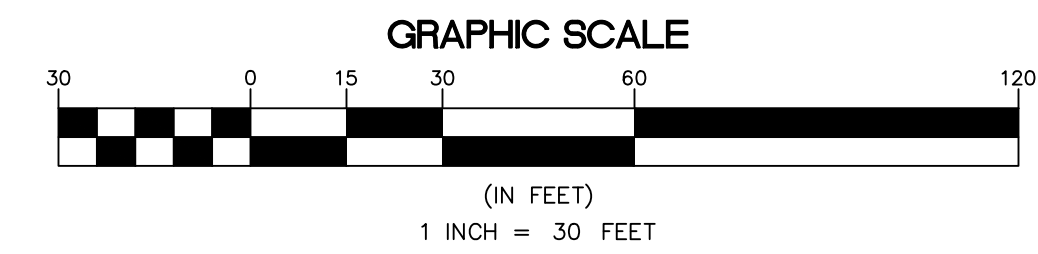
MATCH LINE - SHEET 2

NOTES:

1. THIS PLAN IS FOR THE CONSTRUCTION OF ASPHALT FOOTPATHS AND AN ACCESSIBLE PARKING AREA WITHIN THE STAFFORD TOWNSHIP LANDS KNOWN AS FORECASTLE LAKE PARK.
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7. APPROX. 0.85 ACRE OF AREA AT THE CANAL AVENUE PARK SHALL BE RE-FORESTED.
8. TOTAL AREA OF DISTURBANCE IS 0.55 ACRE.
9. TOTAL AREA OF NET IMPERVIOUS COVERAGE IS 0.34 ACRE.



TYPICAL SECTION
ASPHALT FOOTPATH
NOT TO SCALE



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NO.	DATE	REVISION DESCRIPTION	DRAWN	CHK'D

OWEN, LITTLE & ASSOCIATES, INC.
 Authorization No. 24627985700
 Engineers, Planners, Surveyors
 443 Atlantic City Blvd.
 Beachwood, NJ 07812
 Tel: 732/244-1392
 Fax: 732/241-3412

FRANK J. LITTLE, JR. P.E., P.P.

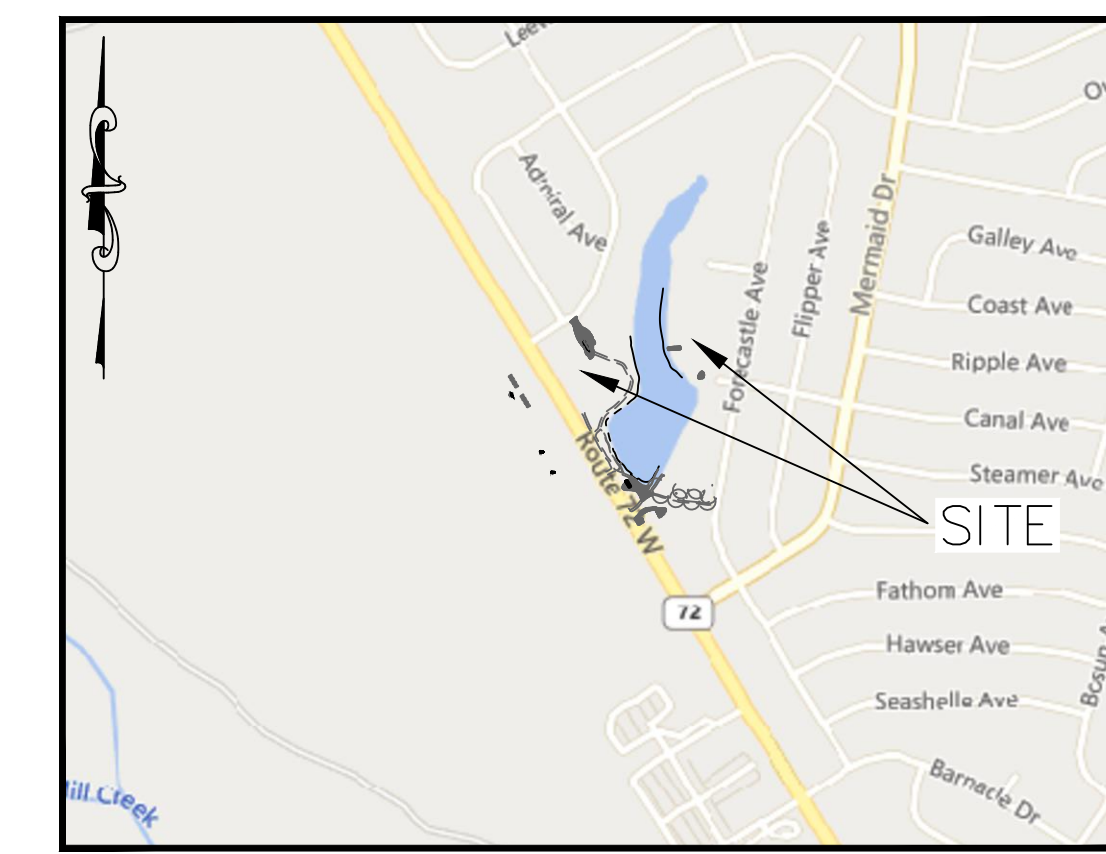
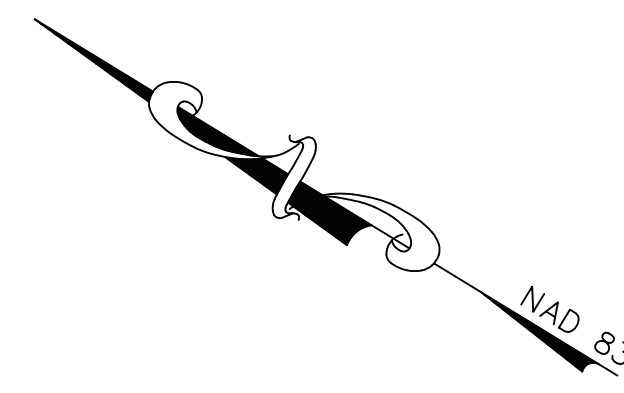
PROFESSIONAL ENGINEER
 N.J. LIC. NO. 246202708500
 PROFESSIONAL PLANNER
 N.J. LIC. NO. 03096

TOWNSHIP OF STAFFORD - FORECASTLE LAKE PARK

PLAN OF FOOTPATH AND ACCESSIBLE PARKING

BLOCK 44.119, LOT 8
 BLOCK 44.119, LOT 27
 BLOCK 44.119, LOT 29.01
 TOWNSHIP OF STAFFORD

OCEAN COUNTY		NEW JERSEY	
SCALE	DATE	DRAWN	CHK'D
1" = 30'	10/23/23	JMW	WJB
APPROVED FOR CONSTRUCTION		SURVEY & BILLING NO.	
		23-084501	1
DRAWING NO.		STAFF(23FORE)	
		3	

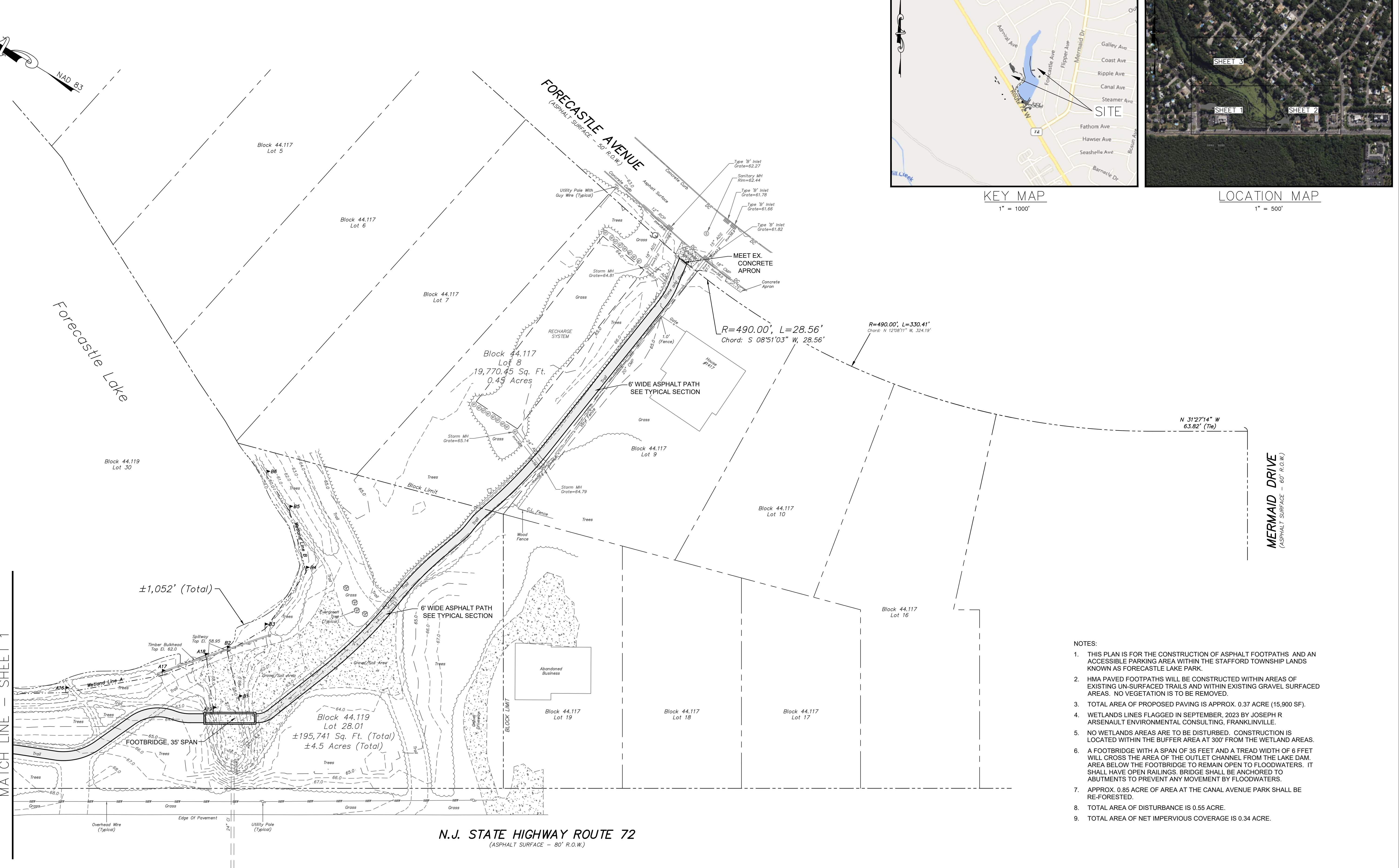


KEY MAP
1" = 1000'



LOCATION MAP
1" = 500'

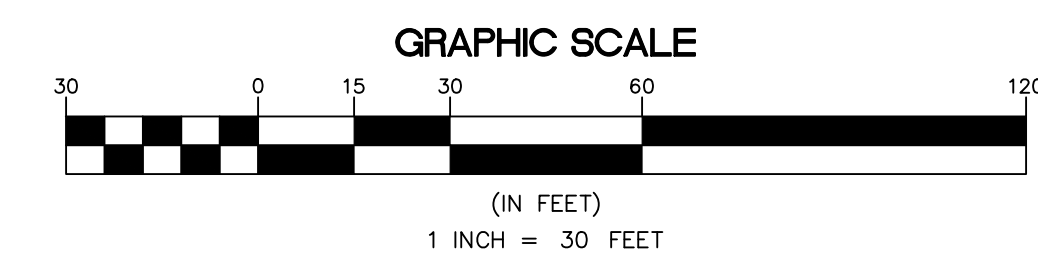
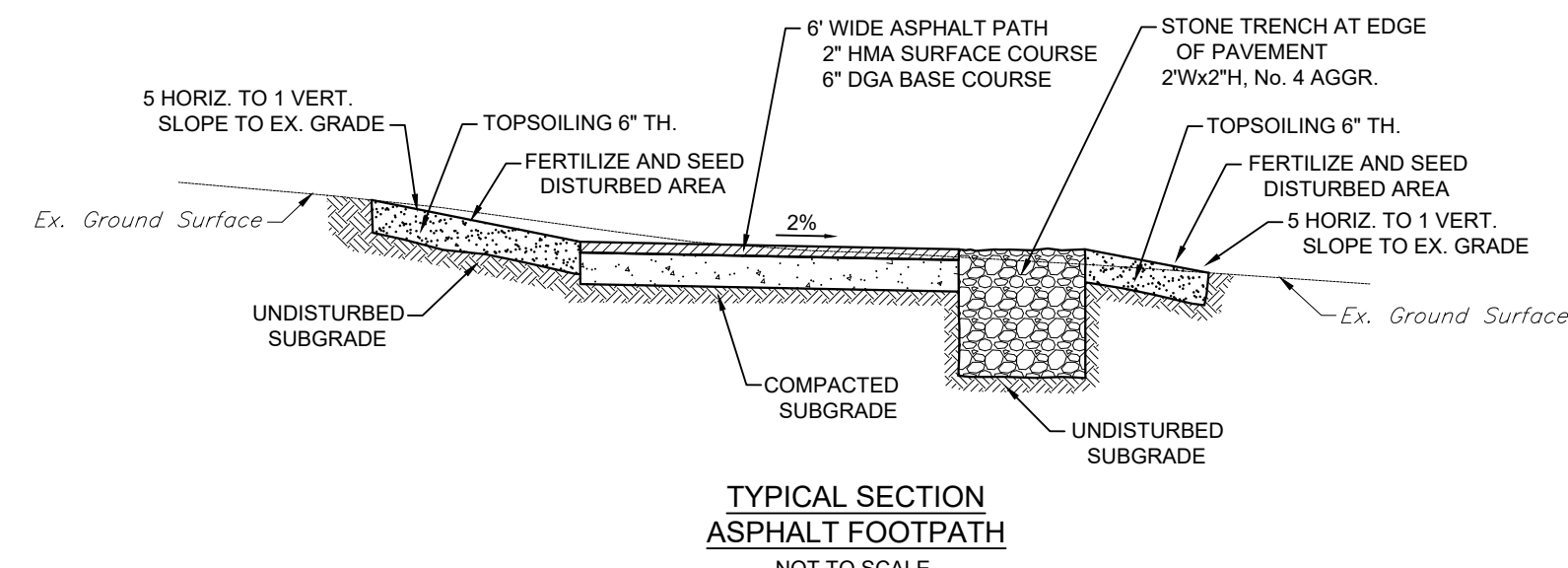
MATCH LINE - SHEET 1



N.J. STATE HIGHWAY ROUTE 72
(ASPHALT SURFACE - 80' R.O.W.)

MERMAID DRIVE
(ASPHALT SURFACE - 60' R.O.W.)

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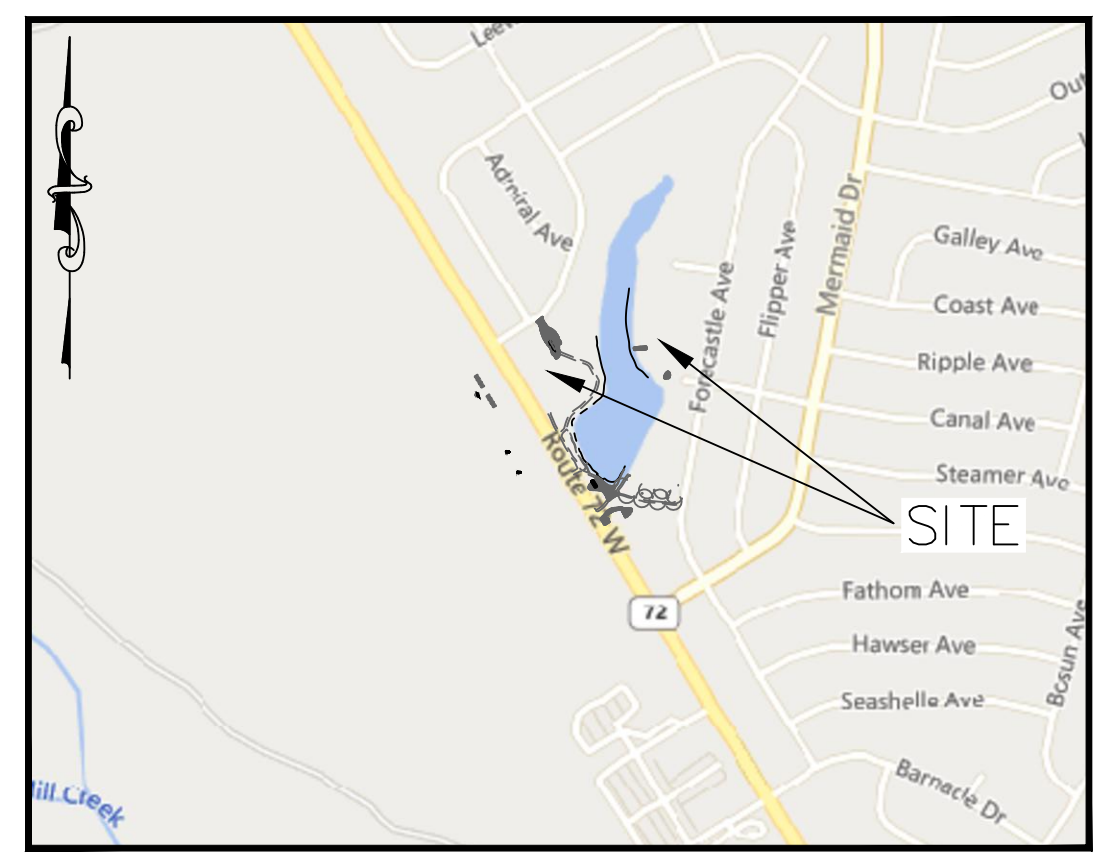
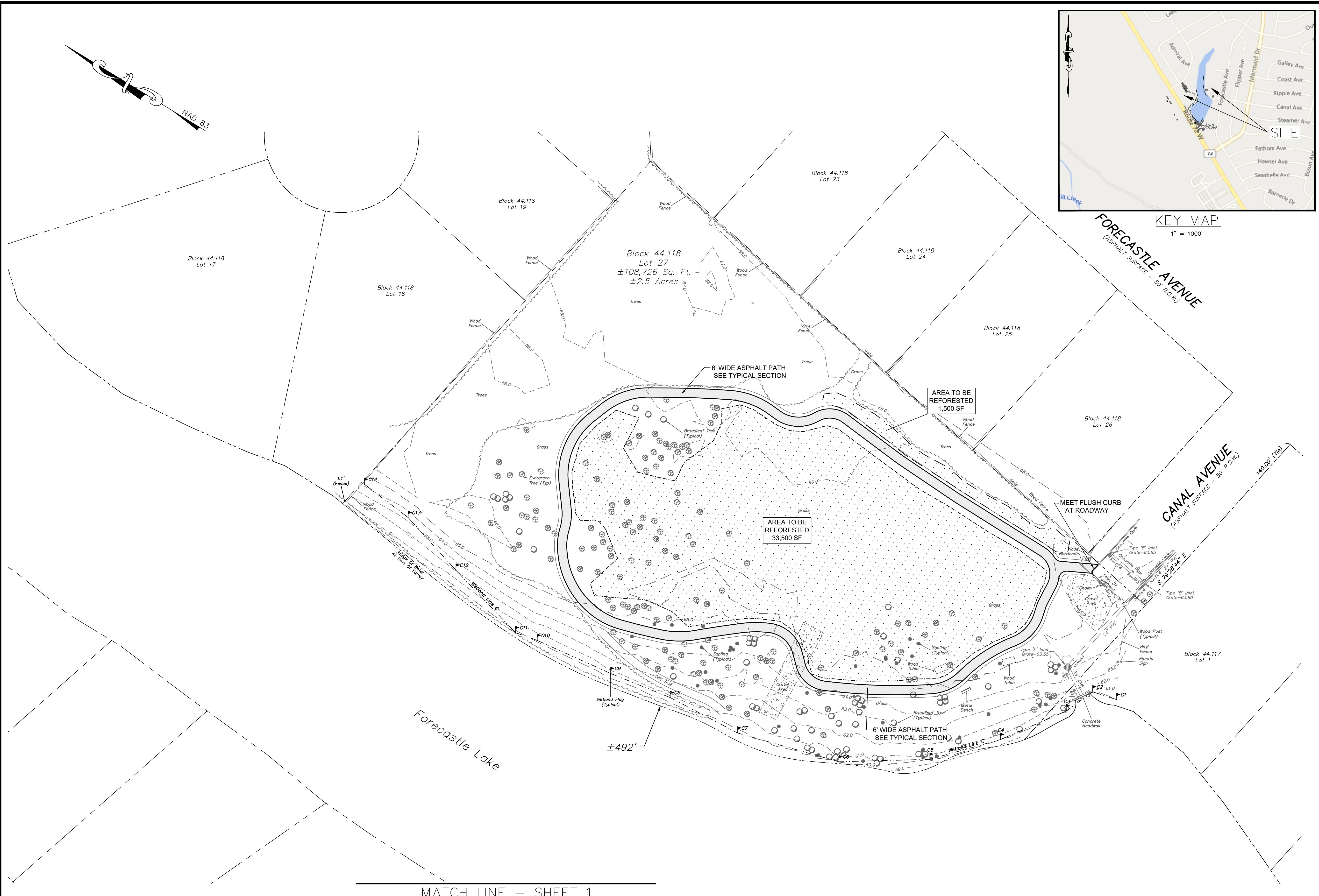
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<p>OWEN, LITTLE & ASSOCIATES, INC. FRANK J. LITTLE, JR. P.E., P.P. TOWNSHIP OF STAFFORD - FORECASTLE LAKE PARK PLAN OF FOOTPATH AND ACCESSIBLE PARKING BLOCK 44,117, LOT 8 BLOCK 44,118, LOT 27 BLOCK 44,119, LOT 29.01 TOWNSHIP OF STAFFORD</p>				
<p>OCEAN COUNTY NEW JERSEY</p>				
SCALE	DATE	DRAWN	CHK'D	APPROVED FOR CONSTRUCTION
1" = 30'	10/23/23	JMW	WJB	
<p>PROFESSIONAL ENGINEER N.J. LIC. NO. 248E02708500 PROFESSIONAL PLANNER N.J. LIC. NO. 03096</p>				<p>SURVEY & BILLING NO. 23-084501 STAFF(23)FORE</p>
				DRAWING NO.
				2
				3



MATCH LINE - SHEET 1

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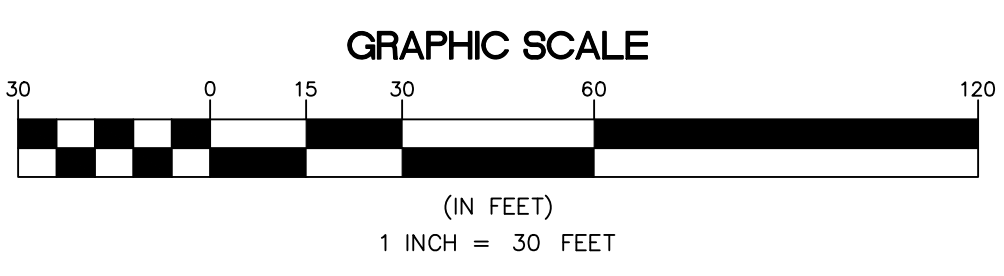
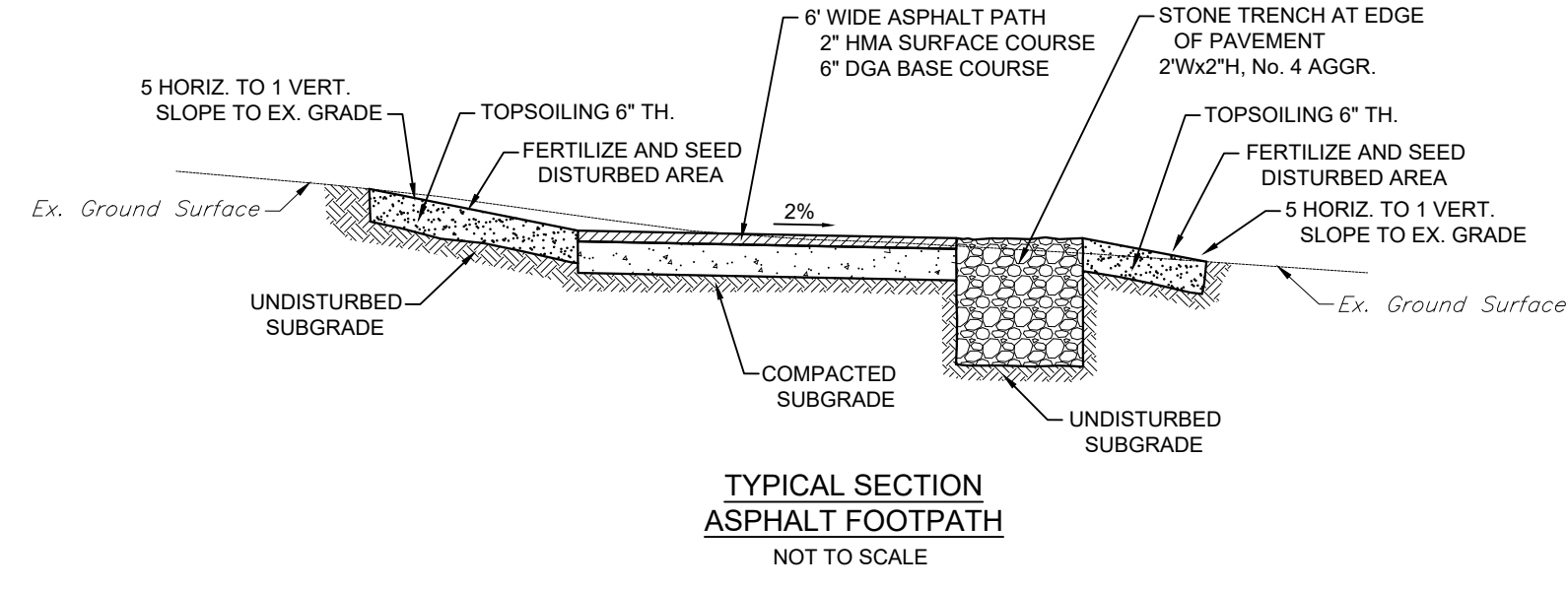
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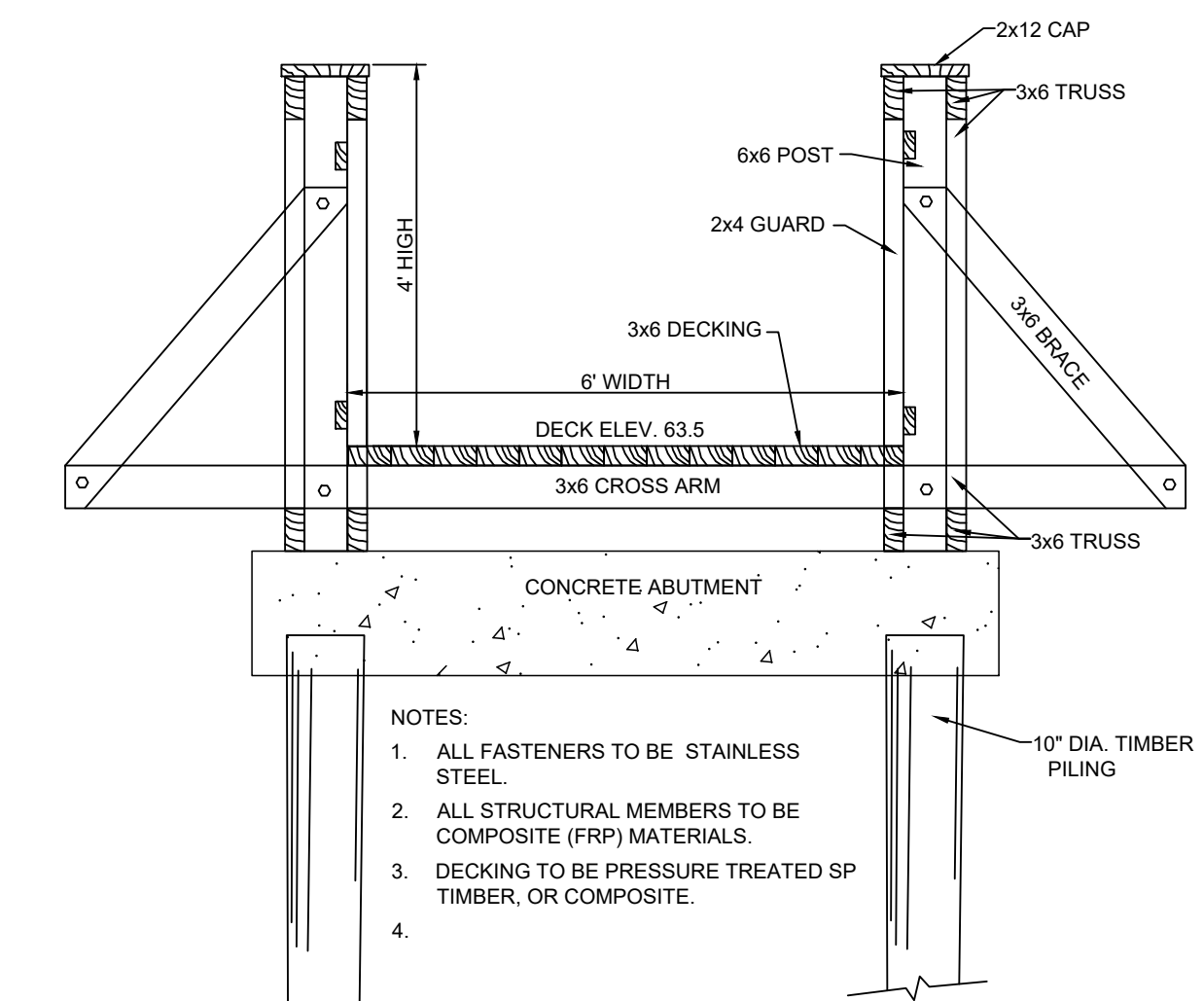
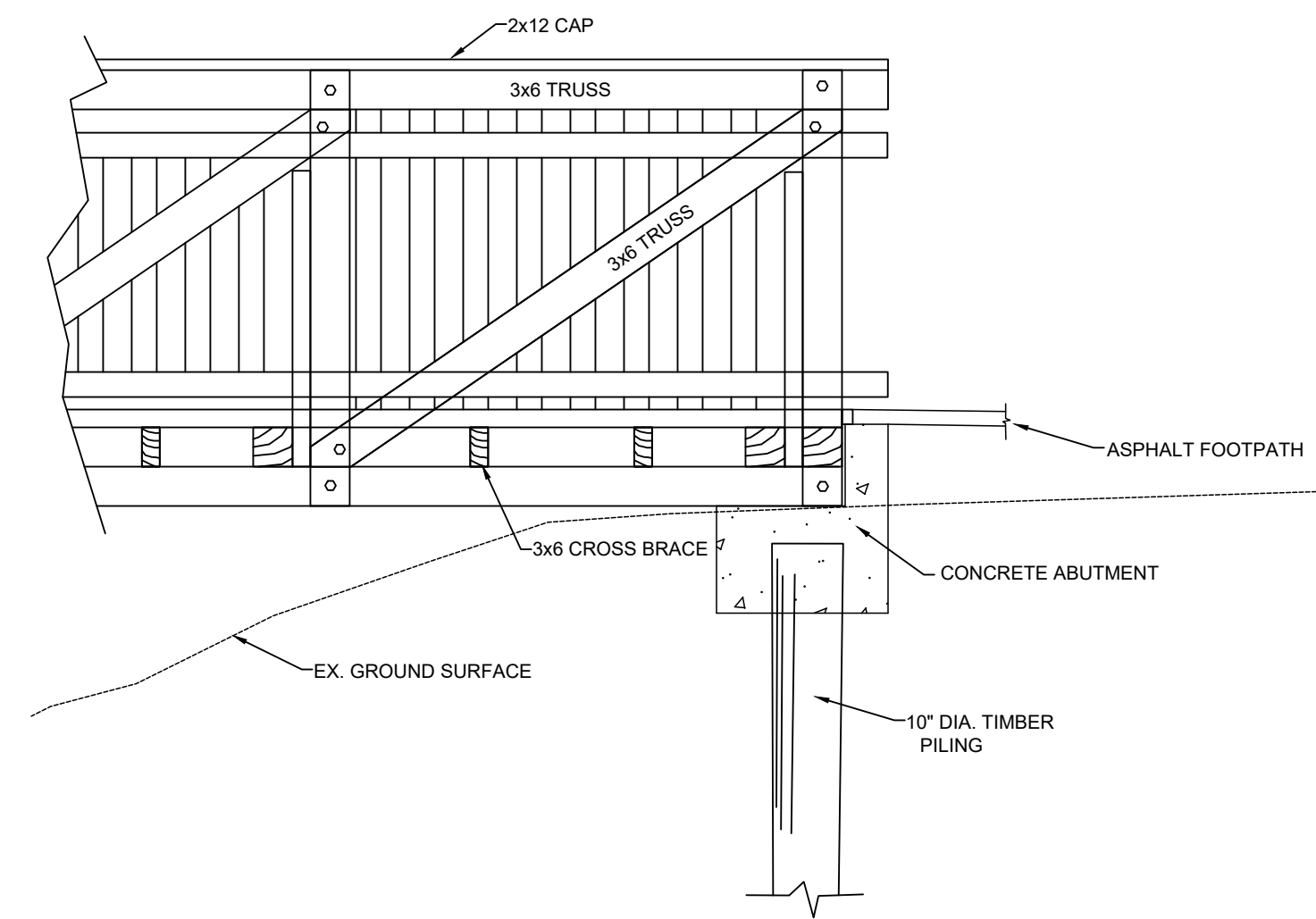
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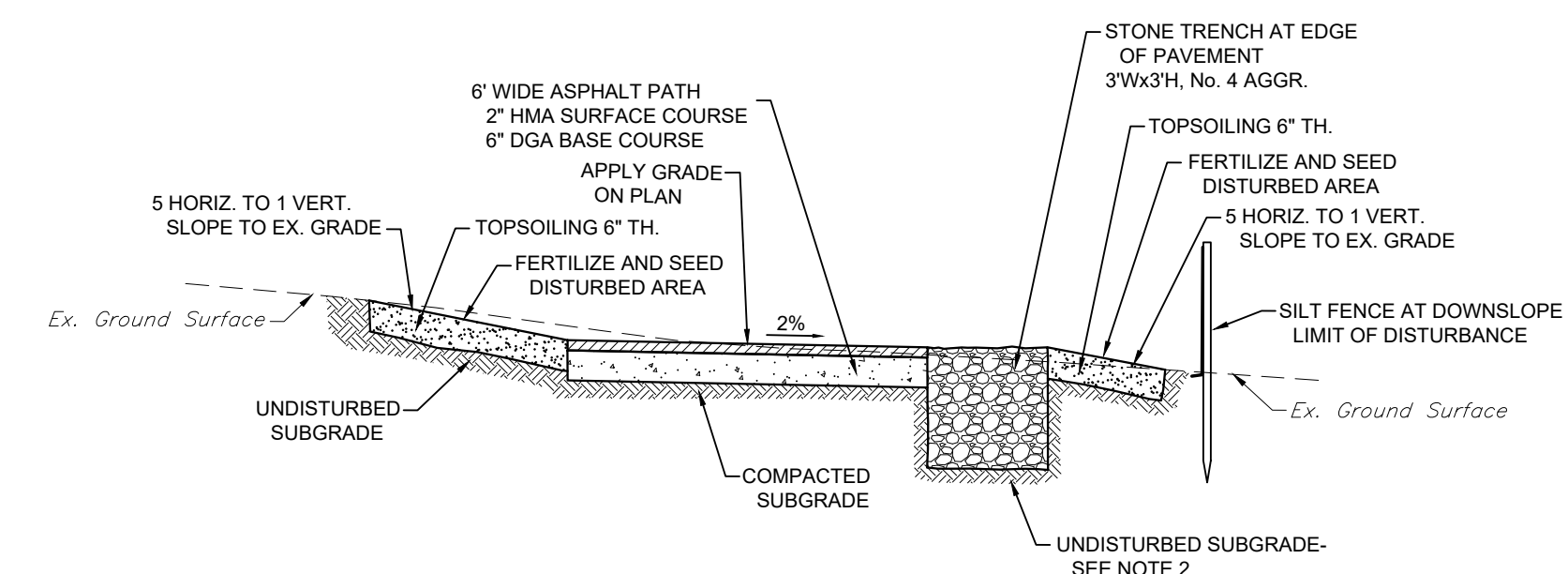
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<p>PROFESSIONAL ENGINEER N.J. LIC. NO. 248E02708500 PROFESSIONAL PLANNER N.J. LIC. NO. 03096</p>				<p>SURVEY & BILLING NO. 23-084501 STAFF(23)FORE</p>
				DRAWING NO. 3



**TIMBER TRUSS FOOTBRIDGE
SCHEMATIC CROSS SECTION**

NOT TO SCALE

- NOTES:
1. ALL FASTENERS TO BE STAINLESS STEEL.
 2. ALL STRUCTURAL MEMBERS TO BE COMPOSITE (FRP) MATERIALS.
 3. DECKING TO BE PRESSURE TREATED SP TIMBER, OR COMPOSITE.
 - 4.



**TYPICAL SECTION
ASPHALT FOOTPATH**

NOT TO SCALE

- NOTES:
1. IMPERMEABLE BARRIER OF PVC PLASTIC SHEETING MIN. 10 MIL. THICK (OR EQUIVALENT), TO BE INSTALLED ACROSS STONE TRENCH AT LOCATIONS SHOWN ON PLAN TO SERVE AS WATERSTOP.
 2. WHERE SOILS, AS DETERMINED BY THE ENGINEER, DO NOT MEET THE REQUIREMENT FOR K3 PERMEABILITY, BASED ON INSPECTION OF THE SOILS ENCOUNTERED DURING CONSTRUCTION, THE MUNICIPAL ENGINEER WILL REQUIRE SUITABLE SOIL REPLACEMENT TO A DEPTH OF 2 FEET BELOW THE BOTTOM OF THE TRENCH. THE SOIL PERMEABILITY FOR ANY SOIL REPLACEMENT SHALL BE K3 SOILS OR GREATER.



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TOWNSHIP OF STAFFORD - FORECASTLE LAKE PARK FOOTPATH AND ACCESSIBLE PARKING CONSTRUCTION DETAILS				
BLOCK 44.117, LOT 8 BLOCK 44.118, LOT 27 BLOCK 44.119, LOT 29.01 TOWNSHIP OF STAFFORD				
OCEAN COUNTY		NEW JERSEY		
SCALE	DATE	DRAWN	CHK'D	APPROVED FOR SURVEY & BILLING NO.
NO SCALE	3/18/24	JMW	WJB	23-084501 STAFF(23FORE)
FRANK J. LITTLE, JR. P.E., P.P. 				4
 OWEN, LITTLE & ASSOCIATES, INC. 443 Atlantic City Blvd. Beachwood, NJ 07002 Tel: (732) 244-1392 Fax: (732) 341-3412				4
PROFESSIONAL ENGINEER N.J. LIC. NO. 248E02708500 PROFESSIONAL PLANNER N.J. LIC. NO. 03096				4

Restoration Plan for Forecastle Lake Walking Path

The Township of Stafford has applied to the Pinelands Commission to create a walking path in the vicinity of Forecastle Lake. The trail would provide public access to Forecastle Lake via an improved path made specifically for the enjoyment of the citizens of Stafford.

The Area: As part of the path design, a 35,000 SF open field at the end of Canal Avenue would be allowed to re-vegetate and become the forest it once was prior to the establishment of the Ocean Acres residential development. Prior to clearing, the site was a typical pine-oak upland forest associated with the upper stream terrace of the Mill Creek drainage. Based on aerial photography, the site has been without a forest cover since 1972. Various herbaceous cover types have occupied the field during the ensuing years, and today it is a thinly covered old field dominated by native warm season grasses punctuated with large, specimen pine and oak trees.

The Plan: The restoration concept is to replace what was there, using the adjacent forest as the template for species selection. The selected species would be dependent on the native nursery availability, as well as the size and quantity availability. The opening supports a scattered open canopy of 47 mature pine, cedars, and oaks. Although included in the 35,000 SF area, no forest trees would be planted under or around the existing specimens. The number of forest trees selected is based on an artificial grid of 10 foot squares, with one tree occupying each square or one per 100 SF. The result is 350 forest trees, minus the existing 47 specimens, to yield a total of 303 forest trees. The forest trees will be planted in 30 clusters of 10 specimens randomly selected from the available stock. They will be spaced 8-10 foot apart, intermixed with forest shrubs. The clusters would be spaced evenly until open area is planted. Shrubs within the re-planted forest would be set at a rate of one shrubs per tree, or 300 shrub specimens. Ten shrubs will be planted within each tree cluster, and the remaining specimens planted under and between the existing pine, cedars, and oaks.

The land between the path and the rear of the homes facing Forecastle Avenue would be visually separated by a planting of 24 evergreen specimens and 24 dense shrubs. White pine and eastern red cedar would be selected as buffer trees, and groundsel bush used as the dense woody shrubs planted in gaps between the evergreen trees.

The tree species: The selection will include 303 specimens from the following list. Three species minimum should be selected from highlighted species, otherwise the choice is based on availability and size. Three wetland tree species, red maple, sweet gum, and black gum, have been added to the selection based on their presence in adjacent forests.

Acer rubrum
Liquidambar styraciflua
Nyssa sylvatica
Pinus echinata
Pinus rigida
Quercus coccinea
Quercus prinus
Quercus alba

Quercus stellata
Sassafras albidum

Sub-canopy Tree Specimens. These specimens are planted at 1/8 rate of the forest tree selection (38). They would be planted between tree clusters, and under existing forest trees.

Amelanchier canadensis
Ilex opaca
Betula populifolia

Buffer Specimens: Planted on a staggered 12' on center pattern, with white pine nearest to homes, eastern red cedar filling the gaps between the pines, and groundsel bush filling gaps between cedars and pines.

Baccharis halimifolia
Pinus strobus
Juniperus virginiana

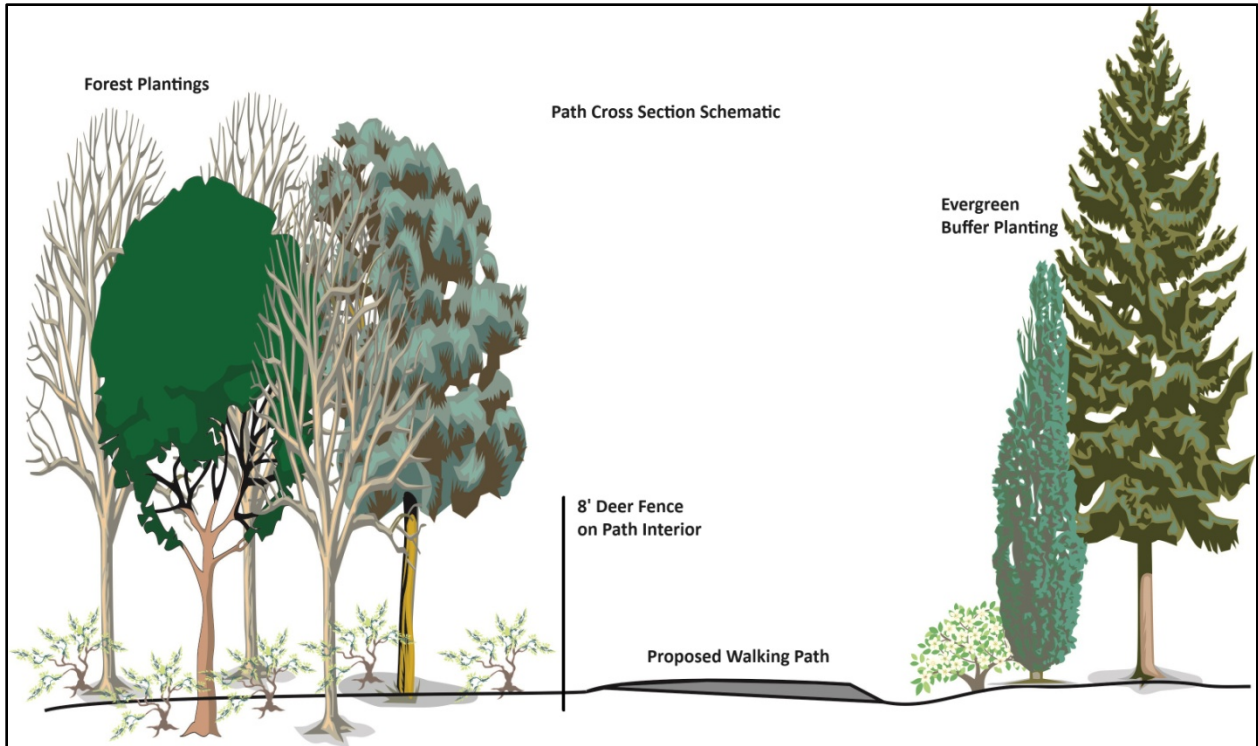
Forest Shrubs: These plants are planted at a rate of 1 shrubs per forest tree. This would provide 300 shrubs, 10 per cluster, remaining planted under existing forest trees.

Ilex glabra-evergreen with black berry
Ilex verticillata-deciduous with red berry
Morella pensylvanica-semi-evergreen with dry berries
Quercus ilicifolia/prinodites-dense multi-stem shrub oaks
Rhus copallina-dense multi-stem shrubs with brilliant red leaves in autumn

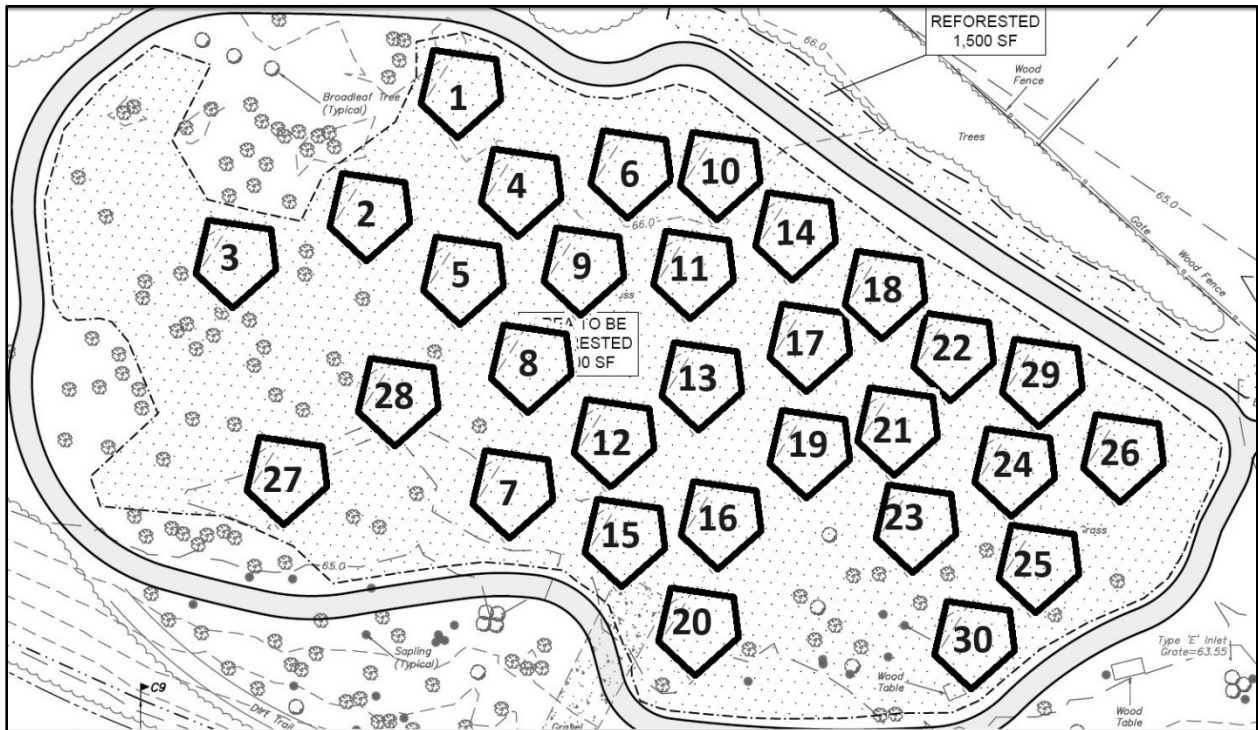
No herbs or seed is specified. The nearby native sources will fill in open areas once the site is planted and isolated from deer and humans.

Total specimens: ~665

forest trees-303
sub-canopy trees-38
buffer trees/shrubs~24 t/s each
forest shrubs-300



Cross section illustration showing path side plantings nearest evergreen buffer.



Thirty clusters to re-establish canopy. Shrubs and sub-canopy trees are planted in between and among clusters. This is to show the number of clusters can occupy the space; their location would be field located.



Memorandum of Agreement
Forecastle Lake Park
Stafford Township



Pinelands Commission
September 13, 2024

A dark grey arrow points to the right from the left edge of the slide. Below it, several thin, curved lines in shades of blue and grey sweep across the left side of the slide.

Impacts

- ▶ 0.55 acres of disturbance of wetlands buffers
- ▶ 0.34 acres of asphalt paving for the trail surface
- ▶ 0.0275 acres of paving of existing stone surfaced parking area
- ▶ Installation of 35 ft. x 6 ft. prefabricated pedestrian footbridge

A dark blue arrow points to the right from the left edge of the slide. Below it, several thin, curved lines in shades of blue and grey sweep across the left side of the slide.

Offsets

- Reforestation of 35,000 sq. ft. area
- Native Pinelands Vegetation
- 4 Accessible Parking Spaces
- Bollards at Trailheads
- Signage
- Quarterly Inspections of Trails and Repairs
- Replacement of Vegetation in Offset Area to Ensure Reforested State



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24- 18

TITLE: To Adopt the Pinelands Commission's Fiscal Year 2025 Budgets for the Operating Fund, Fenwick Manor Preservation Fund and Pinelands Conservation Fund

Commissioner Avery moves and Commissioner Pikolycky seconds the motion that:

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

WHEREAS, the State of New Jersey has appropriated \$3,749,000 to support the Commission's operations during Fiscal Year 2025; and

WHEREAS, the Department of the Treasury has informed the Commission that \$687,000 (29%) of budgeted health benefits and pension costs will be covered through the State's interdepartmental accounts in Fiscal Year 2025; and

WHEREAS, the Commission anticipates that additional funding sources of \$1,368,000 will be available to further support the Commission's operations, including grants from the National Park Service, the Environmental Protection Agency and the New Jersey Department of Environmental Protection, interest income and application fee revenue; and

WHEREAS, the Fenwick Manor Preservation Fund Budget includes the State's \$500,000 special appropriation to the Pinelands Commission in Fiscal Year 2023 and \$120,000 from the Commission's Fenwick Manor Painting Reserve, with all funds to be used for the refurbishment, maintenance and preservation of Fenwick Manor; and

WHEREAS, a financial plan for the Pinelands Conservation Fund (PCF), which includes four programs (Land Acquisition, Conservation Planning and Research, Community Planning and Design and Education and Outreach), was approved by the Commission in April 2005 and last revised in August 2014; and

WHEREAS, the Fiscal Year 2025 budget for the Land Acquisition program totals \$3,027,450 and includes potential expenditure of up to \$3,000,000 for acquisition and preservation of land in the Pinelands Area; and

WHEREAS, the Fiscal Year 2025 budget for the Conservation Planning and Research program totals \$549,324 and

WHEREAS, the Fiscal Year 2025 budget for the Community Planning and Design program totals \$211,230; and

WHEREAS, the Fiscal Year 2025 budget for the Education and Outreach program totals \$70,950; and

WHEREAS, the total Fiscal Year 2025 budget for the Pinelands Conservation Fund is \$3,858,954; and

WHEREAS, the Operating Budget for Fiscal Year 2025 totals \$7,127,603; and

WHEREAS, the Fiscal Year 2025 Operating Budget reflects the continuation of the Energy Conservation Reserve established in Fiscal Year 2023 at the request of the Pinelands Climate Committee, with funds to be used for projects and capital expenditures that foster the Commission's mission toward improved energy conservation, sustainability and mitigation of greenhouse gas emissions to the greatest extent feasible, consistent with Pinelands Commission Resolutions PC4-20-37 and PC4-22-15; and

WHEREAS, in order to accomplish these and other important initiatives and to continue to carry out the Commission’s regulatory responsibilities, the Fiscal Year 2025 Operating Budget anticipates the need for a \$929,603 draw from the Commission’s unreserved, undesignated fund balance; and

WHEREAS, the remaining unreserved, undesignated fund balance amount is sufficient to cover unforeseen or emergency expenditures in the near future; and

WHEREAS, the Commission’s Personnel & Budget Committee has reviewed the FY 2025 budgets for the Operating Fund, Fenwick Manor Preservation Fund and Pinelands Conservation Fund and has recommended their adoption by the Commission; and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby adopts the attached Fiscal Year 2025 Budgets for the Operating Fund totaling \$7,127,603, the Fenwick Manor Preservation Fund totaling \$1,195,000 and the Pinelands Conservation Fund totaling \$3,858,954.

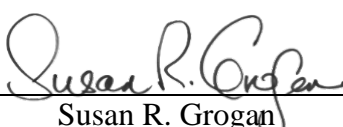
Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman					Rittler Sanchez	X			
Avery	X				Lohbauer					Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd	X				Meade	X								
Irick					Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: September 13, 2024



Susan R. Grogan
Executive Director



Laura E. Matos
Chair

**PINELANDS COMMISSION
OPERATING BUDGET REVENUES
GENERAL FUND
FISCAL YEAR 2025**

Revenue Source	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
State Appropriation	3,249,000	3,399,000	3,549,000	3,749,000	1
State Supplemental Funding (Fringe Benefits)	687,000	687,000	687,000	687,000	2
Interest Income	4,000	6,500	75,000	100,000	3
NPS - Long Term Environmental Monitoring	155,400	145,055	138,975	160,545	4
NPS - Long Term Economic Monitoring	142,600	152,945	159,025	137,455	4
EPA - Micro	95,000	0	0	0	
EPA - Kingsnake	225,000	85,000	92,500	92,500	5
NJDEP Box Turtle	0	0	90,000	90,000	6
Timber Rattlesnake Study				32,500	7
Wetlands Permitting	1,000	6,000	5,000	5,000	8
Pinelands Application Fees	500,000	650,000	700,000	750,000	9
TOTAL REVENUE	5,059,000	5,131,500	5,496,500	5,804,000	
Microfilm Reserve Anticipated	3,650	0	0	0	
Computer Reserve Anticipated	18,420	0	0	0	
Fenwick Manor Painting Reserve Anticipated	120,000	120,000	120,000	0	10
Energy Conservation Reserve	0	500,000	375,000	370,000	11
Regulatory Programs Shelving Reserve	0	0	10,000	15,000	12
Administrative Assessment (PCF)	60,000	60,000	9,000	9,000	13
Undesignated Fund Balance Anticipated	705,132	688,078	886,395	929,603	14
TOTAL OTHER INCREASES	907,202	1,368,078	1,400,395	1,323,603	
TOTAL REVENUE AND OTHER INCREASES	5,966,202	6,499,578	6,896,895	7,127,603	

PINELANDS COMMISSION
OPERATING BUDGET EXPENDITURES
GENERAL FUND
FISCAL YEAR 2025

Expenditure Account	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
PERSONNEL					
Salaries & Wages	3,021,984	3,374,398	3,783,408	3,938,758	15
Fringe Benefits	1,910,905	2,188,901	2,250,922	2,337,651	16, 17
TOTAL PERSONNEL	4,932,889	5,563,299	6,034,330	6,276,408	
SUPPLIES					
Printing & Office Supplies	26,420	34,040	36,675	37,550	18
Vehicular Supplies	10,900	11,400	12,600	12,600	19
Household Supplies	10,400	18,420	12,100	12,200	20
Fuel & Utilities	42,500	47,500	50,000	51,000	21
Other Supplies	41,492	36,842	30,246	40,947	22
TOTAL SUPPLIES	131,712	148,202	141,621	154,297	
SERVICES					
Travel	5,925	4,190	10,713	10,475	23
Telephone	45,120	46,120	45,900	46,350	24
Postage	2,175	1,725	1,750	1,600	25
Insurance	59,225	64,260	72,760	77,275	26, 27
Information Processing	108,861	126,835	135,847	153,032	28
Household Services	2,600	4,600	3,700	4,400	29
Professional Services	462,728	222,500	259,540	190,500	30
Other Services	35,717	35,147	27,313	31,065	31
TOTAL SERVICES	722,351	505,377	557,523	514,697	
MAINTENANCE & RENT					
Maintenance - Buildings & Grounds	94,000	75,500	81,000	91,000	32
Maintenance - Equipment	21,350	23,500	26,400	25,500	33
Maintenance - Vehicular	6,720	9,720	5,720	6,300	34
Rent - Other	10,550	10,350	8,900	7,900	35
TOTAL MAINTENANCE & RENT	132,620	119,070	122,020	130,700	
IMPROVEMENTS & ACQUISITIONS					
Acquisitions - Equipment	10,130	106,630	10,300	12,500	36
Acquisitions - Information Processing Equipment	36,500	57,000	31,100	39,000	37
TOTAL IMPROVEMENTS & ACQUISITIONS	46,630	163,630	41,400	51,500	
TOTAL EXPENDITURES	5,915,074	6,499,578	6,896,895	7,127,603	38,39,40

PINELANDS COMMISSION
OPERATING BUDGET
FISCAL YEAR 2025 NOTES
August 16, 2024

1. The adopted state budget includes a FY 2025 State Appropriation to the Commission in the amount of \$3,749,000.
2. State Supplemental Funding (Fringe Benefits) totaling \$687,000 helps to offset the Commission's health and pension costs. Since FY 2004, the Department of the Treasury agreed to help the Commission finance its escalating health benefits premiums through an Interdepartmental Account. Beginning in FY 2009, the amount of assistance was calculated using projected health and pension costs not funded through other sources. Using this calculation, the Commission requested \$838,218 in FY 2012, \$837,927 in FY 2013, \$844,809 in FY 2014 and \$840,455 in FY 2015 but was only approved to receive \$687,000. No increase in funding occurred between FY 2016-FY 2024. The FY 2025 budget once again anticipates receipt of only \$687,000.
3. Interest Income is earned in the Commission's checking account and the cash management fund designated for general use. Interest income for the Pinelands Conservation Fund is reflected in the budgets for those programs. Interest rates have fluctuated in recent years, greatly affecting interest income. The Federal Reserve may decrease interest rates beginning in Fall of 2024.
4. The Commission is entering its 29th year of the Environmental and Economic Long Term Monitoring programs, funded in part by a \$298,000 from the National Park Service.
5. The EPA Kingsnake Study remains an active grant; staff will continue their work in Fiscal Year 2025.
6. The Commission anticipates receiving grant funding from NJDEP for the continuation of the Box Turtle study that began in FY 2022.
7. New in FY 2025 is the use of the remaining funds (\$32,500) provided through the 2000 Sanctuary settlement agreement for tracking and monitoring of Timber Rattlesnakes.
8. The anticipated revenue from the NJDEP Wetlands Permitting program that the Commission helps to administer reflects the estimated permit fees to be received and is authorized through language in the Appropriations Act.
9. Application Fees of \$750,000 are anticipated to be received during FY 2025. This important component of the Commission's Operating Budget fluctuates tremendously from month to month. This funding source will be closely monitored throughout the fiscal year.

10. The Fenwick Manor Painting Reserve was established in FY 2015 to earmark funds for exterior painting of Fenwick Manor. Funds were added annually as follows: \$40,000 in FY 2015; \$40,000 in FY 2016; \$20,000 in FY 2017 and \$20,000 in FY 2018. All funds(\$120,000) have been transferred to the Fenwick Preservation account.

11. FY 2025 will be the third year of the Commission's Energy Conservation Reserve. This reserve is for projects and capital expenditures that foster the Commission's mission toward energy conservation and sustainability. Potential projects include installation of an electric vehicle charging station and necessary electrical upgrades, retention of a solar facility expert to assess the feasibility of installing a solar energy facility on the Commission's property, development of a long-term plan for replacement of the Commission's existing HVAC systems and other initiatives recommended in the Local Government Energy Audit reports or by the Pinelands Climate Committee. Grants available to state agencies will also be pursued.

12. The FY 2024 budget reflected establishment of the Regulatory Programs Shelving Reserve. The current automated shelving system has reached its life expectancy of twenty years. An additional \$15,000 is being added to the reserve in FY 2025 so that the Commission will be prepared when the shelving needs to be replaced.

13. In April 2005, the Commission adopted a financial plan for the Pinelands Conservation Fund, which was amended in 2014. Included in the original plan was an annual administrative assessment of \$60,000 (see Pinelands Conservation Fund budget note #3). FY 2025 will see the continued reduction of the administrative assessment to \$9,000.

14. The projected amount needed from the Undesignated Fund Balance to balance the FY 2025 budget deficit is \$929,603.

15. The Commission's authorized staffing level is 66 full time equivalent positions (FTEs). Since FY 2007, unfilled vacancies have steadily increased to a total of 22 unfilled full time equivalent positions, or more than 33% of the authorized staffing level. The FY 2025 salaries and wages budgets (Operating and Pinelands Conservation Fund) finance only 44 of the 66 authorized full time equivalent positions.

16. The fringe benefits budget includes expenditures for the employer's share of Social Security (\$200,000), Medicare (\$60,000), disability insurance (\$1,000), flexible savings accounts (\$1,500) and miscellaneous administrative charges (\$500). The employer liability of pension related funds is estimated at \$700,000. The Commission's escalating health benefit premiums for active and retired employees are estimated at \$1,307,000 with a \$215,000 reduction for coinsurance payments from staff members. Also included is \$20,400 for dental insurance premiums and \$500 for participation in the Employee Advisory Service.

17. Upon Commission approval of the FY 2025 Operating Budget, the Executive Director will be authorized to pay the employer share of Social Security and Medicare at an amount not to exceed the budgeted funding of \$260,000.

18. The printing and office supplies budget includes expenditures for printing; office, computer, mailing, copying, and meeting supplies; office and computer equipment with an item cost of less than \$1,000; reference materials; scientific report printing/publication; and staff and Commissioner service awards. Grant-related expenses account for \$2,900 of this budget.
19. The majority of the vehicular supplies budget covers gasoline for Commission vehicles. Other costs budgeted in this account include replacement tires, supplies used for routine vehicular maintenance and other miscellaneous supplies such as keys, mats, scrapers and first aid kits.
20. The household supplies budget provides for the purchase of materials to perform minor buildings and grounds maintenance, cleaning supplies, household paper products, basic kitchen supplies, household equipment costing less than \$2,000 and other operating supplies.
21. The fuel and utilities budget covers expenditures for heating fuel, electricity, water and sewer.
22. The other supplies budget covers expenditures for supplies and equipment (less than \$1,000) supporting map-making, scientific research, fieldwork, and photographic needs. Grant related expenditures are a significant portion (over 99%) of this account, totaling \$40,247 for FY 2025.
23. The travel budget covers reimbursements to Commissioners and staff for business mileage on their personal vehicles, tolls and parking, and meal allowances.
24. The telephone budget includes basic service, toll charges, the service cost of a data circuit, conference calls, and cellular phone service.
25. The postage budget finances general postage fees, parcel delivery charges and post office box rental charges. Over the last several years, this account has decreased as more correspondence is sent electronically, including letters, reports, and public outreach materials.
26. The insurance budget covers estimated premiums for automobiles, general liability, fire, theft, workers compensation, volunteers, and the umbrella liability policy.
27. Upon Commission approval of the FY 2025 Operating Budget, the Executive Director will be authorized to pay the State's insurance broker an amount not to exceed the budgeted funding of \$77,275 to cover the Commission's insurance premiums.
28. The FY 2025 budget for information processing includes \$137,782 for software maintenance agreements and data purchases, \$6,500 for payroll processing, \$3,000 for database administration services and \$1,250 for online legal services. Over \$4,500 of this budget is reimbursable through grants or special revenue.
29. The household services budget covers trash removal, alarm (security and fire) monitoring, and exterminating services.

30. The professional services account covers expenditures for legal fees, technical and consulting services, and other miscellaneous services. Estimated costs include \$50,000 for legal fees associated with DAG services; \$35,000 for labor counsel and \$2,000 for publication of the Commission's rulemaking documents by the Office of Administrative Law. Grant-related technical services totaling \$12,000 are budgeted.

31. Expenditures in the other services budget include annual subscriptions (\$2,500), required memberships and professional licenses (\$4,860); meeting expenses (\$2,000); advertising (\$2,525), research related fees (\$1,100), training (\$17,430), and banking fees (\$650).

32. The maintenance buildings and grounds budget for FY 2025 includes an estimated cost for implementation of Energy Efficiency measures and installation of an Electric Vehicle Charging Station (the cost of which may be partially offset by grant funding). The remaining amount is available for minor maintenance services (plumbing, electrical, HVAC, Tree Trimming, etc.).

33. The maintenance - equipment budget provides for the inspection, maintenance and repair of certain building systems and other equipment.

34. The maintenance vehicular budget finances routine maintenance, vehicular fees, and repairs, including any needed body work not performed by the Commission's Maintenance Technician.

35. The FY 2025 budget includes \$300 for the postage meter, \$3,000 for the lease of (1) black and white copier, and \$100 for excess copy charges. Leasing of a Large Format Scanner for \$2,500 per year is also included to facilitate scanning and saving of site plans and zoning maps.

36. The acquisitions - equipment budget contains \$10,500 for scientific equipment supporting grant related projects and \$2,000 for unanticipated telephone system expenses.

37. The acquisitions - information processing equipment budget includes the replacement of outdated computers and servers.

38. The total estimated Operating Budget expenditures for FY 2025 equal \$7,127,603. During the fiscal year, certain unforeseen and/or emergency expenditures may become necessary. The Personnel and Budget Committee has discussed this issue and recommends that the Executive Director be authorized to exceed the budget of an expenditure category (personnel, supplies, services, maintenance/rent, improvements/acquisitions) by no more than 10% provided that funds are available in other expenditure categories to ensure that the total Operating Budget is not exceeded and provided further that the combined salary budgets for the Operating Fund and the Pinelands Conservation Fund do not exceed \$4,352,212.

39. Several expenditure account budgets include funding for various services and benefits that are reimbursed to the State of New Jersey and are over the Executive Director's authorized contracting limit of \$250,000 (OMB 24-16-DPP). These consist of employee health benefits and the employer liability assessed by the Division of Pensions.

40. Upon Commission approval of the FY 2025 Operating Budget, the Executive Director will be authorized to pay the State of New Jersey for the aforementioned items in an amount not to exceed the budgeted funding.

**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2025 BUDGET**

Revenue Source	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
Interest Income - Land Acquisition	1,050	5,100	45,000	100,000	1
Interest Income - Conservation Planning & Research	1,800	5,000	30,000	45,000	1
Interest Income - Community Planning & Design	900	2,800	25,000	35,000	1
Interest Income - Education & Outreach	1,100	950	5,000	8,000	1
SJTA - MOA	500,000	500,000	500,000	0	2
Total Revenue	504,850	513,850	605,000	188,000	
Cancellation of Prior Year Encumbrances	0	0	0	0	
Reserves for Pinelands Conservation Activities	538,782	446,981	359,866	3,670,954	
Total Revenue/Other Sources Anticipated	1,043,632	960,831	964,866	3,858,954	

Expenditure Account	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
<u>Land Acquisition</u>					
Salaries & Wages	20,000	5,000	12,000	15,000	
Fringe Benefits	10,600	2,650	8,160	11,550	
Land Acquisition	0	0	0	3,000,000	2
Printing & Office Supplies	0	600	600	600	
Travel	0	100	300	300	
Total Land Acquisition Expenditures	30,600	8,350	21,060	3,027,450	4

Conservation Planning and Research

Salaries & Wages	363,812	372,616	365,224	284,454	
Fringe Benefits	192,820	191,937	248,352	219,030	
Printing & Office Supplies	0	0	4,250	4,200	
Other Supplies	15,500	35,150	25,610	25,900	
Travel	5,421	7,421	4,100	4,000	
Information Processing	500	1,110	1,110	610	
Technical Services	5,300	0	0	0	
Professional Services	88,199	67,647	0	0	
Other Services	75	330	6,230	5,130	
Acquisitions - Equipment	3,400	6,800	3,000	3,000	
Administrative Assessment	20,000	20,000	3,000	3,000	3
Total Conservation Planning/Research Expenditures	695,027	703,011	660,876	549,324	5

Community Planning and Design

Salaries & Wages	101,000	90,000	94,000	89,000	
Fringe Benefits	53,530	42,370	63,920	68,530	
Printing & Office Supplies	100	200	50	50	
Travel	0	0	110	50	
Postage	500	500	600	250	
Information Processing	250	750	250	250	
Other Services	275	250	100	50,100	
Administrative Assessment	20,000	20,000	3,000	3,000	3
Total Community Planning/Design Expenditures	175,655	154,070	162,030	211,230	6

Education and Outreach

Salaries & Wages	75,000	40,000	65,000	25,000	
Fringe Benefits	39,750	21,200	44,200	19,250	
Printing & Office Supplies	0	2,000	0	0	
Travel	100	100	100	200	
Other Supplies	1,600	4,500	7,200	3,500	
Other Services	5,000	7,600	1,400	18,000	
Acquisitions - Equipment	900	0	0	2,000	
Administrative Assessment	20,000	20,000	3,000	3,000	3
Total Education and Outreach	142,350	95,400	120,900	70,950	7

Total Expenditures	1,043,632	960,831	964,866	3,858,954	
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PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2025 BUDGET NOTES
August 16, 2024

1. The funds provided from Atlantic City Electric (formerly Conectiv) and other related revenue sources are kept in four separate cash accounts, one for each program of the Fund. The FY 2025 estimated interest income totals are anticipated to reach \$188,000 and are comprised of interest income from the four cash accounts. All interest income stays within the particular program and is available to help fund the associated projects. The Federal Reserve is considering dropping interest rates starting in Fall 2024 and during 2025.
2. This revenue results from the SJTA MOA Amendment executed in April of 2019, under which SJTA is required to contribute a total of \$3,000,000 for land acquisition in the Pinelands Area. The Pinelands Commission has received all six annual payments of \$500,000.00. PCF land acquisition grants are expected to be awarded in Fiscal Year 2025.
3. The financial plan that designated the three original programs within the Fund (Land Acquisition, Conservation Planning & Research and Community Planning & Design) was approved by the Commission in April 2005 and included a \$20,000 annual assessment from each program to cover administrative expenses as described in Operating Budget note #12. The Commission amended the PCF policies in 2014 to include a fourth program, Education & Outreach, from which a \$20,000 annual administrative assessment was also to be drawn. The annual assessment from the Land Acquisition program was eliminated in FY 2019. Assessments from the other three programs were reduced to \$3,000 in FY 2024. The FY 2025 budget continues that reduced administrative assessment.
4. The Land Acquisition program budget for FY 2025 totals \$3,027,450. Personnel costs (salaries/wages and fringe benefits) are estimated at \$26,550 in support of the Commission's permanent land protection initiatives, which include a new round of land acquisition (\$3,000,000), PCF deed restriction monitoring and the third annual permanent land protection summit. An additional \$900 is included to coverage mileage and meeting supplies.
5. The Conservation Planning and Research program budget for FY 2025 totals \$549,324. Personnel costs (salaries/wages and fringe benefits) are estimated at \$503,484 to support the following initiatives and special projects: continued implementation of the alternate septic system pilot program; implementation of the Kirkwood-Cohansey aquifer water management amendments; rulemaking associated with protection of the Black Run Watershed; and data maintenance and reporting related to permanent land protection. In addition, the Science Office will be continuing to conduct Corn Snake and King Snake research, now having the ability to perform pit tag implants in-house. In FY 2025, the Science Office's research related to box turtles will also be funded from this account. An additional \$42,840 is included for other expenses (supplies, services, software maintenance, printing, mileage, training and legal advertising) to support these initiatives. Rounding out the budget is the \$3,000 administrative assessment mentioned above.

6. The Community Planning and Design program budget for FY 2025 totals \$211,230. Personnel costs (salaries/wages and fringe benefits) are estimated at \$157,530 to support the following initiatives and special projects: CMP amendments related to Forest and Rural Development Area clustering, use of Pinelands Development Credits and development of accessible trails; administration of the Pinelands Development Credit Bank; administration of the Pinelands Infrastructure Trust Fund; and technical assistance related to implementation of the state's new affordable housing legislation. Also reflected in the budget are funds to support a variety of climate change initiatives and efforts, including support for the Pinelands Climate Committee, participation on the state's Interagency Council on Climate Resilience, coordination with NJBPU on a dual-use solar program and research to support future CMP amendments. \$50,000 in professional services is budgeted to allow for retention of a consultant to review stormwater management plans, provide training and develop guidance documents. A total of \$700 is budgeted for expenses related to legal advertising, mileage, postage, software maintenance and office supplies. Rounding out the budget is the \$3,000 administrative assessment mentioned above.

7. The Education and Outreach program budget for FY 2025 totals \$70,950. Personnel costs (salaries/wages and fringe benefits) are estimated at \$44,250 to support the two annual Pinelands Short Courses, the World Water Monitoring Challenge and the Pinelands Speakers Series. A total of \$8,700 is included for photographic equipment and supplies related to the Visitors Center, the World Water Monitoring Challenge, maintenance of the bog garden and tree/plant identification markers. An additional \$15,000 is budgeted for services provided by the Office of Information Technology associated with redesign of the Commission's website. Miscellaneous expenses supporting the program (honoraria for participants in the Pinelands Speakers Series and mileage) are also included. Rounding out the budget is the \$3,000 administrative assessment mentioned above.


PINELANDS COMMISSION
Fenwick Manor Preservation Budget
FISCAL YEAR 2025 BUDGET

Revenue	FY 2025 Anticipated	Notes
NJHT Capital Grant	\$575,000	
Fund Balance - Commission Match	\$575,000	
Fund Balance from Fenwick Painting Reserve	\$45,000	
Total	\$1,195,000	1

Expenditure Account	FY 2025 Anticipated	Notes
Partial Exterior Restoration	\$436,013	2
Structural Reinforcement/Maintenance	\$315,805	2
Partial Interior Restoration	\$297,583	2
Non Construction Cost	\$100,600	3
Other	\$45,000	4
Total Expenditures	\$1,195,000	

PINELANDS COMMISSION
FENWICK MANOR PRESERVATION BUDGET
FISCAL YEAR 2025 BUDGET NOTES
August 16, 2024

1. Revenue includes a \$575,000 Preserve New Jersey Capital Improvement Grant for Fenwick Manor, awarded to the Commission by the New Jersey Historic Trust in late 2023. The Fund Balance includes the Commission's match of \$575,000, primarily provided through a \$500,000 special state appropriation to the Commission in the State of New Jersey FY 2023 Budget (Pages 79-80 of P.L. 2022, Chapter 49). All remaining funds in the Fenwick Manor Painting Reserve (\$45,000) are also included. A grant agreement with the New Jersey Historic Trust was executed in July 2024 and includes the advancement of the entire \$575,000 grant to the Commission. In partnership with the Department of Treasury, Division of Property Management and Construction, and the New Jersey Historic Trust, a scope of services for design services was finalized in late July. The RFP is expected to be issued in August 2024.
2. Costs associated with Exterior Restoration, Structural Reinforcement/Maintenance and Interior Restoration are based on the estimates provided in the Fenwick Manor Preservation Plan prepared in FY23 by the Commission's consultant, Connolly & Hickey.
3. Non-construction related costs include engineering services, design development, and contract administration.
4. An allocation for any unanticipated expenditures incurred.

A dirt road winds through a dense forest of tall trees with lush green foliage. Sunlight filters through the canopy, creating a bright starburst effect in the upper right corner. The road leads into the distance, disappearing into the trees.

**Pinelands Commission
Fiscal Year 2025
Budgets and Initiatives**

September 13, 2024

FY 2025 BUDGETS

- Operating Fund - \$7,127,603
- Pinelands Conservation Fund - \$3,858,954
- Fenwick Manor Preservation Fund -\$1,195,000

Operating Fund Revenue

	FY22 Unaudited	FY23 Unaudited	FY24 Anticipated	FY25 Anticipated
State Appropriation	\$3,249,000	\$3,399,000	\$3,549,000	\$3,749,000
State Supplemental Funding	\$687,000	\$687,000	\$687,000	\$687,000
Application Fees	\$500,000	\$650,000	\$700,000	\$750,000
Grants/Special Purpose	\$618,000	\$383,000	\$480,500	\$513,000
Other	\$5,000	\$12,500	\$80,000	\$105,000
Fund Balance & Reserves	\$907,202*	\$1,368,078*	\$1,400,395*	\$1,323,603*
TOTAL	\$5,966,202	\$6,499,578	\$6,896,895	\$7,127,603

* Includes:

- \$929,603 from the Undesignated Fund Balance
- \$385,000 Reserves – Energy Conservation and Shelving
- \$9,000 PCF Administrative Assessment

Operating Fund Expenditures

	FY22 Unaudited	FY23 Unaudited	FY24 Unaudited	FY25 Anticipated
Salary and Wages	\$3,021,984	\$3,374,398	\$3,783,408	\$3,938,758
Fringe Benefits	\$1,910,905	\$2,188,901	\$2,250,922	\$2,337,651
Supplies	\$131,712	\$148,202	\$141,621	\$154,297
Professional Services	\$462,728	\$222,500	\$259,540	\$190,500
Other Services	\$259,623	\$282,877	\$297,983	\$324,197
Maintenance/Rent	\$132,620	\$119,070	\$122,020	\$130,700
Improvements and Acquisitions	\$46,630	\$163,630	\$41,400	\$51,500
Total Expenditures	\$5,966,202	\$6,499,578	\$6,896,895	\$7,127,603

FY2025 Initiatives: Energy Conservation Reserve

Projects and Capital Expenditures

Electric vehicle charging station(s) and electrical upgrades (possible grant funding)

Purchase new and replacement energy efficient office equipment

Office composting program



Staff building a compost bin in July

FY2025 Initiatives: Operating Fund (NPS)

Project/Initiative	Account
Economy of Parks and Open Space study	NPS – Economic Monitoring
Local Conformance & Zoning System Database	NPS – Economic Monitoring
Historic cemetery mapping and GPR surveys	NPS – Economic Monitoring
Cultural resources maps: data sharing agreement; SHPO Cultural Resources Info System	NPS – Economic Monitoring
PDC supply and demand methodologies	NPS – Economic Monitoring
Economic Impacts of Climate Change on growth-oriented management areas	NPS – Economic Monitoring
Annual Pinelands calendar	NPS – Economic Monitoring

FY2025 Initiatives: Operating Fund (NPS)

Project/Initiative	Account
Water Quality Monitoring	NPS – Environmental Monitoring
Forest and pond water level monitoring	NPS – Environmental Monitoring
Annual Anuran surveys	NPS – Environmental Monitoring
Rare Snake Monitoring	NPS – Environmental Monitoring
Snake Fungal Disease and Adenovirus Monitoring	NPS – Environmental Monitoring
Box Turtle study	NPS – Environmental Monitoring

FY2025 Initiatives: Operating Fund

Project/Initiative

Procedural CMP amendments

- “Gap” process
- Expiration of old waivers and CFs
- Increased fees for applications involving violations, waivers and wetlands-related Letters of Interpretation

Municipal “model” stormwater ordinances & NJDEP amendments

- Draft, distribute and monitor municipal adoption

Biosphere Region designation

- Preparation for 2026 report/renewal
- Increased participation in US Network and Working Group

ORV/ATV model municipal ordinances

Development/marketing of native seed mix(es) for landscaping

Review of application requirements and T&E consultant qualifications

Pursue plant data sharing agreement with NJDEP

FY2025 Initiatives: Operating Fund

Project/Initiative

Stockton University 2020 Facilities Master Plan

- Completion of DCR amendment process

Secondary Impacts Agreement for GSP Interchange 44

- Extension and monitoring of land preservation obligation

Memoranda of Agreement

- Accessible Trails (Pemberton, Stafford and Evesham)
- South Jersey Transportation Authority: AC Airport and Atlantic City Expressway
- Evaluate and update old MOAs with NJDEP

Review and respond to other agency rulemaking and model ordinance requirements (e.g., NJDEP model tree removal/replacement)

Nonresidential advanced wastewater treatment systems: standards, application requirements and review process

Local communications facility plan amendment

FY2025 Initiatives: Operating Fund

Project/Initiative

Develop/enhance databases and tracking systems

CWA contract negotiations

Continue participation in Rutgers internship program

Updated Personnel and Purchasing Policies

Succession planning, recruitment and training

Enhanced mailing list database

Performance evaluations: improved forms and new interface

Litigation and settlement agreements

Seminar(s) for municipal representatives

Migration from GotoMyPC to Zscaler for remote work

Transition from cell phones to Teams Voice

Unanticipated Projects

FY2025 Ongoing Work: Operating Fund

Review and processing of development applications, Letters of Interpretation and CAFRA permits

Review and processing of municipal master plans, land use ordinances and redevelopment plans

Committee and Commission meeting support

Reports (annual and monthly)

Website and social media

OPRA forms and responses

Audit(s) and Audit Committee

Training

Records management

On-line store

Pinelands Conservation Fund Expenditures

	FY22 Unaudited	FY23 Unaudited	FY24 Anticipated	FY25 Anticipated
Land Acquisition	\$ 30,600	\$ 8,350	\$21,060	\$3,027,450
Conservation Planning & Research	\$695,027	\$703,011	\$660,876	\$549,324
Community Planning & Design	\$175,655	\$154,070	\$162,030	\$211,230
Education and Outreach	\$142,350	\$95,400	\$120,900	\$70,950
Total PCF Expenditures	\$1,043,632	\$960,831	\$964,866	\$3,858,954

FY2025 Initiatives: Pinelands Conservation Fund



Project/Initiative	Account
3 rd annual land preservation summit	Land Acquisition
Stewardship and monitoring report on PCF-funded properties	Land Acquisition
Acquisition funding round	Land Acquisition

FY2025 Initiatives: Pinelands Conservation Fund

Project/Initiative	Account
Corn snake research/study	Conservation Planning & Research
King Snake research/study	Conservation Planning & Research + EPA grant
Box turtle research/study	Conservation Planning & Research



FY2025 Initiatives: Pinelands Conservation Fund



Project/Initiative	Account
Septic pilot program	Conservation Planning & Research
Kirkwood-Cohansey water management rule implementation	Conservation Planning & Research
Black Run watershed protection rules	Conservation Planning & Research
Permanent land protection data and reporting	Conservation Planning & Research

FY2025 Initiatives: Pinelands Conservation Fund

Project/Initiative	Account
Forest and Rural Development Area clustering rules	Community Planning & Design
PDC rules	Community Planning & Design
PDC Bank administration and legislative changes	Community Planning & Design
Pinelands Infrastructure Trust Fund administration	Community Planning & Design
Affordable Housing: tracking and technical assistance	Community Planning & Design
CMP Amendments - Accessible Trails	Community Planning & Design



FY2025 Initiatives: Pinelands Conservation Fund

Project/Initiative	Account
Stormwater management consultant: review of plans, training, guidance documents	Community Planning & Design
Climate Committee support and initiatives <ul style="list-style-type: none"><li data-bbox="285 629 932 672">• IAC/Resilience Action Plans<li data-bbox="285 694 1149 793">• BPU dual use solar program and CMP amendments<li data-bbox="285 815 1029 858">• Research for CMP amendments<li data-bbox="285 879 1207 979">• Climate Change curriculum (w/Stockton University)	Community Planning & Design

FY2025 Initiatives: Pinelands Conservation Fund



Project/Initiative	Account
Pinelands Short Course(s)	Education & Outreach
World Water Monitoring Challenge	Education & Outreach
Pinelands Speakers Series	Education & Outreach
Bog and rain garden maintenance; tree/plant identification	Education & Outreach
Visitors Center programs and supplies	Education & Outreach
Website redesign	Education & Outreach

Fenwick Manor Preservation Budget

	FY25 Anticipated
New Jersey Historic Trust Capital Grant	\$575,000
Special State Appropriation	\$500,000
Match from Fenwick Manor Reserve	\$75,000
Additional Reserve Funding	\$45,000
Total Expenditures	\$1,195,000

Questions?





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24- 19

TITLE: To Authorize an Additional Extension of the Time Period for Atlantic County to Complete its Obligations Under the Secondary Impacts Agreement for Interchange 44 of the Garden State Parkway

Commissioner Avery moves and Commissioner Pikolycky seconds the motion that:

WHEREAS, on January 7, 2014, the Pinelands Commission (Commission) and Atlantic County (the County) entered into a Secondary Impacts Agreement (the Agreement) as a means of obviating the potential secondary impacts associated with the completion of Interchange 44 of the Garden State Parkway; and

WHEREAS, this Agreement obligated the County to limit the development potential of parcels totaling 356 acres located within 1.5 miles of Interchange 44 within the Pinelands Area referred to in the Agreement as Tier 1; and

WHEREAS, the County had three years to obviate the secondary impacts within the Tier 1 area ending January 7, 2017; and

WHEREAS, based on the terms of the Agreement, the County requested, and the Executive Director granted an 18-month extension of the deadline for completion of the County's obligation in Tier 1 which ended on July 7, 2018; and

WHEREAS, by letter dated March 5, 2020, the County advised the Commission that it had completed acquisition of 327 acres of lands within Tier 1 and requested an additional 18-month extension to complete its acquisition of the remaining 29 acres required by the Agreement; and

WHEREAS, on May 8, 2020, the Commission approved Resolution PC4-20-14, granting the County an extension from January 7, 2020 to January 7, 2022 to complete its obligations under the Agreement; and

WHEREAS, by letter dated August 15, 2022, the County advised the Commission that it has acquired 342 of the required 356 acres of lands within Tier 1 and requested an additional 12-month extension to complete acquisition of the 14 remaining acres; and

WHEREAS, on September 9, 2022, the Commission approved Resolution PC4-22-36 granting the County an extension from January 7, 2022 until September 7, 2023 to acquire the remaining 14 acres within Tier 1; and

WHEREAS, by letter dated August 2, 2023, the County advised that it had acquired 10 of the remaining 14 acres of land within Tier 1, bringing the total to 352 of the 356 acres of land within Tier 1 targeted for preservation, and requested an extension of the deadline to acquire the remaining 4 acres; and

WHEREAS, on September 8, 2023, the Commission approved Resolution PC4-23-37 granting the County an extension from September 7, 2023 to September 7, 2024 to acquire the remaining four acres within Tier 1; and

WHEREAS, by letter dated August 9, 2024, the County advised that since the September 2023 extension, its efforts to acquire the final four acres required by the Agreement had been delayed due to staffing shortages, resulting from the retirements of three of its professional planners and the Assistant County Counsel involved in the County's acquisition program; and

WHEREAS, the County also advised that it had recently hired a new Senior Planner to resume its acquisition efforts; and

WHEREAS, in its August 9, 2024 letter, the County renewed its commitment to preserve not only the remaining 4 acres within Tier 1, but the additional acreage within Tier 1 that the Atlantic County Board of Commissioners authorized for acquisition by adoption of Ordinance #7 of 2022; and

WHEREAS, the County has requested an additional 12-month extension to acquire the last four acres of land within Tier 1 to complete its obligation under the Agreement; and

WHEREAS, the County has acquired 98.9% of the 356 acres of land within Tier 1 necessary to obviate the potential secondary impacts associated with the Interchange 44 project; and

WHEREAS, the Agreement contains a provision that requires the County to pay an amount equal to fair market value of any acreage that it fails to acquire within Tier 1 within six years from the effective date of the Agreement (i.e. January 7, 2020) to a non-profit, government entity or university or college to undertake the acquisition of Pinelands Development Credits from agricultural lands or other projects, including land acquisition, to improve water quality within the boundaries of Tiers 1 through 3 in Atlantic County; and

WHEREAS, given the County’s continued diligent efforts to complete its obligations under the Agreement, and its commitment to preserve substantially more acreage within Tier 1 than required by the Agreement, the Commission believes it is preferable to allow the County to complete its acquisition of the remaining 4 acres rather than having the County provide funds to a non-profit, governmental entity or university for that purpose; and

WHEREAS, the Commission further acknowledges the extenuating circumstances outlined in the County’s request for an extension, and seeks to afford the County sufficient time to complete the land acquisition required by the Agreement; and

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

NOW, THEREFORE BE IT RESOLVED that the Commission grants Atlantic County an additional extension of 24 months, from September 7, 2024 until September 7, 2026, to complete its acquisition of the remaining 4 acres within Tier 1.

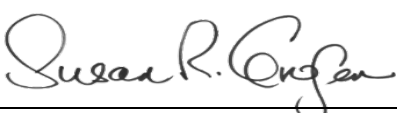
Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman					Rittler Sanchez	X			
Avery	X				Lohbauer					Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd	X				Meade	X								
Irick					Pikolycky	X								

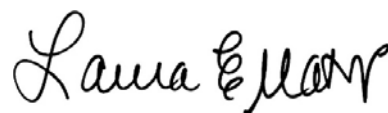
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: September 13, 2024



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
NEW LISBON, NJ 08064
(609) 894-7300
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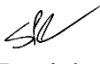
PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Stacey P. Roth 
Chief, Legal & Legislative Affairs

Date: September 3, 2024

Subject: Atlantic County's Request for an Additional Extension of the Deadline to Complete Acquisition of Parcels to Address Secondary Impacts Associated with the Completion of Garden State Parkway Interchange 44

Atlantic County's request for an additional extension of its deadline to obviate the secondary impacts associated with the Garden State Parkway Interchange 44 project will be presented for your consideration at the Commission's September 13, 2024 meeting. As you may recall, the Commission and County entered into a Secondary Impacts Agreement on January 7, 2014, which required the County to limit the development potential of parcels located within 1.5 miles of Interchange 44 (356 acres) within the Pinelands Area. From the outset, the County decided to acquire the 356 acres. As of August 2, 2023, the County had acquired all but 4 acres (352 out of 356 acres) within the Tier 1 target area.

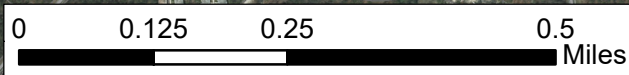
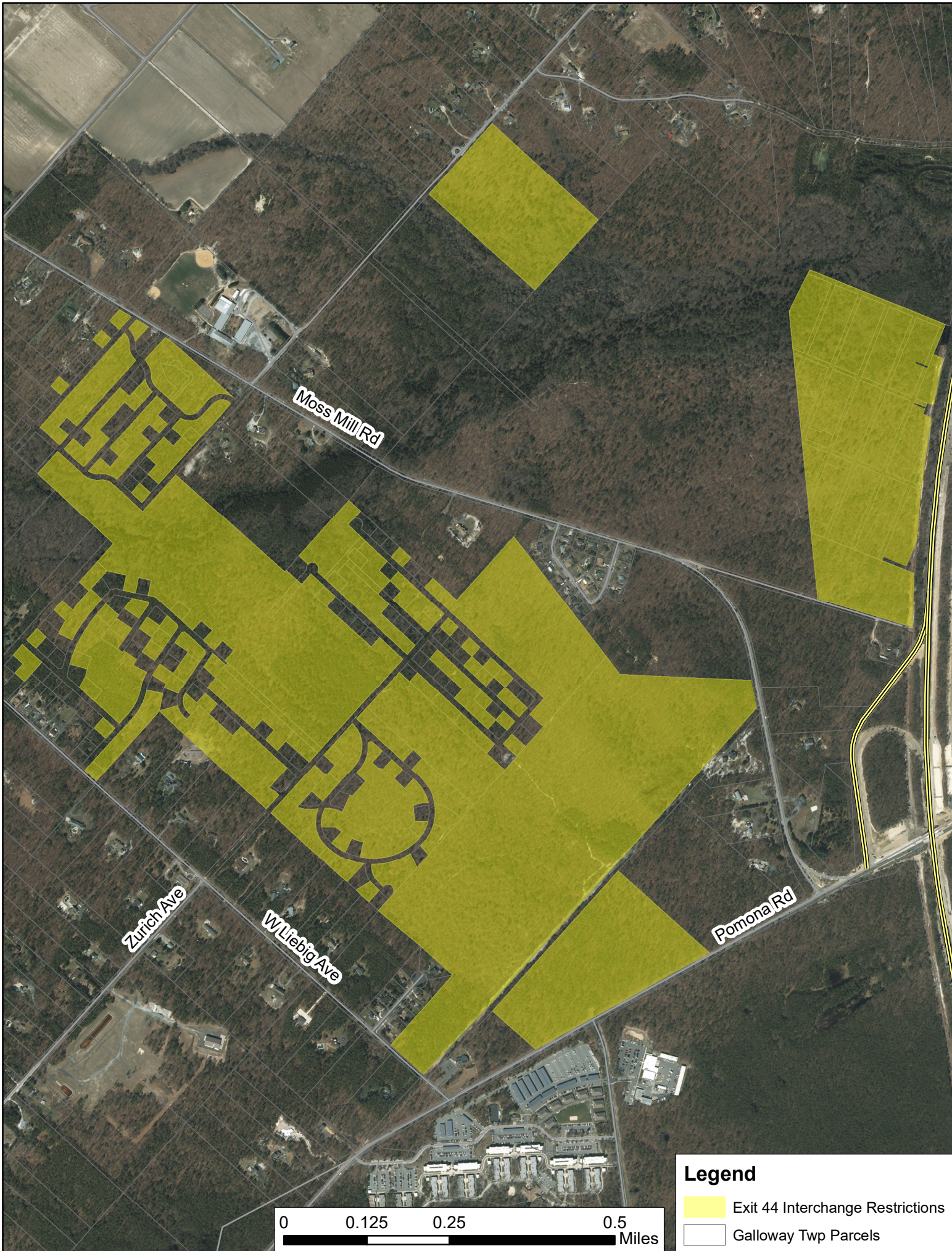
By letter dated August 9, 2024, the County has requested an additional 12-month extension to complete its acquisition of the remaining 4 acres. The County advised that the acquisition of this acreage has been delayed because of staffing shortages resulting from the retirements of 3 professional planners and the Assistant County Counsel involved in the acquisition program. The County recently hired a new Senior Planner who will be picking up the acquisition project and moving it to completion.

Staff, however, is recommending the Commission grant a 24-month extension to the Agreement. This extension is anticipated to provide sufficient time for the County to finalize acquisition of the remaining 4 acres. Additionally, the County intends to acquire an additional 110 lots, comprising approximately 95 acres, within the Tier 1 target area for preservation. If authorized, this would represent the fourth extension of the agreement.



Although the Agreement contains a contingency provision should the County fail to obviate the remaining secondary impacts of the required 356 acres by the deadline, staff does not believe this contingency should be invoked at this time. The contingency requires the County to pay the fair market value of any acreage within Tier 1 to a non-profit, government entity or university or college for the acquisition of Pinelands Development Credits from agricultural lands or other water quality improvement projects, including land acquisition, within the boundaries of Tiers 1 through 3. As noted above, the County has acquired 352 acres

of the 356 acres required by the Agreement. Despite various challenges it has worked diligently to satisfy the Agreements obligations. Additionally, despite only 4 acres remaining to be acquired under the Agreement, it has also committed to acquiring another 110 lots, approximately 95 acres, within the Tier 1 target area. Consequently, staff believes it is preferable to allow the County to complete its acquisition of the remaining 4 acres rather than having the County provide funds to a non-profit, governmental entity or university for that purpose.

A resolution granting the County's extension request is included in the packet. At the September 13, 2024 meeting, staff will ask the Commission to authorize the two year extension of Atlantic County's acquisition deadline.



Legend

-  Exit 44 Interchange Restrictions
-  Galloway Twp Parcels



Atlantic County

Department of Regional Planning and Development

Dennis Levinson
County Executive

Ranae Fehr
Department Head

Division of Planning
609/645-5898 FAX: 609/645-5836
TDD: 348-5551

Division of Engineering
609/645-5898 FAX: 609/645-5836

Office of GIS

August 9, 2024

Susan Grogan, Executive Director
NJ Pinelands Commission
PO Box 359
15 Springfield Road
New Lisbon, New Jersey 08064

RE: GSP Interchange 44, Galloway Twp. – Secondary Impacts Agreement

Dear Ms. Grogan,

Please accept this letter as a request for an additional extension of the agreement between Atlantic County and the NJ Pinelands Commission, previously executed in connection with the NJ Turnpike Authority's expansion of Interchange 44 of the Garden State Parkway. To date, Atlantic County has acquired most of the land required to satisfy the requirements of that agreement, including the purchase of 352 of 356 acres of land within the Tier 1 area targeted for preservation.

Unfortunately, our efforts to acquire the final four acres have been delayed due to staffing shortages, including the retirement of three of our Professional Planners as well as Assistant County Counsel Anthony Pagano. Fortunately, last month we were able to bring on a new Senior Planner, who will be picking up this project and moving it through completion.

As previously reported, the County is currently pursuing acquisition of approximately 110 lots within the Tier 1 target area, totaling approximately 95 acres, more or less. Title searches have been obtained for individual lots and the County has developed a plan to phase the acquisition of these lots to keep the project manageable. Appraisals will be updated to reflect current market value. Also as previously reported, title issues impact some of the lots which has complicated the acquisition process.

Acquisition of the subject lots was approved by the Atlantic County Board of Commissioners on July 5, 2022, allowing for the County to purchase the lots via negotiations or Eminent Domain action (mostly in cases where clear title cannot be established). Formal offer packages will be sent out to the initial phase of lots once appraisal reports have been updated.



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Atlantic County is an Equal Opportunity Employer



Based on our progress to date and our ongoing commitment to purchase and preserve the remaining acreage, we respectfully request the Commission's consideration of an additional 12-month extension of time to complete this project.

The Commission's consideration of this and prior requests is greatly appreciated. If you or your staff have any questions regarding this request or the County's progress to date, please feel free to contact me at 609-645-5898. Thank you.

Respectfully,



Ranae L. Knowles, PP, AICP, CPM
Department Head

cc: Stacey Roth, Esq., Chief, Legal and Legislative Affairs, NJ Pinelands Commission

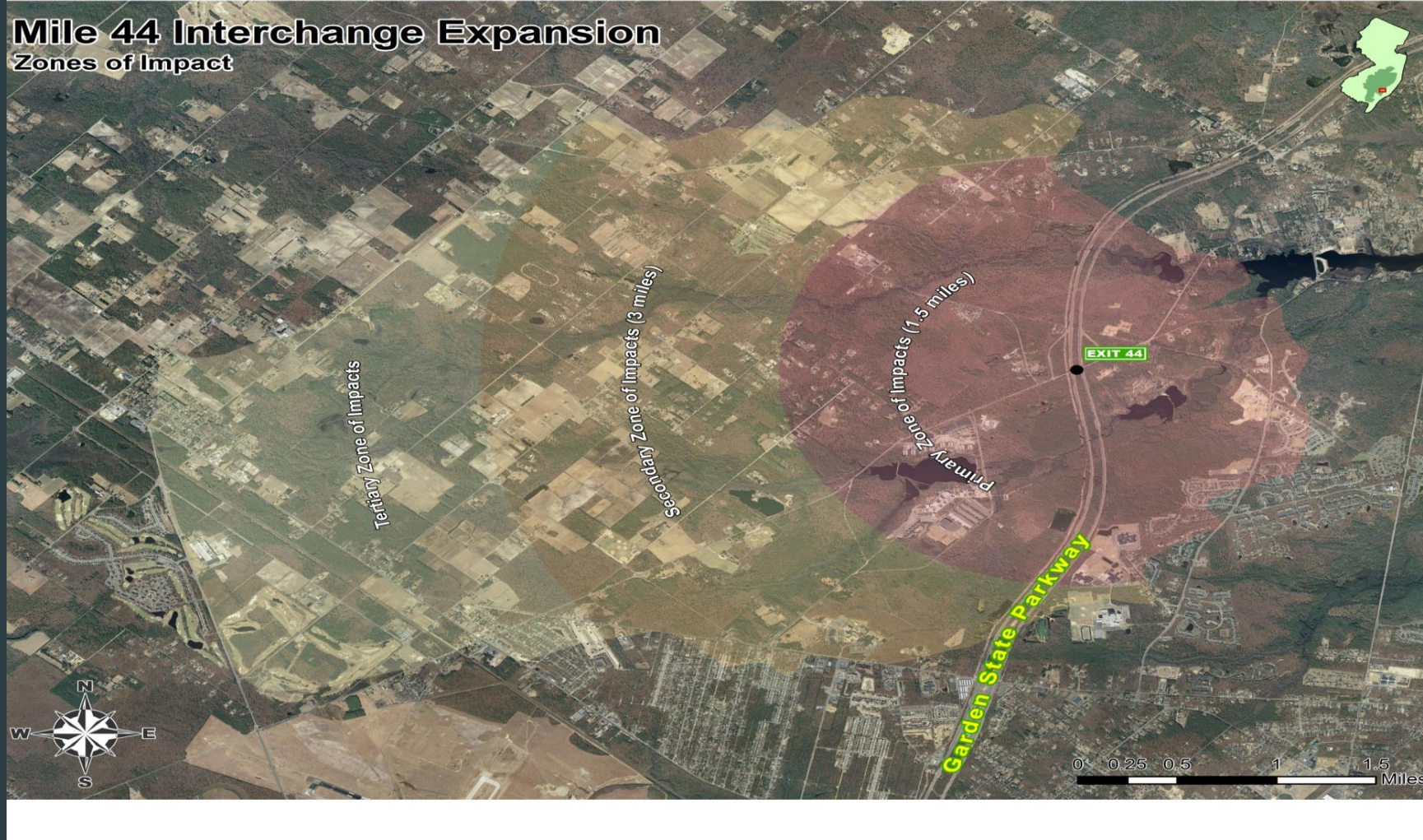
Garden State Parkway Interchange 44
Extension of Time to Acquire
Remaining 4 Acres

Pinelands Commission Meeting
September 13, 2024

Garden State Parkway Interchange 44

- Interchange 44: Garden State Parkway and Pomona Road
- Expansion from partial interchange to full interchange
 - Northbound exit ramp
 - Southbound entrance ramp
 - In Parkway Overlay District
- Project approved by the Commission in May 2013
- Secondary Impacts Agreement with Atlantic County signed December 2013

Mile 44 Interchange Expansion Zones of Impact



Secondary Impacts Agreement

Memorialize zoning to avoid changes in land use that would be inconsistent with the Pinelands land use program

356 acres within 1.5 miles of Interchange 44 (Tier 1)

Outer Tiers, open 3 years in, if necessary

6 Year Terms

County decided to acquire lands only within Tier 1 from outset

Lands Acquired by County



Extension of Secondary Impacts Agreement

- ▶ The Commission previously granted Atlantic County three extensions of time to complete its obligation under the Secondary Impacts Agreement.
- ▶ The County has requested an additional 12-month extension to complete acquisition of the remaining 4 acres located in Tier 1.

Atlantic County's Efforts

- ▶ Atlantic County has acquired 352 out of the required 356 acres within Tier 1.
- ▶ Atlantic County is committed to pursuing acquisition of approximately 95 acres in this area.
- ▶ Acquisition delayed because of significant staffing shortage.

Staff Recommendation

- ▶ Allow the County to complete its acquisition of the remaining 4 acres to satisfy the Secondary Impacts Agreement, rather than triggering the provision in the agreement for the County's payment of funds to another entity.
- ▶ Grant a two-year extension of the acquisition deadline until September 7, 2026.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 2004-0057.002)

Commissioner _____ moves and Commissioner _____
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:

2004-0057.002

Applicant:	Ocean County Parks & Recreation
Municipality:	Manchester Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	September 20, 2024
Proposed Development:	Construction of a recreational facility, including athletic fields and a trail system.

WHEREAS, tree clearing, grading and filling occurred in association with the demolition of a building foundation on Block 71, Lot 6.01 without application to, and approval by, the Pinelands Commission:
and

WHEREAS, undertaking this development prior to application to, and approval by, the Pinelands Commission constitutes a violation of the Pinelands Comprehensive Management Plan (CMP); and

WHEREAS, completion of this application with the Pinelands Commission for the development of a recreational facility on the parcel will address the violation; and

WHEREAS, no request for a hearing before the Office of Administrative Law regarding 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 Pinelands 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 Pinelands 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 2004-0057.002 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*
Asselta					Lettman					Rittler Sanchez				
Avery					Lohbauer					Wallner				
Christy					Mauriello					Matos				
Holroyd					Meade									
Irick					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

September 20, 2024

Mary Jane Bavais, Director (via email)
Ocean County Parks & Recreation
1198 Bandon Road
Toms River NJ 08753

Re: Application # 2004-0057.002
Block 71, Lots 1.01, 6.01 & 7
Block 71.02, Lot 159.02
Block 71.13, Lot 1
Block 72, Lots 1 & 3 - 6
Manchester Township

Dear Ms. Bavais:

The Commission staff has completed its review of this application for construction of a recreational facility, including athletic fields and a trail system. 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 October 11, 2024 meeting.

Tree clearing, grading and filling occurred in association with the demolition of a building foundation on Block 71, Lot 6.01. This development occurred without application to the Commission. This development constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. The area to be developed for the proposed recreational facility includes the area on the parcel where the concerned clearing, grading and filling occurred. This application addresses the 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

Encls (2): Appeal Procedure
 5/23/24 Public Comment

- 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)
- Ocean County Health Department (via email)
- Ed Confair (via email)
- Megan Schmidt (via email)
- Catherine Brunson (via email)



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 20, 2024

Mary Jane Bavais, Director (via email)
Ocean County Parks & Recreation
1198 Bandon Road
Toms River NJ 08753

Application No.: 2004-0057.002
Block 71, Lots 1.01, 6.01 & 7
Block 71.02, Lot 159.02
Block 71.13, Lot 1
Block 72, Lots 1 & 3 - 6
Manchester Township

This application proposes construction of a recreational facility, including athletic fields and a trail system on the above referenced 262.5 acre parcel in Manchester Township.

The recreational facility will be located on approximately 29.34 acres of the 262.5 acre parcel. The recreational facility will contain basketball courts, pickle ball courts, a soccer field, a baseball field, a playground, an 8,500 square foot maintenance building, a 3,920 square foot barn, 23,440 linear feet of six foot wide trails and four paved parking areas. The four proposed paved parking areas contain a total of 255 parking spaces.

Tree clearing, grading and filling occurred in association with the demolition of a building foundation on Block 71, Lot 6.01. This development occurred without application to the Commission. This development constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). The area to be developed for the proposed recreational facility includes the area on the parcel where the concerned clearing, grading and filling occurred. This application addresses the violation.

STANDARDS

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

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

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

Wetlands Standards (N.J.A.C. 7:50-6.7 and 6.11)

There are wetlands located on the above referenced parcel. The CMP prohibits most development in wetlands. No development is proposed in wetlands.

The CMP also requires a buffer (transition area) of up to 300 feet to wetlands. All proposed development, other than a 6,440 linear foot portion of the proposed 23,440 linear foot trail system, will be located at least 300 feet from wetlands. At its closest point, the proposed 6,440 linear foot portion of the trail will be located approximately 15 feet from wetlands.

The CMP (N.J.A.C. 7:50-6.11) permits low intensity uses, such as hiking, in the required buffer to wetlands provided the proposed development does not involve any structures and it will not result in a significant adverse impact on the wetlands as set forth in the CMP (N.J.A.C. 7:50-6.7). The applicant proposes to remove forest understory to construct the portion of the trail located within 300 feet of wetlands. This portion of the trail will be six feet in width and is proposed as a non-surfaced earthen trail. No tree greater than eight inches in diameter at breast height will be removed for the proposed earthen trail. Based upon the criteria contained in the CMP (N.J.A.C. 7:50-6.7), it has been demonstrated that the proposed six foot wide earthen trail will not result in a significant adverse impact on wetlands.

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

The proposed development will be located in forested areas. The proposed development will result in the disturbance of 29.34 acres of forest. The proposed forest 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 plant grasses suitable for an athletic field. The applicant proposes to utilize a seed mixture which meets the recommendation for the remaining portions of the proposed development.

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

The proposed development on the 262.5 acre parcel will be serviced by one onsite septic system. Based on the acreage of the parcel and the anticipated number of people that will be utilizing the recreational facility, the applicant has demonstrated that the proposed development will meet the groundwater quality (septic dilution) standard of two parts per million nitrogen at the boundary of the parcel.

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

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

Air Quality Standards (N.J.A.C. 7:50-6.94)

The CMP requires that all nonresidential development in a Pinelands Regional Growth Area proposing more than 100 parking spaces must demonstrate consistency with New Jersey Department of Environmental Protection ambient air quality standards (N.J.A.C. 7:27 et. seq.) for carbon monoxide at sensitive receptors. The applicant has submitted information demonstrating that the proposed

development is consistent with the air quality standards contained in the CMP.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

Threatened and endangered (T&E) animal species surveys were performed for Barred owl, Northern pine snake, Timber rattlesnake, Corn snake and Pine Barrens treefrog. T&E plant species surveys were performed for Sickie-leaved golden aster, Little ladies' tresses and Pine Barrens gentian.

During the survey, Barred owls were heard calling on the parcel on several occasions. The applicant identified critical habitat for Barred owl within a portion of a wetland area located on the parcel. No other T&E animal or plant species were identified on the parcel. No development, including any portion of the proposed trail system, will be located within the wetland area identified as critical habitat for Barred owl.

The CMP requires that development be designed to avoid irreversible adverse impacts on habitats critical to the survival of any local population of T&E animal species. The applicant has demonstrated that the proposed development has been designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local population of Barred owl.

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on May 16, 2024. Newspaper public notice was completed on May 18, 2024. The application was designated as complete on the Commission's website on August 22, 2024. The Commission's public comment period closed on September 13, 2024. The Commission received one written public comment (enclosed) on May 23, 2024 regarding this application.

Comment: The commenter suggested that a traffic study be performed on nearby roads and intersections due to the high number of traffic accidents and vehicle traffic in the area. By separate email dated September 19, 2024, the commenter confirmed that the public comment was offered on behalf of the Environmental Office at Joint Base McGuire-Dix-Lakehurst.

Staff Response: The Commission appreciates and understands Joint Base McGuire-Dix-Lakehurst's interest and concern with the proposed development. The Commission does not have the regulatory authority to address potential traffic impacts of proposed development. The commenter may wish to discuss the traffic concerns with an appropriate Ocean County representative.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 47 sheets, prepared by Engineering & Land Planning Assoc., Inc., all sheets dated April 2, 2021 and revised to August 27, 2024.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.
6. All proposed development, other than the 6,440 linear foot portion of the proposed earthen trail system, shall be located at least 300 feet from wetlands.

CONCLUSION

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

From: BRUNSON, CATHERINE E CIV USAF AMC 787 CES/CEIEA
(catherine.brunson@us.af.mil)
Received: 5/23/2024 3:34:47 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC: Main, Francine A CIV USN NAVAIRWARCENACDIV (USA)
(francine.a.main.civ@us.navy.mil)
Subject: [EXTERNAL] RE Pinelands Application No. 2004-0057.002
Attachments: None

Good afternoon,

Thank you for the notice of the proposed construction of a new public park on Ocean County Route 571 in Manchester Township. We would like to suggest that a traffic study be done on the nearby roads and intersections. We believe that there have been a high number of traffic accidents in this area, and that an increase in the number of cars using the road might cause more issues. We suggest that new road signage or a new stoplight be considered.

Thank you.



State of New Jersey

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on October 7, 2024 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. PC4-24-_____

TITLE: Approving With Conditions an Application for Public Development (Application Number 2010-0008.007)

Commissioner _____ moves and Commissioner _____ 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:

2010-0008.007

Applicant: Egg Harbor City
Municipality: Egg Harbor City
Management Area: Pinelands Town
Date of Report: September 19, 2024
Proposed Development: Construction of a 12,200 square foot public park.

WHEREAS, no request for a hearing before the Office of Administrative Law regarding 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 2010-0008.007 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*

Asselta					Lettman					Rittler Sanchez				
Avery					Lohbauer					Wallner				
Christy					Mauriello					Matos				
Holroyd					Meade									
Irick					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



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Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

September 19, 2024

Lisa Jiampetti, Mayor (via email)
500 London Ave.
Egg Harbor City NJ 08215

Re: Application # 2010-0008.007
Block 206, Lots 19 & 20
Egg Harbor City

Dear Mayor Jiampetti:

The Commission staff has completed its review of this application for construction of a 12,200 square foot public park. 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 October 11, 2024 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Egg Harbor City Planning Board (via email)
Egg Harbor City Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Ryan McGowan, PE, PP, CME, CFM (via email)
Meg Steeb, City Clerk (via email)



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Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 19, 2024

Mayor Lisa Jiampetti (via email)
500 London Ave.
Egg Harbor City NJ 08215

Application No.: 2010-0008.007
Block 206, Lots 19 & 20
Egg Harbor City

This application is for the construction of a 12,200 square foot public park located on the above referenced 0.28 acre parcel in the City of Egg Harbor.

The parcel is located on Philadelphia Avenue, the main street in Egg Harbor City. Existing development along this portion of Philadelphia Avenue is composed of attached mixed use commercial and residential buildings. In 2009, a fire destroyed two buildings located on the above referenced parcel. The destruction of the buildings created an open parcel located between two existing buildings. The parcel has remained vacant since the fire. The proposed park will contain a raised event stage, a picnic patio and an event lawn.

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 Egg Harbor City. The proposed development is a permitted land use in a Pinelands Town Management Area.

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

The proposed development will be located within a disturbed area comprised of bare ground. The proposed soil disturbance is limited to that which will accommodate the proposed development.

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

The parcel is subject of ongoing New Jersey Department of Environmental Protection (NJDEP) environmental remediation due to contamination associated with a discharge that occurred at a former dry-cleaners operation (App. #2020-0189.001). The applicant has provided a letter from the NJDEP, Bureau of Site Management indicating that the proposed development will not affect any ongoing remediation provided that the two existing monitoring wells located on the parcel will remain undisturbed. The proposed development will not disturb the existing monitoring wells.

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

A cultural resource survey was completed for the proposed development as part of a prior application (App. # 2010-0008.001). The survey determined that no significant cultural resources exist within the project area.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on July 9, 2024. Newspaper public notice was completed on July 17, 2024. The application was designated as complete on the Commission's website on August 29, 2024. The Commission's public comment period closed on September 13, 2024. 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 one sheet, prepared by Remington & Vernick Engineers, dated March 27, 2024 and last revised July 1, 2024.
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. The two existing monitoring wells shall not be disturbed without prior authorization from the NJDEP.

CONCLUSION

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



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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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



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LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
 Planning Specialist

Date: September 30, 2024

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed 16 ordinance amendments and one master plan amendment that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

2023 CMP Amendments/NJDEP Stormwater Management Amendments

The following ordinances responded to the New Jersey Department of Environmental Protection (NJDEP) amendments to the statewide stormwater management regulations at N.J.A.C. 7:8, adopted July 17, 2023 and the Pinelands Commission’s amendments to the CMP water management regulations, adopted December 4, 2023:

Bass River Township Ordinance 2024 -3 – amends Chapter 13.08, Stormwater Management, of the Code of Bass River Township. The ordinance amends stormwater management regulations applicable to areas of the Township outside of the Pinelands Area. In 1982, the Pinelands Commission certified the Township’s land development regulations and zoning plan for the area of the Township located outside of the State designated Pinelands Area, but within the Pinelands National Reserve.

Bass River Township Ordinance 2024-4 – amends Chapter 15.16, Soil Removal, Chapter 13.08, Stormwater Management, and Title 17, Zoning, of the Code of Bass River Township.

Berlin Township Ordinance 2024-11 – amends Chapter 200, Land Use and Development, Chapter 262, Resource Extraction, and Chapter 340, Zoning, of the Code of Berlin Township.

Lakehurst Borough Ordinance 2024-05 – amends Chapter 25, Land Development, of the Code of Lakehurst Borough.

Winslow Township Ordinance O-2024-021 – amends Chapter 179, Natural Resources, Chapter 296, Zoning Within Pinelands Area, and Chapter 298, Stormwater Control Within Pinelands Area, of the Code of Winslow Township.

Woodland Township Ordinance 2024-4 & 2024-5 – amend Ordinances 1998-4 and 2023-3, respectively, of Woodland Township.

Other Ordinances

Hamilton Township Ordinance 2081-2024 – amends Chapter 203, Land Use and Development, of the Code of Hamilton Township by revising standards regarding subdivision street design. It includes a requirement that for all major subdivision developments in residential districts bounded by an arterial or collector street, all driveways shall intersect proposed or existing local streets only.

Hamilton Township Ordinance 2082-2024 – amends Chapter 203, Land Use and Development, of the Code of Hamilton Township by establishing agriculture as a permitted use in the Growth Area – Intensive (GA-I) District. The GA-I District is located in a Regional Growth Area.

Hamilton Township Ordinance 2083-2024 – amends Chapter 203, Land Use and Development, of the Code of Hamilton Township by repealing the Outdoor Storage Overlay District and Recreational Overlay District established by Ordinance 1674-2010. These non-residential overlay districts spanned areas of the Township’s existing Industrial Business Park (IBP) District, which is located within a Regional Growth Area. The underlying IBP District standards remain in effect.

Manchester Township Ordinance 24-29 – amends Chapter 245, Land Use and Development, of the Code of Manchester Township by amending regulations related to public parking areas providing electric vehicle supply equipment.

Manchester Township Ordinance 24-30 – amends Chapter 245, Land Use and Development, of the Code of Manchester Township by adopting a revised zoning map. The revised zoning map rezones approximately 14.8 contiguous acres within the Township’s Regional Growth Area from the Pinelands Residential (PR-15) Zone to the Pinelands Business (PB-1) Zone. The area rezoned is composed of three lots in common ownership (Block 66, Lots 1, 2, and 4): one lot is vacant, one lot contains an existing single family dwelling unit, and one lot contains an existing retail nursery and landscaping business. The PR-15 Zone permits single-family dwelling units on lots of at least 15,000 square feet. The PR-15 Zone does not provide for increased residential density through the use of Pinelands Development Credits (PDCs). The PB-1 Zone is an existing certified Regional Growth Area zone that permits a variety of commercial uses as well as townhouses, garden apartments and mixed used development. Townhouses and mixed-use development are permitted at a maximum residential density of 8 dwelling units per acre. Garden apartments are permitted at a maximum residential density of 6 units per acre. PDCs are required to be redeemed for 30 percent of the residential units in any garden apartment, townhouse, or mixed-use development. Up to 20 percent of the residential units may be exempted from the PDC requirements if they are made affordable to low- and moderate-income households.

Monroe Township Ordinance O:41-2024 – amends Chapter 175, Land Management, and repeals Chapter 285, Garbage and Refuse, of the Code of Monroe Township. The ordinance establishes Section 175-137.1, Solid Waste Storage, which contains standards for the storing of solid waste and

recycling, including regulations on the size, location, fencing and landscape buffering of any outdoor solid waste storage area.

Monroe Township Ordinance O:42-2024 – amends Chapter 175, Land Management, of the Code of Monroe Township. The ordinance revises setback standards applicable to structures accessory to a single-family attached dwelling unit.

Shamong Township 2023 Master Plan Reexamination Report – includes: an update on the major problems and objectives related to land use development identified in the previous master plan reexamination report (2013); updated demographic information; a discussion of the changes in assumptions, policies, and objectives since the prior report; a summary of recommended changes to the master plan and municipal land development regulations; a summary of areas in need of redevelopment; and a discussion of public electric vehicle infrastructure in the Township. The report recommends amendments to the Township’s land development regulations that are implemented via Ordinances 2023-12 and 2024-9.

Shamong Township Ordinance 2023-12 – amends Chapter 110, Land Development, of the Code of Shamong Township to implement the recommendations of the 2023 Master Plan Reexamination Report. The ordinance amends landscape buffering standards for accessory ground-mounted solar facilities, off-street parking requirements for commercial and recreational vehicles, and maximum height standards for fences. The ordinance requires the submission of a visual impact study for any proposed wireless communications facility within the Township. The ordinance also amends the Agricultural Production Area (APA) Zone district regulations to change low-intensity recreational uses from a permitted use to a conditionally permitted use.

Shamong Township Ordinance 2024-9 – amends Chapter 110, Land Development, of the Code of Shamong Township to implement the recommendations of the 2023 Master Plan Reexamination Report. The ordinance further amends the conditional use standards for low intensity recreational uses in the APA Zone to provide that farm-based recreational activities deemed to be low-intensity recreation pursuant to the 2015 amendments to N.J.S.A. 13:18A-1 et seq. are prohibited from having permanent structures as part of the recreational use and must submit a traffic impact assessment as part of any development application. The APA Zone is located in a Pinelands Agricultural Production Area.