



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



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

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

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

## NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, June 10, 2022 - 9:30 a.m.

**This meeting will be held in-person and virtually**

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

Watch the meeting on the Pinelands Commission YouTube channel:

[www.youtube.com/c/PinelandsCommission](https://www.youtube.com/c/PinelandsCommission)

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 822 0410 3923

### 1. Call to Order

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

### 2. Adoption of Minutes

- May 13, 2022

### 3. Committee Chairs' and Executive Director's Reports

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

#### A. Permitting Matters

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

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

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

## Maurice River Township

## B. 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

- Application No. 1987-1159.062 – Stafford Township  
Construction of a 4,000 square foot emergency services building  
Stafford Township
- Application No. 1991-0820.118 – Pemberton Township Board of Education  
Construction of a parking lot, placement of a classroom trailer and the realignment of an existing access road at the Fort Dix Elementary School  
Pemberton Township
- Application No. 2009-0213.002 – Galloway Township  
Installation of a sanitary sewer main within the White Horse Pike and Mannheim Avenue rights-of-way  
Galloway Township

## B. Waivers of Strict Compliance

- None

## 6. Master Plans and Ordinances Not Requiring Commission Action

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

## 7. Presentation: Permanent Land Protection Database and Interactive Map

## 8. General Public Comment

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

10. Adjournment

**Upcoming Meetings**

Tue., June 14, 2022	Personnel & Budget Committee Meeting (9:30 a.m.)
Fri., June 24, 2022	Policy & Implementation (P&I) Committee Meeting (9:30 a.m.)
Fri., July 8, 2022	Pinelands Commission Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES  
**May 13, 2022**

*The May 13, 2022 Pinelands Commission meeting was conducted both in-person and remotely. All participants were either in-person or present via Zoom conference. The meeting was livestreamed through YouTube:*

<https://www.youtube.com/watch?v=kZNxE8M9SY4>

Commissioners Participating in the Meeting

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

Commissioners Absent

Dan Christy, Jane Jannarone, Ed Lloyd, Davon McCurry and Gary Quinn.

Call to Order

Chair Matos called the meeting to order at 9:44 a.m.

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

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

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's April 8, 2022 meeting. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Irick seconded the motion.

The minutes from the April 8, 2022 Commission meeting were adopted by a vote of 8 to 0.

### Committee Reports

Chair Matos provided an update on the April 29, 2022 Policy and Implementation (P&I) Committee meeting:

The Committee adopted the minutes from its March 25, 2022 meeting.

The Committee was briefed on Winslow Township's 2019 Master Plan Reexamination Report Phase II and Ordinance O-2022-004, implementing zoning changes along Route 73 in the Regional Growth Area. The Committee voted to recommend certification to the full Commission.

The Committee discussed prioritizing future amendments to the Pinelands Comprehensive Management Plan (CMP) and concurred with the Acting Executive Director's recommendations to:

- Complete implementation of the recently adopted stormwater rules
- Complete the rulemaking process for the Electric Transmission Right-of-Way Pilot Program and the Kirkwood-Cohansey water supply rules
- Prepare a rule proposal containing amendments related to the Pinelands Development Credit (PDC) program, the Black Run Watershed, the "gap rule" permitting process, cluster development, expiration dates and increased fees for violations
- Prepare a work plan for the Climate Committee that identifies specific CMP amendments
- Monitor rulemaking activities of other state agencies
- Identify and prioritize additional CMP amendments to address over the next three years

The staff will prepare a work plan and related budget for the Committee's review in June.

### Recognizing Commissioner Shannon Higginbotham

Acting ED Grogan read the resolution into the record. She displayed the gift, a photo of the south branch of the Rancocas Creek in Southampton Township, printed onto a canvas.

Commissioner Pikolycky made a motion Expressing the Commission's Appreciation to Shannon Higginbotham for her Service as a Member of the Commission From December 13, 2020 to April 9, 2022 (See Resolution # PC4-22-18). Commission Lohbauer seconded the motion.

Commissioner Lohbauer thanked Commissioner Higginbotham for serving on the Climate Committee and added that it was unfortunate he never met her in-person.

Chair Matos said she also never met Commissioner Higginbotham but thanked her for her service.

Acting ED Grogan said Commissioner Higginbotham had come to the Commission a number of months ago to tour the Commission property and meet staff members. She said it's a shame to lose Commissioner Higginbotham because she was so interested in the work the Commission is doing.

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

#### Acting Executive Director's Report

Acting ED Grogan provided information on the following matters:

- The P&I Committee and Climate Committee will meet back-to-back on Friday May 27<sup>th</sup>. The Personnel & Budget Committee is scheduled to hold a meeting on June 14<sup>th</sup> to discuss the Fiscal Year 2023 budget.
- The office is open and welcoming visitors. Staff is back to holding in-person meetings and members of the public can come to the office to review files once again.
- Staff continue to work on a policy to implement the new Telework Pilot Program established by the both the State and Civil Service Commission. The program would allow employees to work remotely up to two days per week.
- The Commission's Human Resources Manager, Zobeida Concepcion, resigned and her last day was April 29<sup>th</sup>. She performed a wide variety of personnel functions. The recruitment process to find a replacement has begun.
- The Commission has submitted its grant application to the NJ Historic Trust for funds to prepare a preservation plan for Fenwick Manor, with the goal of eventually obtaining money to paint the structure. A total of 85 grant applications were received, and the Commission will be notified in September. The Commission has received a number of bids in response to its Request for Proposal (RFP) for preparation of the preservation plan.
- Staff Archeologist, Tony McNichol, performed a weeklong excavation of what was the site of Brotherton Reservation in Shamong Township during the end of April. A future presentation on the dig will provided to the full Commission later this year. The National Park Service provided the funding to make the excavation possible.
- Invitations have been mailed to the Commission's preservation partners regarding the most recent round of land acquisition funding. Applications will be accepted until July 15.

- A few Commissioners and staff members met remotely with the New Jersey Department of Environmental Protection (NJDEP) to discuss motorized vehicle access and damage at Wharton State Forest. Acting ED Grogan said she would be reaching out to the NJDEP to define the Commission's role. She said the department will be renewing its efforts with enforcement and education.
- At the April Commission meeting, staff notified Commissioners that a petition to amend the CMP was received from Bill Wolfe. The Commission has only received approximately 10 amendment petitions in the last 40 years. Staff has been corresponding with Mr. Wolfe to explain the specific process and submission requirements outlined in the CMP. The petition relates to development restrictions in wildfire hazard areas throughout New Jersey. The petition was also submitted to the NJDEP and the Highlands Council. A more in-depth discussion on the amendment petition will occur at the May 27<sup>th</sup> P&I Committee meeting.

Commissioner Lohbauer said he is pleased to hear that the petition request will be discussed at the P&I Committee meeting. He noted that when a petition is submitted by a member of the public, it could determine a weakness in the CMP. He said staff should assist petitioners just like they help applicants with deficient development applications.

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

- On May 5<sup>th</sup>, staff held a pre-application meeting for a marina expansion in Washington Township. He said it is complicated to apply municipal zoning and determine a zoning boundary on a body of water. The Commission has not received a formal application yet but the public has been submitting comments on the proposal to the Commission.
- The Acting Executive Director sent an emergency authorization letter to Burlington County for a bridge replacement on Jackson Road in Medford Township. An application will be submitted at a later date.
- Several years ago, the Commission issued a Certificate of Filing for the development of 457 single family dwellings and a private school in Jackson Township. The application was denied by the Jackson Township Planning Board. A settlement agreement was recently signed by the Township and the developer, stating that no township approval was necessary. The Commission is currently reviewing the document stemming from the settlement and will ensure consistency with the CMP.
- The Forest Stewardship Task Force held a kick-off meeting on April 28<sup>th</sup>. The task force is run by four co-chairs and will be considering 10 policy objectives for forestry in the state of New Jersey. Approximately 200 members of the public attended the meeting virtually and about 100 people signed up for public comment.

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

- Staff has been in discussions with representatives from Stockton University, and they will be present at the May 27<sup>th</sup> P&I Committee meeting to discuss the University's 2020 Master Plan. The Stockton 2010 Master Plan designated areas of development and a Deed of Conservation Restriction to protect wetlands and certain habitat. Unfortunately, the conservation restriction is now prohibiting utility infrastructure and, in turn, is affecting all future development at the University. The need to amend the Deed of Conservation Restriction will be discussed.
- The Appellate Division issued an Order regarding an appeal filed by the Pinelands Preservation Alliance (PPA) stating that the South Jersey Gas (SJG) matter is moot. PPA wanted the Court to remand the application back to Commission to adopt a resolution denying its prior approval. The Order states that SJG must file a new application with the Commission if they choose to pursue a new project in the Pinelands.
- The DEP's PACT (Protection Against Climate Threats) rules are expected to come out during the 3<sup>rd</sup> quarter of this year.

Paul Leakan, Communications Officer, provided the following information:

- Staff provided a number of educational programs both in-person and virtually throughout April. The Commission will host a live music performance at 4 p.m. on May 20<sup>th</sup>. The performance will include instrumental songs that incorporate recordings of nature in the Pinelands.
- The Commission will co-organize and hold a springtime World Water Monitoring event at Batsto Lake on June 2<sup>nd</sup>.
- The 6<sup>th</sup> annual Pinelands Summer Short Course will be held at Kramer Hall in Hammonton on July 21<sup>st</sup>.
- The Commission will hold its annual Pinelands Orientation for Newly Elected Municipal Officials on July 26<sup>th</sup>. The event will be held in-person and virtually.

Mr. Leakan displayed a video clip of a Science staff member describing the Commission's ongoing efforts to radio track Eastern box turtles in the Pinelands.

#### Public Development Projects and Other Permit Matters

Chair Matos presented a resolution for the installation of a synthetic turf athletic field at Seneca High School in Tabernacle Township.

Commissioner Pikolycky made motion to adopt a resolution Approving With Conditions an Application for Public Development (Application Number 1997-0045.013) (Resolution #PC4-22-19). Commissioner Lohbauer seconded the motion.

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

Director Horner noted that the application is to replace an existing grass field with synthetic turf.

Commissioner Meade asked how the synthetic turf functions differently from natural grass fields as it relates to infiltration.

Director Horner said stormwater on artificial turf is infiltrated below the field to a subsurface infiltration system rather than with a natural grass field, which is graded to capture stormwater runoff.

### Planning Matters

Chair Matos said the next resolution is related to certification of Winslow Township's Master Plan and ordinance.

Commissioner Lohbauer made motion to adopt a resolution Issuing an Order to Certify the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004, Amending Chapter 296 (Zoning Within Pinelands Area) of the Code of Winslow Township (Resolution #PC4-22-20). Commissioner Avery seconded the motion.

Acting ED Grogan said staff has been working for many years with Winslow Township regarding modifications to its zoning along the Route 73 corridor. All lands to be rezoned are within the existing boundaries of Winslow's Regional Growth Area (RGA). The town would like to maximize its commercial development potential along Route 73 and plans to achieve this by rezoning existing residential and mixed-use zones that front along Route 73 to commercial zones. She said the town will promote residential development behind the commercial development. The rezoning will also permit additional types of residential housing such as condos, townhouses and apartments that are becoming more popular in the RGA in the Pinelands and throughout New Jersey. She said because the town is increasing its overall residential zoning capacity, a 25% mandatory Pinelands Development Credit (PDC) obligation will now be required. She said staff is happy to recommend certification of the ordinance.

Commissioner Irick said he abstained from voting on the resolution regarding Winslow Township during the April 29<sup>th</sup> P&I Committee meeting. He said, after the meeting, he reviewed the section of the CMP that describes the use of PDCs. He said the sale of PDCs may create positive opportunities for Atlantic County, Pinelands farmers and landowners, and he will be voting in favor of this resolution.

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

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

Director Horner noted that the Mayor from Maurice River Township may be listening to the meeting since the Township has an application (Application # 1990-1140.003) up for comment.

No one provided public comment during this time.

Ordinances Not Requiring Commission Action

Acting ED Grogan said each month a memo is provided to Commissioners summarizing each ordinance and does not require Commission action.

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

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

General Public Comment

Rhyan Grech of the Pinelands Preservation Alliance thanked Commissioner Higginbotham for her service. She said Joel Mott of the Public Programs office does a great job with his outreach programs. She said PPA issues a "State of the Pinelands" report each year. She provided a copy to Commissioners. She said Governor Murphy restored full Payment in Lieu of Taxes (PILOT) funding in the FY22 Budget but in the FY23 draft budget, the funding has been decreased to \$6.5 million. She emphasized the fact that the money is very important to Pinelands municipalities that have a greater amount of their land preserved in open space.

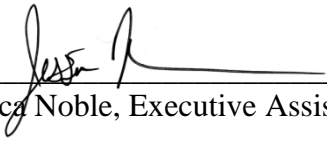
Link to the "State of the Pinelands" report:

<https://pinelandsalliance.org/wp-content/uploads/2022/03/PPA-StateofthePinelands22-for-web.pdf>

Adjournment

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

Certified as true and correct:

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

Date: May 19, 2022



# ***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-22- 18**

**TITLE:** Expressing the Commission's Appreciation to Shannon Higginbotham for her Service as a Member of the Commission From December 13, 2020 to April 9, 2022

**Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:**

**WHEREAS**, Shannon Higginbotham served as Burlington County's representative on the Pinelands Commission from December 13, 2020 to April 9, 2022; and

**WHEREAS**, Ms. Higginbotham brought a wealth of experience and knowledge about agriculture to the Commission. She has been farming for over 25 years, including growing more than 50 different crops on 900 acres across six different municipalities throughout Burlington County; and

**WHEREAS**, Commission members are unpaid volunteers who dedicate countless hours of their time and expertise while serving on the Commission; and

**WHEREAS**, during her tenure on the Commission, Ms. Higginbotham served on the Commission's Pinelands Climate Committee, which has worked to identify and implement measures to mitigate the effects of climate change; and

**WHEREAS**, during her tenure, the Commission adopted amendments to the Pinelands Comprehensive Management Plan (CMP) that will better protect Pinelands resources by requiring the use of green infrastructure and other more stringent standards to manage stormwater; and

**WHEREAS**, during her tenure, the Commission laid the groundwork for future CMP amendments pertaining to the Kirkwood-Cohansey aquifer system and the maintenance of electronic transmission rights-of-way; and

**WHEREAS**, during her tenure, the Commission successfully secured a National Scenic Byway designation for the 130-mile Pine Barrens Byway; and

**WHEREAS**, during her tenure, the Pinelands Development Credit (PDC) program saw increased activity, as evidenced by the Commission's allocation of 84.25 PDCs and the permanent preservation of 1,780 acres in the Agricultural Production Area and Special Agricultural Production Area through the severance of PDCs; and

**WHEREAS**, the members of the Commission want to recognize Ms. Higginbotham's significant contributions and express their appreciation for the service that she performed; 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 members of the Pinelands Commission hereby express our appreciation to our colleague and friend, Shannon Higginbotham, for her commitment to the Pinelands and for her service as a member of the Commission from December 13, 2020 to April 9, 2022.

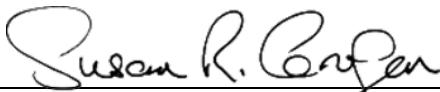
**Record of Commission Votes**

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

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: May 13, 2022



Susan R. Grogan  
Acting Executive Director



Laura E. Matos  
Chair



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-19

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

Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:

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

**1997-0045.013**

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that Application Number 1997-0045.013 for public development is hereby **approved** subject to the conditions recommended by the Acting Executive Director.

### Record of Commission Votes

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

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: May 13, 2022

Susan R. Grogan  
Acting Executive Director

Laura E. Matos  
Chair



# State of New Jersey

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

April 22, 2022

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

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

Dear Ms. Stewart:

The Commission staff has completed its review of this application for installation of a synthetic turf athletic field at the Seneca High School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its May 13, 2022 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Tabernacle Township Planning Board (via email)  
Tabernacle Township Construction Code Official (via email)  
Tabernacle Township Environmental Commission (via email)  
Secretary, Burlington County Planning Board (via email)  
Joseph Gray, PE (via email)





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Acting Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

April 22, 2022

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

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

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

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

### **STANDARDS**

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

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

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

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

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

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

The proposed development will be located within the limits of the existing grassed athletic field. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas beyond the limits of the proposed synthetic turf athletic fields, the application proposes to utilize a seed mixture which meets that recommendation.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the application proposes to construct a subsurface stormwater infiltration system beneath the proposed synthetic turf athletic field.

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on December 14, 2021. Newspaper public notice was completed on February 6, 2022. The application was designated as complete on the Commission's website on March 28, 2022. The Commission's public comment period closed on April 8, 2022. No public comment was submitted to the Commission regarding this application.

**CONDITIONS**

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of six sheets, prepared by CME Associates, all sheets dated January 27, 2021.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

**CONCLUSION**

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



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Acting Executive Director

### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on May 9, 2022 and include the following information:

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

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



# ***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-22- 20**

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

**Commissioner Lohbauer moves and Commissioner Avery  
seconds the motion that:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that

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

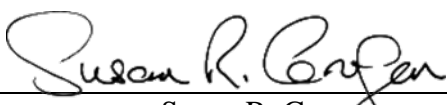
**Record of Commission Votes**

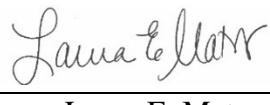
	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery	X				Lettman	X				Pikolycky	X			
Christy			X		Lloyd			X		Quinn			X	
Holroyd	X				Lohbauer	X				Matos	X			
Irick	X				McCurry			X						
Jannarone			X		Meade	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: May 13, 2022

  
 \_\_\_\_\_  
 Susan R. Grogan  
 Acting Executive Director

  
 \_\_\_\_\_  
 Laura E. Matos  
 Chair



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



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

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

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

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

April 29, 2022

Winslow Township  
 125 South Route 73  
 Winslow Township, NJ 08037

**FINDINGS OF FACT**

I. Background

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

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

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

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

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

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

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

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

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

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

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

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

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

## II. Master Plans and Land Use Ordinances

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

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

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

### 1. **Natural Resource Inventory**

Not applicable.

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

#### ***2019 Master Plan Reexamination Report and addenda***

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

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

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

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

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

#### ***Ordinance O-2022-004***

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

#### ***Zoning Plan Amendments***

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

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

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

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

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

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

Table 1. Summary of RGA Zoning Changes in Acres

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

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

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

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

*Regional Growth Area Development Intensity and PDC Use*

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

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

Table 3. Summary of RGA Non-Residential FAR Standards

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

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

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

Table 4. Summary of RGA Residential Density Standards

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

#### *Residential Zoning Capacity*

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

Table 5. Summary of Changes to RGA Residential Zoning Capacity

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

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

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

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

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

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

#### *Other Amendments*

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

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

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

Not applicable.

**4. Requirement for Municipal Review and Action on All Development**

Not applicable.

**5. Review and Action on Forestry Applications**

Not applicable.

**6. Review of Local Permits**

Not applicable.

**7. Requirement for Capital Improvement Program**

Not applicable.

**8. Accommodation of Pinelands Development Credits**

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

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

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

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

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

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

This standard for certification is met.

#### **9. Referral of Development Applications to Environmental Commission**

Not applicable.

#### **10. General Conformance Requirements**

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

#### **11. Conformance with Energy Conservation**

Not applicable.

#### **12. Conformance with the Federal Act**

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

### **13. Procedure to Resolve Intermunicipal Conflicts**

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

#### **PUBLIC HEARING**

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

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

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

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

#### **CONCLUSION**

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

SRG/DBL/CWI  
Attachments

# Winslow Township Ordinance O-2022-004

## Route 73 Rezoning Segment 1

### Pinelands Management Areas

- Rural Development Area
- Regional Growth Area
- Pinelands Village

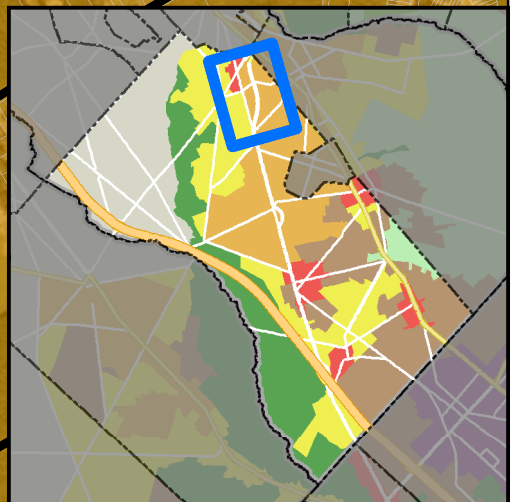
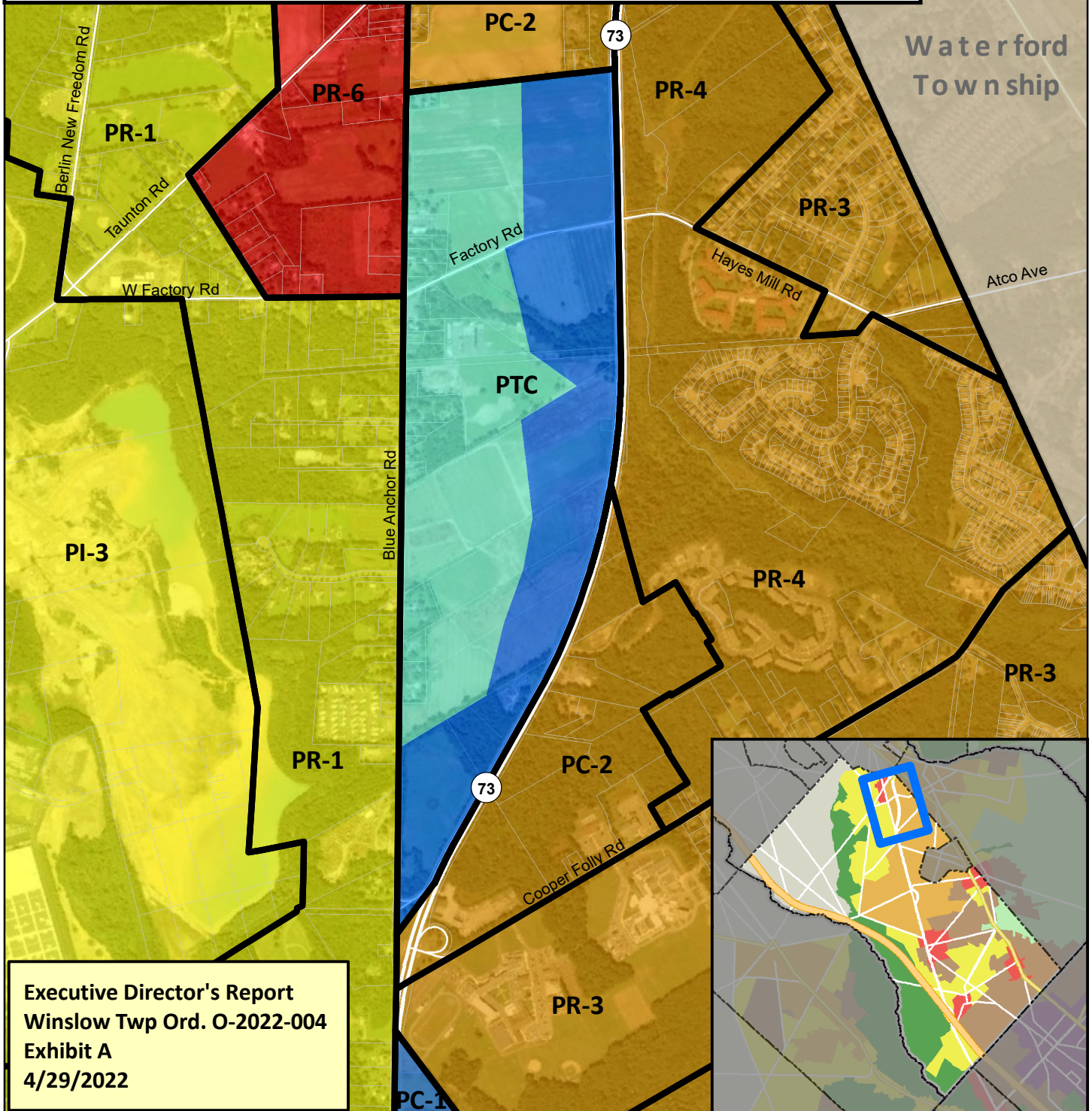
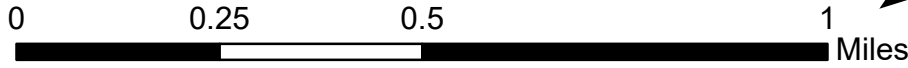
### RGA Zoning Changes

- Rezoned PC-2
- Rezoned PR-4

Certified Zoning

Lots

N




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

# Winslow Township Ordinance O-2022-004


## Route 73 Rezoning Segment 2


### Pinelands Management Areas

 Rural Development Area

 Regional Growth Area

### RGA Zoning Changes

 Rezoned PC-2

 Rezoned PR-4

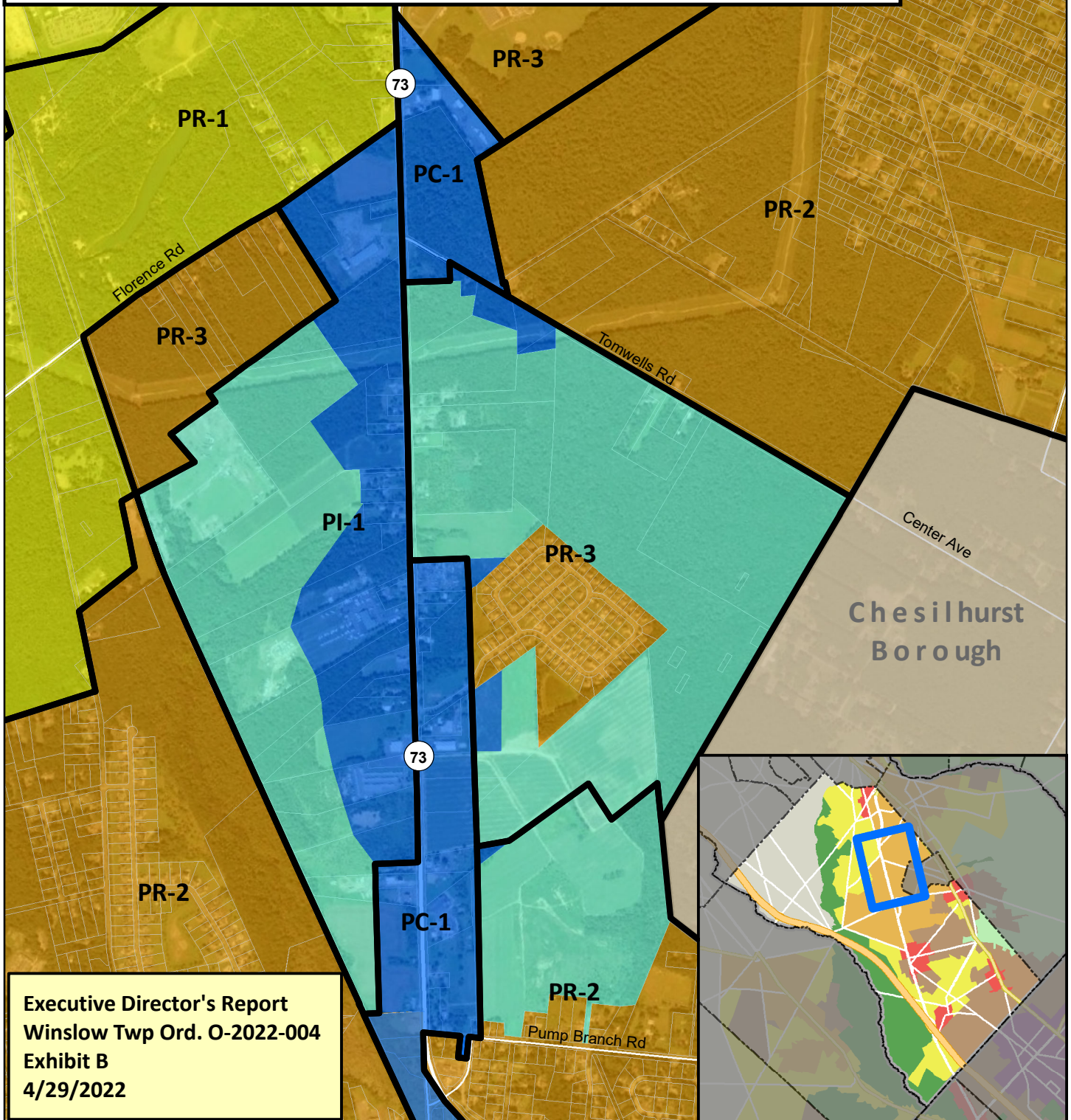
 Certified Zoning

 Lots

N



0 0.25 0.5 1 Miles



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

# Winslow Township Ordinance O-2022-004

## Route 73 Rezoning Segment 3

### Pinelands Management Areas

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

### RGA Zoning Changes

- Rezoned PC-2

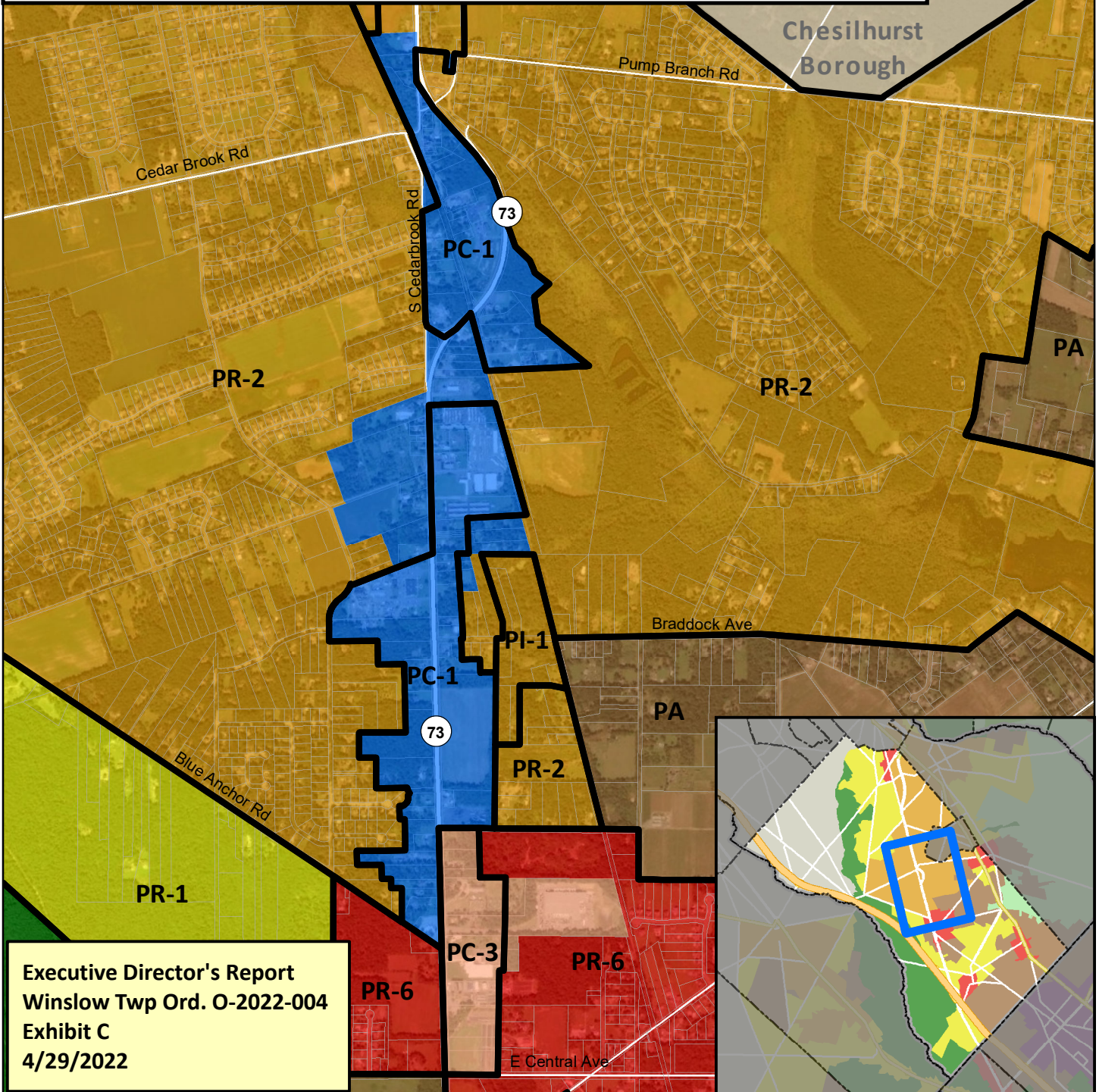
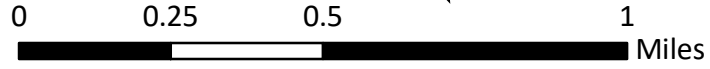
### PV Zoning Changes

- Rezoned PI-2

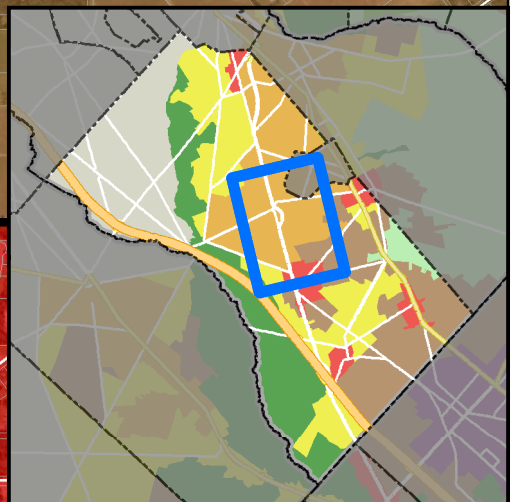
Certified Zoning

Lots

N



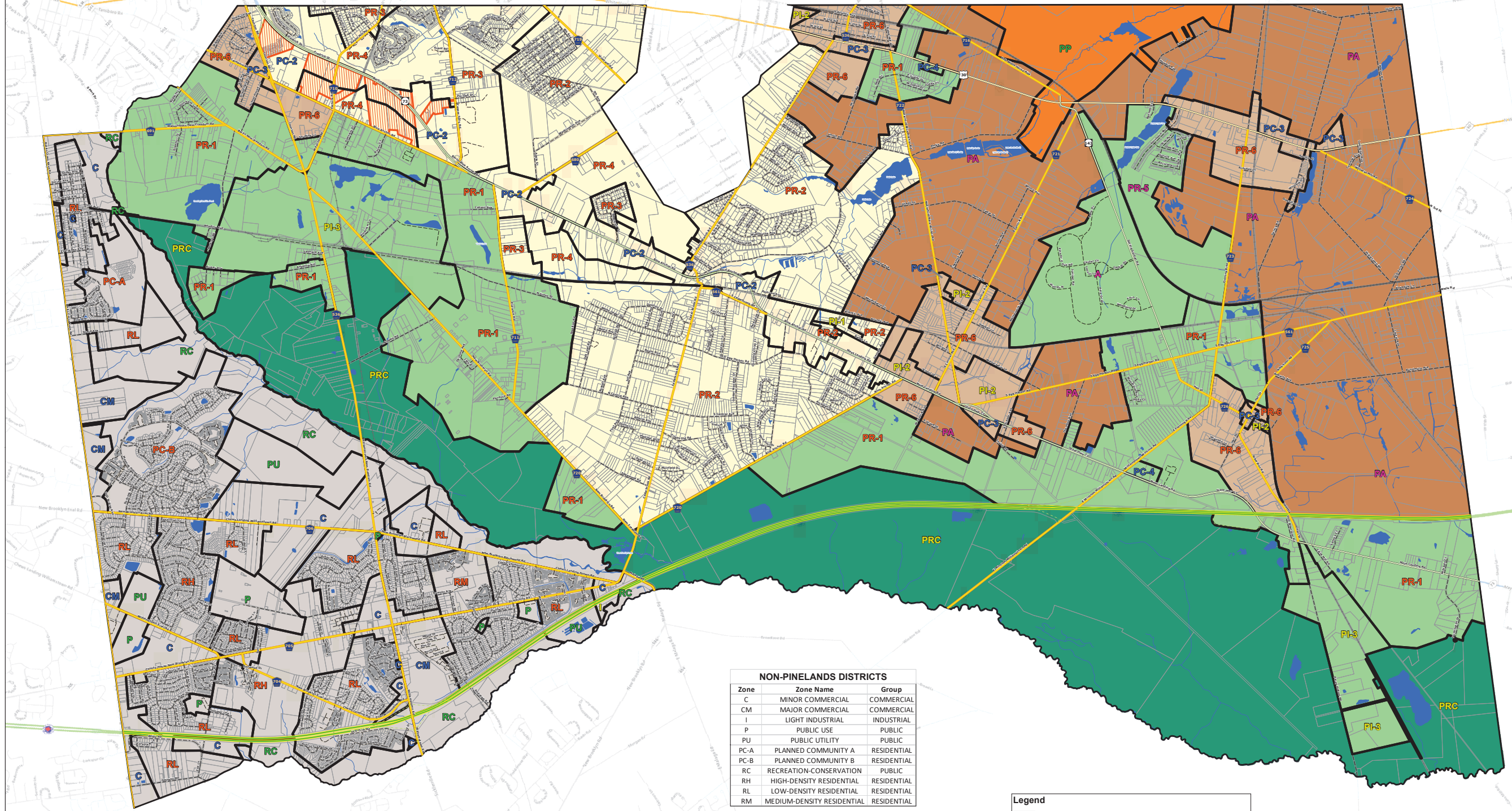
Chesilhurst  
Borough



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



**Map Notes and Data Sources:**  
 The geographic information system (GIS) data used for this map was prepared by the Township of Winslow, New Jersey, and is the property of the Township. The Township is not responsible for any errors or omissions in the data. The Township is not responsible for any damages or liabilities arising from the use of this map. The Township is not responsible for any claims or damages arising from the use of this map. The Township is not responsible for any claims or damages arising from the use of this map.



**NON-PINELANDS DISTRICTS**

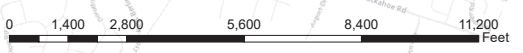
Zone	Zone Name	Group
C	MINOR COMMERCIAL	COMMERCIAL
CM	MAJOR COMMERCIAL	COMMERCIAL
I	LIGHT INDUSTRIAL	INDUSTRIAL
P	PUBLIC USE	PUBLIC
PU	PUBLIC UTILITY	PUBLIC
PC-A	PLANNED COMMUNITY A	RESIDENTIAL
PC-B	PLANNED COMMUNITY B	RESIDENTIAL
RC	RECREATION-CONSERVATION	PUBLIC
RH	HIGH-DENSITY RESIDENTIAL	RESIDENTIAL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

**PINELANDS DISTRICTS**

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

**Legend**

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



**DRAFT**

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

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

REMINGTON & VERNICK ENGINEERS  
 233 KING HIGHWAY EAST, HADDONFIELD, NJ 08033  
 (856) 995-9100, FAX (856) 796-2882, WWW.RVE.COM  
 ENGINEERING EXCELLENCE



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22-\_\_\_\_\_

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

Commissioner \_\_\_\_\_ moves and Commissioner \_\_\_\_\_ seconds the motion that:

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

**1990-1140.003**

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

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

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

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

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

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

### Record of Commission Votes

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

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
Susan R. Grogan  
Acting Executive Director

\_\_\_\_\_  
Laura E. Matos  
Chair



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



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

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

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

May 20, 2022

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

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

Dear Ms. Peterson:

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

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

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

Sincerely,

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

Enc: Appeal Procedure  
Public Comments

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

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



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

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

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

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

May 20, 2022

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

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

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

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

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

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

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

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

### **STANDARDS**

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

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

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

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

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

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

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

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

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

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

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

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

**PUBLIC COMMENT**

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

**Commenter #1:** The commenter expressed concern that the proposed development would be detrimental to their neighborhood due to loss of woodland buffer and the introduction of thru-traffic. The commenter also expressed concern with potential disturbance to rich wildlife habitat where they have observed many species, including the threatened Northern pine snake.

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

**Commenter #2:** Commenter #2 submitted two separate emails. The commenter expressed concern regarding the potential increase in traffic, impact to wildlife, loss of trees, remediation activities at the former manufacturing foundry, noise, gasoline fumes, provision of storm drains, mosquitos, lack of sidewalks and introduction of trash into the neighborhood. The commenter also expressed concerns regarding personnel and property safety because the proposed drive increases accessibility to their property. The commenter further expressed concern that Civil War graves may not be recognized in the general area of Port Elizabeth.

**Staff Response:** The Commission staff appreciates the commenter's interest in and concern for the Pinelands. Our review determined that the proposed development meets all CMP regulations, including those regulations applicable to threatened and endangered species protection and stormwater management. The CMP does not regulate traffic, noise, mosquitos, trash, address personnel and property safety or require the provision of sidewalks. The commenter may wish to discuss these concerns with an appropriate Board of Education or Township official.

Maurice River Township is conducting a preliminary assessment and site investigation for soil and groundwater contamination at the former manufacturing foundry located on Block 230, Lot 30. The proposed school bus driveway is not located within the identified potential soil and groundwater contamination "Areas of Concern." The preliminary assessment and site investigation for soil and groundwater contamination is ongoing.

The applicant completed a cultural resource survey for the proposed development. No Civil War grave sites were located. Available information indicates that the concerned grave sites may be located on an adjacent parcel.

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

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

### CONDITIONS

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

### CONCLUSION

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



State of New Jersey  
THE PINELANDS COMMISSION  
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Lt. Governor

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

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

## **PINELANDS COMMISSION** **APPEAL PROCEDURE**

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

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

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

**Commenter # 1:**

Dear Sirs:

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

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

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

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

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

**Commenter # 2:**

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

**Attachments:** Port Elizabeth Map.pdf

Good Afternoon – Please find attached a map dated from the 1800's of Port Elizabeth – the general area that is looking to be used for Bus Traffic/Roads, Public Works Storage or whatever planned for the future.

It needs to be recognized there are Civil War Graves in that area. I hope this is taken serious.

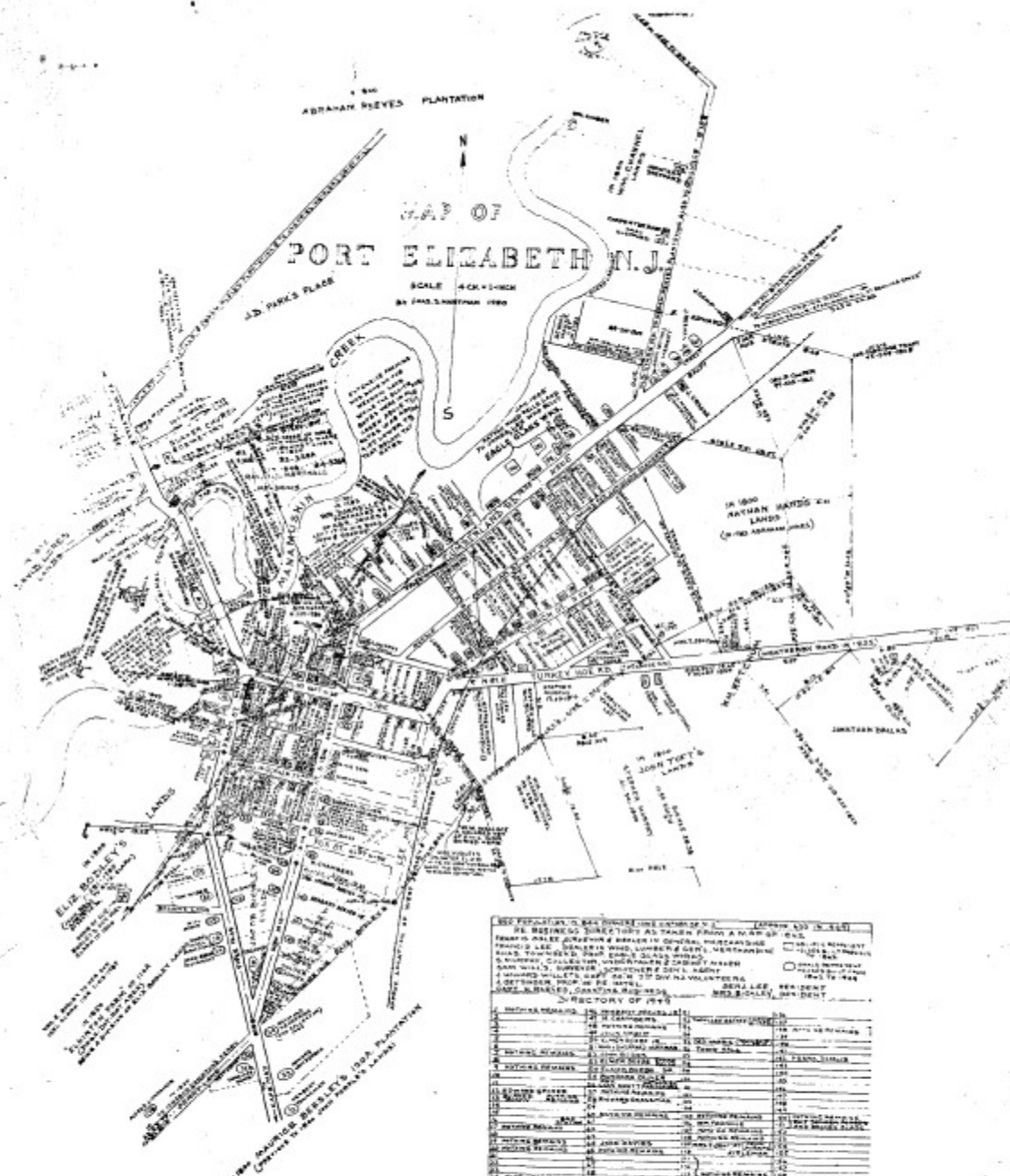
Thank you for your time.

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

ABRAHAM BLEVED PLANTATION

# MAP OF PORT ELIZABETH N.J.

SCALE 4 CM. = 1 MILE  
BY JAMES S. HORTON 1900



SEE FOOTNOTES, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

Sept. 1920, given to my good friend Mr. Frank Johnson, by me Charles B. Johnson  
 COMPILED FROM OLD SURVEYORS MAPS BY JOHN DAVIS, 1830, LUTHER WALKER, 1830,  
 DANIEL WALKER, 1830, FRANK COLES, 1840, DANIEL WALKER, 1850, WOODRUFF BOGGS,  
 1850, AND FROM THE DATA GATHERED BY CLAYTON WALKER, 1850, AND  
 BY Charles Johnson, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900.

Commenter # 2:

Frank E. Davis Sr

4 pages

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

**April 15, 2021**

Pinelands Commission

PO Box 359

New Lisbon, NJ 08064

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

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

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

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

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

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

Continued on Page 2

## Frank E. Davis Sr

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

Page 2 Continued

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

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

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

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

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

Sincerely,



**New Jersey Department of Environmental Protection**

Site Remediation Program

Active Sites With Confirmed Contamination

Prepared: 4/14/2021 10:27 AM

**Cumberland**

Greenwich Twp

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

Hopewell Twp

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

Maurice River Twp

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

Millville City

Site ID	PI Number	PI Name	Address	Home Owner
476733	601337	117 VINE STREET EAST	117 119 VINE ST E	No
166006	761844	3110 3130 NORTH 2ND STREET	3110 2120 N 2ND ST	No
324787	494180	2126 SOUTH DELSEA DRIVE	2126 S DEALSEA DR	No
530673	666238	321 NORTH HIGH STREET	321 HIGH ST N	No
622872	791784	328 E OAK STREET	328 E OAK ST	No

**Commenter # 3:**

Pinelands Commission:

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

Thank you for your time.

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

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

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

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

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

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



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

General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

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

## MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*  
Planning Specialist

Date: May 31, 2022

Subject: No Substantial Issue Findings

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

**Cape May County 2022 Comprehensive Plan** – replaces the County’s previous Comprehensive Plan (2002). The purpose of the plan is to establish a general frame of reference for use by the county and its constituent municipalities in their respective land use decision-making authorities to promote and sustain a balance between the natural and built environments. The plan contains an updated vision statement, goals, and objectives along with various chapters providing technical background information. This Comprehensive Plan applies throughout the County, including portions within the Pinelands Area.

**Galloway Township Ordinance 2062-2021** – adopts the amended redevelopment plan entitled “Aloe Street & Prague Avenue, Block 453, Lot 1.02 Lenox Redevelopment Plan, White Horse Pike Corridor, Phase I-Tilton Road, Block 453, Lot 1.02.” The redevelopment area contains a single lot (Block 453, Lot 1.02) located in the existing Industrial (I) Zoning District. The I District is a non-residential zone within the Township’s Regional Growth Area. The redevelopment plan establishes an overlay district permitting warehousing and storage facilities, distribution/warehouse facilities, and light industrial uses. The plan conditionally permits cannabis cultivation, manufacturing, wholesaling, and distribution and includes associated conditional use standards. Residential uses and cannabis retail uses are prohibited within the overlay. The redevelopment plan expressly states that any development that occurs in the redevelopment area must comply with the Pinelands CMP.

**Galloway Township Ordinance 2075-2022** – amends the Township Redevelopment Plan to conditionally permit cannabis cultivation, manufacturing, wholesaling, distribution, and delivery within the Township’s Rural Development (R5), Highway Commercial-1 (HC-1), Highway Commercial-2 (HC-2), Village Commercial (VC), Industrial (I), Resort Development Area (RDA), Resort Commercial

Rural (RCR), Town Industrial (TI), and Town Industrial-2 (TI-2) districts. The plan is also amended to conditionally permit cannabis cultivation, manufacturing, and delivery within the Township's Agricultural Production (AG) District. The amendments include conditional use standards that, among other things, limit the location and intensity of cannabis-related business classes in the AG and VC districts as well as the portions of the HC-1 and HC-2 districts located within a Pinelands Village. The R5, HC-1, HC-2, VC, I, RDA, RCR, TI, TI-2, and AG districts are all located within the Pinelands Area portion of the Township.

**Manchester Township Ordinance 22-12** – amends Chapter 245 (Land Use and Development) of the Code of Manchester Township by repealing and replacing Section 245-85, Flood Damage Prevention. The ordinance adopts updated floodplain management regulations for any development within a flood hazard area. The ordinance contains administrative procedures for the submission and review of floodplain development applications as well as floodplain development standards.

**Medford Township Ordinance 2021-12** – amends the Development Regulations of the Code of Medford Township. The ordinance repeals the Township's Village Parking Trust Account and related provisions requiring contributions to the account. The ordinance also amends site plan review requirements to allow the Zoning Officer to waive certain parking requirements in the Historic Village Commercial (HVC) District. The HVC District is located in a Pinelands Regional Growth Area.

**Ocean Township Ordinance 2022-7** – amends Chapter 410 (Zoning) of the Code of Ocean Township by adding new requirements for generators and swimming pools on residential properties. The ordinance includes permitting procedures for residential generators as well as siting standards and enforcement provisions. Height and setback requirements are provided for residential swimming pools in both waterfront and non-waterfront zones. These requirements have township-wide applicability.

**Ocean Township Ordinance 2022-8** – repeals and replaces Chapter 180 (Flood Damage Prevention) of the Code of Ocean Township. The ordinance adopts updated floodplain management regulations requiring floodplain development permits for any development within a flood hazard area. The ordinance contains administrative procedures for the submission and review of floodplain development applications as well as floodplain development standards.

**Pemberton Township Ordinance 8-2022** – amends Chapter 190 (Zoning) of the Code of Pemberton Township. The ordinance establishes residential storage sheds, arbors, gazebos, pergolas, carports, and temporary accessory uses as permitted in all township zoning districts. The ordinance also includes application requirements for temporary accessory use permits as well as revised area and yard requirements for accessory structures by zone. This ordinance applies to zones within the Pinelands Area portion of the Township.