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State of New Jersey

THE PINELANDS COMMISSION
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www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

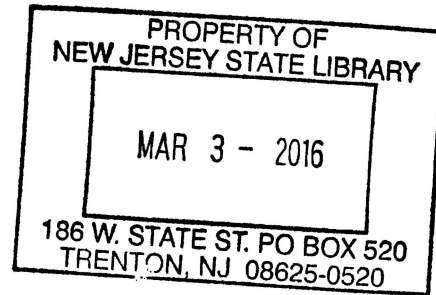
General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

February 23, 2016

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



Dear Mr. Lupp:

Enclosed are the Pinelands Commission meeting minutes for January 15, 2016 for your information.

Sincerely,

Melody A. Wood,
Receptionist

PC1

Enclosure: Minutes

PC2-1

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

MINUTES

January 15, 2016

Commissioners Present

Candace Ashmun, Bob Barr, Bill Brown, Joe DiBello, Paul E. Galletta, Jane Jannarone, Ed Lloyd, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Mark Lohbauer. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Amy Herbold and Deputy Attorney General Sean Moriarty.

Commissioners Absent

Alan W. Avery Jr., Sean Earlen and D'Arcy Rohan Green.

Chairman Lohbauer called the meeting to order at 9:38 a.m.

DAG Sean Moriarty read the Open Public Meetings Act Statement.

Ms. Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 11 Commissioners present.)

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

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Minutes

Chairman Lohbauer presented the minutes from the December 11, 2015 Commission meeting. Commissioner Prickett moved the adoption of the minutes. Commissioner Brown seconded the motion.

The minutes of the December 11, 2015 Commission meeting were adopted by a vote of 9 to 0. Commissioner Quinn and Commissioner Jannarone abstained.

Other

Chairman Lohbauer spoke about Michael Fowler, a member of Commission's Pinelands Educational Advisory Council, who passed away this past December. He said staff has drafted a resolution in Mr. Fowler's memory, documenting his admiration for the Pinelands and his affiliation with the Pinelands Short Course. Commissioner Ashmun moved the adoption of a resolution Honoring the Late Michael Fowler for His Service and Leadership as a Member of the Pinelands Educational Advisory Council and His Dedication to Raising Awareness and Appreciation of the New Jersey Pinelands (See Resolution # PC4-16-01). Commissioner Lloyd seconded the motion.

Chairman Lohbauer read the resolution into the record and presented the resolution to Mr. Fowler's wife and son.

Mr. Joel Mott said Mr. Fowler was a true friend of the Pinelands and he would be really pleased with the development of the interpretive center.

Update from New Jersey Department of Environmental Protection Assistant Commissioner for Natural and Historic Resources Rich Boornazian on the Motorized Access Plan (MAP) for Wharton State forest

Assistant Commissioner Boornazian said the MAP was devised to ensure that emergency vehicles and personnel could easily and safely respond to fires and other crisis situations. He said the U.S. Department of Transportation provides annual funding for motorized trails, and those funds also played a role in developing the MAP. The goal was to designate motorized trails for a better user experience and to allow for improved access for emergency services. A map was produced in conjunction with the Superintendent of Wharton State Forest, along with Geographic Information Systems (GIS) staff who documented all trails including fire breaks, plow lines and roads. He said the MAP received both positive and negative feedback. The Department received so much public feedback that Commissioner Bob Martin decided additional public input was warranted. DEP then met with officials from the municipalities that surround Wharton State Forest in addition to various stakeholders. Mr. Boornazian said next steps for the MAP will include continuing to engage all the stakeholders and preparation of an enforcement plan.

Commissioners provided various comments on the MAP and how it relates to the Comprehensive Management Plan.

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Chairman's Report

Chairman Lohbauer said that Commissioner Fran Witt submitted his resignation to the Commission effective December 31, 2015. Chairman Lohbauer said Commissioner Witt had served as Gloucester County's representative on the Commission since February 2004. He was a member of the Commission's Personnel and Budget Committee, Public and Governmental Programs Committee and the Audit Committee. He said Fran brought a wealth of experience to the Commission. He served as the Mayor of the Borough of National Park for 16 years, and prior to that, had served on the Borough Council for eight years. He is the past Vice President of the New Jersey League of Municipalities, and he served on the Board of the Gloucester County Utilities Authority and the Gloucester County Solid Waste Authority.

Chairman Lohbauer said Commissioner Witt's successor is Deputy Freeholder Director Joe Chila, who will be sworn in at the February Commission meeting.

Chairman Lohbauer took a moment to thank all those who dedicated time and energy in trying to stop Senate Bill 2125. He said that both houses passed the bill. He said the Governor conditionally vetoed the bill to allow field sports including soccer to be defined as a low intensity recreational activity.

Executive Director's Reports

Ms. Wittenberg updated the Commission on the following:

- The Commission will need to address and incorporate the change by the legislature (S2125) through the rule-making process. The change is limited to the Agricultural Production Area. She noted that any applicant proposing to create an athletic field or hold an athletic event would still need to obtain local approvals.

Commissioner DiBello noted that the Secretary of the Interior will evaluate the rule change when the time comes.

Commissioner DiBello questioned whether the evaluation of the pilot program stemming from S2125 would continue.

Ms. Wittenberg said staff will review the bill and determine the next steps with the Agriculture Committee.

Mr. Larry Liggett updated the Commission on the following:

- The status of Plan Review initiatives will be presented at upcoming Policy and Implementation Committee meetings.
- A technical workshop may be scheduled to review well impacts on the Kirkwood-Cohansey.
- As the new Legislature session begins, a new bill on affordable housing has been introduced. Municipal affordable housing obligations remain uncertain. He

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displayed a website that reported both Fair Share Housing Center and Econsult calculations, which differ significantly from each other. (<http://www.philly.com/philly/infographics/364889421.html>) An update on affordable housing will be presented at the next P&I Committee meeting.

Commissioner Lloyd asked about the role of the Fair Share Housing Center regarding Affordable Housing in New Jersey.

Ms. Stacey Roth said the Fair Share Housing Center is a non-profit organization that is the primary advocacy group on affordable housing issues. She said the Supreme Court invalidated the Coalition on Affordable Housing's (COAH's) third round rules and gave authority to the superior courts to determine municipal compliance with affordable housing obligations. She said the Fair Share Housing Center petitioned the courts to participate in these proceedings.

Mr. Liggett added that at this point, there are three sets of numbers for affordable housing: COAH's, Fair Share's and Econsult's.

Mr. Chuck Horner provided an update on multiple regulatory matters, including the following:

- A public hearing has been scheduled for Stafford Township's Waiver of Strict Compliance application for a compelling public need on January 20 at the Stafford Township Municipal Complex. The Commission will accept public comment on the Waiver application and companion public development application at today's meeting.
- The New Jersey Permit Extension Act of 2008 expired on December 31, 2015.
- Commission staff met with Mullica Township officials to discuss the Devonshire Motor Lodge property located on the White Horse Pike. Construction on that property was never completed because of zoning and the adoption of the CMP. A zoning change occurred a couple of years ago, and a new property owner plans to develop the site with offices.
- Staff met with Stafford Township to discuss a proposal to build a new fire department building in Warren Grove.

In response to questions raised about the compelling public need waiver application, Mr. Horner outlined the process.

DAG Moriarty reviewed the following South Jersey Gas litigation matters:

- The Pinelands Preservation Alliance's appeal of the Board of Public Utilities (BPU) reliability order from September 2015 is still pending. The BPU is handling this matter.
- An appeal of BPU's December 16, 2015 order filed by PPA. PPA has also filed a stay request with BPU.
- PPA filed an appeal of the December 23, 2015 Department of Environmental Protection's determination that the Upper Township parcel, where South Jersey

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Gas is proposing to build an interconnect station, is not encumbered by Green Acres funding or restrictions.

Chairman Lohbauer asked about South Jersey Gas' appeal concerning the Memorandum of Agreement.

DAG Moriarty said that it remains in a holding pattern.

DAG Moriarty said at this time there is nothing left for the Commission or its staff to do regarding the South Jersey Gas application and BPU's order.

Public Development Projects and Other Permit Matters

Chairman Lohbauer presented a resolution recommending the approval of a 3,500 square foot interpretive center at a park in Hamilton Township.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1987-1078.005) (See Resolution # PC4-16-01). Commissioner Barr seconded the motion.

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

Chairman Lohbauer presented the next resolution recommending improvements to an existing Garden State Parkway Maintenance Facility in Galloway Township.

Commissioner Barr moved the adoption of a resolution Approving With Conditions an Application for Public Development and Certificate of Appropriateness (Application Number 1997-0257.009) (See Resolution # PC4-16-02). Commissioner Brown seconded the motion.

Commissioner Prickett asked how the 50 foot buffer was established for this application.

Mr. Horner said that most development is not permitted in wetlands and the Commission requires a 300-foot buffer to wetlands in most instances. He explained that a reduced buffer is permitted as long as it is justifiable. He said the Commission uses the Pinelands Buffer Delineation Model to calculate a reduced buffer to wetlands. In some instances, such as this application, the applicant demonstrated compliance with the regulation to provide for a reduced buffer.

Commissioner Prickett asked if a staff member had visited the site.

Staff member Ernest Deman said he had been to the site and viewed the small isolated wetland in question. He described it as a small round depression in the Parkway right-of-way.

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

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Public Comment on Agenda Items and Pending Public Development Applications

Marianne Clemente asked who the applicant is for the Stafford Township basin application.

Mr. Horner said Stafford Township is the applicant.

Theresa Lettman of the Pinelands Preservation Alliance commented on Application # 1993-0732.01. She said she has been conducting site inspections of the flooding issue in Stafford Township. She said the new basin might reduce some of the flooding but it will not solve the problem. She said the waiver should not be granted. She referenced a CME Associates map dated July 16, 2015 that depicts in color where the flooding will still occur. She raised concerns about impacts to the Swamp Pink population.

Emile DeVito requested clarification on which Stafford Township application was up for public comment.

Mr. Horner said the stormwater basin application is up for public comment, not the Warren Grove fire house application.

Jeff Tittel of the Sierra Club asked if the Commission's final action for the South Jersey Gas application was when it was deemed complete.

DAG Moriarty said the Commission issued a Certificate of Filing. The BPU issued an order for the project and that order has been appealed.

Bill Wolfe said he is unhappy that DEP did not stay for the public comment portion of the meeting and expressed dissatisfaction with the agency's stakeholder process on the MAP for Wharton.

Doug O'Malley of Environment New Jersey said he hopes the Commission rejects the compelling public need waiver because the basin is not a permitted use in the Forest Area, and he does not believe in bending the rules.

Margit Meissner-Jackson of the Sierra Club said she was opposed to the Stafford Township basin application.

Chris Jage of the New Jersey Conservation Foundation provided an analysis of the roads and routes negatively impacted at Wharton State Forest since the DEP has withdrawn the MAP. He said he is researching the possibility of filing a natural resource damage case. Mr. Jage provided a handout (see attached).

Emile DeVito of New Jersey Conservation Foundation said that after recently surveying a southwest portion of Wharton State Forest he has seen vernal ponds and wetland meadows that have been destroyed by off-road vehicles.

After a short discussion amongst Commissioners, Chairman Lohbauer requested that DEP's road closure plans be added to the January 29th P&I agenda.

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Marilyn Miller said she has encountered off-road vehicles on her hikes.

Ordinances Not Requiring Commission Action

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

- Berlin Township Ordinances 2015-5 & 2015-6
- Hamilton Township Ordinance 1802-2015

No members of the Commission had questions.

Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities

Nancy Klein advised the Commission that Lucille Bates who owned Lucille's in Warren Grove passed away. She reminded Commissioners that the Pinelands was the nation's first national reserve and expressed concerns about the Pinelands' future.

Jeff Tittel of the Sierra Club said the state of New Jersey has not dealt with the ATV issue and budget constraints have left the park police force understaffed. He spoke about the threat of pipelines, electric generating plants and Congress' recent lift of banning the exportation of gas and the moratorium on drilling in the Atlantic.

Marianne Clemente of Barnegat Township suggested changing the CMP so the Commission has the final approval on private development applications.

Doug O'Malley of Environment New Jersey provided a summary of the December 16, 2015 BPU proceeding. He said that New Jersey has joined other states in suing the Environmental Protection Agency's emission rules.

Roni Detrick of New Lisbon asked the Commission to focus on better protection of the Pinelands.

Bob Jackson suggested that language in the CMP should be revised to state that once a decision has been made by the Commission, no one working for the Commission can change that outcome. He provided comments on the Tuckahoe Turf matter. He said it is imperative to follow the CMP.

Fred Akers of the Great Egg Harbor Watershed Association said he recently read an article featured in the Press of Atlantic City that reported DEP Fish and Wildlife will soon no longer allow enduro events on their lands.

Arnold Fishman of Medford Lakes provided comments about the BL England plant and the CMP.

Bill Wolfe of Bordentown said there were changes to the South Jersey Gas application even though the Executive Director wrote a letter to BPU saying otherwise. He raised

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concerns about DEP's recently issued stream encroachment permit for the New Jersey Natural Gas pipeline.

Jaelyn Rhoads of the Pinelands Preservation Alliance suggested that the Commission write a letter to local prosecutors about enforcing the law as it relates to the natural resource damages that are caused by ORV riders.

Mr. Horner said the ORV problem is largely a trespass issue.

Nathalie Neiss of Upper Township raised questions about an application for municipal facilities that Upper Township built without applying to the Commission for approval.

Mr. Horner said that Upper Township applied to Commission after the fact and the Commission did approve that application.

Dr. Emile DeVito said that PPA and the New Jersey Conservation Foundation appealed the Green Acres determination that the proposed interconnect station in Upper Township wasn't recreational land. He said the passing of Lucille Bates is a great loss to the community.

Adjournment

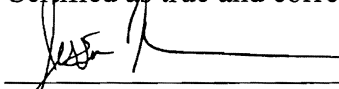
Commissioner Ashmun wished the Comprehensive Management Plan a happy 35th birthday. She believes the CMP needs to be revised, to include language which would allow Commissioner involvement in all major development projects. She thanked staff for their work.

Commissioner Lloyd said it was a pleasure to work with Commissioner Witt.

Chairman Lohbauer said he agreed with Commissioner Ashmun and that the Commission needs to have a role in major projects.

Commissioner Barr moved to adjourn the meeting. Commissioner McGlinchey seconded the motion. The Commission agreed to adjourn at 12:38 p.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: January 27, 2016



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 01

TITLE: Honoring the Late Michael Fowler for His Service and Leadership as a Member of the Pinelands Educational Advisory Council and His Dedication to Raising Awareness and Appreciation of the New Jersey Pinelands

Commissioner CANDACE ASHMUN moves and Commissioner EDWARD LLOYD seconds the motion that:

WHEREAS, Michael Fowler joined the Pinelands Commission’s Educational Advisory Council (PEAC) in 2001, and he served as the Council’s Chairperson from 2009 until his passing in 2015; and

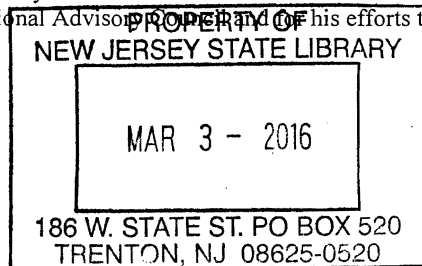
WHEREAS, Mr. Fowler served as a marketing consultant and Pinelands enthusiast who helped the Commission formulate an Education and Outreach Plan for the Richard J. Sullivan Center for Environmental Policy and Education; and

WHEREAS, Mr. Fowler’s expertise and knowledge of the Pinelands served the Commission very well for many years. He was a longtime presenter at the annual Pinelands Short Course, delivering numerous programs such as “The Pinelands Traveler: Ghost Towns, Bogs and Legends” and “The Pinelands’ Magnificent Failure, Harrisville, NJ”; and

WHEREAS, Mr. Fowler was the only person who attended all 26 Pinelands Short Courses. Even when he wasn’t scheduled as a presenter, he was always ready to step in as a last-minute substitute presenter; and

WHEREAS, his guidance and leadership were invaluable in helping to steer the Pinelands Commission’s educational and outreach efforts and future plans for the Richard J. Sullivan Center.

NOW, THEREFORE BE IT RESOLVED that the members of the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 15th day of January, 2016, hereby express their appreciation to the family of the late Michael Fowler for his service and leadership as a member of the Pinelands Educational Advisory Council and his efforts to raise awareness and appreciation of the Pinelands.



Record of Commission Votes

| AYE NAY NP ABS | | | | AYE NAY NP ABS | | | | AYE NAY NP ABS | | | | | |
|----------------|-------------------------------------|--|-------------------------------------|----------------|------------|-------------------------------------|--|-------------------------------------|-------------|-------------------------------------|--|-------------------------------------|--|
| Ashmun | <input checked="" type="checkbox"/> | | | | Earlen | | | <input checked="" type="checkbox"/> | Prickett | <input checked="" type="checkbox"/> | | | |
| Avery | | | <input checked="" type="checkbox"/> | | Galletta | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | Quinn | <input checked="" type="checkbox"/> | | | |
| Barr | <input checked="" type="checkbox"/> | | | | Jannarone | <input checked="" type="checkbox"/> | | | Rohan Green | | | <input checked="" type="checkbox"/> | |
| Brown | <input checked="" type="checkbox"/> | | | | Lloyd | <input checked="" type="checkbox"/> | | | Lohbauer | <input checked="" type="checkbox"/> | | | |
| DiBello | <input checked="" type="checkbox"/> | | | | McGlinchey | <input checked="" type="checkbox"/> | | | | | | | |

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: JANUARY 15, 2016

 Mark S. Lohbauer
 Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 02

TITLE: Approving With Conditions an Application for Public Development (Application Number 1987-1078.005)

Commissioner Galletta moves and Commissioner Barr seconds the motion that:

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

1987-1078.005

| | |
|-----------------------|---|
| Applicant: | Atlantic County Board of Chosen Freeholders |
| Municipality: | Hamilton Township |
| Management Area: | Pinelands Forest Area |
| Date of Report: | December 24, 2015 |
| Proposed Development: | Development of a 3,500 square foot Interpretive Center building and other improvements within Lake Lenape Park. |

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-1078.005 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: January 15, 2016

 Mark S. Lohbauer
 Chairman



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

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

December 24, 2015

William Reinert, Department Head
Atlantic County Department of Public Works
Atlantic County Board of Chosen Freeholders
201 S. Shore Rd.
Northfield, NJ 08225

Re: Application # 1987-1078.005
Block 587, Lot 38
Hamilton Township

Dear Mr. Reinert:

The Commission staff has completed its review of this application for development on the above referenced 482.05 acre lot within the Atlantic County Park at Lake Lenape in Hamilton Township. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its January 15, 2016 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Hamilton Township Planning Board (via email)
Hamilton Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
John Helbig





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

December 24, 2015

William Reinert, Department Head
Atlantic County of Public Works
Atlantic County Board of Chosen Freeholders
201 S. Shore Rd.
Northfield, NJ 08225

Application No.: 1987-1078.005

Location: Block 587, Lot 38
Hamilton Township

This application proposes development of a 3,500 square foot Interpretive Center building, six 120 square foot cabins, eleven camp sites and two docks. The application also proposes the paving of 1,200 linear feet of an existing sand road, the installation of 3,400 linear feet of sanitary sewer and water mains, a gazebo and an 800 square foot bathhouse. All development is proposed on the above referenced 482.05 acre lot that comprises a portion of the Atlantic County Park at Lake Lenape ("Park") in Hamilton Township.

The Park is comprised of 1,898 acres and located entirely within a Pinelands Forest Area. On March 4, 1998, the Pinelands Commission approved a Memorandum of Agreement (MOA) with Atlantic County regarding development of the Park. The MOA allowed for a deviation from the Pinelands Comprehensive Management Plan (CMP) standard prohibiting sanitary sewer service to new development in a Pinelands Forest Area. The MOA also allowed for a deviation from the CMP standard prohibiting development within 300 feet of a wetland unless it has been demonstrated that the development will not result in a significant adverse impact on a wetland.

A January 14, 1998, Revised Report on a Proposed Memorandum of Agreement Between the New Jersey Pinelands Commission and Atlantic County ("Report") prepared by the Commission staff found that a low intensity recreational facility and a campground would both be permitted land uses on a parcel located in a Pinelands Forest Area. Provided the conditions of the MOA were met, that Report also concluded that the development proposed by the County under the MOA is less than otherwise permitted by the CMP. The Report also concluded that a proposed deed restriction would result in the protection of approximately 1,822 acres of the concerned parcel and that wetlands on and within 300 feet of the parcel would be afforded a level of protection that would not be afforded through a strict application of the wetlands protection standards of the CMP.

To provide an equivalent level of protection to the resources of the Pinelands, the MOA required that the County place a deed restriction on 1,822 acres of the Park to preserve that land in its natural state. The MOA also required that Atlantic County file a deed declaration with the Atlantic County Clerk's Office restricting the proposed sanitary sewer line to the limited and specific purpose set forth in the MOA. The County has recorded the required deed restriction and deed declaration.

The MOA identified and delineated a 76 acre "western lake shore" portion of the Park and specified certain development that could occur on that portion of the Park. The development proposed in this application (App. No. 1987-1078.005) is consistent with the MOA.

On October 8, 1998, the Commission approved the development of a boathouse, boat ramp, docks and associated development that was subject of MOA (App. No.1987-1078.004).

STANDARDS

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

Land Use (N.J.A.C. 7:50-4.52(c)2)

The lot is located in a Pinelands Forest Area. The concerned MOA authorizes the proposed development in a Pinelands Forest Area.

Wetlands (N.J.A.C. 7:50-6.6, 6.12 & 6.13)

There are wetlands located on the above referenced lot. The MOA established a 50 foot wetland buffer to Lake Lenape and wetlands identified as Wetlands A & C-G. The MOA also established a 300 foot wetland buffer for Wetlands B. The proposed building, cabins, camps sites, gazebo and bathhouse will maintain the MOA specified wetland buffers.

The MOA permits the installation of the proposed sanitary sewer and water mains and the paving of the sand road within the required wetland buffers in accordance with the provision in the CMP that allows such linear development in otherwise required buffers to wetlands (N.J.A.C. 7:50-6.13). The MOA also permits the development of the two docks on Lake Lenape in accordance with the wetlands protection standards of the CMP (N.J.A.C. 7:50-6.12). The proposed docks will be located in wetlands.

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

The proposed development will be located within a wooded area. The proposed development will disturb approximately 7.27 acres of wooded lands. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

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

PUBLIC COMMENT

This applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced lot was completed on February 19, 2014. Newspaper public notice was completed on February 25, 2014. The application was designated as complete on the Commission's website on November 30, 2015. The Commission's public comment period closed on December 11, 2015. 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 33 sheets, prepared by Adams, Rehmann & Heggan Associates, Inc.. all sheets dated January 2014 and revised to October 23, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.
6. All development, except for the proposed road paving and utility installation, shall be located at least 50 feet from Wetlands A & C-G and 300 feet from Wetland B.
7. All development shall be consistent with the conditions of the MOA.
8. Prior to the construction of any portion of the proposed development which will result in the disturbance of any wetland area, a Freshwater Wetland Permit shall be obtained pursuant to the New Jersey Freshwater Wetlands Protection Act.

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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Mark S. Lohbauer
Chairman

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Executive Director

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must 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. PC4-16- 03

TITLE: Approving With Conditions an Application for Public Development and Certificate of Appropriateness (Application Number 1997-0257.009)

Commissioner Barr moves and Commissioner Brown seconds the motion that:

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

1997-0257.009
Applicant: NJ Turnpike Authority
Municipality: Galloway Township
Management Area: Pinelands Garden State Parkway Overlay District
 Pinelands Regional Growth Area
Date of Report: December 24, 2015
Proposed Development: Improvements to the existing Garden State Parkway Galloway Township Maintenance Facility.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1997-0257.009 for Public Development with accompanying Certificate of Appropriateness is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: January 15, 2016

 Mark S. Lohbauer
 Chairman



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

December 24, 2015

Robert Fischer, PE
NJ Turnpike Authority
581 Main Street
Woodbridge, NJ 07095

Re: Application # 1997-0257.009
Garden State Parkway
Galloway Township Maintenance Facility
Galloway Township

Dear Mr. Fischer:

The Commission staff has completed its review of this application for proposed improvements to the existing Garden State Parkway Galloway Township Maintenance Facility. All proposed improvements, except a proposed sanitary sewer main, are located within the Garden State Parkway right-of-way. The proposed sanitary sewer main is located within Ash Avenue, a municipal right-of way. Enclosed is a copy of a Public Development Application Report and a Certificate of Appropriateness. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its January 15, 2016 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure
c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Galloway Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
James J. Brazel





Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT AND CERTIFICATE OF APPROPRIATENESS

December 24, 2015

Robert Fischer, PE
NJ Turnpike Authority
581 Main Street
Woodbridge, NJ 07095

Application No.: 1997-0257.009

Location: Garden State Parkway
Galloway Township Maintenance Facility
Galloway Township

This application proposes improvements to the existing Garden State Parkway Galloway Township Maintenance Facility. Specifically, this application proposes the construction of a 33,080 square foot multi-use building, a 6,120 square foot salt shed, 835 linear feet of off-tract sanitary sewer main and associated site improvements. All proposed improvements, except the proposed sanitary sewer main, are located within the Garden State Parkway right-of-way. The off-tract sanitary sewer main is located within Ash Avenue, a municipal right-of-way.

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. 7:50-5.35 & 5.28)

The proposed development, except for the proposed sanitary sewer main, is located in the CMP designated Parkway Overlay District and underlain by a Pineland Regional Growth Management Area. The proposed sanitary sewer main within Ash Avenue is located in a Pinelands Regional Growth Management Area. The proposed development is a permitted land use in the Parkway Overlay District and a Pinelands Regional Growth Area.

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

There are wetlands located within 300 feet of the site. The applicant has demonstrated that the proposed 50 foot buffer to an approximately 275 square foot, isolated wetland, located in an existing disturbed

area will not result in a significant adverse impact on the wetlands.

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

The proposed development will be located within maintained grassed, graveled, paved and forested areas. The proposed development will disturb approximately 0.50 acres of forested lands. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize disturbed areas, the applicant proposes to utilize grass species which meet 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 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)

The Garden State Parkway is eligible for listing on the National Register of Historic Places. The cultural resource survey submitted for this application identified an existing 7,777 square foot multi-use building, a 1,250 square foot building utilized to store mowing equipment and a 1,300 square foot landscape/sign shop as significant historic resources eligible for listing on the National Register of Historic Places as contributing resources to the Garden State Parkway Historic District. The Commission staff has concluded that the three buildings are eligible for Pinelands Designation in accordance with the provisions of the CMP (N.J.A.C. 7:50-6.154).

The CMP (N.J.A.C. 7:50-6.156), requires that a Certificate of Appropriateness be issued by the Commission that identifies the required treatment of significant historic resources from among three alternatives:

- preservation of the resource in place, if possible;
- preservation of the resource at another location, if preservation in place is not possible; or
- recordation.

The Commission staff, in cooperation with State Historic Preservation Office (SHPO), determined that preservation in place is the appropriate treatment for the three buildings. Accordingly, this Certificate of Appropriateness requires preservation of the three buildings in place (N.J.A.C. 7:50-6.156(c)).

The applicant proposes renovations to the interior and exterior of the existing 7,777 square foot multi-use building. The CMP (N.J.A.C. 7:50-6.156(c)3.) requires that the proposed renovation of the 7,777 square foot multi-use building conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Prior to undertaking the proposed renovations, the design of the exterior and interior of the multi-use building must be approved by SHPO and the Commission staff.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on June 9, 2015. Notice to required land owners within 200 feet of the above referenced development was completed on September 29, 2015. The application was designated as complete on the Commission's website on November 24, 2015. The Commission's public comment period closed on December 11, 2015. 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 58 sheets, prepared by The RBA Group and dated as follows:

Sheets 1, 4-8, 10, 15, 16, 18, 20, 22-25, 32 & 35-45 - June 2015
Sheets 2, 3, 9, 31, 46-51 - September 2015
Sheets 11 & 12 - October 2015
Sheets 13, 14A, 14 B & 33 - December 2015
Sheets 17, 19, 21, 26 & 52 - September 2015; revised October 2015
Sheets 27, 28 & 34 - September 2015; revised September 2015
Sheets 29 & 30 - September 2015; revised November 2015
Sheets 53-58 - April 2009
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 50 feet from wetlands.
6. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.
7. The design of the exterior and interior of the proposed multi-use building must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. Prior to undertaking the proposed interior and exterior renovations to the multi-use building, the design of the exterior and interior must be approved by SHPO and the Commission staff.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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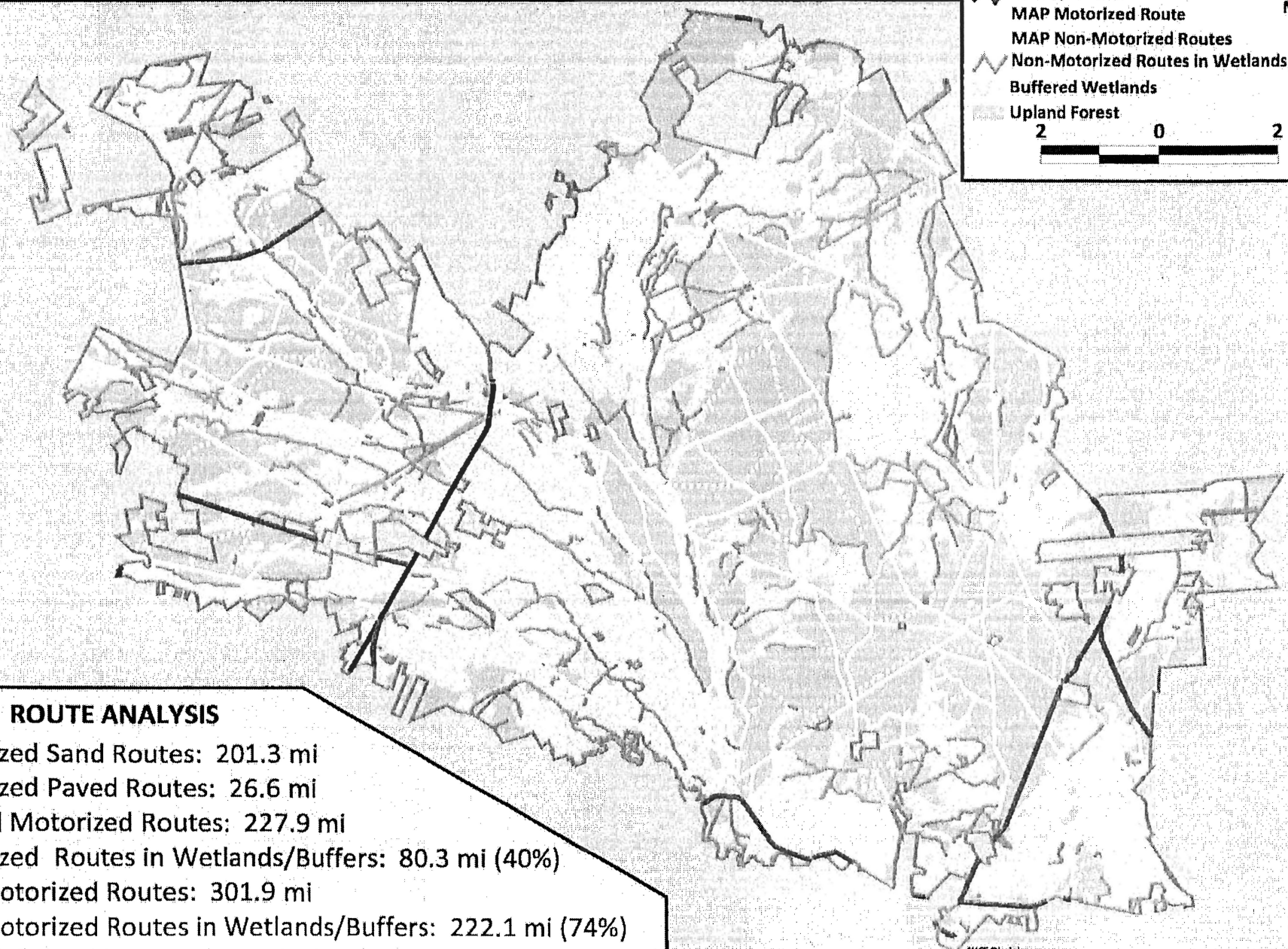


Wharton MAP Route Analysis

LEGEND

- State Routes
- County Roads
- MAP Motorized Route
- MAP Non-Motorized Routes
- Non-Motorized Routes in Wetlands/Buffers
- Buffered Wetlands
- Upland Forest

2 0 2 Miles



ROUTE ANALYSIS

Motorized Sand Routes: 201.3 mi
Motorized Paved Routes: 26.6 mi
Total Motorized Routes: 227.9 mi
Motorized Routes in Wetlands/Buffers: 80.3 mi (40%)
Non-Motorized Routes: 301.9 mi
Non-Motorized Routes in Wetlands/Buffers: 222.1 mi (74%)
Total Upland Non-Motorized Routes: 79.8 mi

NJCF Disclaimer:
While great care was taken to present the most up to date information, NJCF does not claim responsibility for spatial accuracy or timeliness of underlying data. NJCF expressly disclaims any and all responsibility for errors, omissions or other inconsistencies depicted, arising from or otherwise related to this map product.

RE: Recent Wharton Forest ORV damage locations 01.04.15 update

Michael Hogan <hoganphoto@verizon.net> Tue, Jan 5, 2016 at 9:14 AM

To: "Randazzo, Cindy" <Cindy.Randazzo@dep.nj.gov>, "THOMAS C. KECK, JR." <SRORSupt@comcast.net>, Rob Auermuller <wharton.superintendent@comcast.net>, david.glass@dep.nj.gov, Riche.Outlaw@dep.nj.gov, Bob.Martin@dep.nj.gov, John Sacco <John.Sacco@dep.state.nj.us>, John Trontis <John.Trontis@dep.state.nj.us>, Mark.texel@dep.nj.gov, Richard.Boornazian@dep.nj.gov, Lynn.Fleming@dep.state.nj.us, John Bunnell <John.Bunnell@njpines.state.nj.us>, info@njpines.state.nj.us, emcglinchey@winslowtownship.com, Paul Galletta <pg11@comcast.net>

Cc: Jaclyn Rhoads <jaclyn@pinelandsalliance.org>, emile@njconservation.org, Chris Nolan <cnolan@sjlandwater.org>, "Suzanne McCarthy (E-mail)" <mccarthysu@aol.com>, carleton <carleton@pinelandsalliance.org>, Mayor William Pikolycky <boroughofwoodbine@gmail.com>, "Chris Jage (E-mail)" <chris@njconservation.org>, Jason Howell <jason@pinelandsalliance.org>, Ryan Rebozo <ryan@pinelandsalliance.org>, Phill arsenault <pmarsenault@gmail.com>, NJPlants@aol.com, Albert Horner <albert@pinelandsimagery.com>

Hi all

Below is our weekly update of our survey sites in Wharton State Forest. There has been much illegal ORV activity since last week.

I have photo-documented recent illegal ORV activity, since last week at:

- The small vernal pool along the east side of Sandy Causeway Road, no activity from last weekend, log still blocking path to pool. The paper No Motor Vehicle signs are still there.
- The path to vernal pool on west side of Sandy Causeway Road. Road is still blocked, the last paper "No Motor Vehicles" sign at Sandy Causeway Rd. has been removed. Wooden "No Motor Vehicles" still in tree.
- The vernal pool/gravel pit along Burnt Mill Rd, recent 4x4 and quad tracks from last weekend, pool is full, water in turbid/brown.
- First beach along the Mullica River downstream from Atsion, recent tracks from last weekend and erosion into the river. The paper No Motor Vehicle signs are still posted in the trees.

- First beach on Batsto River above Quaker Bridge 4x4 tracks down the slope and erosion into the river from last weekend. The paper No Motor Vehicle signs are still posted in the trees.
- First beach on Batsto River below Quaker Bridge 4x4 tracks down the slope and erosion into the river from last weekend. The paper No Motor Vehicle signs are still posted in the trees.
- The go around and large puddle on Hampton Road, past Hampton Furnace, has many new tracks from last weekend, through the large puddle and through the recently created go around/road and wetlands. The road is becoming badly rutted and much of the wetlands vegetation has been ground up. The paper No Motor Vehicle signs are still posted in the trees.
- The vernal pool along the south side of Hampton Road, before Hampton Furnace, many recent 4x4, and motorcycle tracks from last weekend.
- Recent ORV tracks up and down slope on Mullica River, just above Goshen Pond. Much erosion and growing sediment fan into Mullica River.

Respectfully Submitted

Michael Hogan/SJLWT