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Pinelands  
Comprehensive  
Management Plan  
*Four Decades of Protection*

## NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, November 12, 2021 - **9:30 a.m.**

Pinelands Commission YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 837 4866 5339

### 1. Call to Order

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

### 2. Adoption of Minutes

- October 8, 2021

### 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 (7) Applications for Public Development:

- Application No. 2001-0236.002 – Monroe Township  
Construction of a dog park and associated site improvements

Monroe Township

- Application No. 2016-0072.001 - Cape May County  
Widening of 4,000 linear feet of County Route 610  
Dennis Township
- Application No. 2020-0162.001 - City of Estell Manor  
Paving of 1,400 linear feet within the Fifth Avenue right-of-way  
Estell Manor City
- Application No. 2021-0219.001 - Winslow Township  
Demolition of a single family dwelling, 50 years old or older  
Winslow Township
- Application No. 2021-0220.001 - Winslow Township  
Demolition of a single family dwelling, 50 years old or older  
Winslow Township
- Application No. 2021-0221.001 - Winslow Township  
Demolition of a single family dwelling, 50 years old or older  
Winslow Township
- Application No. 2021-0222.001 - Winslow Township  
Demolition of a single family dwelling, 50 years old or older  
Winslow 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. 1982-2904.003 – Egg Harbor Township  
Construction of an active recreational park  
Egg Harbor Township
- Application No. 1987-1058.083 – Atlantic County Improvement Authority

Installation of four new wind cones and associated development at Atlantic City  
International Airport  
Egg Harbor Township

- Application No. 2006-0322.002 – New Jersey Department of Transportation  
Construction of an electronic traffic advisory sign with approximately 12,400 linear feet  
of underground fiber optic cable within the State Route 47 right-of-way  
Dennis Township

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Egg Harbor City Ordinance 10-2021
- Egg Harbor Township Ordinance 39-2021
- Evesham Township Ordinances 13-3-2021, 15-3-2021 and 17-3-2021
- Hammonton Town Ordinance 008-2021
- Monroe Township Ordinance O:17-2021
- Vineland City Ordinance 2021-35

7. Other Resolutions

- To Accept the Fiscal Year 2019 Audit Report
- To Authorize the Participation of Four New Advanced Wastewater Treatment Technologies in the Pinelands Commission's Alternate Design Treatment Systems Pilot Program

8. General Public Comment

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

10. Adjournment

**Upcoming Meetings**

Fri., Nov. 19, 2021	Policy & Implementation Committee Meeting (9:30 a.m.)
Wed., Dec. 1, 2021	Climate Committee Meeting (9:30 a.m.)
Fri., Dec. 10, 2021	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 at [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov).

PINELANDS COMMISSION MEETING

MINUTES  
**October 8, 2021**

*The October 8, 2021 Pinelands Commission meeting was conducted remotely. All participants were present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=A6iX1HIN7pU>*

Commissioners Participating in the Meeting

Vice Chairman Alan W. Avery Jr., Shannon Higginbotham, Jerome H. Irick, Jane Jannarone, Ed Lloyd, Mark Lohbauer, William Pikolycky, Gary Quinn (left the meeting at 9:48 a.m.) and Chairman Richard Prickett. Also participating were Acting Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Kristina Miles and Governor's Authorities Unit representative Rudy Rodas.

Commissioners Absent

Daniel Christy and D'Arcy Rohan Green.

Call to Order

Chairman Prickett called the meeting to order at 9:32 a.m.

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

Acting Executive Director Grogan called the roll and announced the presence of a quorum. Nine Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Update: Executive Director Search Committee and deadline for applications

At this time, Commissioner Lohbauer and Acting Executive Director Grogan recused themselves from the discussion. They were placed in a Zoom waiting room.



Commissioner Prickett said using the authority the Chairman has been provided in the Commission's By-laws under II. Officers, Section 2 c & d, he is announcing that he will reform the Executive Director (ED) Search Committee as described in Commissioner Avery's memo dated August 8, 2021.

The Committee's general goals include developing criteria to select candidates to be interviewed, evaluation of their resumes, standardizing interview questions, creating an interview schedule for mid-November into December and discussing the process of referring more than one candidate to the Commission for its careful consideration.

Chairman Prickett said he plans to reappoint the members that originally formed the Search Committee and will confer with them before he announces his appointments and describes the specific goals that he expects the Committee to achieve.

The Governor's Authorities Unit (GAU) representative's role will exclusively be to observe Committee meetings. They will receive the same schedules and packets Committee members receive and provide other material the GAU office would like the Committee to consider.

The specific duties and roles of the ED Search Committee will be documented in a Memorandum.

Commissioner Avery made an oral motion to extend the application period for the position of Executive Director from September 24, 2021 until October 20, 2021 as requested by the Governor's Authorities Unit. Commissioner Lloyd seconded the motion.

Stacey Roth, the Commission's Chief of Legal and Legislative Affairs, called the roll.

Commissioner Avery: Yes.

Commissioner Jannarone: Yes.

Commissioner Irick: Yes

Commissioner Lloyd: Yes

Commissioner Higginbotham: Yes.

Commissioner Pikolycky: Yes.

Chairman Prickett: Yes.

Commissioner Quinn: Yes.

The motion passed with 8 votes.

Commissioner Lohbauer and Acting Executive Director Grogan rejoined the meeting.

Chairman Prickett said he would like to thank Commissioners Avery and Lloyd for their willingness to participate in this process.

He said at the September 10<sup>th</sup> Commission meeting, the Commission was informed that the GAU had invited the Chairman and Vice Chair to meet with their new Director, Noreen

Giblin, to talk about how the Commission and the GAU can move forward cooperatively in selecting the next Executive Director.

Chairman Prickett said that he and Vice Chairman Avery, Commissioner Lloyd, Director Giblin and Rudy Rodas participated in a productive conference call on September 22<sup>nd</sup> to discuss best hiring practices, reforming the ED Search Committee and the difficulty in establishing a quorum due to Commissioner vacancies and other reasons. Commissioners also mentioned that all ED job applications that had been received were secured in the Human Resources Office and had not been reviewed.

He noted that September 24<sup>th</sup> was the Commission's deadline for receiving ED job applications.

Chairman Prickett said on September 27<sup>th</sup>, he provided the GAU with his memo announcing the reformation of the ED Search Committee and the list of documents addressing procedural concerns mentioned in the Governor's letter. These documents were included in the October Commission meeting packet.

He said also on September 27<sup>th</sup> that he received a call from the GAU requesting a two-week application extension to October 13<sup>th</sup>, so their office could encourage qualified candidates to apply. He said he consulted with Vice Chairman Avery and decided that he would ask the Commission to support the extension.

Chairman Prickett said on September 30<sup>th</sup> the GAU asked him to extend the application deadline an additional week (to October 20<sup>th</sup>), which the Commission agreed to extend today. The Chairman expressed support for the additional extension and agreed to ask the Commission members for their approval.

Chairman Prickett said on October 4<sup>th</sup> he requested the GAU to confirm the salary range for the next ED, which they did on October 6<sup>th</sup>. Lastly, he said a lot of progress has been made since the last Commission meeting, working with the GAU in searching for the next Executive Director.

#### Honoring Commissioner Jordan Howell

Chairman Prickett introduced a resolution highlighting Commissioner Howell's time on the Commission.

Commissioner Lohbauer made a motion Expressing the Commission's Appreciation to Jordan P. Howell for his Service as a Member of the Commission from January 18, 2018 to August 13, 2021 (See Resolution # PC4-21-26). Commissioner Avery seconded the motion.

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

Chairman Prickett read the resolution into the record.

Commissioner Quinn left the meeting at 9:48 a.m.

Paul Leakan, the Commission's Communications Officer, said he delivered a frame to Commissioner Howell with three photographs taken in the Pinelands Area of Camden County to show the Commission's appreciation for Commissioner Howell's service.

A few Commissioners took a moment to express their thanks to Commissioner Howell.

### Minutes

Chairman Prickett presented the minutes from the Commission's September 10, 2021 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Jannarone seconded the motion.

The minutes from the September 10, 2021 Commission meeting were adopted by a vote of 8 to 0.

### Committee Reports

Chairman Prickett provided a summary of the September 24, 2021 Policy & Implementation (P&I) Committee meeting:

The Committee adopted the minutes of its July 30, 2021 meeting.

The Committee received an update on the Pinelands Conservation Fund Land Acquisition grants. The Committee decided not to proceed with funding due to a lack of proposals. The Committee will accept new proposals next year.

The Committee received a presentation from Commission staff regarding the success of the Commission's Electric Transmission Right-of-Way Maintenance Pilot Program and recommendations for amending the Pinelands Comprehensive Management Plan (CMP) to permanently incorporate the Right-of-Way Plan.

The Committee discussed the New Jersey Cannabis Regulatory Commission's newly adopted rules and their relationship to the CMP.

Commissioner Lohbauer provided an overview of the September 15, 2021 Climate Committee meeting:

The Committee adopted the minutes of its July 14, 2021 meeting.

The Committee received an update on the application to the Board of Public Utilities regarding an energy audit of the Commission's offices.

The Committee received an update on the New Jersey Department of Environmental Protection's PACT (Protecting Against Climate Threats) and REAL (Resilient Environments and Landscapes) rulemaking.

The Committee discussed two reports, one issued by the International Panel on Climate Change and the other by ReThinkX. The Committee also discussed Michael Gerrard's book.

Vice Chairman Avery said the Personnel and Budget Committee has not met but he noted that he has been speaking with the Acting Executive Director about the high quote received for painting Fenwick Manor.

#### Acting Executive Director's Report

Acting ED Grogan provided information on the following:

- The Commission purchased a copy of Michael Gerrard's book, "The Legal Pathways to Deep Decarbonization in the United States," to help identify specific climate recommendations to amend the CMP.
- Staff has contacted Treasury to request guidance after the second attempt of a Request for Proposal (RFP) process failed to produce viable quotes to paint Fenwick Manor. The GAU is helping with the coordination of a meeting with Treasury to discuss a solution to this longstanding issue. A roofing contractor has been contacted to make sure the flashing surrounding the chimney in Fenwick Manor is intact to eliminate any further damage to the interior of the building.
- Staff continue to work in the office three-days a week. The Human Resources office is conducting various surveys of staff regarding vaccination status to provide to the Governor's office.
- The Pinelands Municipal Council met on September 28<sup>th</sup>. State Senator Vince Polistina attended the meeting to discuss and assist with the reinstatement of PILOT (Payment in Lieu of Taxes) funding.
- Commission staff have been invited by Dave Rosenblatt, the State's Chief Resiliency Officer at the New Jersey Department of Environmental Protection (NJDEP), to join the Interagency Council on Climate Change. The Council requested the designation of a Commission staff member to attend monthly meetings. Ed Wengrowski has been chosen as the designee. This will be a great opportunity to hear first-hand about the climate change policies being considered by other agencies.

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

- The Pemberton Township Administrator has requested the Commission's guidance regarding an Off-Road Vehicle (ORV) issue that is occurring in the Presidential Lakes section of town. He said the ORV use is occurring on a deed restricted parcel that was part of a Waiver of Strict compliance application for a residential project in the late 1980s.
- A municipal approval was received months ago for a communications tower in Woodland Township and remains the subject of a Commission public hearing. It's

still unclear if the application for the communication tower is an accessory use to the Chatsworth EMS and Fire company or if the communication tower is for general usage. A second municipal approval is currently under review.

- Staff is investigating a report from the public about an ORV matter in Estell Manor.

Paul Leakan, the Commission's Communications Officer, said the staff has decided to postpone the annual World Water Monitoring Challenge, which was scheduled for October 22nd at Batsto Lake. He noted that there is a nationwide shortage of bus drivers, and it is causing significant issues for school districts that are struggling to find enough drivers to transport students to and from school and take them to and from field trips, such as the World Water Monitoring Challenge. He said we hope the situation will improve so that the World Water Monitoring Challenge event can be held next spring.

He also noted that the Commission will host two webinars this month. He said the first one will be on the cranberry harvest. He said the second webinar will be presented by Woodford Cedar Run Wildlife Refuge and will focus on local, misunderstood creatures and their various attributes.

Lastly, he noted that his office is busy planning next year's springtime Short Course, running virtual meetings, responding to public and media inquiries, and creating the 2022 Pinelands National Reserve wall calendar, which will be issued in early December.

#### Public Development Projects and Other Permit Matters

Chairman Prickett introduced the next resolution. He said the applicant, the New Jersey Department of Environmental Protection (NJDEP), is proposing to use herbicides to control invasive species in the vicinity of the Bass River fire tower.

Commissioner Avery made a motion Approving With Conditions an Application for Public Development (Application Number 1990-0868.033) (See Resolution # PC4-21-27).

Commissioner Jannarone seconded the motion.

Director Horner said the application did not receive the necessary votes for approval at the September Commission meeting. The NJDEP requested an extension of time to submit additional application related information. On October 1<sup>st</sup>, staff issued a Re-Amended Public Development Report, which was provided to the Commission along with a memo explaining the changes to the report. He said the NJDEP has provided additional information about "spot treatment" of herbicides and practical alternatives. He said several conditions have been added to the Report that include:

- Annual reporting on the effectiveness of the herbicide to facilitate regeneration
- A limit on the permit from 10 years to five years, with a possible 9-month extension
- The herbicide used must be expressly labeled for forestry

Commissioner Lohbauer said he appreciated the amendments made by NJDEP. He noted that although they have addressed the concerns raised by other Commissioners, they had

not addressed his concerns. He said he does not support the application because he does not believe NJDEP has demonstrated that the use of non-chemical means is not practical. He said he believes the invasive species can be addressed with mechanical means (i.e. a weed whacker) and a treatment of a pre-emergent herbicides only. He stated this combined action over 3-4 years should be successful. He said he understands that glyphosate is on the State-approved list for forestry activities, but he does not support its use. He concluded by saying that sometimes, regulations need to catch up with science.

Commissioner Lloyd said he appreciated the progress made on the application. He was pleased that the permit has been reduced to five years in duration, that a requirement for annual reporting has been added and that the number of herbicide treatments has been reduced to three applications. He said that the goal has to be to minimize impacts to the Pinelands. He said the NJDEP should take note of what the utility companies in the Pinelands Area have accomplished in terms of vegetative management in their rights-of-way without the use of herbicides. He said the application does not have enough votes to pass. He said he will be abstaining from the vote today.

Chairman Prickett said the Commission staff and Commissioners do not manage the forests, it's the NJDEP's job to care for them. He said the Commission can choose to amend the CMP – which is a long process – or encourage applicants to exceed the normal CMP requirements. He said the NJDEP has tried to accommodate the Commission's request to modify this application. He said the application meets CMP standards and implored Commissioners to vote yes for this application. He added that herbicide is readily available at any hardware store and is used by farmers and landscapers every day.

Commissioner Avery asked Director Horner if he had discussed with NJDEP the practicality of controlling the invasive species using the techniques suggested by Commissioner Lohbauer, namely, using a weed whacker in combination with a pre-emergent herbicides on the seeds of stiltgrass.

Director Horner said he did not specifically discuss that option. He said over the years, the Commission has reviewed and approved dozens of forestry applications involving the use of herbicides. He noted that the CMP does not specify that the use of herbicides must be minimized. Rather, if non-chemical means are not practical, the applicant is permitted to use herbicides. The staff believes the applicant in this case has met that test. The comments and suggested changes to this application go beyond the regulatory requirements of the CMP. Applications should be judged against the regulations contained in the CMP and established standards of review.

Director Horner introduced Bill Zipse and Courtney Compton from the New Jersey Forest service.

Mr. Zipse said the proposal recommends treating the Japanese stiltgrass with a pre-emergent in the spring. However, barberry is more difficult to treat and resprouts prolifically. He said stiltgrass is an annual that goes to seed and at that point, the seeds may need to be treated. He said the application includes many potential methods of treatment;

however, that doesn't mean that the Forest Service will use all of them. They simply need to have options available to them. The Forest Service only uses the minimum necessary to achieve its objectives. Their goal is to use herbicides as little as possible.

Mr. Zipse said the Forest Service uses clearing saws to combat invasive species and a spot treatment will be used on barberry. He asked Commissioners to keep in mind that the utilities are trying to keep the rights-of-way clear of trees and the Forest Service is trying to do the opposite. They are trying to control invasive species in order to get the pine trees to grow. He added that the Forest Service will be monitoring the situation for a response.

Commissioner Lohbauer suggested his own approach to treating the stiltgrass, including mowing. He asked whether use of a pre-emergent could be successful for stiltgrass. He asked whether the plants that reappear after such treatment could simply be cut. He suggested that NJDEP only mow in August, then try the pre-emergent again the following Spring.

Mr. Zipse said he isn't opposed to trying things but mowing has an impact. He also noted that the herbicides were not chosen at random, and they will be used at a minimum. He said the Forest Service has been successful at eradicating stiltgrass at Greenbank and he asked that the professional staff be given some latitude.

Commissioner Avery asked Mr. Zipse whether the Forest Service could perform other actions to eradicate some of the invasive species, if the use of herbicide was removed from the application.

Mr. Zipse said the use of herbicide was removed from the original tree clearing application and that is why there are invasive species present now. He noted some of the names of the herbicides listed in the proposal and reasons why they were selected. He said glyphosate was chosen to combat barberry because it is nonmotile in soil and the active lifespan of being toxic to plants is short. He reiterated that they would treat with a pre-emergent and monitor the situation. He said the timing of deployment of an herbicide is critical for success. He added that his team uses phenology to determine when and when not to apply herbicides.

Commissioner Lohbauer said he would be willing to vote yes on an application that proposed only pre-emergent herbicide. He said if it doesn't work, the applicant can come back to the Commission in two years and submit a new application to use additional herbicides.

Mr. Zipse said that time is a critical factor. The invasive species need to be caught and controlled early so that trees can grow. The Forest Service is not expecting to eliminate all of the invasives, just enough so that the trees will grow tall enough to out-compete the invasive species.

Commissioner Lloyd asked whether the approach suggested by Commissioner Lohbauer was practical.

Acting Executive Director Grogan asked the Commission to remember that it takes a long time for a public development application to go through the Commission's process should the pre-emergent not work. She said the requirement for annual reports was intended to provide the Commission with the opportunity to see what is and isn't working. She added that she would hate for the invasive species problem to become worse.

Mr. Zipse said he is a forester and does not feel comfortable making a management-level decision to change the application to the extent Chairman Lohbauer asked. He said he is asking the Commission for some latitude and trust to treat the invasive species as specified in the proposal. He added that he does not want to see the footprint of the invasive species get bigger. NJDEP needs to have all options available so that it can appropriately respond each year.

Commissioner Lohbauer said he would support the application if it were limited to the use of pre-emergents, even without the two-year time limit he previously suggested. If the use of other herbicides remains part of the application, he will not vote for it.

Commissioner Higginbotham said there is a high success rate with pre-emergents; however, the plants do still come up. She cautioned that waiting another year to treat the area means the invasive species will continue to multiply, be harder to treat and require more herbicide. She said the Commission should give NJDEP the ability to use herbicides now so that in the long-term there will be less usage.

Commissioner Jannarone said she does not support holding up the application because that will make matters worse. She said the Forest Service has the expertise and it should be able to do its job.

Chairman Prickett said it takes cooperation for progress to occur. He said the CMP requires the Commission to work and cooperate with the GAU, the NJDEP and Pinelands municipalities. He thanked Mr. Zipse for his insight. He said he trusts that the New Jersey Forest Service is going to do exactly what the proposal states.

Acting Executive Director Grogan called the roll:

Commissioner Avery: Yes

Commissioner Higginbotham: Yes.

Commissioner Irick: Yes.

Commissioner Jannarone: Yes.

Commissioner Lloyd: Abstain.

Commissioner Lohbauer: No.

Commissioner Pikolycky: Yes

Chairman Prickett: Yes

The motion failed to pass.



Public Comment on Public Development Applications and Items where the record is open

Public comment was not provided.

Ordinances Not Requiring Commission Action

Chairman Prickett read the list of ordinances not requiring Commission action.

- Medford Township Ordinances 2020-22 and 2021-10

No questions were raised.

Commissioner Jannarone left the meeting at 11:02 a.m.

Other Resolutions

Due to lack of quorum, the Commission could not vote to accept the Fiscal Year 2019 Audit Report. Acting Executive Director Grogan said the resolution can wait to be acted on at a future Commission meeting.

General Public Comment

Rhyan Grech of the Pinelands Preservation Alliance (PPA) informed the Commission that a 30-day comment period for a settlement agreement between the NJDEP and New Jersey Natural Gas closes on October 22<sup>nd</sup>.

Fred Akers of the Great Egg Harbor Watershed Association said he wanted to acknowledge the Commission's responsiveness to the members of the public. He added that he appreciates the Commission's efforts to control damage from ORV use.

Other

Commissioner Irick said he would like to see the P&I Committee draft a list of priorities regarding CMP amendments.

Commissioner Lloyd agreed and suggested a six month and a 12-month plan. Chairman Prickett indicated that a discussion of CMP amendment priorities would be scheduled for an upcoming P&I Committee meeting.

Commissioner Avery thanked the NJDEP for answering questions today and said he is sorry the resolution did not pass. He said that rules need to be applied consistently and with predictability and that does not seem to be the case anymore. He wished the Forest Service well in its goal of returning the forest to its native character. He said sometimes you have to trust the professionals in other agencies who are the experts in their field.

Commissioner Lohbauer said he was trying to carry out his duties as a Commissioner today.

Chairman Prickett said the Commission is struggling to have a quorum at meetings. He said he hopes the Senate can confirm appointments through its process.

Adjournment

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Higginbotham seconded the motion. The Commission agreed to adjourn at 11:20 a.m.

Certified as true and correct:

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

Date: October 18, 2021



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

**NO. PC4-21- 26**

**TITLE:** Expressing the Commission’s Appreciation to Jordan P. Howell for his Service as a Member of the Commission From January 18, 2018 to August 13, 2021

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

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**WHEREAS**, Jordan P. Howell served as Camden County’s representative on the Pinelands Commission from January 18, 2018 to August 13, 2021; and

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

**WHEREAS**, Dr. Howell is an Associate Professor of Sustainable Business in the Department of Geography, Planning & Sustainability, and the Department of Management & Entrepreneurship at Rowan University. He holds a Ph.D. and Master of Science in Geography from Michigan State University and a Bachelor of Arts in Anthropology from the College of William & Mary; and

**WHEREAS**, Dr. Howell’s experience in studying the environment and sustainability at Rowan University provided the Pinelands Commission with an invaluable perspective that has helped to reinforce and guide the agency’s ongoing efforts to address the challenges posed by climate change; and

**WHEREAS**, during his tenure on the Commission, Dr. Howell served on the Commission’s Policy & Implementation Committee and the agency’s Pinelands Climate Committee. Additionally, he has served as the Commission’s designee on the Pinelands Development Credit Bank’s Board of Directors since July 2019; and

**WHEREAS**, during his tenure, the Commission adopted two sets of amendments to the Pinelands Comprehensive Management Plan (CMP), including regulations that pertain to the use of advanced wastewater treatment systems, and proposed a comprehensive set of amendments to strengthen stormwater management requirements in the Pinelands Area; and

**WHEREAS**, during his tenure, the Commission contributed \$420,000 toward the permanent protection of 738 acres of land in the Pinelands Area; and

**WHEREAS**, during his tenure as designee to the Pinelands Development Credit Bank Board, 3,673 acres in the Pinelands Preservation Area District, Special Agricultural Production Area and Agricultural Production Area were permanently protected through the severance of Pinelands Development Credits; and

**WHEREAS**, during his tenure as designee to the Pinelands Development Credit Bank Board, the program continued to see increased activity, including the sale of 69.75 Pinelands Development Credits and redemption of 39.25 Pinelands Development Credits; and

**WHEREAS**, during his tenure, the Commission installed and dedicated the Candace McKee Ashmun Pinelands Education Exhibit, which opened in the Commission’s headquarters in December 2018 and will raise awareness and appreciation of the Pinelands for decades to come; and

**WHEREAS**, the members of the Commission want to recognize Dr. Howell’s significant contributions and express their appreciation for the service that he 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, Jordan P. Howell, for his commitment to the Pinelands and for his service as a member of the Commission from January 18, 2018, to August 13, 2021.

**Record of Commission Votes**

AYE   NAY   NP   A/R*				AYE   NAY   NP   A/R*				AYE   NAY   NP   A/R*			
Avery	X			Jannarone	X			Quinn	X		
Christy			X	Lloyd	X			Rohan Green			X
Higginbotham	X			Lohbauer	X			Prickett	X		
Irick	X			Pikolycky	X						

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission



Susan R. Grogan  
Acting Executive Director

Date: October 8, 2021



Richard Prickett  
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-21- 27

TITLE: Approving With Conditions an Application for Public Development (Application Number 1990-0868.033)

Commissioner Avery moves and Commissioner Jannarone seconds the motion that:

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

1990-0868.033  
Applicant: NJDEP  
Municipality: Bass River Township  
Management Area: Pinelands Village  
Pinelands Preservation Area District  
Pinelands Rural Development Area  
Date of Report: October 1, 2021  
Proposed Development: Spot treatment of herbicide to control invasive plant species within 16.4 acres that were previously cleared to restore visibility from the Bass River State Forest fire observation tower.

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 1990-0868.033 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				Jannarone	X				Quinn			X	
Christy			X		Lloyd				A	Rohan Green			X	
Higginbotham	X				Lohbauer		X			Prickett	X			
Irick	X				Pikolycky	X								

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: October 8, 2021

MOTION FAILED

Susan R. Grogan Acting Executive Director Richard Prickett Chairman



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)

RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

October 1, 2021

John Sacco, State Forester (via email)  
New Jersey Department of Environmental Protection, Division of Parks and Forestry  
501 East State St.  
PO Box 420  
Trenton, NJ 08625

Re: Application # 1990-0868.033  
Block 48, Lots 1 & 2  
Block 49, Lot 12  
Bass River Township

Dear Mr. Sacco:

The Commission staff has completed its review of this re-amended application for spot treatment of herbicide to control invasive plant species within 16.4 acres that were previously cleared to restore visibility from the Bass River State Forest fire observation tower (App. No. 1990-0868.031). Enclosed is a copy of a Re-Amended 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 October 8, 2021 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, Bass River Township Planning Board (via email)  
Bass River Township Construction Code Official (via email)  
Secretary, Burlington County Planning Board (via email)

Todd Wyckoff (via email)

Samantha Hensen, Assistant Regional Forester (via email)

Courtney Compton, Assistant Regional Forester (via email)

William Zipse, Supervising Forester (via email)



State of New Jersey  
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PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

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

RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

## **RE-AMENDED PUBLIC DEVELOPMENT APPLICATION REPORT**

October 1, 2021

John Sacco, State Forester (via email)  
New Jersey Department of Environmental Protection, Division of Parks and Forestry  
501 East State St.  
PO Box 420  
Trenton, NJ 08625

Application No.: 1990-0868.033  
Block 48, Lots 1 & 2  
Block 49, Lot 12  
Bass River Township

This application proposes spot treatment of herbicide to control invasive plant species within 16.4 acres that were previously cleared to restore visibility from the Bass River State Forest fire observation tower on the above referenced 435.3 acre parcel in Bass River Township. The purpose of the proposed herbiciding is to facilitate natural re-vegetation of historic tree plantations, including native and previous plantation trees.

On April 12, 2019, the Commission approved the clearing of 16.4 acres of trees to restore visibility in all directions from the existing Bass River State Forest fire observation tower (App. No. 1990-0868.031).

The applicant has identified two invasive plant species, Japanese stiltgrass and Japanese barberry, within portions of the 16.4 acre cleared area. This application proposes spot treatment of herbicide to facilitate re-vegetation of the historic tree plantations by suppressing these invasive plant species. **Spot treatment involves the direct application of herbicide to targeted plants in infested areas of the parcel by a handheld spray gun or nozzle as opposed to aerial spraying of herbicide or broadcast application of herbicide. As proposed by the applicant, the spot treatment of herbicide would occur through the use of a utility terrain vehicle transported tank with spray nozzle, backpack tank sprayer, or hand-held spray tank.**

This application proposes to apply a pre-emergent herbicide, a post-emergent herbicide and a foliar or stem/bark herbicide. The herbicide treatments are proposed until the invasive plant species have been eliminated and tree seedlings become established. Each of the three separate herbicide treatments will occur a maximum of three times.



## STANDARDS

The Commission staff has reviewed the proposed application of herbicide 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. 7:50-5.22(b))

The 435.3 acre parcel is located partially in the Pinelands Preservation Area District (405.2 acres), partially in a Pinelands Rural Development Area (18.8 acres) and partially in a Pinelands Village (11.3 acres).

The 16.4 acres proposed for spot treatment of herbicide are located in the Pinelands Preservation Area District portion of the parcel. The existing Bass River State Forest fire observation tower is also located in the Pinelands Preservation Area District. The proposed spot application of herbicide is permitted in the Pinelands Preservation Area District as a silvicultural practice for site preparation.

### Forestry (N.J.A.C. 7:50-6.41)

The CMP permits herbicide treatment as a silvicultural practice for site preparation provided the following five conditions are met:

1. Condition One: The proposed treatment is identified in an application submitted to the Pinelands Commission. The submitted Pinelands application identifies the proposed herbicide treatment.
2. Condition Two: Control of competitive plant species is clearly necessary. The applicant represents that Japanese stiltgrass is a fast growing invasive annual grass species and Japanese barberry is an invasive shrub species and that both species inhibit natural plant community structure and germination.
3. Condition Three: Control of competitive plant species by other non-chemical means is not practical. The applicant represents that non-chemical means are not practical considering the amount of Japanese stiltgrass on the 16.4 acres. The applicant further submits that mowing is not a viable means of controlling Japanese barberry because it will severely damage the natural regeneration of tree seedlings and can lead to re-sprouting and significant spread of the concerned competitive plant species.

**The applicant represents that other non-chemical control methods were considered, such as hand pulling invasive plants, the use of herbivores to control competing vegetation and the use of clearing saws and weed cutters. The applicant indicated that all of these methods would necessitate multiple re-entries into the parcel, as often as twice a year for several years, that would be impractical, requiring additional costs, person power and safety risks. The applicant further indicated that non-chemical control methods will be less effective and cause significant impacts to regenerating trees, either through direct seedling mortality or impacts to the parcel such as compaction, versus using chemical control. The applicant also indicated that the likelihood of regenerative success of non-chemical control methods is poor relative to chemical competition control.**

4. Condition Four: All chemicals shall be expressly labeled for forestry use and shall be used and mixed in a manner that is consistent with relevant State and Federal requirements. The applicant represents that all herbicides will adhere to the label, as pesticide labels constitute legal documents that include rates of application, time of year for deployment, in certain instances, and proper weather and site conditions for application.
5. Condition Five: In Pine-Shrub Oak Native Forest Types, herbicide treatments shall only be permitted as a method to temporarily suppress shrub-oak understory in order to facilitate pine regeneration. All such herbicide treatments shall be applied in a targeted manner so that there will be no significant reduction in tree or shrub-oak re-sprouting outside those areas subject to the herbicide treatment. The proposed herbicide treatments will not occur in a Pine-Shrub Oak Native Forest Type.

The applicant has demonstrated that the five CMP conditions to permit the use of herbicide for silvicultural site preparation will be met.

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

Available information identifies known sightings of threatened and endangered (T&E) animal and plant species in the vicinity of the proposed herbiciding. The Commission staff reviewed the proposed herbiciding to determine whether it was designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species and irreversible adverse impacts on the survival of any local populations of T&E plant species.

The T&E animal species of concern are Barred owl, Northern pine snake and Timber rattlesnake. Based upon the existing cleared habitat and available contiguous State owned lands, the proposed spot treatment of herbicide is designed to avoid an irreversible adverse impact on habitat that is critical to the survival of any local populations of T&E animal species.

As part of Commission approval of the application (App. No. 1990-0868.031) for the clearing of 16.4 acres of trees to restore visibility in all directions from the existing Bass River State Forest fire observation tower, the applicant was required to conduct a visual survey in the area proposed for tree clearing to avoid potential irreversible adverse impact to any local population of Broom crowberry, a CMP designated T&E plant species. The applicant conducted the visual survey and concluded that Broom crowberry was not present in the area proposed for tree clearing. Prior to the proposed spot treatment of herbicide, the applicant proposes to conduct another visual survey for Broom crowberry. If Broom crowberry is identified, the applicant proposes to buffer any such area from the spot application of herbicide and to temporarily place a tarp over the plant(s) during spraying. The proposed spot treatment of herbicide is designed to avoid irreversible adverse impacts on the survival of any local populations of T&E plant species.

#### **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 10, 2021. Newspaper public notice was completed on April 9, 2021. The application was designated as complete on the Commission's website on June 1, 2021. The Commission's public comment period closed on June 11, 2021. No public comment was submitted to the Commission regarding this application.

## **CONDITIONS**

1. The proposed activities shall adhere to the “Proposal For Silvicultural Activity On State Forest And Park Lands, New Jersey Forestry Services, dated February 2, 2021 **as amended to September 29, 2021.**
2. **This Commission approval shall be valid for a period of 5 years from January 1, 2022 until January 1, 2027, provided the January 1, 2027 approval expiration date can be extended in writing by the Executive Director until October 1, 2027 should weather conditions inhibit deployment of herbicides in 2026.**
3. **Between January 1, 2022 and January 1, 2027, each of the three separate herbicide treatments (pre-emergent herbicide, post-emergent herbicide and foliar or stem/bark herbicide) shall not occur more than three times.**
4. **At the end of any calendar year in which herbicide is applied, the NJDEP will provide a detailed written summary, including photographs, to the Commission staff of the herbicide treatment and its results. The summary will address the extent to which herbiciding is facilitating the natural regeneration of seedlings.**
5. **All herbicides to be applied shall be expressly labeled for forestry use and shall be used and mixed in a manner that is consistent with relevant State and Federal requirements pursuant to N.J.A.C. 7:50-6.44(a)9ii(4).**
6. To avoid irreversible adverse impacts on any local population of Broom Crowberry that may be present, NJDEP shall conduct a visual survey of the 16.4 acres for Broom crowberry prior to any spot treatment of herbicide. If the visual survey identifies Broom Crowberry, the applicant shall install a temporary protective barrier around any identified plant(s) and a temporary plastic covering during spot application of herbicide to avoid irreversible adverse impacts on the survival of any local population of Broom Crowberry.
7. Prior to any herbiciding, the applicant shall obtain any other necessary permits and approvals.

## **CONCLUSION**

As the proposed herbiciding 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 herbiciding subject to the above conditions.

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

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of

Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on July 6, 2021 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. PC4-21-\_\_\_\_\_

**TITLE:**     **Approving** With Conditions Applications for **Public Development** (Application Numbers 2001-0236.002, 2016-0072.001, 2020-0162.001, 2021-0219.001, 2021-0220.001, 2021-0221.001 & 2021-0222.001)

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

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

- 2001-0236.002**

<b>Applicant:</b>	<b>Monroe Township</b>
Municipality:	Monroe Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 13, 2021
Proposed Development:	Construction of a dog park and associated site improvements;
- 2016-0072.001**

<b>Applicant:</b>	<b>Cape May County</b>
Municipality:	Dennis Township
Management Area:	Pinelands Village
Date of Report:	October 20, 2021
Proposed Development:	Widening of 4,000 linear feet of County Route 610;
- 2020-0162.001**

<b>Applicant:</b>	<b>City of Estell Manor</b>
Municipality:	City of Estell Manor
Management Area:	Pinelands Forest Area Pinelands Village
Date of Report:	October 13, 2021
Proposed Development:	Paving of 1,400 linear feet within the Fifth Avenue right-of-way;
- 2021-0219.001**

<b>Applicant:</b>	<b>Winslow Township</b>
Municipality:	Winslow Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 13, 2021
Proposed Development:	Demolition of a single family dwelling, 50 years old or older;
- 2021-0220.001**

<b>Applicant:</b>	<b>Winslow Township</b>
Municipality:	Winslow Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 13, 2021
Proposed Development:	Demolition of a single family dwelling, 50 years old or older;
- 2021-0221.001**

<b>Applicant:</b>	<b>Winslow Township</b>
Municipality:	Winslow Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 13, 2021
Proposed Development:	Demolition of a single family dwelling, 50 years old or older; and

2021-0222.001

Applicant:Winslow Township

Municipality:Winslow Township

Management Area:Pinelands Regional Growth Area

Date of Report:October 13, 2021

Proposed Development:Demolition of a single family dwelling, 50 years old or older.

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that Application Numbers 2001-0236.002, 2016-0072.001, 2020-0162.001, 2021-0219.001, 2021-0220.001, 2021-0221.001 & 2021-0222.001 for public development are hereby **approved** subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

AYE NAY NP A/R*					AYE NAY NP A/R*					AYE NAY NP A/R*				
Avery					Jannarone					Quinn				
Christy					Lloyd					Rohan Green				
Higginbotham					Lohbauer					Prickett				
Irick					Pikolycky									

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

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

Susan R. Grogan  
Acting Executive Director

Richard Prickett  
Chairman



State of New Jersey  
THE PINELANDS COMMISSION  
PO Box 359  
New Lisbon, NJ 08064  
(609) 894-7300  
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PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

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

RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

October 13, 2021

Jill McCrea, Township Administrator  
Monroe Township (via email)  
125 Virginia Ave.  
Williamstown, NJ 08094

Re: Application # 2001-0236.002  
Block 13001, Lots 16 & 28  
Monroe Township

Dear Ms. McCrea:

The Commission staff has completed its review of this application for construction of a dog park and associated site improvements. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 12, 2021 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,

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

Enc: Appeal Procedure  
Public comment (1)

c: Secretary, Monroe Township Planning Board (via email)  
Monroe Township Construction Code Official (via email)  
Monroe Township Environmental Commission (via email)  
Secretary, Gloucester County Planning Board (via email)  
Joseph Raday (via email)  
Rosemary Genova (via email)







PHILIP D. MURPHY  
Governor  
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Acting Executive Director

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

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2021

Jill McCrea, Township Administrator  
Monroe Township (via email)  
125 Virginia Ave.  
Williamstown, NJ 08094

Application No.: 2001-0236.002  
Block 13001, Lots 16 & 28  
Monroe Township

This application proposes construction of a dog park and associated site improvements on the above referenced 50.39 acre parcel in Monroe Township. This application also proposes a 1,370 linear foot stone access road, 4,250 linear feet of paved and stone walkways and a ten space stone parking lot.

### **STANDARDS**

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

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

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

#### **Wetlands Standards (N.J.A.C. 7:50-6.7)**

There are wetlands located on the parcel. All proposed development will be located at least 300 feet from wetlands. The proposed development 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 existing agricultural fields, maintained grassed areas, and wooded areas. Approximately 4.21 acres of forest will be cleared to accommodate the proposed development. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the development.

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

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

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

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

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

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on August 4, 2020. Newspaper public notice was completed on August 6, 2020. The application was designated as complete on the Commission's website on September 23, 2021. The Commission's public comment period closed on October 8, 2021. The Commission received one written public comment (attached) regarding this application.

Comment: The commenter requested a copy of the Executive Director's findings and conclusions.

Staff Response: The commenter is copied on this Public Development Application Report containing the Executive Director's findings and conclusions.

**CONDITIONS**

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 16 sheets, prepared by Pennoni Associates, Inc. and all sheets dated July 31, 2021 and revised to August 9, 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.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

**CONCLUSION**

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

**Public Comment:**

**From:** ROSEMARY GENOVA (rtgenova@comcast.net)

**Received:** 8/12/2020 2:33:55 PM

**To:** AppInfo, PC (AppInfo@pinelands.nj.gov)

**CC:**

**Subject:** [EXTERNAL] Info on Monroe Twp Dog Park

**Attachments:** None

Good afternoon,

My name is Joseph Genova Sr and I own Block 12401, Lot 23 directly across the street from the proposed dog park. I am requesting a copy of the Executive Director's findings and conclusion of the property Block 13001, lots 16 and 28. The following is my address where said findings and conclusion should be sent:

Joseph Genova

728 Clayton Road

PO Box 386

Williamstown, NJ 08094

Thank you

Sincerely,

Joseph Genova



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

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RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

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

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

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 1, 2021 and include the following information:

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

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



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

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

RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

October 20, 2021

Robert Church, P.E. (via email)  
Cape May County  
4 Moore Road, DN 402  
Cape May Court House, NJ 08210

Re: Application # 2016-0072.001  
County Route 610 (Dennisville-Petersburgh Road)  
Block 67, Lots 35, 36, 37.01, 37.02 & 38-41  
Block 69, Lots 12.01 & 13-17  
Block 70, Lots 23-31  
Dennis Township

Dear Mr. Church:

The Commission staff has completed its review of this application for widening of 4,000 linear feet of County Route 610. 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 November 12, 2021 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, Dennis Township Planning Board (via email)  
Dennis Township Construction Code Official (via email)  
Dennis Township Environmental Commission (via email)  
Secretary, Cape May County Planning Board (via email)

Paul Cinko (via email)  
Monte Somervell  
Kenneth Phillips, Jr.  
William & Gloria Furst  
Cora Corson  
William M. Massey  
Raymond & Deborah Finley  
Charles & Eleanor Engle  
Daniel & Betsy Dutton  
Charles & Vittoria Gargan  
Joshua & Brittany Bock Richards  
James & Maureen Manlandro  
John M. Kiser  
DKC Contractors  
Jonathon & Kelly Ann Hendee  
Jonathon Maslow & Liliya Khobotkova Maslow  
Abbe Harris  
Donjoe LLC  
Donald & Linda Gooch  
Gregg & Geraldine Hofferica  
Catherine Mazzou-Wright



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

State of New Jersey  
THE PINELANDS COMMISSION  
PO Box 359  
NEW LISBON, NJ 08064  
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RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

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

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 20, 2021

Robert Church, P.E. (via email)  
Cape May County  
4 Moore Road, DN 402  
Cape May Court House, NJ 08210

Application No.: 2016-0072.001  
County Route 610 (Dennisville-Petersburgh Road)  
Block 67, Lots 35, 36, 37.01, 37.02 & 38-41  
Block 69, Lots 12.01 & 13-17  
Block 70, Lots 23-31  
Dennis Township

This application proposes widening of 4,000 linear feet of County Route 610 located within the above referenced road right-of-way in Dennis Township. The existing road contains two travel lanes and is approximately 29 feet wide. The proposed road widening will result in a 34-foot-wide road with two travel lanes. The application also proposes the installation of 1,180 linear feet of six-foot-wide sidewalk. A portion of the sidewalk, vegetation removal and other development associated with the proposed road widening is located on the above referenced lots.

### **STANDARDS**

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

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

The proposed development is in the Pinelands Village of Dennisville. 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 maintained grass and disturbed areas. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to use grass species that meet this



recommendation.

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

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

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

A cultural resource survey was prepared for this application. It was determined that there were no cultural resources eligible for Pinelands designation within the project area.

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on March 15, 2021. Newspaper public notice was completed on March 31, 2021. The application was designated as complete on the Commission's website on September 27, 2021. The Commission's public comment period closed on October 8, 2021. 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 43 sheets, prepared by T& M Associates and dated as follows:  
  
 Sheet 1 - July, 2020  
 Sheets 2, 4, 5, 7, 13-17, 19, 20, 23, 24, 26, 30-36, 39 & 40 - August 10, 2020  
 Sheets 3, 6, 12, 18, 21, 22, 27-29, 35, 37, 38 & 41-43 - November 12, 2020  
 Sheets 8-11 - November 12, 2020, revised to June 21, 2021
2. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

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

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

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 November 8, 2021 and include the following information:

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

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



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RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

October 13, 2021

Joseph Venezia, Mayor  
City of Estell Manor (via email)  
148 Cumberland Ave.  
Estell Manor, NJ 08319

Re: Application # 2020-0162.001  
Fifth Avenue  
City of Estell Manor

Dear Mayor Venezia:

The Commission staff has completed its review of this application for paving of 1,400 linear feet within the Fifth Avenue right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 12, 2021 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,

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

Enc: Appeal Procedure

c: Secretary, City of Estell Manor Planning Board (via email)  
City of Estell Manor Construction Code Official (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
J. Michael Fralinger, Jr. (via email)





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## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2021

Joseph Venezia, Mayor  
City of Estell Manor (via email)  
148 Cumberland Ave.  
Estell Manor, NJ 08319

Application No.: 2020-0162.001  
Fifth Avenue  
City of Estell Manor

This application proposes paving of 1,400 linear feet within the Fifth Avenue right-of-way in the City of Estell Manor.

The section of the Fifth Avenue right-of-way proposed to be paved is located between Cape May Avenue and Linwood Avenue. In this location, Fifth Avenue is an existing gravel road that varies in width from 15 feet to 22 feet. The road will be paved to a width of 18 feet. The applicant proposes to revegetate the portions of the existing gravel road that are not proposed to be paved.

### **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. 7:50-5.23(b)12 & 7:50- 5.27(a)1)**

Approximately 400 linear feet of the proposed paving will be located in a Pinelands Forest Area and approximately 1,000 linear feet of the proposed paving will be located in the Pinelands Village of Estell Manor. Public service infrastructure, including roads, is a permitted use in a Pinelands Forest Area provided it is intended to primarily serve only the needs of the Pinelands. The portion of the road paving located in a Pinelands Forest Area will serve existing residential development that fronts on the road. The proposed road paving located in the Pinelands Forest Area is a permitted use. Public service infrastructure, including roads, is a permitted use in a Pinelands Village.

#### **Wetlands Standards (N.J.A.C. 7:50-6.13)**

There are wetlands located within 300 feet of the proposed development. The CMP prohibits most development in wetlands and requires a buffer of up to 300 feet to wetlands.

The CMP permits linear improvements, including roads, in the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the required buffer to wetlands. The applicant has indicated that the proposed paving of the roadway will eliminate maintenance issues associated with the existing gravel road surface and improve traffic safety. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the required buffer to wetlands.

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

The proposed development will be located within the existing gravel roadway and grassed shoulders. 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 disturbed areas, the applicant proposes a seed mixture which meets that recommendation.

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

The existing gravel road is classified as an impervious surface by the applicable regulation contained in the CMP. The proposed reduction in width of the paved road compared to the existing width of the gravel road and the proposed re-vegetation of the unpaved portions of the existing gravel road will result in a decrease of impervious surfaces by 2,178 square feet. There will be no increase in the volume and rate of stormwater runoff from the project after the development than occurred prior to the proposed development. The proposed development is consistent with CMP stormwater management standards.

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

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

### **PUBLIC COMMENT**

The applicant has provided the requisite public notice. Newspaper public notice was completed on August 6, 2021. The application was designated as complete on the Commission's website on September 28, 2021. The Commission's public comment period closed on October 8, 2021. No public comment was submitted to the Commission regarding this application.

### **CONDITIONS**

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

Sheets 1, 2 & 5 - October 27, 2020

Sheets 3 & 4 - October 27, 2020; revised to April 5, 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.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

### **CONCLUSION**

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



PHILIP D. MURPHY  
Governor  
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Lt. Governor

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

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 1, 2021 and include the following information:

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

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





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RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Re: Application # 2021-0219.001  
Block 3127, Lot 11  
Winslow Township

Dear Ms. O'Drain:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 12, 2021 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,

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

Enc: Appeal Procedure

c: Secretary, Winslow Township Planning Board (via email)  
Winslow Township Construction Code Official (via email)  
Winslow Township Environmental Commission (via email)  
Secretary, Camden County Planning Board (via email)  
Anne Walters, Health Department Director, Camden County (via email)





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## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Application No.: 2021-0219.001  
Block 3127, Lot 11  
Winslow Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.14 acre parcel in Winslow Township. The Township owns the parcel.

### **STANDARDS**

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

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

The parcel is located in a Pinelands Regional Growth Area. The demolition of a dwelling is permitted in all Pinelands Management Areas.

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

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

### **PUBLIC COMMENT**

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on September 22, 2021. The Commission’s public comment period closed on October 8, 2021. No public comment was submitted to the Commission regarding this application.

**CONDITIONS**

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

**CONCLUSION**

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



PHILIP D. MURPHY  
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### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

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

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



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RICHARD PRICKETT  
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SUSAN R. GROGAN  
Acting Executive Director

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Re: Application # 2021-0220.001  
Block 3142, Lot 14  
Winslow Township

Dear Ms. O'Drain:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 12, 2021 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,

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

Enc: Appeal Procedure

c: Secretary, Winslow Township Planning Board (via email)  
Winslow Township Construction Code Official (via email)  
Winslow Township Environmental Commission (via email)  
Secretary, Camden County Planning Board (via email)  
Anne Walters, Health Department Director, Camden County (via email)





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## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Application No.: 2021-0220.001  
Block 3142, Lot 14  
Winslow Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.19 acre parcel in Winslow Township. The Township owns the parcel.

### **STANDARDS**

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

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

The parcel is located in a Pinelands Regional Growth Area. The demolition of a dwelling is permitted in all Pinelands Management Areas.

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

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

### **PUBLIC COMMENT**

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on September 22, 2021. The Commission’s public comment period closed on October 8, 2021. No public comment was submitted to the Commission regarding this application.



**CONDITIONS**

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

**CONCLUSION**

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



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

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

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



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RICHARD PRICKETT  
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SUSAN R. GROGAN  
Acting Executive Director

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Re: Application # 2021-0221.001  
Block 3107, Lot 7  
Winslow Township

Dear Ms. O'Drain:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 12, 2021 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,

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

Enc: Appeal Procedure

c: Secretary, Winslow Township Planning Board (via email)  
Winslow Township Construction Code Official (via email)  
Winslow Township Environmental Commission (via email)  
Secretary, Camden County Planning Board (via email)  
Anne Walters, Health Department Director, Camden County (via email)





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

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



RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

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

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Application No.: 2021-0221.001  
Block 3107, Lot 7  
Winslow Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.11 acre parcel in Winslow Township. The Township owns the parcel.

### **STANDARDS**

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

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

The parcel is located in a Pinelands Regional Growth Area. The demolition of a dwelling is permitted in all Pinelands Management Areas.

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

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

### **PUBLIC COMMENT**

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on September 22, 2021. The Commission’s public comment period closed on October 8, 2021. No public comment was submitted to the Commission regarding this application.

**CONDITIONS**

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

**CONCLUSION**

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



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Governor  
SHEILA Y. OLIVER  
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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

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

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 1, 2021 and include the following information:

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

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



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RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Re: Application # 2021-0222.001  
Block 3127, Lot 19  
Winslow Township

Dear Ms. O'Drain:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 12, 2021 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,

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

Enc: Appeal Procedure

c: Secretary, Winslow Township Planning Board (via email)  
Winslow Township Construction Code Official (via email)  
Winslow Township Environmental Commission (via email)  
Secretary, Camden County Planning Board (via email)  
Anne Walters, Health Department Director, Camden County (via email)







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

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 13, 2021

Danielle O'Drain (via email)  
Winslow Township  
125 South Route 73  
Braddock, NJ 08037

Application No.: 2021-0222.001  
Block 3127, Lot 19  
Winslow Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.15 acre parcel in Winslow Township. The Township owns the parcel.

### **STANDARDS**

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

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

The parcel is located in a Pinelands Regional Growth Area. The demolition of a dwelling is permitted in all Pinelands Management Areas.

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

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

### **PUBLIC COMMENT**

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**CONCLUSION**

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



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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-21-\_\_\_\_\_

TITLE: To Accept the Fiscal Year 2019 Audit Report

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

WHEREAS, the audit of the Pinelands Commission’s Fiscal Year 2019 Financial Statements, Notes to the Financial Statements and Schedules of Federal and State Assistance was performed by the Office of the State Auditor; and

WHEREAS, the Commission’s Audit Committee met on September 7, 2021 to review and discuss a draft of the Fiscal Year 2019 Audit Report with the State Auditors; and

WHEREAS, the Fiscal Year 2019 Audit Report was issued on September 16, 2021; and

WHEREAS, the Fiscal Year 2019 Audit Report contains no Audit Findings or Questioned Costs; and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby accepts the Audit Report for Fiscal Year 2019 and directs that it be included as a publication available through the Pinelands Commission’s website.

Record of Commission Votes

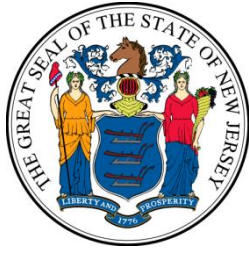
AYE NAY NP A/R*					AYE NAY NP A/R*					AYE NAY NP A/R*				
Avery					Jannarone					Quinn				
Christy					Lloyd					Rohan Green				
Higginbotham					Lohbauer					Prickett				
Irick					Pikolycky									

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: \_\_\_\_\_

Susan R. Grogan  
Acting Executive Director

Richard Prickett  
Chairman



*New Jersey Legislature*  
★ *Office of* LEGISLATIVE SERVICES ★  
**OFFICE OF THE STATE AUDITOR**

Pinelands Commission

Fiscal Year 2019

**David J. Kaschak**  
*State Auditor*



LEGISLATIVE SERVICES COMMISSION

SENATE

Stephen M. Sweeney *Chair*  
Christopher J. Connors  
Kristin M. Corrado  
Nia H. Gill  
Linda R. Greenstein  
Thomas H. Kean, Jr.  
Joseph Pennacchio  
Loretta Weinberg

GENERAL ASSEMBLY

Jon M. Bramnick *Vice Chair*  
John J. Burzichelli  
Craig J. Coughlin  
John DiMaio  
Louis D. Greenwald  
Nancy F. Munoz  
Verlina Reynolds-Jackson  
Harold J. Wirths



*NEW JERSEY STATE LEGISLATURE*  
★ *Office of* LEGISLATIVE SERVICES ★

OFFICE OF THE  
STATE AUDITOR  
609-847-3470  
Fax 609-633-0834

David J. Kaschak  
*State Auditor*

Brian M. Klingele  
*Assistant State Auditor*

Thomas Troutman  
*Assistant State Auditor*

OFFICE OF THE STATE AUDITOR  
125 SOUTH WARREN ST. • P.O. BOX 067 • TRENTON, NJ 08625-0067  
[www.njleg.state.nj.us](http://www.njleg.state.nj.us)

The Honorable Philip D. Murphy  
Governor of New Jersey

The Honorable Stephen M. Sweeney  
President of the Senate

The Honorable Craig J. Coughlin  
Speaker of the General Assembly

Ms. Peri A. Horowitz  
Executive Director  
Office of Legislative Services

Enclosed is our report on the audit of the Pinelands Commission for the fiscal year ended June 30, 2019. If you would like a personal briefing, please call me at (609) 847-3470.

A handwritten signature in cursive script that reads "David J. Kaschak".

David J. Kaschak  
State Auditor  
September 16, 2021

**PINELANDS COMMISSION  
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LEGISLATIVE SERVICES COMMISSION

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*Assistant State Auditor*

Thomas Troutman  
*Assistant State Auditor*

INDEPENDENT AUDITOR'S REPORT

The Honorable Philip D. Murphy  
Governor of New Jersey

The Honorable Stephen M. Sweeney  
President of the Senate

The Honorable Craig J. Coughlin  
Speaker of the General Assembly

Ms. Peri A. Horowitz  
Executive Director  
Office of Legislative Services

**Report on the Financial Statements**

We have audited the accompanying modified accrual basis financial statements of the Pinelands Commission as of and for the year ended June 30, 2019, and the related notes to the financial statements as listed in the table of contents.

***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the modified accrual basis of accounting described in Note 1; this includes determining that the modified accrual basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatements, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

As discussed in Note 1, the Pinelands Commission prepares its financial statements on a modified accrual basis, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

### ***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective modified accrual basis financial position of the Pinelands Commission as of June 30, 2019, and the respective changes in financial position, and budgetary comparisons for the General Fund and the Special Revenue Funds for the year then ended in accordance with the modified accrual basis of accounting described in Note 1.

### ***Emphasis of Matter***

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the modified accrual basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

## ***Other Matters***

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and the schedules listed under Required Supplementary Information in the accompanying table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with evidence sufficient to express an opinion or provide any assurance.

Management has omitted the management's discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

### ***Other Information***

Our audit was conducted for the purpose of forming an opinion on the Pinelands Commission's financial statements. The schedule of expenditures of state financial assistance is presented for the purpose of additional analysis as required by New Jersey Department of the Treasury Circular No. 15-08-OMB and is not a required part of the financial statements.

The schedule of expenditures of state financial assistance is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of state financial assistance is fairly stated, in all material respects, in relation to the financial statements as a whole.

### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated July 26, 2021 on our consideration of the Pinelands Commission management's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Pinelands Commission's internal control over financial reporting and compliance.



David J. Kaschak  
State Auditor  
July 26, 2021

**PINELANDS COMMISSION  
COMBINED BALANCE SHEET  
ALL FUND TYPES AND ACCOUNT GROUPS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

	GOVERNMENTAL FUND TYPES		FIDUCIARY FUND TYPE	ACCOUNT GROUPS		TOTAL
	GENERAL FUND	SPECIAL REVENUE FUNDS	PRIVATE PURPOSE TRUST FUNDS	GENERAL FIXED ASSETS	GENERAL LONG-TERM DEBT	(Memorandum Only)
<b>ASSETS</b>						
Cash & Cash Equivalents	\$ 2,566,746	\$ 8,685,218	\$ -	\$ -	\$ -	\$ 11,251,964
Receivables:						
Federal	37,153	-	-	-	-	37,153
General Fixed Assets:						
Furniture & Equipment	-	-	-	1,075,880	-	1,075,880
Vehicles	-	-	-	110,720	-	110,720
Amount to be Provided for						
Retirement of Long-Term Liabilities	-	-	-	-	417,040	417,040
Due from Other Funds	631,156	-	-	-	-	631,156
Restricted Cash & Cash Equivalents	29,233	-	51,849	-	-	81,082
<b>Total Assets</b>	<b>\$ 3,264,288</b>	<b>\$ 8,685,218</b>	<b>\$ 51,849</b>	<b>\$ 1,186,600</b>	<b>\$ 417,040</b>	<b>\$ 13,604,995</b>
<b>LIABILITIES &amp; FUND EQUITY</b>						
Liabilities:						
Accounts Payable	\$ 390,109	\$ -	\$ -	\$ -	\$ -	\$ 390,109
Salaries Payable	63,384	-	-	-	-	63,384
Payroll Deductions Payable	85,024	-	-	-	-	85,024
Compensated Absences	33,190	-	-	-	417,040	450,230
Deferred Revenue	29,600	1,759,200	-	-	-	1,788,800
Due to State of New Jersey	255	-	-	-	-	255
Due to Other Funds	-	604,895	26,261	-	-	631,156
<b>Total Liabilities</b>	<b>\$ 601,562</b>	<b>\$ 2,364,095</b>	<b>\$ 26,261</b>	<b>\$ -</b>	<b>\$ 417,040</b>	<b>\$ 3,408,958</b>
Fund Equity:						
Restricted For:						
Unemployment Compensation	\$ -	\$ -	\$ 2,723	\$ -	\$ -	\$ 2,723
Katie Fund	-	-	7,865	-	-	7,865
Timber Rattlesnake Study	6,570	-	-	-	-	6,570
Rattlesnake Fencing	21,407	-	-	-	-	21,407
Committed To:						
Pinelands Conservation	-	5,400,171	-	-	-	5,400,171
Kirkwood-Cohansey Study	-	13,582	-	-	-	13,582
Encumbrances	334,129	41,305	-	-	-	375,434
Retirees' Health Benefits	799,155	-	-	-	-	799,155
Microfilming Project	-	-	-	-	-	-
Building Improvements	120,000	-	-	-	-	120,000
Vehicle Replacements	-	-	-	-	-	-
Computer Replacements	-	-	-	-	-	-
Other	-	-	-	-	-	-
Investment in General Fixed Assets	-	-	-	1,186,600	-	1,186,600
Assigned To:						
Subsequent Years Expenditures	849,964	814,397	15,000	-	-	1,679,361
Other	-	51,668	-	-	-	51,668
Unassigned Fund Balance:	531,501	-	-	-	-	531,501
<b>Total Fund Equity</b>	<b>\$ 2,662,726</b>	<b>\$ 6,321,123</b>	<b>\$ 25,588</b>	<b>\$ 1,186,600</b>	<b>\$ -</b>	<b>\$ 10,196,037</b>
<b>Total Liabilities &amp; Fund Equity</b>	<b>\$ 3,264,288</b>	<b>\$ 8,685,218</b>	<b>\$ 51,849</b>	<b>\$ 1,186,600</b>	<b>\$ 417,040</b>	<b>\$ 13,604,995</b>

The accompanying Notes to the Financial Statements are an integral part of this Statement.

**PINELANDS COMMISSION**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES**  
**ALL GOVERNMENTAL AND FIDUCIARY FUND TYPES**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

	GOVERNMENTAL FUND TYPES		FIDUCIARY FUND TYPE	
	GENERAL FUND	SPECIAL REVENUE FUNDS	PRIVATE PURPOSE TRUST FUNDS	TOTAL (Memorandum Only)
<b>REVENUES</b>				
State of New Jersey Appropriations	\$ 2,799,000	\$ -	\$ -	\$ 2,799,000
Fringe Benefits Paid by the State	687,000	-	-	687,000
Federal Grants	572,384	-	-	572,384
State Grants	-	500,000	-	500,000
Other Grants	450,000	-	-	450,000
Interest Income	68,238	198,199	1,090	267,527
Unemployment Deductions			4,454	4,454
Application Fees	690,059	-	-	690,059
Other	8,802	-	45	8,847
<b>Total Revenues</b>	<u>\$ 5,275,483</u>	<u>\$ 698,199</u>	<u>\$ 5,589</u>	<u>\$ 5,979,271</u>
<b>EXPENDITURES</b>				
<b>Current:</b>				
Personnel	\$ 4,362,228	\$ 513,189	\$ 16,614	\$ 4,892,031
Supplies	80,034	7,124	-	87,158
Services	519,721	461,138	-	980,859
Maintenance & Rent	28,501	-	-	28,501
<b>Capital Outlay</b>	13,196	-	-	13,196
<b>State Aid &amp; Grants</b>	-	-	-	-
<b>Land Acquisition</b>	-	251,482	-	251,482
<b>Total Expenditures</b>	<u>\$ 5,003,680</u>	<u>\$ 1,232,933</u>	<u>\$ 16,614</u>	<u>\$ 6,253,227</u>
<b>Excess/(Deficiency) of Revenues Over Expenditures</b>	<u>\$ 271,803</u>	<u>\$ (534,734)</u>	<u>\$ (11,025)</u>	<u>\$ (273,956)</u>
<b>OTHER FINANCING SOURCES/USES</b>				
Uncollectible Receivables	\$ -	\$ -	\$ -	\$ -
Operating Transfers Out	-	(60,000)	-	(60,000)
Operating Transfers In	60,000	-	-	60,000
<b>Total Other Financing Sources/(Uses)</b>	<u>\$ 60,000</u>	<u>\$ (60,000)</u>	<u>\$ -</u>	<u>\$ -</u>
<b>Excess/(Deficiency) of Revenues and Other Sources over Expenditures &amp; Other Uses</b>	<u>\$ 331,803</u>	<u>\$ (594,734)</u>	<u>\$ (11,025)</u>	<u>\$ (273,956)</u>
<b>Fund Balance - Beginning of the Year</b>	<u>2,330,923</u>	<u>6,915,857</u>	<u>36,613</u>	<u>9,283,393</u>
<b>Fund Balance - End of the Year</b>	<u>\$ 2,662,726</u>	<u>\$ 6,321,123</u>	<u>\$ 25,588</u>	<u>\$ 9,009,437</u>

The accompanying Notes to the Financial Statements are an integral part of this Statement.

**PINELANDS COMMISSION**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES**  
**GENERAL AND SPECIAL REVENUE FUND TYPES**  
**BUDGET AND ACTUAL - BUDGETARY BASIS**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

	GENERAL FUND			VARIANCE	SPECIAL REVENUE FUNDS			VARIANCE
	ADOPTED	FINAL	ACTUAL	FAVORABLE/ (UNFAVORABLE)	ADOPTED	FINAL	ACTUAL	FAVORABLE/ (UNFAVORABLE)
	BUDGET	BUDGET			BUDGET	BUDGET		
<b>REVENUES</b>								
State of New Jersey Appropriations	\$ 2,799,000	\$ 2,799,000	\$ 2,799,000	\$ -	\$ -	\$ -	\$ -	\$ -
State Supplemental Appropriations								
Fringe Benefits Paid by the State	687,000	687,000	687,000	-	-	-	-	-
Federal Grants	779,708	779,708	572,384	(207,324)	-	-	-	-
State Grants	-	-	-	-	-	-	500,000	500,000
Other Grants	332,333	332,333	450,000	117,667	-	-	-	-
Interest Income	25,000	25,000	68,238	43,238	50,000	50,000	198,199	148,199
Application Fees	430,000	430,000	690,059	260,059	-	-	-	-
Anticipated from Reserves	142,070	142,070	142,070	-	-	-	-	-
Fund Balance Anticipated	570,562	570,562	570,563	1	114,270	114,270	114,270	-
Pinelands Conservation Activities Reserves	-	-	-	-	814,397	814,397	814,397	-
Other	89,400	89,400	8,802	(80,598)	-	-	-	-
<b>Total Revenues</b>	<b>\$ 5,855,073</b>	<b>\$ 5,855,073</b>	<b>\$ 5,988,116</b>	<b>\$ 133,043</b>	<b>\$ 978,667</b>	<b>\$ 978,667</b>	<b>\$ 1,626,866</b>	<b>\$ 648,199</b>
<b>EXPENDITURES</b>								
<b>Current:</b>								
Personnel	\$ 4,839,943	\$ 4,839,943	\$ 4,362,228	\$ 477,715	\$ 445,450	\$ 445,450	\$ 513,189	\$ (67,739)
Supplies	105,459	105,459	80,034	25,425	2,285	2,285	7,124	(4,839)
Services	855,093	855,093	772,547	82,546	194,475	194,475	52,173	142,302
Maintenance & Rent	82,050	82,050	28,501	53,549	-	-	-	-
Capital Outlay	32,528	32,528	17,247	15,281	-	-	-	-
<b>Land Acquisition</b>					276,457	276,457	251,482	24,975
<b>Total Expenditures</b>	<b>\$ 5,915,073</b>	<b>\$ 5,915,073</b>	<b>\$ 5,260,557</b>	<b>\$ 654,516</b>	<b>\$ 918,667</b>	<b>\$ 918,667</b>	<b>\$ 823,968</b>	<b>\$ 94,699</b>
<b>OTHER FINANCING SOURCES/USES</b>								
Uncollectible Receivables	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Operating Transfers Out	-	-	-	-	(60,000)	(60,000)	(60,000)	-
Operating Transfers In	60,000	60,000	60,000	-	-	-	-	-
<b>Total Other Financing Sources/(Uses)</b>	<b>\$ 60,000</b>	<b>\$ 60,000</b>	<b>\$ 60,000</b>	<b>\$ -</b>	<b>\$ (60,000)</b>	<b>\$ (60,000)</b>	<b>\$ (60,000)</b>	<b>\$ -</b>
<b>Net Increase/(Decrease) in Fund Balances</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 787,559</b>	<b>\$ 787,559</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 742,898</b>	<b>\$ 742,898</b>

The accompanying Notes to the Financial Statements are an integral part of this Statement.

**PINELANDS COMMISSION  
NOTES TO THE FINANCIAL STATEMENTS  
FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

**Note 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**Description of the Reporting Entity** – The Pinelands Commission (Commission) was formed in 1979 by the Pinelands Protection Act. The Commission is charged with the development and implementation of the Comprehensive Management Plan for the Pinelands. It plays significant roles in monitoring the level and types of development that occur within the Pinelands including, but not limited to, acquisition of land, planning, zoning, permitting, research, and education. The Commission consists of 15 members. Seven are appointed by the Governor of New Jersey. Another seven are appointed by each of the counties within the Pinelands, i.e., Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Ocean. One member is appointed by the U.S. Secretary of the Interior. The Commission works closely with all levels of government, organizations, and interested citizens to help them understand and implement the Pinelands Comprehensive Management Plan.

The primary criterion for including activities within the Commission's reporting entity, as set forth in Section 2100 of the GASB Codification of Governmental Accounting and Financial Reporting Standards, is the degree of oversight responsibility maintained by the Commission. Oversight responsibility includes financial interdependency, selection of governing authority, designation of management, ability to significantly influence operations, and accountability for fiscal matters. The combined financial statements include all funds and account groups of the Commission over which the board exercises operating control. There were no additional entities required to be included in the reporting entity under the criterion as described above, in the current fiscal year.

**Basis of Presentation** – The financial statements are prepared on the modified accrual basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. The more significant of the Commission's accounting policies are described in this note.

The accounts of the Commission are organized on the basis of funds and account groups, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures or expenses, as appropriate. Government resources are allocated to and accounted for in individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled. An account group, on the other hand, is a financial reporting device designed to provide accountability for certain assets and liabilities that are not recorded in the funds because they do not directly affect net expendable available financial resources.



The various funds and accounts are grouped into three fund types within two broad fund categories and two account groups as follows:

## **GOVERNMENTAL FUNDS**

**General Fund** – The General Fund is the general operating fund of the Commission. It is used to account for all financial resources except those required to be accounted for in another fund.

**Special Revenue Funds** – The Special Revenue Funds are used to account for the proceeds of specific revenues, other than trusts, that are legally restricted to expenditures for specified purposes. The Commission utilizes the following three special revenue funds:

**Pinelands Development Credit Fund** – This fund is used to account for appropriations from the State of New Jersey that are restricted to purchasing Pinelands Development Credits through the Pinelands Development Credit Bank.

**Kirkwood-Cohansey Study Fund** – This fund is used to account for monies transferred to the Commission from the “Water Supply Fund” by the State of New Jersey to fund the completion of a report on the assessment on how the future and current water supply needs within the Pinelands area may be met while protecting the Kirkwood-Cohansey aquifer system.

**Pinelands Conservation Fund** – The Commission has reserved a portion of this fund to be used for preservation of land and designated other portions to be used for conservation planning/research and for community planning/design.

## **FIDUCIARY FUNDS**

**Private Purpose Trust Funds** – The Private Purpose Trust Funds are used to account for assets held by the Commission in a trustee capacity or as an agent on behalf of others. These include two Private Purpose Trust Funds, the Unemployment Compensation Insurance Fund, and the “Katie Fund”. Private Purpose Trust Funds are accounted for in essentially the same manner as governmental funds. Private Purpose Trust Funds account for assets of which both the principal and interest may be spent.

## **ACCOUNT GROUPS**

**General Fixed Assets Account Group** – Fixed assets used in governmental fund type operations are accounted for in the General Fixed Assets Account Group, rather than in governmental funds.

**General Long-Term Debt Account Group** – Long-Term liabilities expected to be financed from governmental funds are accounted for in the General Long-Term

Debt Account Group, not in the governmental funds. This includes the non-current portion of the liability for compensated absences.

Because of their spending measurement focus, expenditure recognition for governmental fund types is limited to exclude amounts represented by non-current liabilities. Since they do not affect net current assets, such long-term amounts are not recognized as governmental fund type expenditures or fund liabilities. They are instead reported as liabilities in the General Long-Term Debt Account Group.

**Basis of Accounting and Measurement Focus** – The modified accrual basis of accounting is used for measuring financial position and operating results of all governmental and fiduciary fund types. Under the modified accrual basis of accounting, revenues are recognized when they become both measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. Expenditures are recognized in the accounting period in which the fund liability is incurred, except for principal and interest on general long-term debt, which are recorded when due.

**Budgets/Budgetary Control** – An annual appropriated budget is approved by the Commission each year for the General Fund and Special Revenue Funds. The budgets are prepared using the budgetary basis of accounting. Formal budgetary integration into the accounting system is employed as a management control device during the year. Encumbrance accounting is also employed as an extension of formal budgetary integration in the governmental fund types.

The accounting records of the General Fund and Special Revenue Funds are maintained on the budgetary basis. The budgetary basis differs from modified accrual basis in that the budgetary basis recognizes encumbrances as expenditures and also recognizes increases/decreases in internal designations of fund balance, whereas the modified accrual basis does not. Sufficient supplemental records are maintained to allow for the presentation of modified basis financial reports.

The budget, as detailed on the Combined Statement of Revenues, Expenditures, and Changes in Fund Balances – General and Special Revenue Fund Types, Budget and Actual – Budgetary Basis, include all amendments to the adopted budget.

The following presents a reconciliation of the General Fund from the budgetary basis of accounting as presented in the Combined Statement of Revenues, Expenditures, and Changes in Fund Balances – General and Special Revenue Fund Types, Budget and Actual – Budgetary Basis to the modified accrual basis of accounting as presented in the Combined Statement of Revenues, Expenditures, and Changes in Fund Balances – All Governmental and Fiduciary Fund Types.

Net increase (decrease) in fund balances for the year (budgetary basis)	
adjustments:	\$ 787,559
Less: net decrease in revenue recognized in previous years	(712,633)
Less: prior-year encumbrances recognized as current-year expenditures	(77,252)
Add: current-year encumbrances	334,129
Excess (deficiency) of revenues and other financing sources over expenditures and other financing uses (modified accrual basis)	<u>\$ 331,803</u>

The following presents a reconciliation of the Special Revenue Funds from the budgetary basis of accounting as presented in the Combined Statement of Revenues, Expenditures, and Changes in Fund Balances – General and Special Revenue Fund Types – Budget and Actual – Budgetary Basis to the modified accrual basis of accounting as presented in the Combined Statement of Revenues, Expenditures, and Changes in Fund Balances – All Governmental and Fiduciary Fund Types.

Net increase (decrease) in fund balances for the year (budgetary basis)	
adjustments:	\$ 742,898
Less: net decrease in revenue recognized in previous years	(928,667)
Less: prior-year encumbrances recognized as current-year expenditures	(412,769)
Add: current-year encumbrances	3,805
Excess (deficiency) of revenues and other financing sources over expenditures and other financing uses (modified accrual basis)	<u>\$ (594,733)</u>

**Encumbrances** – Under encumbrance accounting, purchase orders, contracts, and other commitments for the expenditure of resources are recorded to reserve a portion of the applicable appropriation. Open encumbrances are reported as reservations of fund balances at fiscal year end as they do not constitute expenditures or liabilities but rather commitments related to unperformed contracts for goods and services.

**Cash and Cash Equivalents** – Cash and cash equivalents include petty cash, change funds, cash in banks, and all highly liquid investments with a maturity of three months or less at the time of purchase and are stated at cost that approximates fair value. The Commission also participates in the State of New Jersey Cash Management Fund administered by the New Jersey Department of the Treasury, Division of Investment, wherein amounts contributed by the state, as well as other local government units, are combined into a large-scale investment program.

**Fixed Assets** – General fixed assets are reflected as expenditures in the applicable governmental funds, and the related assets are reported in the General Fixed Assets Account Group. Fixed assets are defined by the Commission as assets that have a cost in excess of \$1,000 at the date of acquisition and a useful life of one year or more.

**Compensated Absences** – Compensated absences are those absences for which employees will be paid, such as vacation, sick, administration, and paid leave bank. A liability for compensated absences attributable to services already rendered and not contingent on a specific event that is outside the control of the Commission and its employees is accrued as the employees earn the rights to the benefits.

Compensated absences related to future services or contingent on a specific event that is outside the control of the Commission and its employees are accounted for in the period in which such services are rendered or in which such events take place.

In governmental funds, compensated absences that are expected to be liquidated with expendable available financial resources are reported as an expenditure and fund liability in the fund that will pay for the compensated absences. The remainder of the compensated absences liability is reported in the General Long-Term Debt Account Group.

**Due from/to Other Funds** – Amounts due from/to other funds represent monies owed from or to other funds. The General Fund disburses all the funds for expenditures incurred by all other funds, and the monies are transferred between funds.

**Deferred Revenue** – Deferred revenue in the General and Special Revenue Funds represents cash that has been received but not yet earned.

**Fund Balance** – Refer to Note 11 for full description.

**Total Columns on Combined Statements** – Total columns are captioned "Memorandum Only" to indicate that they are presented only to facilitate financial analysis. Data in these columns do not present financial position, results of operations, or changes in financial position in conformity with accounting principles generally accepted in the United States of America, nor is such data comparable to a consolidation.

**Management Estimates** – The preparation of financial statements in conformity with accounting principles generally accepted in the United States required management to make estimates and assumptions that affect the reported amounts of revenue and expenditures/expenses during the reporting period. Actual results can differ from those estimates.

## CHANGES IN ACCOUNTING POLICY

### Recently Issued Accounting Principles

In Fiscal Year 2019 the Commission adopted two new Governmental Accounting Standards Board (GASB) standards as follows:

GASB Statement No. 83, *Certain Asset Retirement Obligations*.

GASB Statement No. 88, *Certain Disclosures Related to Debt, including Direct Borrowings and Direct Placements*.

All applicable provisions of these new statements have been incorporated into the financial statements and notes.

**Note 2: CASH AND CASH EQUIVALENTS**

The Pinelands Commission is governed by the deposit limitations of New Jersey state law. The deposits held at June 30, 2019, and reported at fair value are as follows:

<b>Deposits:</b>	<b>Amount</b>
Demand deposits	\$ 11,332,417
Cash on hand	629
<b>Total Deposits</b>	<b>\$ 11,333,046</b>
 <b>Reconciliation of Statement of Comparative Balance Sheets:</b>	
General Fund	\$ 2,595,979
Special Revenue Funds	8,685,218
Private Purpose Trust Funds	51,849
<b>Total Reconciliation of Comparative Balance Sheets</b>	<b>\$ 11,333,046</b>

GASB Statement No. 40, *Deposit and Investment Risk Disclosure*, requires that the Pinelands Commission disclose bank deposits that are subject to custodial credit risk. The custodial credit risk for deposits is the risk that, in the event of a failure of a depository financial institution, the Commission will not be able to recover deposits or will not be able to recover collateral securities that may be in the possession of an outside party. None of the Commission's funds were at risk at June 30, 2019.

The balance of the Commission's cash and cash equivalents are deposited in the New Jersey Cash Management Fund (CMF). The CMF is governed by regulations of the State Investment Council, which prescribe standards designed to ensure the quality of investments in order to minimize risk to the CMF's participants. An amount totaling \$11,133,163 was deposited with the CMF as of June 30, 2019; the Commission had \$199,255 in the operating account and \$629 in petty cash. The State of New Jersey, Department of the Treasury, Division of Investment, issues publicly available financial reports that include the financial statements of the CMF. The financial reports may be obtained by writing to the State of New Jersey, Department of the Treasury, Division of Investment, P.O. Box 290, Trenton, NJ 08625-0290.

**Note 3: FIXED ASSETS**

The following schedule is a summarization of general fixed assets by source as of June 30, 2019:

	Balance June 30, 2018	Additions	Deletions	Balance June 30, 2019
Furniture/ Equipment	\$ 1,132,442	\$ 13,172	\$ 69,734	\$ 1,075,880
Vehicles	110,720	-	-	110,720
Total	<u>\$ 1,243,162</u>	<u>\$ 13,172</u>	<u>\$ 69,734</u>	<u>\$ 1,186,600</u>

**Note 4: LEASES**

**Lease Obligations** – At June 30, 2019, the Commission had no operating lease agreements in effect. The Commission is paying a monthly a rental charge for a copy machine that is no longer under an agreement. Payments under the month-to-month rental for the fiscal year ended June 30, 2019 were \$4,533.

**Note 5: RETIREMENT SYSTEM**

All required employees of the Commission are covered by the Public Employees' Retirement System (PERS), which has been established by state statute and is administered by the New Jersey Division of Pensions and Benefits (division). According to the State of New Jersey Administrative Code, all obligations of the system will be assumed by the State of New Jersey should the system terminate. The division issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to:

State of New Jersey Division of Pensions and Benefits  
P.O. Box 295

Trenton, New Jersey 08625-0295

<http://www.nj.gov/treasury/pensions/gasb-notices.shtml>

**General Information about the Pension Plan****Description of Retirement Plan**

**PERS** – is a cost-sharing, multiple-employer defined benefit pension plan which was established as of January 1, 1955, under the provisions of N.J.S.A. 43:15A. The PERS's designated purpose is to provide retirement, death, disability, and medical benefits to certain qualified members. Membership in the PERS is mandatory for substantially all full-time employees of the State of New Jersey or any county,

municipality, school district, or public agency, provided the employee is not required to be a member of another state-administered retirement system, other state pension fund, or local jurisdiction's pension fund.

### **Vesting and Benefit Provisions**

**PERS** – The vesting and benefit provisions are set by N.J.S.A. 43:15A and 43:3B. The PERS provides retirement, death, and disability benefits. All benefits vest after ten years of service, except for medical benefits, which vest after 25 years of service or under the disability provisions of the PERS.

The following represents the membership tiers for PERS:

<b>Tier</b>	<b>Definition</b>
1	Members who were enrolled prior to July 1, 2007
2	Members who were eligible to enroll on or after July 1, 2007 and prior to November 2, 2008
3	Members who were eligible to enroll on or after November 2, 2008 and prior to May 22, 2010
4	Members who were eligible to enroll on or after May 22, 2010 and prior to June 28, 2011
5	Members who were eligible to enroll on or after June 28, 2011

Service retirement benefits of 1/55th of final average salary for each year of service credit is available to tiers 1 and 2 members upon reaching age 60 and to tier 3 members upon reaching age 62. Service retirement benefits of 1/60th of final average salary for each year of service credit is available to tier 4 members upon reaching age 62 and tier 5 members upon reaching age 65. Early retirement benefits are available to tiers 1 and 2 members before reaching age 60, tiers 3 and 4 before age 62 with 25 or more years of service credit and tier 5 with 30 or more years of service credit before age 65. Benefits are reduced by a fraction of a percent for each month that a member retires prior to the age at which a member can receive full early retirement benefits in accordance with their respective tier. Tier 1 members can receive an unreduced benefit from age 55 to age 60 if they have at least 25 years of service. Deferred retirement is available to members who have at least 10 years of service credit and have not reached the service retirement age for their respective tier.

### **Contributions**

**PERS** – The contribution policy is set by N.J.S.A. 43:15A and requires contributions by active members and contributing employers. Members contribute at a uniform rate. Pursuant to the provisions of Chapter 78, P.L. 2011, the active member contribution rate increased from 5.5% of annual compensation to 6.5% plus an additional 1% phased-in over seven years beginning in July 2012.

The member contribution rate was 7.50% in state fiscal year 2019. The phase-in of the additional incremental member contribution rate takes place in July of each

subsequent state fiscal year. The rate for members who are eligible for the Prosecutors Part of PERS (Chapter 366, P.L. 2001) was 10%. Employers' contribution amounts are based on an actuarially determined rate. The Commission's contribution amounts are based on an actuarially determined amount, which includes the normal cost and unfunded accrued liability.

The Commission's contractually required contribution rate for the fiscal year ended June 30, 2019 was 13.13% of the Commission's covered payroll. This amount was actuarially determined as the amount that, when combined with employee contributions, is expected to finance the costs of benefits earned by employees during the year, including an additional amount to finance any unfunded accrued liability.

Based on the most recent PERS measurement date of June 30, 2018, the Commission's contractually required contribution to the pension plan for the fiscal year ended June 30, 2019 was \$412,464 and was paid on April 7, 2020. The Commission's contractually required contribution to the pension plan for the fiscal year ended June 30, 2018 was \$394,615 and was paid on April 1, 2019. Commission employee contributions to the pension plan during the fiscal year ended June 30, 2019 were \$247,735.

#### **Pension Liabilities, Pension Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions**

**PERS** – At June 30, 2019, the Commission's proportionate share of the net pension liability was \$7,811,353. The net pension liability was measured as of June 30, 2018, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2017. The total pension liability was calculated through the use of updated procedures to roll forward from the actuarial valuation date to the measurement date of June 30, 2018. The Commission's proportion of the net pension liability was based on a projection of the Commission's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. For the June 30, 2018 measurement date, the Commission's proportion was 0.0396726809%, which was an increase of 0.0009202376% from its proportion measured as of June 30, 2017.

For the fiscal year ended June 30, 2019, the Commission's proportionate share of the pension expense was \$438,972. This pension expense was based on the pension plan's June 30, 2018 measurement date. This expense is not recognized by the Commission because of the basis of accounting as described in Note 1; however, as previously mentioned for the fiscal year ended June 30, 2019 the Commission's contribution to PERS was \$394,615 and was paid by March 29, 2019.

At June 30, 2018, the Commission reported deferred outflows of resources and deferred inflows of resources related to PERS from the following sources:



	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ 148,964	\$ 40,278
Changes of assumptions	1,287,182	2,497,655
Net difference between projected and actual earnings on pension plan investments	-	73,271
Changes in proportion	297,534	206,668
Commission contributions subsequent to the measurement date	412,464	-
	<u>\$ 2,146,144</u>	<u>\$ 2,817,872</u>

The amount of \$412,464, included in deferred outflows of resources, will be included as a reduction of the net pension liability in the fiscal year ending June 30, 2020. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized in pension expense as follows:

<b>Fiscal Year Ending June 30</b>	<b>Amount</b>
2020	\$ 60,164
2021	(68,840)
2022	(508,291)
2023	(441,048)
2024	<u>(126,177)</u>
	<u>\$ (1,084,192)</u>

The amortization of the above other deferred outflows of resources and deferred inflows of resources related to pensions will be over the following number of years:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience		
Year of pension plan deferral:		
June 30, 2014	-	-
June 30, 2015	5.72	-
June 30, 2016	5.57	-
June 30, 2017	5.48	-
June 30, 2018	-	5.63
Changes of assumptions		
Year of pension plan deferral:		
June 30, 2014	6.44	-
June 30, 2015	5.72	-
June 30, 2016	5.57	-
June 30, 2017	-	5.48
June 30, 2018	-	5.63
Net difference between projected and actual earnings on pension plan investments		
Year of pension plan deferral:		
June 30, 2014	-	5.00
June 30, 2015	5.00	-
June 30, 2016	5.00	-
June 30, 2017	-	5.00
June 30, 2018	-	5.00
Changes in proportion		
Year of pension plan deferral:		
June 30, 2014	6.44	6.44
June 30, 2015	5.72	5.72
June 30, 2016	5.57	5.57
June 30, 2017	5.48	5.48
June 30, 2018	5.63	5.63

## **Actuarial Assumptions**

The net pension liability was measured as of June 30, 2018, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of July 1, 2017. The total pension liability was calculated through the use of updated procedures to roll forward from the actuarial valuation date to the measurement date of June 30, 2018. This actuarial valuation used the following actuarial assumptions, applied to all periods included in the measurement:

	<b>PERS</b>
Inflation	2.25%
Salary increases:	
FY 2016 to 2026	1.65% - 4.15% Based on Age
FY 2026 and thereafter	2.65% - 5.15% Based on Age
Investment rate of return	7.00%
Mortality rate table	RP-2000
Period of actuarial experience study upon which actuarial assumptions were based	July 1, 2011 - June 30, 2014

For PERS, preretirement mortality rates were based on the RP-2000 Employee Preretirement Mortality Table for male and female active participants. Mortality tables are set back 2 years for males and 7 years for females. In addition, the tables provide for future improvements in mortality from the base year of 2013 using a generational approach based on the plan actuary's modified MP-2014 projection scale. Postretirement mortality rates were based on the RP-2000 Combined Healthy Male and Female Mortality Tables (set back 1 year for males and females) for service retirements and beneficiaries of former members. In addition, the tables for service retirements and beneficiaries of former members provide for future improvements in mortality from 2012 to 2013 using Projection Scale AA and using a generational approach based on the Conduent 2014 projection scale thereafter. Disability retirement rates used to value disabled retirees were based on the RP-2000 Disabled Mortality Table (set back 3 years for males and set forward 1 year for females).

In accordance with state statute, the long-term expected rate of return on plan investments (7.00% at June 30, 2018) is determined by the State Treasurer, after consultation with the directors of the Division of Investment and the Division of Pensions and Benefits, the PERS Board of Trustees, and the actuaries.

The long-term expected rate of return was determined using a building block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense, and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected

rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic rates of return for each major asset class included in PERS's target asset allocation as of June 30, 2018 are summarized in the following table:

Asset Class	PERS	
	Target Allocation	Long-Term Expected Real Rate of Return
Risk mitigation strategies	5.00%	5.51%
Cash equivalents	5.50%	1.00%
U.S. Treasuries	3.00%	1.87%
Investment grade credit	10.00%	3.78%
High yield	2.50%	6.82%
Global diversified credit	5.00%	7.10%
Credit oriented hedge funds	1.00%	6.60%
Debt-related private equity	2.00%	10.63%
Debt-related real estate	1.00%	6.61%
Private real estate	2.50%	11.83%
Equity-related real estate	6.25%	9.23%
U.S. equity	30.00%	8.19%
Non-U.S. developed markets equity	11.50%	9.00%
Emerging markets equity	6.50%	11.64%
Buyouts/venture capital	8.25%	13.08%
	<u>100.00%</u>	

**Discount Rate** – The discount rates used to measure the total pension liability at June 30, 2018 was 5.66%. The single blended discount rate was based on the long-term expected rate of return on pension plan investments of 7.00%, and a municipal bond rate of 3.87% as of June 30, 2018, based on the Bond Buyer Go 20-Bond Municipal Bond Index, which includes tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher. The projection of cash flows used to determine the discount rates for PERS assumed that contributions from plan members will be made at the current member contribution rates and that contributions from employers will be made based on the contribution rate in the most recent fiscal year. Based on those assumptions, the plan's fiduciary net position was projected to be available to make projected future benefit payments of current plan members through 2046.

Therefore, the long-term expected rate of return on plan investments was applied to projected benefit payments through 2046, and the municipal bond rate was applied to projected benefit payments after that date in determining the total pension liability.

### **Sensitivity of Commission's Proportionate Share of Net Pension Liability to Changes in the Discount Rate**

**PERS** – The following presents the Commission's proportionate share of the net pension liability at June 30, 2018, the plans measurement date, calculated using a discount rate of 5.66%, as well as what the Commission's proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1% lower or 1% higher than the current rates used:

	<b>PERS</b>		
	<b>1%</b>	<b>Current</b>	<b>1%</b>
	<b>Decrease</b>	<b>Discount Rate</b>	<b>Increase</b>
	<b>(4.66%)</b>	<b>(5.66%)</b>	<b>(6.66%)</b>
Commission's proportionate share of the net pension liability	\$ 9,821,877	\$ 7,811,353	\$ 6,124,653

### **Pension Plan Fiduciary Net Position**

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the respective fiduciary net position of the PERS and additions to/deductions from PERS's fiduciary net position have been determined on the same basis as they are reported by PERS. Accordingly, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. For additional information about PERS, please refer to the plan's Comprehensive Annual Financial Report, which can be found at <https://www.nj.gov/treasury/pensions/>.

### **Note 6: HEALTH CARE BENEFITS**

The Commission provides health care benefits, through the New Jersey State Health Benefits Program, to all continuing employees who are scheduled to work 25 or more hours per week, along with their spouses and eligible dependents. Expenditures for health care benefits are recognized on a pay-as-you-go basis.

In accordance with P. L. 2011, Chapter 78, employees enrolled in the New Jersey State Health Benefits Program are required to contribute a portion of their bi-weekly salary. The balance of the monthly health care benefits premium is paid by the Commission, which receives a credit from the state. Employees covered by other health insurance can elect to waive coverage and receive \$1,000 annually.

The Commission's health care benefits premiums, including employees' contributions, are as follows:

Health Care Costs				
Fiscal Year	Premium	Cost to Commission	Employee Contributions	Credit from State
2019	\$ 817,394	\$ 105,692	\$ 174,699	\$ 537,003
2018	806,293	135,627	154,447	516,219
2017	798,708	152,158	134,323	512,227
2016	797,988	152,839	134,285	510,864
2015	840,454	195,690	130,114	514,650

**Note 7: OTHER POSTEMPLOYMENT BENEFITS (OPEB)**

**General Information about the OPEB Plan**

**Plan Description and Benefits Provided** – The Commission contributes to the State Health Benefits Local Government Retired Employees’ Plan (plan), which is a cost-sharing, multiple-employer defined benefit other postemployment benefit plan. It covers employees of local governments that have adopted a resolution to participate in the plan. The plan meets the definition of an equivalent arrangement as defined in GASB Statement No. 75, *Accounting and Financial Reporting for the Postemployment Benefits Other Than Pensions*; therefore, assets are accumulated to pay associated benefits. For additional information about the plan, please refer to the State of New Jersey, Division of Pensions and Benefits’ Comprehensive Annual Financial Report, which can be found at the following link. <https://www.state.nj.us/treasury/pensions/financial-reports.shtml>.

The plan provides medical and prescription drug benefits to retirees and their covered dependents. Under the provisions of Chapter 88, P.L. 1974 and Chapter 48, P.L. 1999, local government employers electing to provide postretirement medical coverage to their employees must file a resolution with the division. Under Chapter 88, local employers elect to provide benefit coverage based on the eligibility rules and regulations promulgated by the State Health Benefits Commission. Chapter 48 allows local employers to establish their own age and service eligibility for employer-paid health benefits coverage for retired employees. Under Chapter 48, the employer may assume the cost of postretirement medical coverage for employees and their dependents who: 1) retired on a disability pension; or 2) retired with 25 or more years of service credit in a state or locally administered retirement system and a period of service of up to 25 years with the employer at the time of retirement as established by the employer; or 3) retired and reached the age of 65 with 25 or more years of service credit in a state or locally administered retirement system and a period of service of up to 25 years with the employer at the time of retirement as established by the employer; or 4) retired and reached age 62 with at least 15 years of service with the employer. Further, the law provides that the employer-paid

obligations for retiree coverage may be determined by means of a collective negotiations agreement.

Pursuant to Chapter 78, P.L., 2011, future retirees eligible for postretirement medical coverage who have less than 20 years of creditable service on June 28, 2011 will be required to pay a percentage of the cost of their health care coverage in retirement provided they retire with 25 or more years of pension service credit. The percentage of the premium for which the retiree will be responsible will be determined based on the retiree's annual retirement benefit and level of coverage.

**Contributions** – The funding policy for the OPEB plan is pay-as-you-go; therefore, there is no prefunding of the liability. However, due to premium rates being set prior to each calendar year, there is a minimal amount of net position available to cover benefits in future years. Contributions to pay for the health benefit premiums of participating employees in the OPEB plan are collected from participating local employers and retired members.

Pursuant to Chapter 78, P.L., 2011, future retirees eligible for postretirement medical coverage who have less than 20 years of creditable service on June 28, 2011 will be required to pay a percentage of the cost of their health care coverage in retirement provided they retire with 25 or more years of pension service credit. The percentage of the premium for which the retiree will be responsible will be determined based on the retiree's annual retirement benefit and level of coverage.

The Commission was billed monthly by the plan and has expended \$218,935 for the fiscal ended June 30, 2019, representing 6.97% of the Commission's covered payroll. The Commission has recognized revenue in the amount of \$149,997 for a credit from the State of New Jersey to cover retiree health benefits; however, this credit has no effect on the calculations in the plan.

#### **OPEB Liability, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources**

**OPEB Liability** – At June 30, 2019 the Commission's proportionate share of the net OPEB liability was \$8,471,410. The net OPEB liability was measured as of June 30, 2018, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2017, which was rolled forward to June 30, 2018.

The Commission's proportion of the net OPEB liability was based on the ratio of the plan members of an individual employer to the total members of the plan's nonspecial funding situation during the measurement period July 1, 2017 through June 30, 2018. For the June 30, 2018 measurement date, the Commission's proportion was 0.054073%, which was a decrease of 0.000256% from its proportion measured as of the June 30, 2017 measurement date.

**OPEB Expense** – At June 30, 2019, the Commission’s proportionate share of the OPEB expense, calculated by the plan as of the June 30, 2018 measurement date is \$282,162. This expense is not recognized by the Commission because of the basis of the accounting as described in Note 1; however, as previously mentioned, for the fiscal year ended June 30, 2019, the Commission made contributions to the plan totaling \$218,935.

**Deferred Outflows of Resources and Deferred Inflows of Resources** – At June 30, 2019, the Commission had deferred outflows of resources and deferred inflows of resources related to the OPEB liability from the following sources:

	<b>Deferred Outflows of Resources</b>	<b>Deferred Inflows of Resources</b>
Differences between expected and actual experience	\$ -	\$ 1,719,998
Changes of assumptions	-	2,148,884
Net difference between projected and actual earnings on OPEB plan investments	4,477	-
Changes in proportion	-	294,998
Changes in contributions subsequent to the measurement date	218,935	-
Total	<u>\$ 223,412</u>	<u>\$ 4,163,880</u>



The amount of \$218,935, included in deferred outflows of resources, resulting from the Commission's contributions subsequent to the measurement date, will be included as a reduction of the Commission's net OPEB liability in the fiscal year ending June 30, 2020.

The Commission will amortize the other deferred outflows of resources and deferred inflows of resources related to the OPEB liability over the following number of years:

	<b><u>Deferred Outflows of Resources</u></b>	<b><u>Deferred Inflows of Resources</u></b>
Changes of assumptions	-	8.14
Net difference between projected and actual earnings on OPEB plan investments	5.00	-
Changes in proportion	8.14	8.14

Other amounts included as deferred outflows of resources and deferred inflows of resources related to the OPEB liability will be recognized in future periods as follows:

<b><u>Fiscal Year Ending June 30</u></b>	<b><u>Amount</u></b>
2020	\$ (608,753)
2021	(608,753)
2022	(608,753)
2023	(609,226)
2024	(609,990)
Thereafter	<u>(1,113,928)</u>
Total	<u><u>\$ (4,159,403)</u></u>

### **Actuarial Assumptions**

The actuarial assumptions vary for each plan member depending on the pension plan in which the member is enrolled. The total OPEB liability as of June 30, 2018 was determined by an actuarial valuation as of June 30, 2017, which was rolled forward to June 30, 2018 and used the following assumptions:

<u>Actuarial Assumptions</u>	
Inflation	2.50%
*Salary increases:	
Through 2026	1.65% - 8.98%
Thereafter	2.65% - 9.98%

\*Salary increases are based on the defined benefit plan that the member is enrolled in and his or her age.

Preretirement mortality rates were based on the RP-2006 Headcount-Weighted Healthy Employee Male/Female mortality table with fully generational mortality improvement projections from the central year using the MP-2017 scale. Postretirement mortality rates were based on the RP-2006 Headcount-Weighted Healthy Annuitant Male/Female mortality table with fully generational improvement projections from the central year using the MP-2017 scale. Disability mortality was based on the RP-2006 Headcount-Weighted Disabled Male/Female mortality table with fully generational improvement projections from the central year using the MP-2017 scale.

Certain actuarial assumptions used in the July 1, 2017 valuation were based on the results of the pension plan's experience study for which the members are eligible for coverage under this plan, the Public Employees' Retirement System (PERS). The PERS experience study was prepared for the period July 1, 2011 to June 30, 2014.

**Discount Rate** – The discount rate used to measure the OPEB Liability at June 30, 2018 was 3.87%. This represents the municipal bond return rate as chosen by the state. The source is the Bond Buyer Go 20-Bond Municipal Bond Index, which includes tax-exempt general obligation municipal bonds with an average rating of AA/Aa or higher. As the long-term rate of return is less than the municipal bond rate, it is not considered in the calculation of the discount rate, rather the discount rate is set at the municipal bond rate.

**Health Care Trend Assumptions** – For pre-Medicare preferred provider organization (PPO) and health maintenance organization (HMO) medical benefits, the trend rate is initially 5.8% and decreases to a 5.0% long-term trend rate after eight years. For self-insured post-65 PPO and HMO medical benefits, the trend rate is 4.5%. For prescription drug benefits, the initial trend rate is 8.0% decreasing to a 5.0% long-term trend rate after seven years. The Medicare Advantage trend rate is 4.5% and will continue in all future years.

**Sensitivity of the Net OPEB Liability to Changes in the Discount Rate** – The Commission's net OPEB liability as of the plan's June 30, 2018 measurement date, calculated using a discount rate of 3.87%, as well as using a discount rate that is 1% lower or 1% higher than the current rates used, is as follows:

	1% Decrease (2.87%)	Current Discount Rate (3.87%)	1% Increase (4.87%)
Commission's proportionate share of the net OPEB liability	\$ 9,939,204	\$ 8,471,410	\$ 7,298,975

**Sensitivity of the Net OPEB Liability to Changes in the Healthcare Cost Trend Rates** – The Commission's proportionate share of the net OPEB Liability as of June 30, 2018, using a healthcare cost trend rates that are 1% lower or 1% higher than the current healthcare cost trend rate used is as follows:

	1% Decrease	Healthcare Cost Trend Rates	1% Increase
Commission's proportionate share of the net OPEB liability	\$ 7,066,515	\$ 8,471,410	\$ 10,289,554

### **OPEB Plan Fiduciary Net Position**

For purposes of measuring the net OPEB liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the respective fiduciary net position of the State Health Benefits Local Government Retired Employees' Plan and additions to/deductions from the plan's respective fiduciary net position have been determined on the same basis as they are reported by the plan. Accordingly, contributions (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. For additional information about the plan, please refer to the plan's Comprehensive Annual Financial Report, which can be found at: <https://www.state.nj.us/treasury/pensions/financial-reports.shtml>

### **Note 8: RISK MANAGEMENT**

The Commission is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters.

**Property and Liability Insurance** – The Commission maintains an umbrella policy and commercial insurance coverage for property, general liability, commercial auto, and workers' compensation.

**New Jersey Unemployment Compensation Insurance** – In 1979, the Commission elected to fund its New Jersey Unemployment Compensation Insurance under the "Benefit Reimbursement Method". Under this plan, the Commission is required to reimburse the New Jersey Unemployment Compensation Fund for

benefits paid to its former employees and charged to its account with the state. The Commission is billed quarterly for amounts due to the state. The following is a summary of employee contributions, reimbursements to the state for benefits paid, and the ending balance of the Commission's trust fund for the current and previous four years:

<b>Fiscal Year</b>	<b>Employee Contribution</b>	<b>Annual Reimbursement</b>	<b>Funding Balance *</b>
2019	\$ 4,454	\$ 16,614	\$ 2,724
2018	6,334	872	14,302
2017	4,375	12,050	8,566
2016	4,133	-	16,168
2015	5,602	-	12,016

\*Includes annual interest income

**Note 9: LONG-TERM DEBT**

**Compensated Absences** – The Commission's policy states that employees are entitled, upon termination, to the current year's earned but unused vacation time in addition to any unused vacation time previously earned. In addition, employees are eligible, at retirement, to receive payment for one-half of their accumulated sick leave up to a maximum of \$15,000. Unused vacation time expected to be taken in the succeeding fiscal year in the amount of \$33,190 has been recorded as a liability in the General Fund on the accompanying balance sheet.

A liability for vested compensated absences has also been established in the General Long-Term Debt Account Group as the benefits accrue to employees. As of June 30, 2019, the estimated long-term liability for compensated absences was \$417,040. Net long-term debt as of June 30, 2019 is as follows:

	<b>Balance 6/30/2018</b>	<b>Additions</b>	<b>Deductions</b>	<b>Balance 6/30/2019</b>	<b>Due Within One Year</b>
Compensated absences payable	\$ 35,271	\$ -	\$ 2,081	\$ 33,190	\$ 33,190
Estimated compensated absences payable	351,517	65,523	-	\$ 417,040	-
Total	<u>\$ 386,788</u>	<u>\$ 65,523</u>	<u>\$ 2,081</u>	<u>\$ 450,230</u>	<u>\$ 33,190</u>

**Note 10: INTERFUND RECEIVABLES AND PAYABLES**

The following interfund balances remained on the balance sheet at June 30, 2019:

<b>Fund</b>	<b>Interfund Receivable</b>	<b>Interfund Payable</b>
General Fund	\$ 631,156	\$ -
Special Revenue Funds		604,895
Private Purpose Trust Funds	-	26,261
Total	\$ 631,156	\$ 631,156

The interfund receivables and payables above predominately resulted from collections and payments made by certain funds on behalf of the other funds. During fiscal year 2019, the Commission expects to liquidate such interfunds, depending on the availability of cash flow.

**Note 11: GASB 54 – FUND BALANCE DISCLOSURES**

In accordance with GASB No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*, the Commission classifies governmental fund balances as follows:

- Non-spendable – includes fund balance amounts that cannot be spent either because it is not in spendable form or because of legal or contractual constraints.
- Restricted – includes fund balance amounts that are constrained for specific purposes that are externally imposed by external parties, constitutional provision, or enabling legislation.
- Committed – includes fund balance amounts that are constrained for specific purposes that are internally imposed by the government through formal action of the highest level of decision making authority and does not lapse at year end.
- Assigned – includes fund balance amounts that are intended to be used for specific purposes that are neither considered restricted nor committed. Fund Balance may be assigned by the executive director or the board of commissioners.
- Unassigned – includes balance within the General Fund that has not been classified within the above mentioned categories and negative fund balances in other governmental funds.

Specific reservations of fund balances are described below:

**RESTRICTED FOR:**

Unemployment Compensation – This reserve was established with funds contributed by employees and used to reimburse the state for benefits paid, \$2,723.

Katie Fund – The Kathleen M. Lynch-van de Sande Fund consists of contributions from the public, which are dedicated to the support of reforestation and vegetation activities in the Pinelands and to further educational programs and projects that enhance the understanding of the Pinelands National Reserve, \$7,865.

Timber Rattlesnake Study – This reserve was created as a result of a settlement in order to fund an escrow for the study and monitoring of the timber rattlesnakes in and near a particular development site, \$6,570.

Rattlesnake Fencing – This reserve was created to account for funds restricted for possible future fencing necessitated by the above rattlesnake study, \$21,407.

**COMMITTED TO:**

Pinelands Conservation Fund – This reserve was established with funds provided by the Atlantic Electric Co. as a result of the proposed electric transmission line project to further the Pinelands protection program and ensure a greater level of protection for the unique resources of the Pinelands area, \$5,400,171.

Kirkwood-Cohansey Study – This reserve was created from funds from the Water Supply Fund to assess and prepare a report on the key hydrological and ecological information needed to determine how the current and future water supply needs of the Pinelands may be met while also protecting the Kirkwood-Cohansey aquifer system and avoiding any adverse ecological impact, \$13,582.

Encumbrances – The reserve for encumbrances was created to represent encumbrances outstanding at the end of the year based on purchase orders and contracts signed by the Commission but not completed as of the close of the fiscal year, \$375,434.

Retirees' Health Benefits – This is a designation of fund balance that the Commission intends to use to fund future retirees' health benefits, \$799,155.

Building Improvements – This is a designation of fund balance that the Commission intends to use to fund building improvements, \$120,000.

Investment in General Fixed Assets – This represents the amount invested in fixed assets, \$1,186,600.

**ASSIGNED TO:**

Subsequent Year's Expenditures – This designation of fund balance has been appropriated and included as anticipated revenue for the year ending June 30, 2020, \$1,679,361.

Other – This represents designations of fund balance that the Commission intends to use for various projects, such as Pinelands poster reprinting and service awards, \$51,668.

**UNASSIGNED FUND BALANCE:**

Unassigned – This represents the portion of fund balance resources available for appropriation, \$531,501.

**Note 12: ECONOMIC DEPENDENCY**

The Commission receives a significant portion of its total revenues from the State of New Jersey. Since these revenues are subject to annual appropriation, any reduction in the amount appropriated in the state's budget will have a material impact on the operations of the Commission. A comparison of annual operating revenues is shown below:

<b>Fiscal Year</b>	<b>Total State Aid Revenues</b>	<b>General Fund Revenues*</b>	<b>Percentage</b>
2019	\$ 3,486,000	\$ 5,335,483	65%
2018	3,336,000	4,342,259	77%
2017	3,486,000	4,225,149	83%
2016	3,186,000	4,200,943	76%
2015	3,156,000	4,154,901	76%

\* Includes transfers from other funds

**Note 13: SUBSEQUENT EVENTS****SIGNIFICANT RISKS AND UNCERTAINTIES**

The current coronavirus (COVID-19), classified by the World Health Organization as a pandemic, disrupted normal business operations in 2020, and management has not determined the effect the pandemic will have on future operations.

### **Required Supplementary Information**



PINELANDS COMMISSION  
SCHEDULE OF THE COMMISSION'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) - LOCAL  
REQUIRED SUPPLEMENTARY INFORMATION

	Measurement date ending June 30					
	2018	2017	2016	2015	2014	2013
Commission's proportion of the net pension liability	0.0396726809%	0.0387524433%	0.0393468730%	0.0385232928%	0.0406718663%	0.0394699485%
Commission's proportionate share of the net pension liability	\$ 7,811,353	\$ 9,020,949	\$ 11,653,415	\$ 8,647,707	\$ 7,614,886	\$ 7,543,491
Commission's covered payroll (plan measurement period)	\$ 2,664,084	\$ 2,713,988	\$ 2,706,800	\$ 2,739,132	\$ 2,796,096	\$ 2,698,088
Commission's proportionate share of the net pension liability as a percentage of covered payroll	293.21%	332.39%	430.52%	315.71%	272.34%	279.59%
Plan fiduciary net position as a percentage of the total pension liability (local)	53.60%	48.10%	40.14%	47.93%	52.08%	48.72%

Note: Until a full ten-year trend is completed, information will be presented for years for which information is available.

**PINELANDS COMMISSION  
SCHEDULE OF THE COMMISSION'S CONTRIBUTIONS  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) - LOCAL  
REQUIRED SUPPLEMENTARY INFORMATION**

	Fiscal Year Ended June 30					
	2019	2018	2017	2016	2015	2014
Contractually required contribution	\$ 412,464	\$ 394,615	\$ 359,000	\$ 349,552	\$ 331,197	\$ 335,293
Contributions in relation to the contractually required contribution	(412,464)	(394,615)	(359,000)	(349,552)	(331,197)	(331,197)
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 4,096
Commission's covered payroll (fiscal year)	<u>\$3,140,268</u>	<u>\$2,915,910</u>	<u>\$2,692,751</u>	<u>\$2,707,759</u>	<u>\$2,697,688</u>	<u>\$2,697,688</u>
Contributions as a percentage of commission's covered payroll	13.13%	13.53%	13.33%	12.91%	12.28%	12.43%

Note: Until a full ten-year trend is completed, information will be presented for years for which information is available.

**Changes in Benefit Terms**

None

**Changes in Assumptions**

For 2018, the discount rate changed to 5.66%, the long-term expected rate of return changed to 7.00%, demographic assumptions were revised in accordance with the results of the July 1, 2011 - June 30, 2014 experience study and the mortality improvement scale incorporated the plan actuary's modified MP-2014 projection scale. Further, salary was assumed to increase between 1.65% and 4.15% (based on age) through fiscal year 2026 and 2.65% and 5.15% (based on age) for each fiscal year thereafter. For 2017, the discount rate changed to 5.00%, and the long-term expected rate of return changed to 7.00% from 7.65%. For 2016, the discount rate changed to 3.98%, and the long term expected rate of return changed to 7.65% from 7.90%. For 2015 and 2014, the discount rate was 4.90% and 5.39%, respectively. In addition, the social security wage base was set at \$118,500 for 2015, increasing 4.00% per annum, compounded annually, and the Internal Revenue Code Section 401(a)(17) pay limit was set at \$265,000 for 2015, increasing 3.00% per annum, compounded annually.

**PINELANDS COMMISSION**  
**SCHEDULE OF CHANGES IN THE TOTAL OPEB LIABILITY AND THE COMMISSION'S PROPORTIONATE SHARE OF**  
**THE NET OPEB LIABILITY**  
**STATE HEALTH BENEFIT RETIRED EMPLOYEES' OPEB PLAN**  
**REQUIRED SUPPLEMENTARY INFORMATION**

	<u>Measurement date ending June 30</u>		
	<u>2018</u>	<u>2017</u>	<u>2016</u>
Total net OPEB liability:			
Service cost	\$ 896,235,148	\$ 1,064,525,862	\$ 793,330,866
Interest	764,082,232	648,423,508	693,228,312
Differences between expected and actual experience	(3,626,384,047)	-	-
Changes in assumptions or other inputs	(2,314,240,675)	(2,587,850,974)	3,126,488,338
Net investment income	(2,320,422)	(791,049)	(310,043)
Contributions from employers and non employers	(474,742,947)	(434,877,635)	(397,482,072)
Administrative expense	<u>8,200,113</u>	<u>8,894,576</u>	<u>528,244</u>
Net change in total net OPEB liability	\$ (4,749,170,598)	\$ (1,301,675,712)	\$ 4,215,783,645
Total OPEB liability, beginning	<u>20,415,788,739</u>	<u>21,717,464,451</u>	<u>17,501,680,806</u>
Total OPEB liability, ending	<u>\$ 15,666,618,141</u>	<u>\$ 20,415,788,739</u>	<u>\$ 21,717,464,451</u>
Commission's proportion of the net OPEB liability	0.054073%	0.054329%	0.055825%
Commission's proportionate share of the net OPEB liability	<u>\$ 8,471,410</u>	<u>\$ 11,091,694</u>	<u>\$ 12,123,775</u>
Commission's covered payroll (plan measurement period)	<u>\$ 2,915,910</u>	<u>\$ 2,692,751</u>	<u>\$ 2,707,759</u>
Commission's proportionate share of the net OPEB liability as a percentage of covered payroll	290.52%	411.91%	447.74%
Plan fiduciary net position as a percentage of the total pension liability	1.9700%	1.0300%	0.6900%

Notes to schedule:

No assets are accumulated in a trust that meets the criteria in Paragraph 45 of GASB 75

In accordance with GASB 75, the above information is also presented for the State Health Benefit Local Government Retired Employees' Plan. These schedules are presented to illustrate the requirements to show information for 10 years; however, until a full 10-year trend is compiled, this presentation will only include information for those years for which information is available.

**PINELANDS COMMISSION  
SCHEDULE OF THE COMMISSION'S CONTRIBUTIONS  
STATE HEALTH BENEFIT RETIRED EMPLOYEES' OPEB PLAN  
REQUIRED SUPPLEMENTARY INFORMATION**

	<b>Fiscal year ending June 30</b>		
	<b>2019</b>	<b>2018</b>	<b>2017</b>
Commission's required contribution	\$ 218,935	\$ 284,092	\$ 305,161
Contributions in relation to the required contribution	(218,935)	(284,092)	(305,161)
Contribution deficiency (excess)	\$ -	\$ -	\$ -
Commission's covered payroll (fiscal year)	\$ 3,140,268	\$ 2,915,910	\$ 2,692,751
Contributions as a percentage of Commission's covered payroll	6.97%	9.74%	11.33%

Note: In accordance with GASB 75, the above information is also presented for the State Health Benefit Local Government Retired Employees' Plan. These schedules are presented to illustrate the requirements to show information for 10 years; however, until a full 10-year trend is compiled, this presentation will only include information for those years for which information is available.

**Changes in Benefit Terms**

None

**Differences between Expected and Actual Experience**

The decrease in liability from June 30, 2017 to June 30, 2018 is due to changes in the census, claims, and premium experience.

**Changes in Assumptions**

The increase in the OPEB liability from June 30, 2015 to June 30, 2016 is due to the assumed discount rate from 3.80% as of June 30, 2015 to 2.85% as of June 30, 2016. The decrease in the OPEB liability from June 30, 2016 to June 30, 2017 is due to the increase in the assumed discount rate from 2.85% as of June 30, 2016 to 3.58% as of June 30, 2017. The decrease in liability from June 30, 2017 to June 30, 2018 is due to the increase in the assumed discount rate from 3.58% as of June 30, 2017 to 3.87% as of June 30, 2018 and a decrease in the assumed health care cost trend and excise tax assumptions.

## **Other Information**

**PINELANDS COMMISSION**  
**SCHEDULE OF EXPENDITURES OF STATE FINANCIAL ASSISTANCE**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

Grantor/Pass Through Grantor/Program Title	STATE GRANT or GMIS NUMBER	PROGRAM or	GRANT PERIOD		ACCOUNTS	DEFERRED			ACCOUNTS	DEFERRED	
		AWARD	FROM	TO	RECEIVABLE	REVENUE	CASH/ CREDIT	RECEIVED	EXPENDITURES	RECEIVABLE	REVENUE
		AMOUNT			6/30/18	6/30/18				6/30/19	6/30/19
Department of Environmental Protection											
State Aid	100-042-4800-082	\$ 2,799,000	07/01/18	06/30/19	\$ -	\$ -	\$ 2,799,000	\$ 2,799,000	\$ -	\$ -	
Pinelands Development Credit Purchases	100-042-4800-324	13,000,000	07/01/99	Completion	-	1,759,200	-	-	-	1,759,200	
Credit from State - Fringe Benefits	not applicable	687,000	07/01/18	06/30/19	-	-	687,000	687,000	-	-	
Total State Financial Assistance					\$ -	\$ 1,759,200	\$ 3,486,000	\$ 3,486,000	\$ -	\$ 1,759,200	

See Report and Notes to Schedules of Expenditures of State Financial Assistance.

**PINELANDS COMMISSION**  
**NOTES TO THE SCHEDULE OF EXPENDITURES OF**  
**STATE FINANCIAL ASSISTANCE**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2019**

**Note 1: GENERAL**

The accompanying Schedule of Expenditures of State Financial Assistance presents the activity of all state financial assistance programs of the New Jersey Pinelands Commission. The Commission is defined in Note 1 to the financial statements. All state financial assistance received directly from state agencies is included on the Schedule of Expenditures of State Financial Assistance.

**Note 2: BASIS OF ACCOUNTING**

The accompanying Schedule of Expenditures of State Financial Assistance is presented using the modified accrual basis of accounting. This basis of accounting is described in Note 1 to the Commission's general-purpose financial statements.

**Note 3: RELATIONSHIP TO FINANCIAL STATEMENTS**

Amounts reported in the accompanying schedule agree with amounts reported in the Commission's financial statements.

**Note 4: RELATIONSHIP TO STATE FINANCIAL REPORTS**

Amounts reported in the accompanying schedule agree with the amounts reported in the related state financial reports.

**Note 5: MAJOR PROGRAMS**

Major programs are identified in the *Summary of Auditor's Results* section of the Schedule of Findings and Questioned Costs.

**Pinelands Commission**

**Report on Internal Control over Financial Reporting and on Compliance  
and Other Matters Based on an Audit of Financial Statements Performed  
in Accordance with *Government Auditing Standards***

**For Fiscal Year Ended June 30, 2019**



SENATE

Stephen M. Sweeney *Chair*  
Christopher J. Connors  
Kristin M. Corrado  
Nia H. Gill  
Linda R. Greenstein  
Thomas H. Kean, Jr.  
Joseph Pennacchio  
Loretta Weinberg

GENERAL ASSEMBLY

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Craig J. Coughlin  
John DiMaio  
Louis D. Greenwald  
Nancy F. Munoz  
Verlina Reynolds-Jackson  
Harold J. Wirths



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David J. Kaschak  
*State Auditor*

Brian M. Klingele  
*Assistant State Auditor*

Thomas Troutman  
*Assistant State Auditor*

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON  
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF  
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH GOVERNMENT AUDITING STANDARDS**

**INDEPENDENT AUDITOR'S REPORT**

The Honorable Philip D. Murphy  
Governor of New Jersey

The Honorable Stephen M. Sweeney  
President of the Senate

The Honorable Craig J. Coughlin  
Speaker of the General Assembly

Ms. Peri A. Horowitz  
Executive Director  
Office of Legislative Services

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Pinelands Commission, as of and for the year ended June 30, 2019, and the related notes to the financial statements, and have issued our report thereon dated July 26, 2021.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Pinelands Commission's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion

on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Pinelands Commission's internal control. Accordingly, we do not express an opinion on the effectiveness of the Pinelands Commission's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Pinelands Commission's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



David J. Kaschak  
State Auditor  
July 26, 2021

**Pinelands Commission**

**Report on Compliance for Each Major State Program; Report on  
Internal Control over Compliance; and Report on the Schedule of  
Expenditures of State Financial Assistance Required by New Jersey Department of the  
Treasury Circular No. 15-08-OMB**

**For the Fiscal Year Ended June 30, 2019**



LEGISLATIVE SERVICES COMMISSION

**SENATE**

Stephen M. Sweeney *Chair*  
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Kristin M. Corrado  
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Verlinda Reynolds-Jackson  
Harold J. Wirths



**NEW JERSEY STATE LEGISLATURE**

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**REPORT ON COMPLIANCE FOR EACH MAJOR STATE PROGRAM; REPORT  
ON INTERNAL CONTROL OVER COMPLIANCE; AND REPORT ON THE  
SCHEDULE OF EXPENDITURES OF STATE FINANCIAL ASSISTANCE  
REQUIRED BY NEW JERSEY DEPARTMENT OF THE TREASURY  
CIRCULAR NO. 15-08-OMB**

INDEPENDENT AUDITOR'S REPORT

The Honorable Philip D. Murphy  
Governor of New Jersey

The Honorable Stephen M. Sweeney  
President of the Senate

The Honorable Craig J. Coughlin  
Speaker of the General Assembly

Ms. Peri A. Horowitz  
Executive Director  
Office of Legislative Services

**Report on Compliance for Each Major State Program**

We have audited the Pinelands Commission's compliance with the types of compliance requirements described in the New Jersey Grant Compliance Supplement that could have a direct and material effect on each of its major state programs for the year ended June 30, 2019. The Pinelands Commission's major state programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

## **Management's Responsibility**

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its state programs.

## **Auditor's Responsibility**

Our responsibility is to express an opinion on compliance for each of the Pinelands Commission's major state programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and New Jersey Department of the Treasury Circular No. 15 -08-OMB. These standards and New Jersey Department of the Treasury Circular No. 15 -08-OMB require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major state program occurred. An audit includes examining, on a test basis, evidence about the Pinelands Commission's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major state program. However, our audit does not provide a legal determination of the Pinelands Commission's compliance.

## **Opinion on Each Major State Program**

In our opinion, the Pinelands Commission complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major state programs for the year ended June 30, 2019.

## **Report on Internal Control over Compliance**

Management of the Pinelands Commission is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Pinelands Commission's internal control over compliance with the types of requirements that could have a direct and material effect on each major state program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major state program and to test and report on internal control over compliance in accordance with New Jersey Department of the Treasury Circular No. 15-08-OMB, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Pinelands Commission's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing

their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of New Jersey Department of the Treasury Circular No. 15-08-OMB. Accordingly, this report is not suitable for any other purposes.

**Report on the Schedule of Expenditures of State Financial Assistance Required by New Jersey Department of the Treasury Circular No. 15-08-OMB**

We have audited the financial statements of the Pinelands Commission as of and for the year ended June 30, 2019, and have issued our report thereon dated July 26, 2021, which contained an unmodified opinion on those financial statements. Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of state financial assistance is presented for purposes of additional analysis as required by New Jersey Department of the Treasury Circular No. 15-08-OMB and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the schedule of expenditures of state financial assistance is fairly stated in all material respects in relation to the financial statements as a whole.



David J. Kaschak  
State Auditor  
July 26, 2021

**PINELANDS COMMISSION  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FISCAL YEAR ENDED JUNE 30, 2019**

**Section I - Summary of Auditor's Results**

**Financial Statements**

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

Material weakness(es) identified? ☐ Yes ☒ No

Significant deficiency(ies) identified? ☐ Yes ☒ None  
Reported

Noncompliance material to financial statements noted? ☐ Yes ☒ No

**Federal Awards Section**

Federal Awards Section is not applicable; The Pinelands Commission did not meet the \$750,000 threshold for federal single audit.

**State Awards Section**

Internal control over major programs:

Material weakness(es) identified? ☐ Yes ☒ No

Significant deficiency(ies) identified? ☐ Yes ☒ None  
Reported

Type of auditor's report on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in  
accordance with New Jersey Department of the Treasury Circular  
No. 15-08-OMB ☐ Yes ☒ No

**PINELANDS COMMISSION  
SCHEDULE OF FINDINGS AND QUESTIONED COSTS  
FISCAL YEAR ENDED JUNE 30, 2019**

**Section I - Summary of Auditor's Results (continued):**

Identification of major programs:

State Program Number

Name of State Program

100-042-4800-082

State of New Jersey Appropriation

Not applicable

Credit from State - Fringe Benefits

**Section II – Schedule of Financial Statement Findings**

No compliance or internal control over financial reporting findings were noted that are required to be reported under *Government Auditing Standards*.

**Section III – Schedule of State Awards Findings and Questioned Costs**

The audit disclosed no findings or questioned costs for the current period.



**PINELANDS COMMISSION**  
**SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS AND QUESTIONED COSTS**  
**FISCAL YEAR ENDED JUNE 30, 2019**

<b><u>Finding No.</u></b>	<b><u>Condition</u></b>	<b><u>Status</u></b>
None.		



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

**NO. PC4-21-\_\_\_\_\_**

**TITLE:** To Authorize the Participation of Four New Advanced Wastewater Treatment Technologies in the Pinelands Commission’s Alternate Design Treatment Systems Pilot Program

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

**WHEREAS**, on May 10, 2002, the Pinelands Commission established the Alternate Design Treatment Systems Pilot Program through its adoption of amendments to the Comprehensive Management Plan (CMP); and

**WHEREAS**, the Alternate Design Waste Water Treatment Systems Pilot Program is authorized as a means to test whether specifically authorized systems can be maintained and operated so as to meet the water quality standards contained in N.J.A.C. 7:50-6, Part VIII with maintenance requirements that a homeowner can be reasonably expected to follow.

**WHEREAS**, through the Pilot Program, a total of seven technologies have been evaluated, four of which have demonstrated success in meeting CMP water quality standards and been authorized for residential use on a permanent basis by the Commission; and

**WHEREAS**, following permanent authorization of the SeptiTech technology and removal of the BioBarrier technology from the Pilot Program in December 2020, only one technology (Hoot ANR) remained, and the Executive Director determined it was appropriate to issue an invitation for up to five new technologies to participate in the Pilot Program; and

**WHEREAS**, the CMP provides an opportunity for the expansion of the Pilot Program to include additional residential wastewater nutrient reducing technologies that have attained verification and/or certification through the United States Environmental Protection Agency Environmental Technology Verification (USEPA ETV) program or the National Sanitation Foundation/American National Standards Institute (NSF/ANSI) Standard 245 testing program; and

**WHEREAS**, N.J.A.C. 7:50-10.23(b) of the CMP sets forth the minimum submission requirements in order for USEPA ETV and/or NSF/ANSI Standard 245 certified technologies to be considered for participation in the pilot program; and

**WHEREAS**, pursuant to N.J.A.C. 7:50-10.23(b)1, vendors of eligible technologies wishing to participate in the pilot program are required to submit all laboratory test data and reports associated with the technology’s attainment of verification and/or certification status, a description of the distribution and technical support system that the technology vendor will use to supply and service systems in the Pinelands Area, a comprehensive cost estimate of the technology, the expected total nitrogen concentration to be achieved by the technology when serving residential development in the Pinelands Area and an escrow in the amount of \$2,500 to cover the cost of review for entry into the pilot program; and

**WHEREAS**, on May 3, 2021, the Executive Director issued letters of invitation to fourteen eligible technology vendors announcing the opportunity to apply to participate in the pilot program and posted the application details on the Commission’s website; and

**WHEREAS**, on May 3, 2021, public notice of the opportunity for eligible technologies to apply to participate in the Commission’s pilot program was published in the New Jersey Register (see 53 N.J.R. 5(1)); and

**WHEREAS**, the Executive Director established August 6, 2021 as the deadline for receipt of applications; and

**WHEREAS**, the fourth technology (Adelante Consulting, Inc., Pugo Residential wastewater treatment system) has an anticipated total nitrogen concentration of  $\leq 17$  mg/l, which, for piloting purposes, qualifies this treatment system for use by residential development on minimum 1.26 acre parcels; and

**WHEREAS**, the Acting Executive Director has submitted a report to the Commission entitled “Recommended Approval of Three New and One Readmitted Advanced Wastewater Treatment Technologies for Participation in the Alternate Design Treatment Systems Pilot Program”, dated October 14, 2021, and has recommended that the Commission authorize the four advanced wastewater treatment systems to participate in the Commission’s pilot program; and

**WHEREAS**, the Commission’s CMP Policy & Implementation Committee has reviewed the Acting Executive Director’s report and has recommended that the four identified wastewater treatment systems be accepted into the pilot program; and

**WHEREAS**, the Pinelands Commission accepts the recommendations 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. The following systems are hereby authorized to participate in the Pinelands Commission's Alternate Design Treatment Systems Pilot Program in accordance with the Acting Executive Director's October 14, 2021 report and recommendations:
  - a. Fuji Clean USA, LLC, Residential CEN Series
  - b. Waterloo Biofilter Systems, Inc., Waterloo Biofilter Residential Model
  - c. Adelante Consulting, Inc., Pugo Residential
  - d. Busse Innovative Systeme GmbH, Model MF-B-400
2. Notice of this determination shall be published on the Commission's website and in the New Jersey Register.

## Record of Commission Votes

[illegible]

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date:

Susan R. Grogan  
Acting Executive Director

Richard Prickett  
Chairman



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

*State of New Jersey*  
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RICHARD PRICKETT  
Chairman  
SUSAN R. GROGAN  
Acting Executive Director

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

## Acting Executive Director's Report to the Pinelands Commission

Recommended Approval of  
Three New and One Readmitted Advanced Wastewater Treatment Technologies for  
Participation in the Alternate Design Treatment Systems Pilot Program

October 14, 2021

## **Introduction**

The Pinelands Commission established the Alternate Design Treatment Systems Pilot Program through adoption of amendments to the Comprehensive Management Plan (CMP) that took effect in 2002. The Pilot Program was authorized as a means to test whether specific wastewater treatment systems could be maintained and operated for residential use in the Pinelands Area so as to meet the water quality standards of the CMP, with maintenance requirements that homeowners could reasonably be expected to follow. A total of seven technologies have been evaluated through the Pilot Program to date, four of which have demonstrated success in meeting CMP water quality standards and been authorized for residential use on a permanent basis. These include the Amphidrome, Bioclere, Fast and SeptiTech treatment technologies.

Amendments to the CMP, at N.J.A.C. 7:50-2.11, 6.84, and 10.21-10.23, effective October 18, 2010, authorized the Commission to approve additional technologies for participation in the Pilot Program. Eligibility for participation is based upon a technology's having attained verification and/or certification status through the United States Environmental Protection Agency (USEPA) Environmental Technology Verification (ETV) program or the National Sanitation Foundation /American National Standards Institute (NSF/ANSI) Standard 245 testing program.

The CMP provides that no more than six alternate design treatment technologies shall be approved for use in the pilot program at any one time. As of December 2020, the Hoot ANR wastewater treatment technology is the only technology participating in the pilot program. Therefore, up to five new technologies may be authorized for participation at this time.

## **Pilot Program Timelines**

On May 3, 2021, Commission staff issued letters of invitation to the manufacturers or vendors of fourteen (14) USEPA ETV and/or NSF/ANSI eligible treatment technologies announcing the opportunity to apply to participate in the expanded pilot program. A public notice to this effect was published in the May 3, 2021 New Jersey Register and a similar announcement was posted on the Commission's website. The Executive Director established August 6, 2021 as the deadline for the receipt of complete applications by the Commission.

The CMP requires that the Executive Director review the submitted documents for the technologies seeking participation, determine the eligibility of the technologies based upon a comprehensive assessment of the submissions, and determine the minimum lot size on which each technology could be authorized for residential use. Based on the August 6, 2021 submission deadline, the Executive Director's findings are to be submitted to the Commission no later than November 4, 2021.

Upon receipt of the Executive Director's report, the Commission must determine whether each technology should be approved for participation in the pilot program and thereafter ensure that any such determination is published in the New Jersey Register and posted and made available electronically on the Commission's website. Commission action must occur within 120 days of the deadline for receipt of applications, or December 4, 2021.

## **Application Requirements**

To be considered for participation, manufacturers or vendors of eligible technologies were required to submit information including laboratory test data and reports associated with attainment of the requisite USEPA ETV or NSF/ANSI testing programs, a description of the distribution and support system for the sale and support of treatment units in the Pinelands Area, an estimate of the cost of the technology, the expected total nitrogen concentration to be achieved by the technology and an escrow in the amount of \$2,500 to cover the cost of review for entry into the pilot program.

## **Submission Summary**

Four USEPA ETV and/or NSF/ANSI Standard 245 certified treatment technologies submitted complete applications to the Commission prior to the August 6, 2021 submission deadline. Three of the technologies are new to the Pinelands pilot program and one, the Busse technology, has applied for readmission to the pilot program after having been previously dropped from the program for lack of system installations. The four eligible technologies include: the Fuji Clean USA, LLC, Residential CEN Series system; the Adelante Consulting, Inc., Pugo Residential wastewater treatment system; the Waterloo Biofilter Systems, Inc., Waterloo Biofilter Residential Model treatment system; and the Busse Innovative Systeme GmbH, Model MF-B-400 wastewater treatment system. These treatment technologies are summarized in the attached memoranda prepared by Ed Wengrowski, the Commission's Environmental Technologies Coordinator.

## **Recommendations**

Based upon each technology's attainment of USEPA ETV and/or NSF/ANSI Standard 245 certification status, the expected total nitrogen concentration in treated wastewater, the required submission and approval of documents required at N.J.A.C 7:50-10.22(a)2ii through vi., and subject to the provisions of N.J.A.C 7:50-10.22(a)3 which provide for future adjustments to minimum lot size requirements, it is my recommendation that the Commission authorize the Fuji Clean USA, LLC, Residential CEN Series system, the Adelante Consulting, Inc., Pugo Residential wastewater treatment system, the Waterloo Biofilter Systems, Inc., Waterloo Biofilter Residential Model treatment system and the Busse Innovative Systeme GmbH, Model MF-B-400 wastewater treatment system for participation in the Commission's Alternate Design Wastewater Treatment Systems Pilot Program to serve residential development. Based upon the expected total nitrogen concentration in treated effluent, the Fuji Clean USA technology, Waterloo Biofilter technology and the Busse technology are eligible to serve residential development on minimum one acre parcels. The Pugo technology is eligible to serve residential development on minimum 1.26 acre parcels.

## **Attachments:**

Memorandum dated October 14, 2021: Fuji Clean USA  
 Memorandum dated October 7, 2021: Waterloo Biofilter  
 Memorandum dated October 6, 2021: Pugo  
 Memorandum dated October 11, 2021: Busse



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## MEMORANDUM

To: Susan Grogan,  
Acting Executive Director

From: Ed Wengrowski,  
Environmental Technologies Coordinator

Date: October 14, 2021

Subject: Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems  
Recommended Approval of the Fuji Clean USA Wastewater Treatment System

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Fuji Clean USA, LLC the manufacturer of the Residential CEN Series of wastewater treatment systems has applied to the Pinelands Commission to participate in the Pinelands Alternate Design Treatment Systems Pilot Program. The Fuji Clean Residential CEN Series technology is an NSF/ANSI Standard 245 (nitrogen reducing) certified wastewater treatment technology.

The 2010 amendments to the Pinelands Comprehensive Management Plan (CMP) authorize the Commission to expand the alternate design pilot program by adding additional residential nutrient reducing onsite wastewater treatment technologies that attained verification and/or certification through either the United States Environmental Protection Agency, Environmental Technology Verification (USEPA ETV) Program or the National Sanitation Foundation (Now NSF International)/American National Standards Institute (NSF/ANSI) Standard 245 testing program.

NSF International has certified by performance evaluation that the Fuji Clean CEN5, manufactured by Fuji Clean USA has fulfilled the requirements of NSF/ANSI Standard 245. The Fuji Clean USA CEN5 treatment system successfully met the requirement of Standard 245 by producing a median effluent total nitrogen concentration of 10 mg/L (ppm).

Pursuant to the provisions of the Comprehensive Management Plan (CMP) at N.J.A.C. 7:50-10.23(b)1, the manufacturer or agent of an alternate design treatment system that has attained verification and/or certification status through the USEPA Environmental Technology Verification program or NSF/ANSI Standard 245 testing program and which seeks to participate in the Pinelands Alternate Design Treatment Systems Pilot Program must apply to the Commission to be considered for participation. Such requests are required to be accompanied by the following:

- (i) All laboratory test data and reports associated with the technology's participation in the USEPA ETV or NSF/ANSI Standard 245 testing program.
- (i) A description of the distribution and technical support system that the technology vendor will utilize to supply and support the treatment system in the Pinelands Area;
- (ii) An estimate of the cost of the technology including but not limited to equipment, shipping, warranty, operation and maintenance services and effluent monitoring; and
- (iii) The expected total nitrogen concentration to be achieved by the technology when serving residential development in the Pinelands Area.

In conformance with the requirements of N.J.A.C. 7:50-10.23(b)1, Fuji Clean USA has submitted the following documentation:

- 1. One report entitled: Wastewater Technology, NSF/ANSI Standard 245 – Wastewater Treatment Systems – Nitrogen Reduction Final Report: Fuji Clean USA, LLC CEN5 13/15/055/0030 (66 pages).
- 2. One page letter from Fuji Clean USA, LLC, dated August 4, 2021, requesting inclusion of the Fuji Clean CEN model series wastewater treatment technology in the New Jersey Pinelands Alternate Design Treatment Systems Pilot Program.
- 3. One page description of the technology Distribution and Support Plan
- 4. Twenty-five-page Contractor Installation Manual Residential Systems CE and CEN Models (rev. 6-30-2021)
- 5. One page Installer Training Outline
- 6. Seventeen page Owner's Manual – Residential Systems (Rev. 7-7-2019)
- 7. Twenty-eight page Operation and Maintenance Manual Residential Systems CE and CEN Models (Rev 3-9-2020)
- 8. Four page Fuji Clean USA Treatment System Sampling Protocol
- 9. 2 page cut sheet describing the features and specifications of the XPERT ALERT WiFi Alarm System



10. The Fuji Clean USA five-year system warranty
11. The Fuji Clean USA five-year system Maintenance and Service Contract Items
12. Fuji Clean USA treatment system cost information
13. Various State Approval Documents and system performance reports and exhibits

**I have reviewed the above materials and offer the following comments:**

The Fuji Clean treatment system utilizes a “contact filtration” treatment process consisting of a controlled, circuitous flow train through anaerobic and aerobic chambers during which time the wastewater is in direct contact with assorted proprietary fixed film media on which biological digestion of organic matter occurs. The media is also designed and positioned to provide mechanical filtration of wastewater. Nitrogen removal is accomplished through a series of aerobic-anaerobic bio-degradations, which result from recirculating the waste stream through aerobic and anaerobic chambers multiple times. Four distinctive steps (chemical and mechanical) are involved. The first is the anaerobic hydrolysis reaction for protein and amino acid to decompose and form ammonium nitrogen. The second is in an aerobic chamber where oxygen is introduced, and bacteria nitrify (oxidize) ammonium nitrogen to form nitrite and then nitrate ions (biological nitrification). In the third step, which is mechanical, liquid containing nitrite and nitrate ions is returned, via an airlift pump, to the anaerobic chamber. Then, in the fourth step, these ions are reduced in an anaerobic chamber, by anaerobic bacteria and organic substances, to form nitrogen gas.

Pursuant to the pilot program requirements, the Fuji Clean USA monitoring protocol requires effluent samples to be collected quarterly, beginning no more than three months after the date of issuance of the certificate of occupancy. Wastewater effluent monitoring data will be conducted for a period of three years for a total of twelve samples from each system. Wastewater testing parameters will include nitrate-nitrogen, nitrite-nitrogen, ammonia-nitrogen, total kjeldahl nitrogen, and total nitrogen. A NJ certified laboratory will conduct all the required analyses. Sample procurement will be in accordance with the latest version of the NJDEP “Field Sampling Procedures Manual”. Laboratory analytical methods and quality control/quality assurance procedures must conform to the requirements of N.J.A.C. 7:18 et seq.

Fuji Clean USA, LLC estimates that the total cost for a Fuji Clean USA CEN 5 (450 gpd) treatment system (exclusive of the soil dispersal field) sized to serve a typical four-bedroom home will be on the order of \$12,575. The firm has identified local supply and support services for the treatment system.

**Recommendation**

Based upon a review of materials submitted by Fuji Clean USA, LLC for the Fuji Clean USA CEN Series wastewater treatment system, it is my recommendation that the Pinelands Commission approve the Fuji Clean USA CEN Series Treatment System for participation in the Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems. The anticipated total nitrogen concentration in treated effluent from the Fuji Clean USA Wastewater Treatment System is  $\leq 14$  mg/l which, for piloting purposes, qualifies the treatment system for use by single family residential development on minimum one-acre parcels.



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## MEMORANDUM

To: Susan Grogan,  
Acting Executive Director

From: Ed Wengrowski,  
Environmental Technologies Coordinator

Date: October 7, 2021

Subject: Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems  
Recommended Approval of the Waterloo Biofilter Wastewater Treatment System

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Waterloo Biofilter Systems, Inc. the manufacturer of the Waterloo Biofilter Model 4-Bedroom wastewater treatment technology has applied to the Pinelands Commission to participate in the Pinelands Alternate Design Treatment Systems Pilot Program. The Waterloo Biofilter technology has been verified by the U.S. Environmental Protection Agency (USEPA) Environmental Technology Verification (ETV) Program to be capable of achieving high levels of nitrogen removal from domestic (residential) wastewater.

The 2010 amendments to the Pinelands Comprehensive Management Plan (CMP) authorize the Commission to expand the alternate design pilot program by adding additional residential nutrient reducing onsite wastewater treatment technologies that attained verification and/or certification through either the United States Environmental Protection Agency, Environmental Technology Verification (USEPA ETV) Program or the National Sanitation Foundation (Now NSF International)/American National Standards Institute (NSF/ANSI) Standard 245 testing program.

The USEPA ETV Program has verified by performance evaluation that the Waterloo Biofilter Model 4-Bedroom, manufactured by Waterloo Biofilter Systems, Inc. has fulfilled the requirements of the USEPA ETV residential wastewater treatment system nitrogen reduction program. Waterloo Biofilter Model 4-Bedroom treatment system successfully met the requirements of the USEPA ETV program by producing a median effluent total nitrogen concentration of 13 mg/L (ppm).

Pursuant to the provisions of the Comprehensive Management Plan (CMP) at N.J.A.C. 7:50-10.23(b)1, the manufacturer or agent of an alternate design treatment system that has attained verification and/or certification status through the USEPA Environmental Technology Verification program or NSF/ANSI Standard 245 testing program and which seeks to participate in the Pinelands Alternate Design Treatment Systems Pilot Program must apply to the Commission to be considered for participation. Such requests are required to be accompanied by the following:

- (i) All laboratory test data and reports associated with the technology's participation in the USEPA ETV or NSF/ANSI Standard 245 testing program.
- (i) A description of the distribution and technical support system that the technology vendor will utilize to supply and support the treatment system in the Pinelands Area;
- (ii) An estimate of the cost of the technology including but not limited to equipment, shipping, warranty, operation and maintenance services and effluent monitoring; and
- (iii) The expected total nitrogen concentration to be achieved by the technology when serving residential development in the Pinelands Area.

In conformance with the requirements of N.J.A.C. 7:50-10.23(b)1, Waterloo Biofilter Systems, Inc. has submitted the following documentation:

1. One report entitled: Environmental Technology Verification Report, Reduction of Nitrogen in Domestic Wastewater from Individual Residential Homes, Waterloo Biofilter Systems, Inc. Waterloo Biofilter® Model 4 Bedroom Prepared by NSF under a cooperative Agreement with the U.S. Environmental Protection Agency (87 pages)
2. Three page application from Waterloo Biofilter Systems, Inc, received August 6, 2021, requesting inclusion of the Waterloo Biofilter wastewater treatment technology in the New Jersey Pinelands Alternate Design Treatment Systems Pilot Program. Also included in the application is the anticipated cost of the system and a description of the technology's distribution and support plan.
3. Thirty-six page Waterloo Information Package, NJ Pinelands Commission, dated September 2021 including Waterloo Smart Panel Functional Brief, Waterloo Smart Panel Brochure, Waterloo Biofilter Owner's Manual – Waterloo Baskets, Waterloo Biofilter Owner's Manual – Waterloo Smart Panel, Waterloo Baskets Schematic, Waterloo Biofilter Baskets + WaterNOx-LS Schematic, and Waterloo Biofilter Residential Brochure.
4. Twenty page Waterloo Biofilter Basket Biofilter Owner's Manual including 5 year warranty
5. Eight page Waterloo Biofilter Smart Panel Owner's Manual.
6. Two page Waterloo Biofilter Smart Panel information sheet.
7. One page Waterloo Biofilter Smart Panel Process Controller operational details.
8. Three page Waterloo Biofilter Wastewater Monitoring Protocol

9. Six page Waterloo Biofilter Wastewater Treatment System 5-year Service Contract

10. Two page Waterloo Biofilter Deed Notice

**I have reviewed the above materials and offer the following comments:**

The Waterloo Biofilter® Model 4-Bedroom system is a two stage treatment technology, based on a fixed film trickling filter, using patented foam cubes to achieve treatment. The first stage of treatment occurs in the primary tank (normally a 1,500 gallon two compartment septic tank, a single compartment tank was used for the test) in which the solids are settled and partially digested. The second stage, the Biofilter® unit, is a separate system that provides secondary wastewater treatment. Microorganisms present in the wastewater attach to the Waterloo® patented foam media and use the nutrients and organic materials provided by the constant supply of fresh wastewater to form new cell mass. The system does not have a fan, as passive aeration to support the microorganisms is provided by openings in the Biofilter® housing and the characteristics of the foam material, allowing air to freely pass through the media.

The Waterloo Biofilter® system is designed to remove total nitrogen from the wastewater by nitrification and denitrification. Nitrification occurs in the aerobic Biofilter® unit, where ammonia nitrogen is converted to nitrite and nitrate (predominately nitrate), while denitrification occurs in the anaerobic/anoxic primary tank, where the nitrite/nitrate is converted to nitrogen gas.

Pursuant to the pilot program requirements, the Waterloo Biofilter monitoring protocol requires effluent samples to be collected quarterly, beginning no more than three months after the date of issuance of the certificate of occupancy. Wastewater effluent monitoring data will be conducted for a period of three years for a total of twelve samples from each system. Wastewater testing parameters will include nitrate-nitrogen, nitrite-nitrogen, ammonia-nitrogen, total kjeldahl nitrogen, and total nitrogen. A NJ certified laboratory will conduct all the required analyses. Sample procurement will be in accordance with the latest version of the NJDEP "Field Sampling Procedures Manual". Laboratory analytical methods and quality control/quality assurance procedures must conform to the requirements of N.J.A.C. 7:18 et seq.

Waterloo Biofilter Systems, Inc. estimates that the total cost for a Waterloo Biofilter Model 4-Bedroom treatment system (exclusive of the soil dispersal field) sized to serve a typical four-bedroom home will be on the order of \$14,700. The firm has identified regional supply and support services for the treatment system.

**Recommendation**

Based upon a review of materials submitted by Waterloo Biofilter Systems, Inc for the Waterloo Biofilter Model 4-Bedroom wastewater treatment system, it is my recommendation that the Pinelands Commission approve the Waterloo Biofilter Treatment System for participation in the Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems. The anticipated total nitrogen concentration in treated effluent from the Waterloo Biofilter Wastewater Treatment System is  $\leq 14$  mg/l which, for piloting purposes, qualifies the treatment system for use by single family residential development on minimum one-acre parcels.



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## MEMORANDUM

To: Susan Grogan,  
Acting Executive Director

From: Ed Wengrowski,  
Environmental Technologies Coordinator

Date: October 6, 2021

Subject: Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems  
Recommended Approval of the Pugo Wastewater Treatment System

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Adelante Consulting, Inc. the manufacturer of the Pugo wastewater treatment system has applied to the Pinelands Commission to participate in the Pinelands Alternate Design Treatment Systems Pilot Program. The Pugo system is an NSF/ANSI Standard 245 (nitrogen reducing) certified wastewater treatment technology.

The 2010 amendments to the Pinelands Comprehensive Management Plan (CMP) authorize the Commission to expand the alternate design pilot program by adding additional residential nutrient reducing onsite wastewater treatment technologies that attained verification and/or certification through either the United States Environmental Protection Agency, Environmental Technology Verification (USEPA ETV) Program or the National Sanitation Foundation (Now NSF International)/American National Standards Institute (NSF/ANSI) Standard 245 testing program.

NSF International has certified by performance evaluation that the Pugo system, manufactured Adelante Consulting, Inc. has fulfilled the requirements of NSF/ANSI Standard 245. The Pugo treatment system successfully met the requirement of Standard 245 by producing a median effluent total nitrogen concentration of 17 mg/L (ppm).

Pursuant to the provisions of the Comprehensive Management Plan (CMP) at N.J.A.C. 7:50-10.23(b)1, the manufacturer or agent of an alternate design treatment system that has attained verification and/or certification status through the USEPA Environmental Technology Verification program or NSF/ANSI Standard 245 testing program and which seeks to participate in the Pinelands Alternate Design Treatment Systems Pilot Program must apply to the Commission to be considered for participation. Such requests are required to be accompanied by the following:

- (i) All laboratory test data and reports associated with the technology's participation in the USEPA ETV or NSF/ANSI Standard 245 testing program.
- (i) A description of the distribution and technical support system that the technology vendor will utilize to supply and support the treatment system in the Pinelands Area;
- (ii) An estimate of the cost of the technology including but not limited to equipment, shipping, warranty, operation and maintenance services and effluent monitoring; and
- (iii) The expected total nitrogen concentration to be achieved by the technology when serving residential development in the Pinelands Area.

In conformance with the requirements of N.J.A.C. 7:50-10.23(b)1, Adelante Consulting, Inc. has submitted the following documentation:

1. One report entitled: Wastewater Technology, NSF/ANSI Standard 245 – Wastewater Treatment Systems – Nitrogen Reduction Final Report: Adelante Consulting, Pugo Systems 15/09/055/0030 (53 pages).
2. One page letter with four-page attachment from Adelante Consulting, Inc., received on July 28, 2021, requesting inclusion of the Pugo wastewater treatment technology in the New Jersey Pinelands Alternate Design Treatment Systems Pilot Program.
3. One page description of the technology distribution and technical support system that the technology vendor will utilize to supply and support the treatment system in the Pinelands Area;
4. Eight page Pugo Systems Operation and Maintenance Manual
5. Four page Pugo Systems Owner's Manual
6. One page Adelante Consulting, Inc Pugo Systems five-year warranty
7. Two page 5-year Operation and Maintenance Contract
8. Two page Pugo Systems Treatment System Sampling Protocol
9. Two page Pugo Systems Product Overview
10. One page Pugo Systems Deed Notice

11. One page Pugo system engineering details design plan
12. Two page cut sheet detailing the Remote Monitoring/Management Systems (RMSYS) alarm system features and specifications
13. Pugo system treatment system cost information.

**I have reviewed the above materials and offer the following comments:**

The Pugo Systems is an integrated treatment system that employs physical separation (sedimentation and flotation), aerobic biological treatment with fixed media, biological denitrification, and sedimentation.

Physical separation of floatable and sinkable solids in the influent wastewater occurs in the first chamber of the unit. Settleable solids are allowed to settle much as they would in a conventional septic tank. A submerged outlet baffle is used to retain floatable solids in this chamber. Sludge and scum are periodically removed from this chamber through vacuuming in the same manner as with a conventional septic tank.

Aerobic biological treatment using fixed media occurs in the second chamber. Effluent from the first chamber flows through the second chamber and the media bags, which are stacked. The treatment zone is a fixed bed zone consisting of bagged aerobic media. After passing through the media bed, water either flows through the outlet baffle and into the clarification chamber or is recirculated back to the first chamber. The air flow for aeration is provided by the 85 L/min pump. Air is distributed through perforated pipes located beneath the media and bubbles up through the media, providing oxygen for aerobic treatment. Excess biomass that sloughs off of the media is removed from the treatment chamber by the recirculation system and returned to the first chamber. Recirculation is accomplished through air-lift pumping, with a portion of the air from the aeration pump injected near the bottom of the lift tube. The recirculation rate is controlled by a needle valve on the air line to the lift tube.

During Aerobic Treatment, a portion of effluent from the second chamber is removed from the bottom of the chamber and recirculated back to the first chamber using an air-lift pump. Recirculation serves two purposes. First, recirculation creates a constant flow of wastewater through the treatment unit, thereby creating more stable operating conditions. Second, recirculation of nitrified effluent from the aeration chamber to the first chamber allows removal of nitrogen from the wastewater by biological denitrification. The reduced organic nitrogen in the effluent from the first chamber is oxidized to nitrate in the aerobic treatment zone. This nitrate containing wastewater is recirculated back to the influent chamber. Oxidation of a portion of the organic carbon in the influent to the tank creates an anoxic zone in the first chamber. The presence of anoxic conditions, organic carbon, and nitrate allows biological denitrification to occur, reducing the nitrate to nitrogen gas, which is vented from the system.

The third chamber is used for clarification of the effluent from the aerobic treatment unit. Water flows from a baffle, located midway up the treatment chamber wall into the sedimentation chamber baffle set at a 45-degree angle. This causes the water to circulate through the chamber to the outlet baffle, which is

set at a 45-degree angle in the opposite direction. As the water circulates through the chamber, solids settle and accumulate at the bottom of the chamber.

Pursuant to the pilot program requirements, the Pugo system monitoring protocol requires effluent samples to be collected quarterly, beginning no more than three months after the date of issuance of the certificate of occupancy. Wastewater effluent monitoring data will be conducted for a period of three years for a total of twelve samples from each system. Wastewater testing parameters will include nitrate-nitrogen, nitrite-nitrogen, ammonia-nitrogen, total kjeldahl nitrogen, and total nitrogen. A NJ certified laboratory will conduct all the required analyses. Sample procurement will be in accordance with the latest version of the NJDEP "Field Sampling Procedures Manual". Laboratory analytical methods and quality control/quality assurance procedures must conform to the requirements of N.J.A.C. 7:18 et seq.

Adelante Consulting estimates that the total cost for a Pugo treatment system (exclusive of the soil dispersal field) sized to serve a typical four-bedroom home will be on the order of \$14,864. The firm has identified regional supply and support service providers for the treatment system.

### **Recommendation**

Based upon a review of materials submitted by Adelante Consulting for the Pugo wastewater treatment system, it is my recommendation that the Pinelands Commission approve the Pugo treatment system for participation in the Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems. The anticipated total nitrogen concentration in treated effluent from the Pugo system is  $\leq 17$  mg/l which, for piloting purposes, qualifies the treatment system for use by single family residential development on minimum 1.26-acre parcels.





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## MEMORANDUM

To: Susan Grogan,  
Acting Executive Director

From: Ed Wengrowski,  
Environmental Technologies Coordinator

Date: October 11, 2021

Subject: Pinelands Pilot Program for Alternate Design Wastewater Treatment Systems  
Recommended Approval of the Busse Wastewater Treatment System

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Busse Innovative Systeme GmbH, the manufacturer of the Busse Model MF-B-400 wastewater treatment systems has applied to the Pinelands Commission through its local agent, Busse NY, to participate in the Pinelands Alternate Design Treatment Systems Pilot Program. The Busse Model MF-B-400 technology is an NSF/ANSI Standard 245 (nitrogen reducing) certified wastewater treatment technology.

The 2010 amendments to the Pinelands Comprehensive Management Plan (CMP) authorize the Commission to expand the alternate design pilot program by adding additional residential nutrient reducing onsite wastewater treatment technologies that attained verification and/or certification through either the United States Environmental Protection Agency, Environmental Technology Verification (USEPA ETV) Program or the National Sanitation Foundation (Now NSF International)/American National Standards Institute (NSF/ANSI) Standard 245 testing program.

NSF International has certified by performance evaluation that the Busse Model MF-B-400 manufactured by Busse Innovative Systeme GmbH has fulfilled the requirements of NSF/ANSI Standard 245. The Busse Model MF-B-400 treatment system successfully met the requirement of Standard 245 by producing a median effluent total nitrogen concentration of 15 mg/L (ppm).

Pursuant to the provisions of the Comprehensive Management Plan (CMP) at N.J.A.C. 7:50-10.23(b)1, the manufacturer or agent of an alternate design treatment system that has attained verification and/or certification status through the USEPA Environmental Technology Verification program or NSF/ANSI Standard 245 testing program and which seeks to participate in the Pinelands Alternate Design Treatment Systems Pilot Program must apply to the Commission to be considered for participation. Such requests are required to be accompanied by the following:

(i) All laboratory test data and reports associated with the technology's participation in the USEPA ETV or NSF/ANSI Standard 245 testing program.

(i) A description of the distribution and technical support system that the technology vendor will utilize to supply and support the treatment system in the Pinelands Area;

(ii) An estimate of the cost of the technology including but not limited to equipment, shipping, warranty, operation and maintenance services and effluent monitoring; and

(iii) The expected total nitrogen concentration to be achieved by the technology when serving residential development in the Pinelands Area.

In conformance with the requirements of N.J.A.C. 7:50-10.23(b)1, Busse NY has submitted the following documentation:

1. One report entitled: Wastewater Technology, NSF/ANSI Standard 245 – Wastewater Treatment Systems – Nitrogen Reduction Final Report: Busse Innovative Systeme GmbH, Model MF-B-400 Wastewater Treatment System 07/11/055/0030 (187 pages).
2. One page Busse Technical Checklist and Field Maintenance Report
3. Five page 5-year Busse Warranty
4. Seventeen page Busse Engineering Plans as approved by various NY and MA jurisdictions
5. Forty page Owner's Manual
6. Four page Busse Deed Notice
7. Three page Wastewater Sampling Protocol
8. Three page Busse Minimum Required Maintenance & Service Contract Items
9. Two page Busse Membrane Cleaning Manual for Kubota M-Box & Busse Plate Membrane
10. Sixty-nine page packet (Appendix A) containing Materials, Characteristics, Components, Design Specifications including system Alarm specifications
11. Twenty-two page document identifying various state approvals of the Busse treatment system

12. One-hundred-eighty-seven page document identifying various Busse certifications by US and European Union certification listings
13. One page document identifying Busse system cost information
14. Thirteen page document containing Busse Brochures, Sales, Promotion and Handout documents
15. Sixty-six page document containing Busse Power Point Presentation

**I have reviewed the above materials and offer the following comments:**

The Busse Model MF-B-400 is a small-scale membrane bioreactor. The bioreactor provides an aerobic environment where microorganisms present in the wastewater can remove soluble contaminants, using them as a source of energy for growth and production of new microorganisms. The organisms tend to be flocculent and form clumps, or floc, that physically entrap particulate organic matter. The organic matter is attacked by extracellular enzymes that solubilize the solids to make them available to the microorganisms as a food source. The conversion of the organic matter from soluble to biological solids allows for removal of the organic matter by settling and filtration of the solids in the treatment process.

The membranes provide a barrier that retains the microorganisms, allowing them to remain in the treatment process for long periods of time. The large inventory of biological solids in the process provides a buffer for shock loading of organic matter. The long residence time in the treatment system allows for the organisms to consume themselves, reducing the total amount of solids produced by the treatment process.

The organisms primarily responsible for the degradation of the organic matter are aerobic bacteria. As such, the transfer of oxygen into the wastewater by an aeration system is critical to the treatment process. The aeration system also provides for the mixing of the wastewater and organisms to provide contact between the organic contaminants in the wastewater and the organisms that provide for removal of the contaminants.

Pursuant to the pilot program requirements, the Busse Model MF-B-400 monitoring protocol requires effluent samples to be collected quarterly, beginning no more than three months after the date of issuance of the certificate of occupancy. Wastewater effluent monitoring data will be conducted for a period of three years for a total of twelve samples from each system. Wastewater testing parameters will include nitrate-nitrogen, nitrite-nitrogen, ammonia-nitrogen, total kjeldahl nitrogen, and total nitrogen. A NJ certified laboratory will conduct all the required analyses. Sample procurement will be in accordance with the latest version of the NJDEP "Field Sampling Procedures Manual". Laboratory analytical methods and quality control/quality assurance procedures must conform to the requirements of N.J.A.C. 7:18 et seq.

Busse NY estimates that the total cost for a Busse Model MF-B-400 treatment system (exclusive of the soil dispersal field) sized to serve a typical four-bedroom home will be on the order of \$31,000. The firm has identified regional supply and support services for the treatment system.

**Recommendation**

Based upon a review of materials submitted by Busse NY for the Busse Model MF-B-400 wastewater treatment system, it is my recommendation that the Pinelands Commission approve the Busse Model MF-B-400 Treatment System for participation in the Pinelands Pilot Program for Alternate Design

Wastewater Treatment Systems. The NSF testing program produced a median total nitrogen concentration of 15 mg/L in effluent treated by the Busse Model MF-B-400 Wastewater Treatment System.

The manufacturer reports that the system will produce effluent with a total nitrogen concentration of  $\leq 14$  mg/l or less with some minor programming changes and a slight increase in energy usage. With these minor operating adjustments, the anticipated total nitrogen concentration in treated effluent from the Busse Model MF-B-400 Wastewater Treatment System is  $\leq 14$  mg/l which, for piloting purposes, qualifies the treatment system for use by single family residential development on minimum one acre parcels.



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## MEMORANDUM

To: Members of the Pinelands Commission

From: Brad Lanute *DBL*  
Planning Specialist

Date: November 3, 2021

Subject: No Substantial Issue Findings

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During the past month, the Planning Office reviewed eight 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:

**Egg Harbor City Ordinance 10-2021** – amends Chapter 170 (Land Use Development) of the City Code to permit Class 1-licensed cannabis cultivation, Class 2-licensed cannabis manufacturing, Class 3-licensed cannabis wholesaling, Class 4-licensed cannabis distribution, and Class 6-licensed cannabis delivery establishments within the Industrial Use (IND) Zone. It also permits one Class 5-licensed cannabis retail establishment within both the Retail Commercial (RC) and Highway Commercial (HC) zones. The IND, HC, and RC zones are all located within a Pinelands Town management area.

**Egg Harbor Township Ordinance 39-2021** - amends Chapter 225 (Zoning) of the Township Code by providing revised schedules of area, yard and building requirements that include side- and rear-yard setback standards for sheds. The standards are applicable to various zones within the Pinelands Area.

**Evesham Township Ordinance 13-3-2021** - amends Chapter 127 (Site Plan Review) of the Township Code to provide the Planning Board and Zoning Board with the power to waive site plan approval requirements under certain conditions specified in the ordinance.

**Evesham Township Ordinance 15-3-2021** – amends Chapter 160 (Zoning) of the Township Code to increase the base floor area ratio (FAR) in the Commercial-2 (C-2) District from .15 to .20 as well as in the Office Professional (OP) District from .11 to .18. The ordinance also repeals provisions allowing for an increase in FAR above the base via contributions to the Township Capital Fund. The ordinance also revises the definition of “Floor Area” to exclude solar canopies from the calculation of floor area. The C-2 District is located within a Pinelands Rural Development Area, while the OP District is located within a Pinelands Regional Growth Area.

**Evesham Township Ordinance 17-3-2021** – amends Chapter 161 (Zoning Modification and Additional Requirements) of the Township Code to revise various affordable housing development fee provisions. The ordinance clarifies that the collection and expenditure of such fees shall be approved by the Superior Court, provides an exemption for developers constructing affordable units elsewhere within the Township, requires that the full development fee be paid prior to the issuance of a temporary or final certificate of occupancy, and revises provisions related to the management of the Township’s Affordable Housing Trust Fund.

**Hammonton Town Ordinance 008-2021** - amends Chapter 175 (Land Development) of the Town Code to require that any accessory structure erected in a side yard be set back a minimum of five feet behind the front façade of the principal building. Additionally, the ordinance establishes a maximum cumulative area limitation for accessory structures within the AP, AP/CLI, FA, R1, R2, R3, and RR districts. The AP and AP/CLI districts are located within a Pinelands Agricultural Production Area, the FA district is located within a Pinelands Forest Area, and the R1, R2, R3, and RR districts are located within a Pinelands Town management area.

**Monroe Township Ordinance O:17-2021** - amends Chapter 175 (Land Management) of the Township Code to provide that at least 13% of all required affordable housing units, including for sale and rental units, be made affordable to very-low-income households.

**Vineland City Ordinance 2021-35** - amends Chapter 425 (Land Use) of the City Code to expressly permit digital signs and provide standards for digital sign brightness, frequency of sign changes, and speed of sign changes. The ordinance maintains the existing prohibition on billboards within the Pinelands Area portion of the municipality.