



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



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

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA
Friday, August 11, 2023 - 9:30 a.m.

This meeting will be held in-person and virtually

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

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

<https://www.youtube.com/watch?v=Gdba7QQxTqg>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 875 9666 7000

1. Call to Order

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

2. Adoption of Minutes

- July 14, 2023 (Open and Closed Sessions)

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 (3) Applications for Public Development:

- Application No. 1985-0557.007 - Medford Township
Demolition of an existing vacant municipal building, 50 years old or older

Medford Township

- Application No. 2018-0029.002 - New Jersey Department of Transportation
Installation of 7,000 linear feet of four foot wide sidewalk within the U.S. Route 322
right-of-way
Hamilton Township
- Application No. 2023-0095.001 - Egg Harbor Township Municipal Utilities Authority
200 linear feet of public sanitary sewer main within Winnipeg Avenue right-of-way
Egg Harbor Township

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

- Application No. 1988-0706.025 - Town of Hammonton
Construction of a 3,627 linear foot earthen berm associated with the municipal treated
wastewater land application site
Hammonton

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

- Application No. 1988-1286.006 - Hammonton Board of Education
Construction of an 11,987 square foot addition to the Hammonton Early Childhood
Education Center
Hammonton

B. Planning Matters

- Municipal Master Plans and Ordinances
 - Issuing an Order to Certify Pemberton Township Ordinance 20-2023, Adopting the
Spruce Boulevard/Junction Road Redevelopment Plan
- 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. 1986-0127.012- Berkeley Township
Expansion of an existing municipal complex
Berkeley Township

- Application No. 2003-0403.005- Stafford Township
Installation of 4,500 of linear feet of potable water main within the Route 72 right-of-way
Stafford Township

B. Waivers of Strict Compliance

- Application No. 1989-0308.001-Pulley
Single family dwelling
Southampton Township

6. Master Plans and Ordinances Not Requiring Commission Action

- Barnegat Township Ordinance 2023-23
- Dennis Township 2022 Master Plan Reexamination Report
- Egg Harbor Township Ordinance 13-2023
- Medford Township Ordinance 2023-2
- Mullica Township Ordinance 7-2023

7. Presentation: Summary of the 2023 Rutgers Summer Service Internship

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., August 25, 2023	Policy & Implementation Committee Meeting (9:30 a.m.)
Tue., August 29, 2023	Personnel & Budget Committee Meeting (9:30 a.m.)
Fri., Sept. 8, 2023	Pinelands Commission Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES
July 14, 2023

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=tj0QrhehG-4>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., John Holroyd, Jerome H. Irick, Theresa Lettman, Ed Lloyd, Mark Lohbauer, Mark Mauriello, Jonathan Meade, William Pikolycky, Douglas Wallner and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney Generals (DAG) Nicolas Seminoff and Jason Stypinski and Governor's Authorities Unit representative Janice Venables.

Commissioners Absent

Dan Christy.

Call to Order

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

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

Chair Matos said this is DAG Seminoff's last meeting. She wished him well.

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

The Commission pledged allegiance to the Flag.

Election of Vice Chair

Chair Matos said the Commission elects a Vice Chair each July. She made a motion nominating Commissioner Alan Avery to continue serving as Vice Chair.

The motion was seconded by Commissioner Pikolycky. All were in favor.

Commissioner Avery will continue to serve as the Commission's Vice Chair.

ED Grogan announced the changes to Committee membership, while noting that the changes will be listed on the Commission's website.

Minutes

Chair Matos presented the minutes from the Commission's June 9, 2023 meeting.

Commissioner Lohbauer moved the adoption of the minutes. Commissioner Pikolycky seconded the motion.

The minutes from the June 9, 2023 Commission meeting were adopted by a vote of 12 to 0.

Committee Reports

Chair Matos said the June Policy and Implementation Committee meeting was canceled but the Committee will meet on Friday, July 28, 2023.

Vice Chair Avery provided a summary of the June 20, 2023 Personnel and Budget Committee meeting:

The Committee adopted the minutes from the March 21, 2023, meeting.

The Business Manager reviewed the check registers, electronic disbursements, and application fees from March 2023 to May 2023. It was noted that the FY 2023 application fees are currently at 165.74% of the anticipated amount.

The Business Services Manager requested a reinstatement of a fixed assets deletion for an Electro Fisher Backpack, Battery & Case, which was originally approved and marked for deletion on June 14, 2022. The equipment is still in use by the Science Department. The motion for reinstatement was unanimously approved by the Committee.

The Executive Director and Human Resources (HR) Manager provided an update on employee actions and recruitment efforts. The new Research Scientist started on April 10th. The HR Manager also attended the NJ State Job Fair in efforts to recruit for current vacancies.

The Executive Director made a presentation on application fees received during FY2023, including information on Pinelands Management Area and Development Type. She recommended that \$700,000 in fee revenue be budgeted for FY2024, which reflects a slight increase in anticipated revenue, but still well below what was received in FY2023. The recommendation was fully supported by the Committee.

The Executive Director also reviewed other key expenditures during FY2023 and provided the Committee with preliminary revenue projections based on the anticipated state appropriation and grant funding.

No public comments were made.

Executive Director's Report

ED Grogan provided information on the following matters:

- The public comment period for the Kirkwood-Cohansey water management amendments closed and an adoption notice was drafted. The rule package is currently under review by the Governor's office; when their office provides sign off, the Commission can proceed with adoption.
- The first contract negotiations meeting with the Communication Workers of America (CWA) Local 1040 was held in mid-June.
- A structural engineer performed a site visit this week to map the existing utilities of Fenwick Manor. The information will be included in the Preservation Plan and submitted as part of the grant application to the New Jersey Historic Trust.
- The Governor signed the FY2024 State Budget on June 30th, but it did not include an increased appropriation for the Commission. The three positions staff intended to recruit for will remain on hold.

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

- In an effort to better serve the public and relieve some of the workload of Regulatory Programs staff, an enhanced, more user-friendly version of the interactive map has launched on the Commission's website: <https://www.nj.gov/pinelands/home/maps/interactivemap/>. Staff will also be sharing the new version of the map with Pinelands municipalities so they can better serve their residents.

ED Grogan noted that the original interactive map will remain available on the Commission's website. She added that in the future, staff plans to create additional specialized maps that will also be available to the public on the website. She said staff envisions creating a map for appraisers, who often call the Commission and ask about preserved lands or Pinelands Development Credit deed-restricted properties.

- Residents of Leisuretowne in Southampton Township were distraught over the placement of a switchgear, which is a large metal mechanical box, within the community. The switchgear is used to connect the power generated from the solar

facility at the Big Hill landfill to the electrical grid. Staff are involved in the process to determine an alternate location for the switchgear.

- Staff has spent a great deal of time on an application for the reconstruction of a single-family dwelling in Woodland Township. If a dwelling is reconstructed within five years of its demolition, an application to the Commission is not required. After five years, the reconstruction requires the submission of application to the Commission. In this instance, the parcel is located in the Pinelands Preservation Area District and the applicant must meet certain standards to qualify to build a dwelling. The applicant will not qualify to rebuild the home once the five-year time limit is up.

Commissioner Avery asked how the Commission became involved in the matter.

Director Horner said in 2015 an inquiry was received regarding the demolition and reconstruction of a dwelling and the possibility of moving the dwelling elsewhere on the lot. He noted that it is possible to move a dwelling, as long as it is not constructed in wetlands and the dwelling maintains the same buffer to wetlands in the new location on the parcel. Staff advised that the reconstruction must be complete within five years. Based on a demolition date provided by Woodland Township, the reconstruction date expires in 2023. He said the applicant has advised the Commission that due to personal reasons the house has not yet been rebuilt and the applicant is requesting relief from the Commission. He said there is nothing in the Comprehensive Management Plan (CMP) that permits a waiver of this provision, especially in this instance when an application is not required.

Commissioner Mauriello asked if the applicant can apply to construct a dwelling and will staff take into consideration the pre-existing house.

Director Horner said an applicant can always apply to the Commission for development and proceed through the process. He added that a Commission public hearing and Office of Administrative Law process are options for applicants. He said the development of single-family dwellings in the Preservation Area District is only permitted under limited circumstances.

Director Horner said approximately eight months ago, the Commission approved an application submitted by the New Jersey Department of Environmental Protection for a firebreak along Allen and Oswego roads. He said at the June Commission meeting a Commissioner asked a question about the proximity of a recent wildfire in Bass River State Forest to the proposed Allen and Oswego roads forest fuel break. He displayed maps on the Smartboard that were prepared by the New Jersey State Forest Fire Service, depicting the Allen Road fire that took place in early June and the Log Swamp Fire from mid-April (see attached maps).

Stacey Roth, Chief, Legal & Legislative Affairs said she serves as the Commission's Chief Diversity Officer and participated in the first meeting of the Office of Diversity, Equity,

Inclusion and Belonging (DEIB) on June 28, 2023, during which the Council discussed its goals.

Paul Leakan, Communications Officer, provided an overview of the 7th Annual Pinelands Summer Short Course. He also provided the details of two upcoming Pinelands Speaker Series events.

Memorandum of Agreement (MOA) proposal with Stafford Township

ED Grogan said the CMP authorizes the Commission to enter into an MOA with another public agency when a standard of the plan cannot be met. The proposal must include an offset to ensure protection of Pinelands resources. The MOA process includes 13 steps, as outlined in the attached presentation slides. She said that she and Chair Matos met with Stafford Township a couple of months ago and the Policy and Implementation Committee was presented with the proposal at its May meeting.

She said Matthew R. von der Hayden, Stafford Township Administrator, and the Township's Engineer, Frank Little, are here to brief the full Commission on the deviation MOA proposal, which is step 7 in the process. She said after the presentation she will be looking for a general consensus of the Commission to authorize staff to move forward with the MOA.

Mr. von der Hayden said Stafford would like to improve the existing pathways at Forecastle Lake Park by paving a trail. He said in the past the park had a homeless population and was known to be frequented by drug users. He said the park is scenic and being used by walkers and hikers, as demonstrated by the well-worn paths. The Township's goal is for everyone to be able to use the park and that's why the proposal includes using asphalt rather than crushed stone. He said the proposal includes approximately 2,600 linear feet of asphalt pathway, installed at a six-foot width for wheelchair accessibility. He said the soils at the park are Type A and considered permeable. The proposal will also include three handicap parking spaces. Link to presentation slides:

<https://www.nj.gov/pinelands/home/presentations/Stafford%20Trails%20Presentation%20-%20July%2014%202023.pdf>

Mr. Little said the 15,600-square-foot trail project will not be in wetlands, and it will maintain a 150-foot buffer to wetlands. He said the offset will include the reforestation of a 35,000-square-foot area.

Mr. von der Hayden said the Township will be using its own capital funds and tree fund in the Township budget to finance the project. The Township Council and Mayor are supportive of the projects.

Chair Matos advised Commissioners that no formal action is being taken today. She said if Commissioners agree with the proposal, the process will be move forward.

Commissioner Lloyd said he supports the project and hopes to see additional projects like this around the Pinelands.

Commissioner Asselta questioned whether the budget of \$100,000 was enough money to cover the cost of paving the trail.

Mr. von der Hayden said the Township has its own paving machine and staff recently received training to operate it. The Township will be purchasing the asphalt but performing the work.

Commissioner Asselta said he supported the use of asphalt because people with disabilities need a flat surface for mobility and safety.

Commissioner Mauriello asked if any tree clearing was part of the proposal.

Mr. Little said tree removal is not necessary, noting that only some tree branch trimming will occur.

Commissioner Lohbauer said he would like to know if there are any pH impacts to the soil from the use of asphalt.

Mr. von der Hayden noted that Stafford Township updated its code in 2019 to include requirements for native plants and trees.

ED Grogan said based on the questions and comments, it seems the Commission is in agreement that staff should work with Stafford Township to draft an MOA. She reviewed a draft schedule of dates that will include a public hearing and possible Commission action at the January 2024 Commission meeting (see attached slide).

Special Public Comment on MOA

Charlotte Borgersen said she heard about the project and reached out to Matt von der Hayden. She said she is really excited about the paved trail and hopes to see additional projects like it throughout New Jersey.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution approving three applications, which include a trail at the Piney Hollow Preservation Area in Franklin Township, the construction of a 10,470-square-foot building at Joint Base McGuire-Dix-Lakehurst and the construction of two artificial turf athletic fields and associated development in Egg Harbor Township.

Commissioner Pikolycky made a motion Approving With Conditions Applications for Public Development (Application Numbers 1986-1154.004, 1992-0351.005 & 2006-0160.004) (See Resolution # PC4-23-26). Commissioner Lohbauer seconded the motion.

Commissioner Lettman asked if the trail proposed at Piney Hollow Preservation Area was in addition to the existing trails already established at the site.

Director Horner said the Township previously applied for a boardwalk trail, but due to the cost the town is now proposing a six-foot-wide earthen trail through wetlands and wetland buffers.

Commissioner Lloyd asked if the width of the entire trail was six feet or if it was just the portion of the previously proposed boardwalk portion of the trail.

Director Horner said he could provide that information later in the meeting or at a future meeting. He noted that the CMP does not specify that proposed trails must be a certain minimum or maximum width. He said in this instance, the Township proposed the six-foot width and staff determined that there would not be a significant adverse impact to wetlands.

Commissioner Lloyd said it would not change the way he plans to vote on the application, but it would be helpful to know additional information about the existing trails at the preserve.

Commissioner Avery said that the Department of Transportation requires bike trails to be 10-foot wide.

Commissioner Asselta asked if the artificial turf fields are being installed at the high school in Egg Harbor Township.

Ernest Deman of the Regulatory Programs office said the artificial turf fields are being installed at a municipal recreation park.

Commissioner Asselta said artificial turf fields are very expensive and asked if the Township voted on the bond.

ED Grogan said the staff generally does not ask applicants questions about project financing because such information is not relevant to the CMP.

The resolution was adopted by a vote of 12 to 0.

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

Chair Matos read the list of Public Development applications. No public comment was received.

Ordinances Not Requiring Commission Action

ED Grogan read the list of ordinances and provided a brief overview of a few. She said Medford Township adopted a redevelopment plan that will permit a microbrewery in the Regional Growth Area and require a separate application to be reviewed by the Regulatory

Programs office. She said Southampton Township adopted an amended redevelopment plan for the Red Lion Diner Redevelopment Area, and the plan will include road improvements around the traffic circle. She said a few towns have refined their ordinances related to cannabis. She said Winslow Township submitted an ordinance permitting specific types of warehousing within an existing Regional Growth Area commercial district.

General Public Comment

Heidi Yeh of the Pinelands Preservation Alliance said she hopes more towns will take action like Winslow Township with differentiating the types of warehousing. She emphasized the importance of regional coordination with siting warehouses and encouraged the Commission to get involved in that effort.

Closed Session

Chair Matos said the Commission will need to meet in Closed Session to be briefed on a litigation matter.

DAG Seminoff said the Commission needs to discuss a property in the Pinelands that is currently in litigation with the NJDEP at the Office of Administrative Law (OAL).

Commissioner Lohbauer made a motion to enter Closed Session at 11:05 a.m. Commission Lloyd seconded the motion.

Return to Open Session

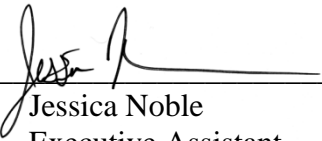
The Commission returned to Open Session at 11:46 a.m.

DAG Seminoff said the Commission received an update on a violation matter. He said when the matter is resolved the Closed Session minutes will be made available.

Adjournment

Commissioner Pikolycky moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 11:48 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: July 21, 2023



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23-26

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1986-1154.004, 1992-0351.005 & 2006-0160.004)

Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:

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

1986-1154.004

Applicant:	Franklin Township
Municipality:	Franklin Township
Management Area:	Pinelands Agricultural Production Area
Date of Report:	June 21, 2023
Proposed Development:	1,200 linear feet of trail at the Piney Hollow Preservation Area;

1992-0351.005

Applicant:	Egg Harbor Township
Municipality:	Egg Harbor Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	June 19, 2023
Proposed Development:	Construction of two artificial turf athletic fields, a 2,680 square foot concession stand, a 1,500 square foot storage building and a 96 stall parking lot; and

2006-0160.004

Applicant:	New Jersey Department of Military & Veterans Affairs
Municipality:	Jackson Township
Management Area:	Pinelands Military/Federal Installation Area
Date of Report:	June 21, 2023
Proposed Development:	Construction of a 10,470 square foot New Jersey National Guard Civil Support Team building at Joint Base McGuire-Dix-Lakehurst.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1986-1154.004, 1992-0351.005 & 2006-0160.004 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

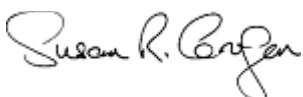
Record of Commission Votes

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

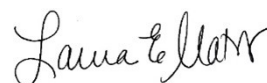
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: July 14, 2023



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



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LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

June 21, 2023

John Bruno, Mayor (via email)
Franklin Township
1571 Delsea Drive
Franklinville NJ 08322

Re: Application # 1986-1154.004
Block 6602, Lots 3 & 4
Franklin Township

Dear Mr. Bruno:

The Commission staff has completed its review of this application for 1,200 linear feet of trail at the Piney Hollow Preservation Area. Enclosed is a copy of an Amended Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Franklin Township Planning Board (via email)
Franklin Township Construction Code Official (via email)
Franklin Township Environmental Commission (via email)
Secretary, Gloucester County Planning Board (via email)
Austin Bazuk (via email)



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LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

AMENDED PUBLIC DEVELOPMENT APPLICATION REPORT

June 21, 2023

John Bruno, Mayor (via email)
 Franklin Township
 1571 Delsea Drive
 Franklinville NJ 08322

Application No.: 1986-1154.004
 Block 6602, Lots 3 & 4
 Franklin Township

This application proposes 1,200 linear feet of trail at the Piney Hollow Preservation Area located on the above referenced 221.92 acre parcel in Franklin Township. The proposed trail will be six feet wide. No trail surfacing material is proposed. The trail will be earthen.

On January 10, 2020, the Pinelands Commission approved an application for the construction of 853 linear feet of wooden boardwalk and certain minor accessory recreational improvements at the Piney Hollow Preservation Area (App. No. 1986-1154.004). The 1,200 linear feet of trail proposed in this amended application is instead of the previously approved 853 linear feet of wooden boardwalk. The previously approved recreational improvements have not been constructed.

STANDARDS

The Commission staff has reviewed the proposed trail 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. 7:50-5.24(a)6)

The proposed trail is located in a Pinelands Agricultural Production Area. The proposed trail constitutes a low intensity recreational use. Low intensity recreational uses are permitted in a Pinelands Agricultural Production Area provided five specified CMP conditions are met. The proposed trail meets the five CMP specified conditions.

Wetlands Standards (N.J.A.C. 7:50-6.11, 6.13 & 6.14)

The proposed trail will be located in the required buffer to wetlands. The CMP permits trails (linear development) in the required buffer to wetlands provided it is demonstrated that certain conditions are met. The applicant has demonstrated that there is no feasible alternative for the trail that does not involve development in the required buffer to wetlands or that will result in a less significant adverse

impact to the buffer to wetlands. In addition, the proposed trail will not result in substantial impairment of the resources of the Pinelands. With the conditions recommended below, all practical measures will be taken to mitigate the impact of the trail on the required buffer to wetlands. The applicant has indicated that the proposed trail will provide a connection from an existing parking lot to an existing trail system and will provide safe passage along the existing trails of the Piney Hollow Preservation Area. The applicant has demonstrated that the need for the proposed trail overrides the importance of protecting the concerned wetlands.

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

The proposed trail will be located in existing forested areas. The applicant has indicated that no tree removal is proposed or required and that the proposed vegetation removal is limited to the cutting of understory vegetation flush with the ground. The proposed vegetation removal is limited to that which is necessary to accommodate the proposed trail.

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

The applicant has submitted information that demonstrates that the proposed earthen trail will not result in any increase in volume and rate of stormwater runoff. The applicant has demonstrated that the earthen trail is consistent with the 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 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 provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 29, 2021. Newspaper public notice was completed on May 20, 2021. The application was designated as complete on the Commission's website on May 24, 2023. The Commission's public comment period closed on June 9, 2023. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed trail shall adhere to the plan, consisting of 10 sheets, prepared by CME Associates, Inc. and dated as follows:

 Sheets 1, 3, 5, 8 & 10 - April 2018; revised to January 3, 2023;
 Sheets 2 & 4 - April 2018; revised to November 2, 2021;
 Sheets 6, 7 & 9 - April 2018; revised to February 24, 2020.
2. Disposal of any vegetative debris may only occur at an appropriately licensed facility.
3. Prior to any trail development, the applicant shall obtain any other necessary permits and approvals.

4. Appropriate measures shall be taken during vegetation removal for the proposed trail to preclude sedimentation from entering wetlands and shall be maintained in place until the trail has been completed.

CONCLUSION

As the proposed trail 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 trail subject to the above conditions.



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Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 July 10, 2023 and include the following information:

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

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



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

June 19, 2023

Donna Markulic, Administrator (via email)
Egg Harbor Township
3515 Bargaintown Road
Egg Harbor Township NJ 08234

Re: Application # 1992-0351.005
Block 3201, Lots 34 - 36
Egg Harbor Township

Dear Ms. Markulic:

The Commission staff has completed its review of this application for the construction of two artificial turf athletic fields, a 2,680 square foot concession stand, a 1,500 square foot storage building and a 96 stall parking lot. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2023 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

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



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 SHEILA Y. OLIVER
 Lt. Governor

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 19, 2023

Donna Markulic, Administrator (via email)
 Egg Harbor Township
 3515 Bargaintown Road
 Egg Harbor Township NJ 08234

Application No.: 1992-0351.005
 Block 3201, Lots 34 - 36
 Egg Harbor Township

This application proposes construction of two artificial turf athletic fields, a 2,680 square foot concession stand, a 1,500 square foot storage building and a 96 stall parking lot located on the above referenced 91.73 acre parcel in Egg Harbor Township. There is an existing recreational facility (Tony Canale Park) on the parcel.

The application proposes to replace existing grassed athletic fields with two artificial turf athletic fields. The submitted plan labels the 2,680 square foot concession stand and the 1,500 square foot storage building as “future storage building.” The two concerned buildings are included in this application.

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(a))

The proposed development is located in a Pinelands Regional Growth Area. The proposed athletic fields and accessory development are a permitted land use in a Pinelands Regional Growth Area.

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

There are wetlands located on the above referenced parcel. All development, including clearing and land disturbance, will be located at least 300 feet from wetlands.

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

The proposed development will be located primarily within the limits of the existing grassed athletic

fields. The proposed storage building will require the clearing of approximately 7,800 square feet of pine-oak forest. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

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

The proposed development will be serviced by public sanitary sewer.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the application proposes to construct five subsurface stormwater infiltration systems.

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

The Commission staff reviewed the application for evidence of significant 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 land owners within 200 feet of the above referenced parcel was completed on December 15, 2022. Newspaper public notice was completed on December 17, 2022. The application was designated as complete on the Commission's website on May 26, 2023. The Commission's public comment period closed on June 9, 2023. 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 22 sheets, prepared by Colliers Engineering & Design, all sheets dated November 22, 2022 and revised to March 20, 2023.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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



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Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

June 21, 2023

Michael Lyons (via email)
New Jersey Department of Military & Veterans Affairs
101 Eggert Crossing Road
Lawrenceville NJ 08648-2805

Re: Application # 2006-0160.004
Block 23601, Lot 1
Jackson Township

Dear Mr. Lyons:

The Commission staff has completed its review of this application for construction of a 10,470 square foot New Jersey National Guard Civil Support Team building at Joint Base McGuire-Dix-Lakehurst. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 14, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Jackson Township Planning Board (via email)
Jackson Township Construction Code Official (via email)
Jackson Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Ocean County Health Department (via email)
Marianne G. Risley (via email)



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Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 21, 2023

Michael Lyons (via email)
New Jersey Department of Military & Veterans Affairs
101 Eggert Crossing Road
Lawrenceville NJ 08648-2805

Application No.: 2006-0160.004
Block 23601, Lot 1
Jackson Township

This application proposes construction of a 10,470 square foot New Jersey National Guard Civil Support Team building at Joint Base McGuire-Dix-Lakehurst located on the above referenced 6,464 acre parcel in Jackson Township.

An application for the construction of a 140 acre New Jersey National Guard Consolidated Logistic and Training Facility comprised of a 109,000 square foot building and associated site improvements on the parcel was approved with conditions by the Commission on April 6, 2006 (App. No. 1991-0836.023). The applicant represented that the purpose of the facility was to consolidate New Jersey National Guard logistical support functions within close proximity to Fort Dix training ranges and facilities. The applicant further represented that App. No. 1991-0836.023 was phase one of a four phase development.

On June 12, 2009, the Commission approved an application with conditions for the construction of an 82,340 square foot building addition and an 11,130 square foot building addition, both to the existing Consolidated Logistic and Training Facility (App. No. 2006-0160.002). The applicant represented that App. No. 2006-0160.002 was phase two of the four phase development.

On May 14, 2021, the Commission approved an application with conditions for the construction of a 37,325 square foot building at the existing Consolidated Logistic and Training Facility (App. No. 2006-0160.003). The applicant represented that App. No. 2006-0160.003 was phase three of the four phase development.

The proposed 10,470 square foot Civil Support Team building will be located at the existing Consolidated Logistic and Training Facility.

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. 7:50-5.29)

The Pinelands Protection Act delineates the boundaries of the 938,000 acre Pinelands Area. Within the boundaries of the Pinelands Area, the Pinelands Protection Act also delineates the 366,000 acre Pinelands Preservation Area and the 572,000 acre Pinelands Protection Area. The CMP establishes land management areas such as Regional Growth Areas, Forest Areas and Military and Federal Installation Areas that overlay the entire Pinelands Area.

The parcel subject of this application is located in a Military and Federal Installation Area. Provided four CMP specified conditions are met, any use associated with the function of a Federal Installation is permitted in a Military and Federal Installation Area. The proposed 10,470 square foot New Jersey National Guard Civil Support Team building is associated with the function of this Federal Installation.

One of the CMP specified conditions is that, where feasible, proposed development in a Military and Federal Installation Area shall be located in the Pinelands Protection Area portion of the Pinelands Area. The development proposed in this application is located in the Pinelands Preservation Area portion of the Pinelands Area. As part of the Commission's approval of App. No. 1991-0836.023, the applicant demonstrated that there was no feasible location for the Consolidated Logistic and Training Facility that would not require development in the Pinelands Preservation Area. Specifically, the applicant indicated that based on the size of the 140 acre Consolidated Logistic and Training Facility, the need to readily access existing training and range areas and the availability of lands not encumbered by existing uses or environmental standards, the proposed development could not be located within that portion of Joint Base McGuire-Dix-Lakehurst located in the Pinelands Protection Area.

A second CMP specified condition is that, where feasible, the proposed use shall not require any development in a Pinelands Forest Area or the Pinelands Preservation Area District. The Pinelands Preservation Area District is that portion of the Pinelands Preservation Area that is not otherwise overlain by another management area such as a Pinelands Village or Military and Federal Installation Area. The Civil Support Team building proposed in this application is located in the Pinelands Preservation Area and overlain by a Military and Federal Installation Area. Accordingly, this application does not propose development in a Pinelands Forest Area or the Pinelands Preservation Area District.

The third CMP specified condition concerns hazardous waste facilities, landfills or incinerators and is not applicable to the Civil Support Team building proposed in this application.

The fourth CMP specified condition requires all development undertaken by the Federal government meet the management programs and minimum standards of the CMP. The Civil Support Team building proposed in this application meets the management programs and minimum standards of the CMP.

As the proposed Civil Support Team building is associated with the function of this Federal Installation and meets the four CMP specified conditions, the proposed development is a permitted land use in a Military and Federal Installation Area.

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

The proposed development will occur within an existing stone and grass vehicle storage area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Re-vegetation 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.

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

The proposed facility will utilize an existing on-site septic system. Considering the size of the parcel, 6,464 acres, and the number of personnel using the facility, the applicant has demonstrated that the total nitrogen concentration in the groundwater will not exceed two parts per million at the property line of the parcel. The proposed development meets the groundwater quality (septic dilution) standard.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. Stormwater runoff from the proposed development will be directed to an existing stormwater infiltration basin approved as part of App. No. 2006-0160.002.

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

The Commission staff reviewed the application for evidence of significant 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. Newspaper public notice was completed on January 6, 2023. The application was designated as complete on the Commission's website on May 10, 2023. The Commission's public comment period closed on June 9, 2023. 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 16 sheets, prepared by Adams, Rehmann & Heggan Associates, Inc., all sheets dated August 22, 2022.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.

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

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on July 10, 2023 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.

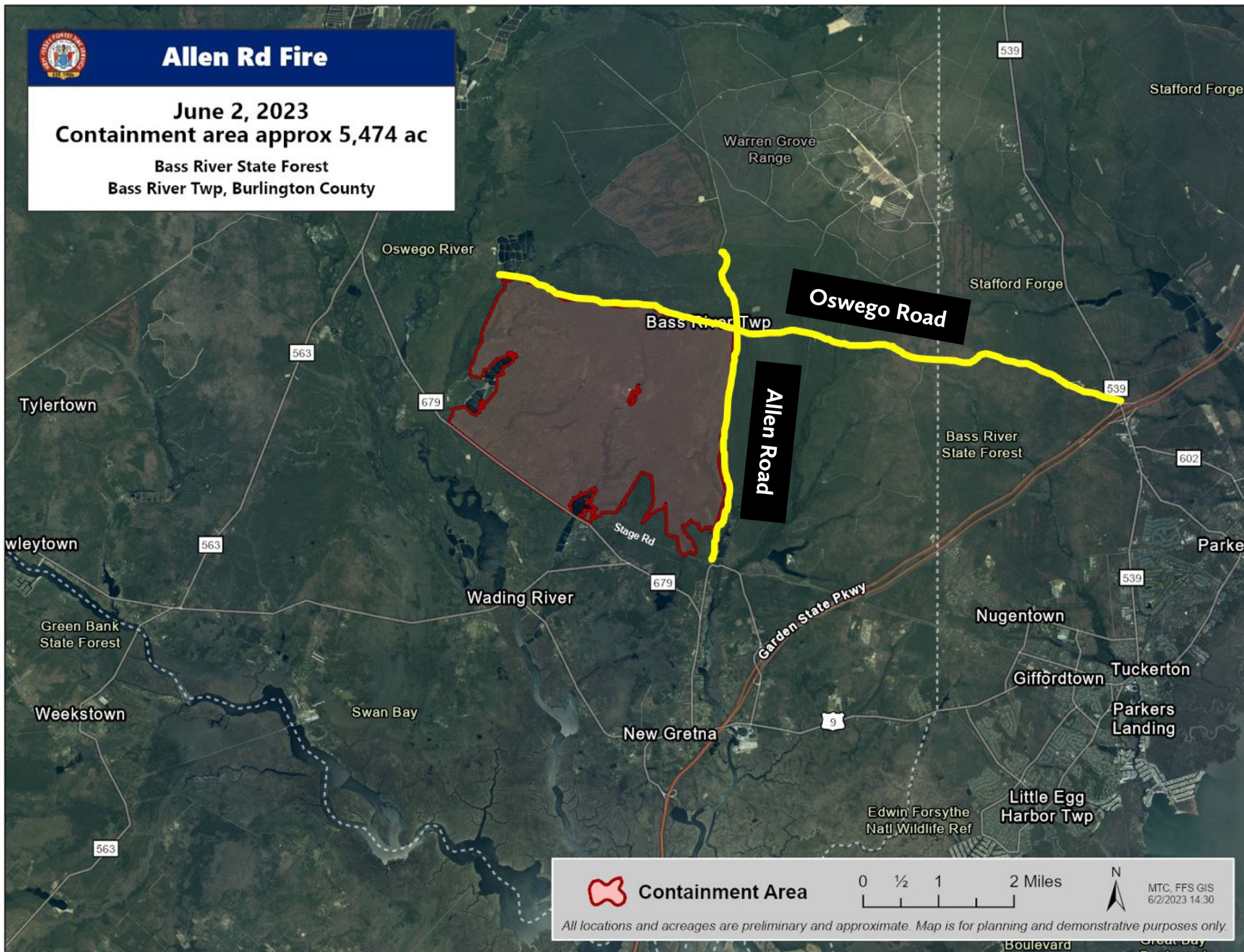
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Allen Rd Fire

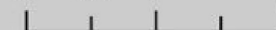
June 2, 2023
Containment area approx 5,474 ac

Bass River State Forest
Bass River Twp, Burlington County



Containment Area

0 1/2 1 2 Miles



MTC, FFS GIS
6/2/2023 14:30

All locations and acreages are preliminary and approximate. Map is for planning and demonstrative purposes only.

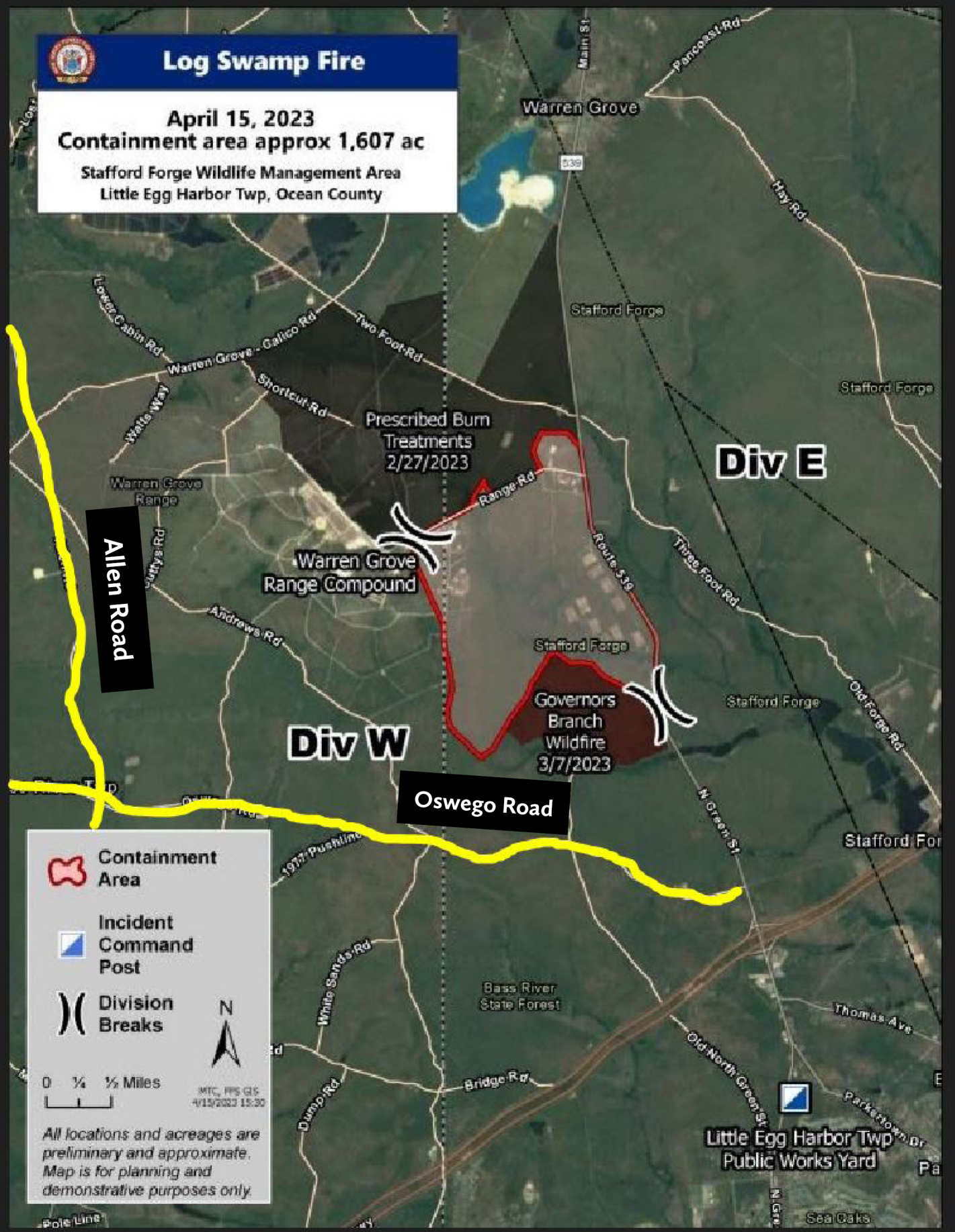


Log Swamp Fire

April 15, 2023

Containment area approx 1,607 ac

Stafford Forge Wildlife Management Area
Little Egg Harbor Twp, Ocean County



Allen Road

Oswego Road

Div E

Div W

Containment Area

Incident Command Post

Division Breaks



0 1/4 1/2 Miles

MTC, RPS-GIS
4/15/2023 15:30

All locations and acreages are preliminary and approximate. Map is for planning and demonstrative purposes only.

Little Egg Harbor Twp
Public Works Yard



Process for an Intergovernmental Memorandum of Agreement

February 24, 2023

Memoranda of Agreement

The CMP authorizes the Commission to enter into MOAs with public entities for two purposes:

- To establish streamlined permitting procedures
- To authorize deviations from CMP standards, provided measures are included to ensure equivalent protection of Pinelands resources

Process for Consideration of an MOA: Recommended Changes

Step 1. Commission staff meets with the public agency to discuss a proposed development plan. If all CMP standards cannot be met, staff may identify appropriate options for the agency's consideration, including:

- modification or relocation of the project
- a waiver of strict compliance
- an MOA

Process for Consideration of an MOA: Recommended Changes

Step 2. The Executive Director and Commission Chair meet with the public agency to discuss the proposed development project and the process and potential for an MOA.

Step 3. The public agency submits a written proposal to the Executive Director

- Conceptual site plan, public purpose, project partners and financing, offsetting measures

Process for Consideration of an MOA: Recommended Changes

Step 4. The Executive Director advises the public agency of the need for any additional information

Step 5. The public agency briefs the P&I Committee on its proposal

Step 6. The P&I Committee makes a recommendation as to whether the Commission should consider entering into the proposed MOA

Process for Consideration of an MOA: Recommended Changes

Step 7.

- The Executive Director briefs the full Commission at its next meeting on the public agency's proposal and the P&I Committee's recommendation.
- The Commission determines whether to authorize the staff to move forward with the administrative process and draft an MOA. If yes, the Commission provides a schedule for development and consideration of the MOA.

Process for Consideration of an MOA: Recommended Changes

Step 8. The Executive Director assigns appropriate staff member(s) to work with the public agency and determines the need for any escrow payments. Staff prepares a draft MOA and shares/discusses it with the public agency.

Step 9. Staff consults with and briefs the P&I Committee on the draft MOA.

Process for Consideration of an MOA: Recommended Changes

Step 10. Staff conducts a public hearing on the MOA and prepares a report and recommendation.

Step 11. Staff reviews the MOA, report and recommendation with the P&I Committee.

Step 12. The P&I Committee makes a recommendation to the full Commission.

Step 13. The Commission considers the resolution at its next meeting.

Suggested Schedule for Consideration of MOA with Stafford Township

7/14/23: Commission authorization to proceed with MOA

10/27/23: P&I Committee reviews draft MOA

11/08/23: Public hearing held

11/29/23: P&I Committee reviews staff report and
recommendation

1/15/24: Commission action on MOA



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1985-0557.007, 2018-0029.002 & 2023-0095.001)

Commissioner _____ moves and Commissioner _____
seconds the motion that:

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

1985-0557.007

Applicant:	Medford Township
Municipality:	Medford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	July 21, 2023
Proposed Development:	Demolition of an existing vacant municipal building, 50 years old or older;

2018-0029.002

Applicant:	New Jersey Department of Transportation
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	July 21, 2023
Proposed Development:	Installation of 7,000 linear feet of four foot wide sidewalk within the U. S. Route 322 right-of-way; and

2023-0095.001

Applicant:	Egg Harbor Township Municipal Utilities Authority
Municipality:	Egg Harbor Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	July 21, 2023
Proposed Development:	200 linear feet of public sanitary sewer main within Winnipeg Avenue right-of-way .

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1985-0557.007, 2018-0029.002 & 2023-0095.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

July 21, 2023

Kathy Burger, Township Manager (via email)
Medford Township
49 Union Street
Medford NJ 08005

Re: Application # 1985-0557.007
Block 1801, Lot 4
Medford Township

Dear Ms. Burger:

The Commission staff has completed its review of this application for demolition of an existing vacant municipal building, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 11, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Medford Township Planning Board (via email)
Medford Township Construction Code Official (via email)
Medford Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)
Timothy Prime, Esq. (via email)



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LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 21, 2023

Kathy Burger, Township Manager (via email)
 Medford Township
 49 Union Street
 Medford NJ 08005

Application No.: 1985-0557.007
 Block 1801, Lot 4
 Medford Township

This application proposes the demolition of an existing vacant municipal building, 50 years old or older, located on the above referenced 0.49 acre parcel in Medford Township. The existing 7,098 square foot building was previously utilized for Township municipal offices.

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. An application to the Commission is required for the demolition of any building (structure), 50 years old or older. The CMP permits the demolition of a building in the Pinelands Area.

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

The parcel is not located within the Medford Village Historic District. A cultural resource survey was prepared for this application. It was determined that no significant cultural resources existed on the parcel.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on June 14, 2023. Newspaper public notice was completed on June 14, 2023. The application was designated as complete on the Commission’s website on June 28, 2023. The Commission’s public comment period closed on July 14, 2023. No public

comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any demolition debris may only occur at an appropriately licensed facility.
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 demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on August 8, 2023 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
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SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

July 21, 2023

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
PO Box 600
Trenton NJ 08625

Re: Application # 2018-0029.002
U.S. Route 322 right-of-way
Block 854, Lots 40 & 151
Hamilton Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for installation of 7,000 linear feet of four foot wide sidewalk within the U.S. Route 322 right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 11, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

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



State of New Jersey
 THE PINELANDS COMMISSION
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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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 21, 2023

Brenna Fairfax (via email)
 New Jersey Department of Transportation
 1035 Parkway Avenue
 PO Box 600
 Trenton NJ 08625

Application No.: 2018-0029.002
 U.S. Route 322 right-of-way
 Block 854, Lots 40 & 151
 Hamilton Township

This application proposes the installation of 7,000 linear feet of four foot wide sidewalk within the U.S. Route 322 right-of-way in Hamilton Township. The proposed sidewalks are proposed in the vicinity of the intersection of U.S. Route 322 with Cologne Avenue, Route 40 and Wrangleboro Road.

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(a))

The proposed development is located within a Pinelands Regional Growth Area. The proposed sidewalks are permitted in a Pinelands Regional Growth Area.

Linear Improvement Standards (N.J.A.C. 7:50-6.13)

There are wetlands located within 300 feet of the proposed sidewalks. The CMP prohibits most development in wetlands and requires a buffer (transition area) of up to 300 feet to wetlands. The proposed sidewalks will be located in existing maintained grassed road shoulders. Approximately 4,000 linear feet of the proposed sidewalk will be located with 300 feet of wetlands. The buffer to wetlands maintained by this approximately 4,000 linear feet of proposed sidewalk ranges from 299 feet to 5 feet.

However, the CMP permits the installation of sidewalks (linear improvements) 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 represented that the proposed development is necessary to improve pedestrian 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 existing maintained grassed road 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. 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 installation of the proposed sidewalks will result in a total of 26,400 square feet of new impervious surfaces. The applicant owns Block 854, Lots 40 and 151 (parcel) in Hamilton Township. The parcel is located immediately adjacent to the sidewalk proposed at the U.S. Route 322 and Cologne Avenue intersection. The parcel is located within the same drainage area as the proposed development. The parcel contains 26,587 square feet of pavement associated with a prior commercial use. The applicant will be removing 26,587 square feet of existing impervious surfaces from the parcel and revegetating the area with native Pinelands species. The proposed development will result in a decrease in impervious surfaces by 187 square feet. There will be no increase in the volume and rate of stormwater runoff 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 available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on May 20, 2023. The application was designated as complete on the Commission's website on June 20, 2023. The Commission's public comment period closed on July 14, 2023. 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 15 sheets, prepared by HNTB Corporation, and dated as follows:

Sheets 1-3, 6-8 & 11-14 - February 14, 2022

Sheets 4, 5, 9, 10 & 15 - March 28, 2023

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. The applicant shall complete the removal of the 26,587 square feet of impervious surface from Block 854, Lots 40 and 151 in Hamilton Township and the revegetation of the area with native Pinelands species prior to, or concurrently with, the installation of the proposed sidewalks.
4. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
5. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
6. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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



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LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

July 21, 2023

Elaine Super (via email)
Egg Harbor Township Municipal Utilities Authority
3515 Bargaintown Road
Egg Harbor Township NJ 08234

Re: Application # 2023-0095.001
Winnipeg Avenue right-of-way
Egg Harbor Township

Dear Ms. Super:

The Commission staff has completed its review of this application for 200 linear feet of public sanitary sewer main within the Winnipeg Avenue right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 11, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

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



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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 21, 2023

Elaine Super (via email)
 Egg Harbor Township Municipal Utilities Authority
 3515 Bargaintown Road
 Egg Harbor Township NJ 08234

Application No.: 2023-0095.001
 Winnipeg Avenue right-of-way
 Egg Harbor Township

This application proposes 200 linear feet of public sanitary sewer main within the Winnipeg Avenue right-of-way in Egg Harbor Township. The proposed public sanitary sewer main will service three existing residential dwelling units that are currently serviced by onsite septic systems.

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(a))

The proposed development is located in a Pinelands Regional Growth Area. Sanitary sewer (public service infrastructure) is permitted in a Pinelands Regional Growth Area.

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

The proposed development will be located under existing pavement. The proposed soil disturbance is limited to that which is necessary to accommodate the development.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on June 29, 2023. The Commission’s public comment period closed on July 14, 2023. 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 three sheets, prepared by Polistina & Associates, LLC, all sheets dated November 16, 2021.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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 August 8, 2023 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. PC4-23-_____

TITLE: Approving With Conditions an Application for Public Development (Application Number 1988-0706.025)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

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

1988-0706.025

Applicant:	Town of Hammonton
Municipality:	Town of Hammonton
Management Area:	Pinelands Town
Date of Report:	July 21, 2023
Proposed Development:	Construction of a 3,627 linear foot earthen berm associated with the municipal treated wastewater land application site

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1988-0706.025 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

July 21, 2023

Stephen DiDonato, Mayor (via email)
Town of Hammonton
100 Central Avenue
Town Hall
Hammonton NJ 08037

Re: Application # 1988-0706.025
Sewell Avenue and Seventh Street rights-of-way
Block 4204, Lots 11 & 15
Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application for the construction of a 3,627 linear foot earthen berm associated with the municipal treated wastewater land application facility. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 11, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure
Public Comment

c: Secretary, Town of Hammonton Planning Board (via email)
Town of Hammonton Construction Code Official (via email)
Town of Hammonton Environmental Commission (via email)

Atlantic County Department of Regional Planning and Development (via email)
Marianne Risley (via email)
Heidi Yeh (via email)
Kimberly Kelly (via email)



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PHILIP D. MURPHY
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 SHEILA Y. OLIVER
 Lt. Governor

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 21, 2023

Stephen DiDonato, Mayor (via email)
 Town of Hammonton
 100 Central Avenue
 Town Hall
 Hammonton NJ 08037

Application No.: 1988-0706.025
 Sewell Avenue and Seventh Street rights-of-way
 Block 4204, Lots 11 & 15
 Town of Hammonton

This application proposes construction of a 3,627 linear foot earthen berm associated with the municipal treated wastewater land application facility located on the above referenced 79 acre parcel in the Town of Hammonton. Approximately 3,417 linear feet of the proposed berm will be located within the Sewell Avenue and Seventh Street municipal road rights-of-way and approximately 210 linear feet of the earthen berm will be located on Block 4204, Lots 11 and 15.

The Town of Hammonton’s Boyer Avenue treated wastewater land application facility is located on the parcel. The land application facility includes one wastewater storage lagoon, five infiltration trenches, 37 acres of overland drip irrigation and approximately six acres of underground recharge. There are also existing municipal recreational fields located on the parcel.

The proposed earthen berm will be four feet wide and thirty inches tall. The berm is being constructed to prevent the accidental discharge of treated wastewater to lands adjacent to the drip irrigation system.

The applicant has indicated that the proposed berm will not impede motor vehicle access to Sewell Avenue or Seventh Street.

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(a))

The parcel is located in the Pinelands Town of Hammonton. The proposed earthen berm is permitted in

the Pinelands Area.

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

There are wetlands located within 300 feet of the parcel. The proposed earthen berm will be located greater than 300 feet from the wetlands.

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

The proposed earthen berm will be located primarily within existing sand roads and partially within forested areas. Approximately 0.37 acres of forest will be cleared for the proposed earthen berm. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed earthen berm.

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.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on June 1, 2023. Newspaper public notice was completed on June 6, 2023. The application was designated as complete on the Commission's website on June 29, 2023. The Commission's public comment period closed on July 14, 2023. The Commission received written public comments (enclosed) from two commenters regarding this application.

Public commenter #1: The commenter requested an appointment to inspect the Commission's application file and a copy of the site plan and any other information submitted with the application, including the application form.

Staff response: By Commission email dated May 15, 2023, the commenter was provided with a copy of the plan submitted to the Pinelands Commission for this application. By Commission email dated May 16, 2023, the commenter was provided with the application form and accompanying information that was submitted to the Commission for this application. The commenter is also copied on this Public Development Application Report containing the Executive Director's findings and recommendation.

Public commenter #2: The commenter requested a copy of the Public Development Application Report containing the Executive Director's findings and recommendation regarding the application.

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

CONDITIONS

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

Sheet 1 - October 2022; last revised June 2, 2023

Sheets 2 & 3 - October 2022

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

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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 August 8, 2023 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.

From: Kimberly Kelly (kim@thecodylawfirm.net)
Received: 5/10/2023 9:41:14 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC: kristin.keating@frogrockgolf.com (kristin.keating@frogrockgolf.com), Stacie Rodzon (Stacie@thecodylawfirm.net)
Subject: [EXTERNAL] Re: Boyer Avenue Berm - NJ Pinelands Public Development Application, Block 4204, Lots 11 & 15 - inspection
Attachments: None

To Whom it May Concern:

I am emailing in regard to the notice of the Boyer Avenue Berm - NJ Pinelands Public Development Application that was submitted by the Town of Hammonton, Block 4204, portion of Lots 11 & 15. Notice was received by our clients, Rocco and Gloria Colasurdo, dated May 5, 2023. The notice states that the application is on file and available for inspection by appointment at the NJ Pinelands Commission's office. Our office would like to schedule an appointment to inspect this application sometime next week. Please advise of dates of availability so that this inspection can be scheduled.

Thank you for your time and attention to this matter.

Kimberly Kelly
Paralegal
THE CODY LAW FIRM, LLC
651 S. White Horse Pike
Hammonton, NJ 08037
(609) 561-1015 - office telephone
(609) 567-7777 - office fax
Email: Kim@thecodylawfirm.net
Website:
www.thecodylawfirm.com

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From: Kimberly Kelly (kim@thecodylawfirm.net)
Received: 5/16/2023 10:15:38 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Re: Pinelands Application #1988-0706.025
Attachments: Email-01-ConnectWithUs.png, Email-02-Facebook.png, Email-03-YouTube.png

Dear Ernest Deman:

Thank you for emailing me the site plan. If you would also email any other information/documentation that was submitted with the application (including the application form) it would be greatly appreciated.

Thank you again for your time and attention.

Kimberly Kelly
Paralegal
THE CODY LAW FIRM, LLC
651 S. White Horse Pike
Hammonton, NJ 08037
(609) 561-1015 - office telephone
(609) 567-7777 - office fax
Email: Kim@thecodylawfirm.net
Website:
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From: appinfo@pinelands.nj.gov <appinfo@pinelands.nj.gov>
Sent: Monday, May 15, 2023 10:58 AM
To: Kimberly Kelly <kim@thecodylawfirm.net>
Subject: Pinelands Application #1988-0706.025

Good morning Ms. Kelly,

Attached please find a copy of the site plan submitted for the concerned application.

If you would like a copy of an additional information (the application form), please let me know.

Ernest Deman

Ernest M. Deman
Pinelands Commission
PO BOX 359
New Lisbon, NJ 08064
609-894-7300

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From: Heidi Yeh (heidi@pinelandsalliance.org)
Received: 7/10/2023 2:32:13 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] RE: Public Development Application # 19880706.025 is complete for public review
Attachments: None

Hello,

Can I please see the CoF associated with this application?

Best,
Heidi

From: appinfo@pinelands.nj.gov <appinfo@pinelands.nj.gov>
Sent: Thursday, June 29, 2023 9:37 AM
Subject: Public Development Application # 19880706.025 is complete for public review

Application# 19880706.025 - Town of Hammonton

Received on: 2/24/2023

Project: Earthen Diversion Berm on Boyer and Sewell Avenue

Municipality: Hammonton Town

Block 4204, Lots 11 & 15

This Public Development application is available for public review and is substantively complete. The final opportunity for oral public comment will occur at the 7/14/2023 Commission meeting. Written comments will be accepted until 5 p.m. that day or the close of the Commission meeting, whichever is later.

Pinelands Commission

PO BOX 359

New Lisbon, NJ 08064

609-894-7300



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Pinelands Commission**

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RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23-_____

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1988-1286.006)

Commissioner _____ moves and Commissioner _____
seconds the motion that:

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

1988-1286.006

Applicant:

Hammonton Board of Education

Municipality:

Town of Hammonton

Management Area:

Pinelands Town

Date of Report:

July 21, 2023

Proposed Development:

Construction of an 11,987 square foot addition to the Hammonton Early Childhood Education Center.

WHEREAS, the Commission previously approved the construction of a 25,050 square foot addition to a school now known as the Hammonton Early Childhood Education Center and a 42 space parking lot (App. No. 1988-1286.002); and

WHEREAS, instead of the development approved in App. No. 1988-1286.002, a 35,613 square foot addition and a 115 space parking lot were constructed on the parcel; and

WHEREAS, the construction of the additional 10,563 square foot school addition and 73 additional parking spaces prior to approval of an application by the Commission constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan (CMP); and

WHEREAS, the applicant proposed to address this violation by submitting the necessary information to substantively complete an application for the additional 10,563 square foot school addition and 73 additional parking spaces by August 10, 2023; and

WHEREAS, the applicant submitted the necessary information to substantively complete an application for the additional 10,563 square foot school addition and 73 additional parking spaces by August 10, 2023; and

WHEREAS, based upon the applicant's agreement and submission of the necessary information to complete an application and thereby eliminate the violation in a time period acceptable to the Executive Director in accordance with the regulations contained in the CMP (N.J.A.C. 7:50-4.2(c)1.ii), the Executive Director determined that App. No. 1988-1286.006 could be deemed complete; and

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for App. No. 1988-1286.006; and

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

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

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 1988-1286.006 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

July 21, 2023

Barbara Prettyman, School Business Administrator (via email)
Hammonton Board of Education
566 Old Forks Road
Hammonton NJ 08037

Re: Application # 1988-1286.006
Block 2301, Lot 64
Town of Hammonton

Dear Ms. Prettyman:

The Commission staff has completed its review of this application for the construction of an 11,987 square foot addition to the Hammonton Early Childhood Education Center. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 11, 2023 meeting.

On August 11, 2000, the Commission approved the construction of a 25,050 square foot addition to a school now known as the Hammonton Early Childhood Education Center and a 42 space parking lot (App. No. 1988-1286.002). Instead of the development approved in App. No. 1988-1286.002, a 35,613 square foot addition and a 115 space parking lot were constructed on the parcel. The construction of the additional 10,563 square foot school addition and 73 additional parking spaces prior to approval of an application by the Commission constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure
Public Comment

c: Secretary, Town of Hammonton Planning Board (via email)
Town of Hammonton Construction Code Official (via email)
Town of Hammonton Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Marianne Risley (via email)
Heidi Yeh (via email)



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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 21, 2023

Barbara Prettyman, School Business Administrator
 Hammonton Board of Education (via email)
 566 Old Forks Road
 Hammonton NJ 08037

Application No.: 1988-1286.006
 Block 2301, Lot 64
 Town of Hammonton

This application proposes the construction of an 11,987 square foot addition to the Hammonton Early Childhood Education Center located on the above referenced 28.62 acre parcel in the Town of Hammonton.

On July 14, 2000, the Commission approved the construction of a 25,050 square foot addition to a school now known as the Hammonton Early Childhood Education Center and a 42 space parking lot (App. No. 1988-1286.002). Instead of the development approved in App. No. 1988-1286.002, a 35,613 square foot school addition and a 115 space parking lot were constructed on the parcel. The construction of the additional 10,563 square foot school addition and the 73 additional parking spaces prior to approval by the Pinelands Commission constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan (CMP).

The CMP (N.J.A.C. 7:50-4.2(c)1.ii) provides that any application for development shall not be deemed complete by the Executive Director if there is an unresolved violation on the parcel. If an applicant agrees to take all measures specified by the Commission’s Executive Director to eliminate the violation in a time period acceptable to the Executive Director, the application may be deemed complete. In this case, the applicant has agreed to substantively complete an application for the additional 10,563 square foot school addition and 73 additional parking spaces by August 10, 2023. Based upon the applicant’s agreement to eliminate the violation in a time period acceptable to the Executive Director, the Executive Director determined that App. No 1988-1286.006 could be deemed complete.

STANDARDS

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

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

The parcel is located in the Pinelands Town of Hammonton. The proposed development is a permitted land use in a Pinelands Town.

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

There are wetlands located on the parcel. All development will be located at least 300 feet from wetlands.

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

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

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

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

The proposed development will be serviced by public sanitary sewer.

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

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

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

The Commission staff reviewed the application for evidence of significant 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 February 21, 2023. Newspaper public notice was completed on February 27, 2023. The application was designated as complete on the Commission's website on July 3, 2023. The Commission's public comment period closed on July 14, 2023. The Commission received one public comment (enclosed) regarding this application.

Comment: The commenter requested a copy of the Public Development Application Report containing the Executive Director's findings and recommendation regarding the application.

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

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of nine sheets, prepared by Adams, Rehmann & Heggan Associates, Inc., all sheets dated February 3, 2023 and last revised July 11, 2023.
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. By August 10, 2023, the applicant shall submit the necessary information to substantively complete an application for the additional 10,563 square foot school addition and 73 additional parking spaces that were constructed on the parcel prior to approval by the Commission.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

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(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on August 8, 2023 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.

From: Heidi Yeh (heidi@pinelandsalliance.org)
Received: 7/5/2023 10:37:17 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] RE: Public Development Application # 19881286.006 is complete for public review
Attachments: None

Hello,

Could I please see the CoF for this application?

Best,
Heidi

From: appinfo@pinelands.nj.gov <appinfo@pinelands.nj.gov>
Sent: Monday, July 3, 2023 3:38 PM
Subject: Public Development Application # 19881286.006 is complete for public review

Application# 19881286.006 - Hammonton Board of Education
Received on: 2/16/2023
Project: Construction of an 11,987 square foot school addition
Municipality: Hammonton Town
Block 2301, Lot 64

This Public Development application is available for public review and is substantively complete. The final opportunity for oral public comment will occur at the 7/14/2023 Commission meeting. Written comments will be accepted until 5 p.m. that day or the close of the Commission meeting, whichever is later.

Pinelands Commission
PO BOX 359
New Lisbon, NJ 08064
609-894-7300



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RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23-_____

TITLE: Issuing an Order to Certify Pemberton Township Ordinance 20-2023, Adopting the Spruce Boulevard/Junction Road Redevelopment Plan

Commissioner _____ moves and Commissioner _____
seconds the motion that:

WHEREAS, on June 3, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Pemberton Township; and

WHEREAS, Resolution #PC4-83-52 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and review of amendments to certified municipal master plans and land use ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-52 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on April 19, 2023, the Pemberton Township Council adopted Ordinance 20-2023, adopting the Spruce Boulevard/Junction Road Redevelopment Plan, dated March 2023; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 20-2023 on May 25, 2023; and

WHEREAS, by letter dated June 13, 2023, the Executive Director notified the Township that Ordinance 20-2023 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Pemberton Township Ordinance 20-2023 was duly advertised, noticed and remotely held on July 12, 2023 at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Executive Director has found that Pemberton Township Ordinance 20-2023 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Pemberton Township Ordinance 20-2023 is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Pemberton Township Ordinance 20-2023 and has reviewed the Executive Director's report; and

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

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

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to certify that Pemberton Township Ordinance 20-2023, adopting the Spruce Boulevard/Junction Road Redevelopment Plan, is in conformance with the Pinelands Comprehensive Management Plan.

2. Any additional amendments to Pemberton Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



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



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

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

Report on Pemberton Township Ordinance 20-2023, Adopting the Spruce Boulevard/Junction Road Redevelopment Plan

July 28, 2023

Pemberton Township
500 Pemberton-Browns Mills Road
Pemberton, NJ 08068

Findings of Fact

I. Background

The Township of Pemberton is located in eastern Burlington County, in the northwestern section of the Pinelands Area. Pinelands municipalities that abut Pemberton Township include the Townships of New Hanover, Springfield, Southampton and Woodland as well Wrightstown Borough in Burlington County and the Townships of Manchester and Plumsted in Ocean County.

On June 3, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Pemberton Township.

On April 19, 2023, the Pemberton Township Council adopted Ordinance 20-2023, approving the Spruce Boulevard/Junction Road Redevelopment Plan, dated March 2023. The redevelopment area is located in a Pinelands Regional Growth Area. The Pinelands Commission received a certified copy of Ordinance 20-2023 on May 25, 2023.

By letter dated June 13, 2023, the Executive Director notified the Township that Ordinance 20-2023 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following ordinance has been submitted to the Pinelands Commission for certification:

- * Ordinance 20-2023, adopting the Spruce Boulevard/Junction Road Redevelopment Plan, introduced on April 5, 2023, and adopted on April 19, 2023

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

1. Natural Resource Inventory

Not applicable.

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

Ordinance 20-2023 adopts the Spruce Boulevard/Junction Road Redevelopment Plan, dated March 2023. This new redevelopment area consists of 16 lots (Block 586, Lots 1, 10-12; Block 587, Lots 1.01, 15-23; and Block 849, Lots 1.01, 1.03) and is approximately 31 acres (see Exhibit 1). The redevelopment area is composed of four existing, single-family dwelling units, with the remainder of the area undeveloped and wooded. Extensive wetlands and wetlands buffers are present in the eastern portion of the redevelopment area. Approximately 10.3 acres are located within the Township's Residential-80 (R-80) District and the remaining 20.7 acres are located within the Infill Single-Family (R-I) District. The entirety of the redevelopment area is within a Pinelands Regional Growth Area.

The Township's R-80 District permits single-family dwellings on lots with a minimum area of 8,000 square feet if served by centralized sanitary sewerage and 40,000 square feet if served by an onsite wastewater treatment system. The Township's R-I District permits single-family dwellings at a base net density of 0.5 dwelling units per acre, with a maximum net density of 2.75 dwelling units per acre achievable through the use of Pinelands Development Credits (PDCs). Density calculations in the R-I District exclude water bodies and wetlands over one acre. Once the maximum net density is achieved through the use of PDCs, the R-I District provides additional bonus density of up to 15% achievable through the inclusion of certain active and/or passive solar energy elements. This provides for an increase in the maximum net density to 3.16 dwelling units per acre. The R-80 and the R-I districts also permit public playgrounds, conservation areas, parks, public schools, school administrative buildings, and churches.

The redevelopment plan seeks to facilitate an inclusionary, medium-density residential development that complements the existing Blueberry Manor neighborhood and provides pedestrian connections to the surrounding community and public facilities. To that end, the redevelopment plan supersedes the underlying zoning and permits detached, single-family dwelling units and townhouses. Lots with direct frontage on the existing Spruce Boulevard right-of-way are limited to detached single-family dwellings only. A maximum of 91 residential units are permitted within the redevelopment area. This is one unit less than what would be permitted under the Township's existing, certified zoning plan for this area. The plan requires that a minimum of 13% of the dwelling units be made affordable to low- and moderate-income households. The acquisition and redemption of PDCs is required for 25% of all residential units in the redevelopment area, with an exception for those units required by the plan to be developed on-site and made affordable to low- and moderate-income households. The plan also includes various area and bulk requirements as well as building design, signage, parking, landscaping,

lighting, and stormwater standards. Any proposed development under this redevelopment plan is required to be generally consistent with a concept plan included in the redevelopment plan. Lastly, the redevelopment plan explicitly requires that all development within the redevelopment area comply with the minimum environmental standards of the CMP.

Ordinance 20-2023 is consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

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

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

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

As noted above, the redevelopment area spans two existing certified zoning districts: The R-80 District and the R-I District. The R-80 does not include provisions for the use of PDCs to increase residential density, while the R-I District provides for an increase in net density from 0.5 dwelling units per acre to 2.75 dwelling units per acre through the use of PDCs. Under the Township's existing certified zoning plan, there is an *opportunity* for use of up to 39 rights (9.75 PDCs) within the R-I portion of the redevelopment area.

In order to facilitate the development of affordable housing units in the Spruce Boulevard/Junction Road Redevelopment Area, the Township has expanded permitted housing types to include townhouses. The Township has further opted to require that PDCs be acquired and redeemed for 25% of all residential units within the redevelopment area, with an exception for units developed on-site that are made affordable to low- and moderate-income households. Any affordable units beyond the 13% required by the plan will require that PDCs be acquired and redeemed at the 25% rate. This results in a requirement for the acquisition and redemption of up to 20 PDC rights (5 PDCs).

The 25% PDC requirement is not as high a number as would be provided through the Township's existing certified zoning plan. However, development of this area has not occurred during the 40 years that zoning plan has been in place and, as a result, no PDCs have been redeemed. It is also important to remember that the traditional base-density/bonus-density approach utilized in the existing R-I Zone and throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance 20-2023 *guarantees* a PDC redemption rate of 25% for any residential development within the redevelopment area. Given the greater certainty provided by this approach, the Executive Director finds that the PDC requirements adopted by Ordinance 20-2023 are consistent with CMP standards.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Ordinance 20-2023 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Ordinance 20-2023 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

The redevelopment plan related to Ordinance 20-2023 does not affect lands that are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated and this standard for certification is met.

Public Hearing

A public hearing to receive testimony concerning Pemberton Township's application for certification of Ordinance 20-2023 was duly advertised, noticed and held on July 12, 2023 at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call in during the public hearing to provide testimony. No testimony was provided.

Written comments on Ordinance 20-2023 were accepted through July 14, 2023. No written comments were submitted.

Conclusion

Based on the Findings of Fact cited above, the Executive Director has concluded that Pemberton Township Ordinance 20-2023, adopting the Spruce Boulevard/Junction Road Redevelopment Plan, complies with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 20-2023 of Pemberton Township.

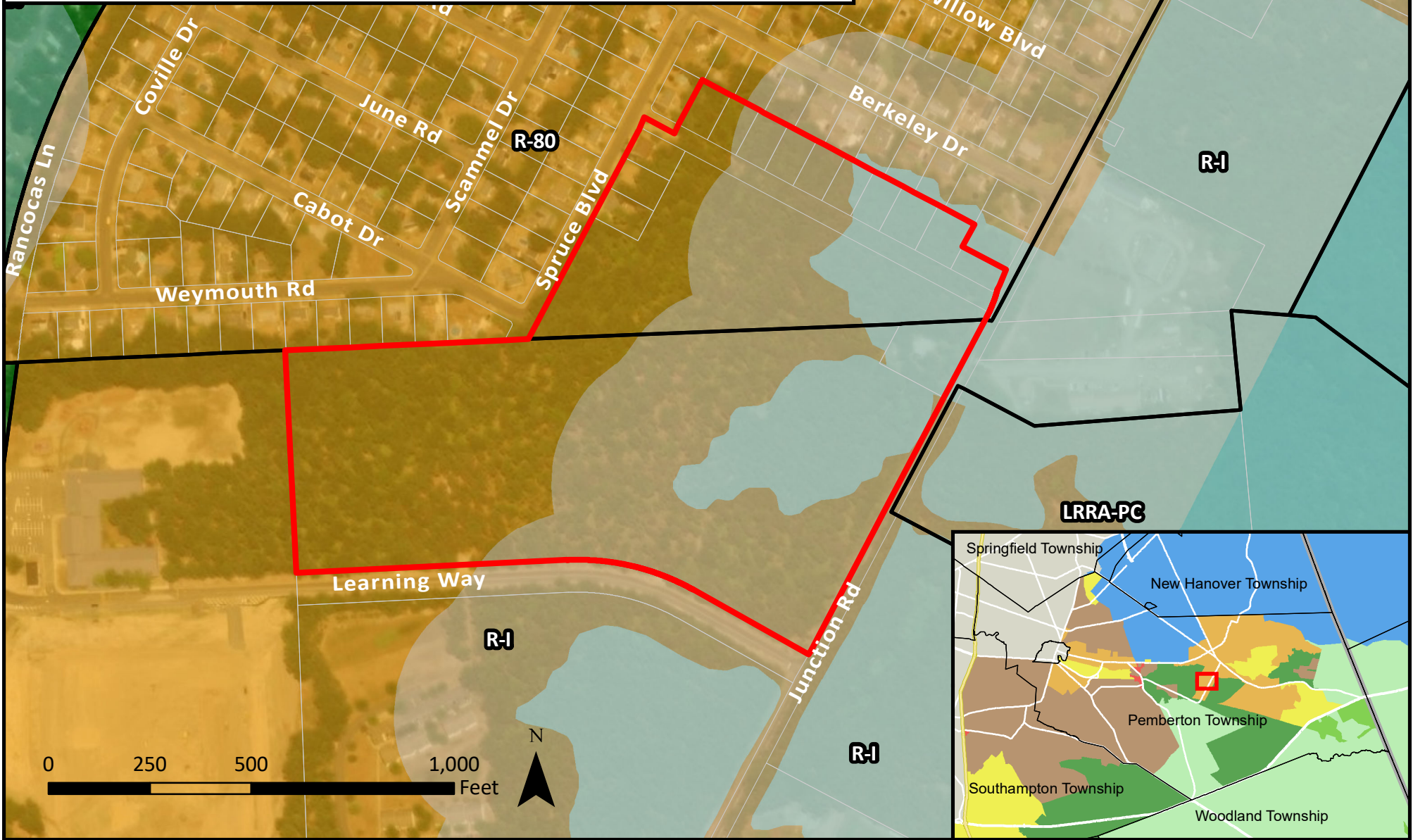
SRG/DBL/CPE
Attachments

Pemberton Township

Spruce Boulevard/Junction Road Redevelopment Area

Executive Director's Report
Pemberton Twp. Ord. 20-2023
7/28/2023
Exhibit 1

Pinelands Management Areas	Redevelopment Area	Pinelands Wetlands
Forest Area	Existing Zoning	300' Wetland Buffer
Regional Growth Area	Lots	





State of New Jersey
THE PINELANDS COMMISSION
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General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
Planning Specialist

Date: July 31, 2023

Subject: No Substantial Issue Findings

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

Barnegat Township Ordinance 2023-23 – amends Chapter 55, Land Use, of the Code of Barnegat Township. The ordinance revises the district regulations for the Neighborhood Commercial Zone West of the Parkway (C-N Zone West) to conditionally permit continuing care retirement communities as well as congregate care facilities. These two uses are provided the same conditional use standards as currently required for assisted living facilities, nursing homes, and long-term care facilities within the C-N Zone West, which includes a condition that the site be within 1,000 feet of the Garden State Parkway. The ordinance also revises the conditional use standards related to mixed-use development in the C-N Zone West by amending the required siting and construction phasing of the commercial component of a mixed-use development. The C-N Zone West is located within a Regional Growth Area, a Forest Area, and a Pinelands Village. However, the amendments adopted by Ordinance 2023-23 only impact uses permitted within the Regional Growth Area portion of the C-N Zone West.

Dennis Township 2022 Master Plan Reexamination Report – the 2022 Master Plan Reexamination Report includes: an update on the major problems and objectives related to land development identified in the previous reexamination report (2012); updated demographic information; a discussion of the changes in policies and objectives since the prior report; and a summary of recommended changes to the master plan and municipal land development regulations. Recommended changes to the Township's zoning ordinance impacting the Pinelands Area portion of the Township include: revisions to residential and accessory building height regulations, fence and wall regulations, and siting standards for ground-mounted accessory solar energy facilities. The plan also recommends conditionally permitting cellular communication facilities on properties and buildings owned by the Township as well as adopting the

state Electric Vehicle Supply/Service Equipment (EVSE) model ordinance.

Egg Harbor Township Ordinance 13-2023 – amends Chapter 94, Design, Performance and Improvement Standards, of the Code of Egg Harbor Township. The ordinance revises Section 94-22, Landscaping, to require that all landscaping plans be prepared by a licensed landscape architect. The ordinance also includes minor revisions to landscaping plan submission requirements. Lastly, the ordinance reduces the number of shade trees and evergreen trees required to be planted in the perimeter area of a stormwater management basin.

Medford Township Ordinance 2023-2 – amends the Redevelopment Plan for the Taunton and Tuckerton Rehabilitation Area, which was previously certified by the Pinelands Commission. In particular, the ordinance amends the district regulations for the Taunton & Tuckerton Rehabilitation Area (TTRA) Zoning District to conditionally permit telecommunication towers and facilities. The amendments to the redevelopment plan include affiliated conditional use standards for telecommunication towers and facilities such as bulk and area requirements as well as setback buffering, and landscaping requirements. The TTRA Zoning District is located within a Regional Growth Area.

Mullica Township Ordinance 7-2023 – amends Chapter 200, Stormwater Management, of the Code of Mullica Township in response to amendments to the CMP. The amendments incorporate revised stormwater management regulations applicable to development in the Pinelands Area.