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Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

December 21, 2016

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



Dear Mr. Lupp:

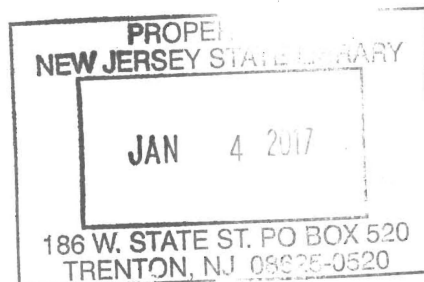
Enclosed is the Pinelands Commission meeting minutes and attachments for November 4, 2016 for your information.

Sincerely,

A handwritten signature in cursive script that reads "Teri Melodick".

Teri Melodick
Principal Clerical Assistant

PC1
Enclosure: Minutes



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

MINUTES

November 4, 2016

Commissioners Present

Candace Ashmun, Alan W. Avery Jr., Bill Brown, Joe DiBello, Paul E. Galletta, Ed Lloyd, Mark Lohbauer, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Mary Maples and Deputy Attorney General (DAG) Sean Moriarty.

Commissioners Absent

Bob Barr, Giuseppe Chila, Jane Jannarone and D'Arcy Rohan Green.

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

DAG Moriarty read the Open Public Meetings Act Statement.

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

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

Minutes

Chairman Earlen presented the minutes from the October 14, 2016 Commission meeting. Commissioner Avery moved the adoption of the minutes. Commissioner Prickett seconded the motion.

The minutes of the October 14, 2016 Commission meeting were adopted by a vote of 10 to 0. Commissioner Brown abstained from the vote.

Committee Chairs' Reports

Chairman Earlen provided an update on the October 25, 2016 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the August 26, 2016 meeting.

The Committee received a presentation by Waterford Township on its proposed Haines Boulevard Redevelopment Plan and by staff on the associated density, Pinelands Development Credits (PDCs) and water supply issues. The Committee endorsed the concepts and encouraged the Township to proceed with adoption of the Redevelopment Plan.

The Committee received an update from staff on potential enhancements to the PDC program, focusing on responses to recommendations made by the building industry and the farm community. The Committee asked staff to proceed with its (staff) recommended revisions to the previous proposal.

Executive Director's Reports

Ms. Wittenberg introduced Mr. Evan Bossett, who was recently hired as the new MIS/GIS Manager.

Mr. Larry Liggett said staff continues to work on alternatives to address the data generated by the Kirkwood-Cohansey study. He said that a drought warning was issued for 14 counties in the state and four counties are under a drought watch.

Commissioner Ashmun noted that the Highlands Coalition took aerial shots of reservoirs in North Jersey. She said the pictures can be viewed on the Coalition's website and the pictures show the severity of the drought.

Mr. Chuck Horner updated the Commission on the following:

- Shamong Township has submitted an application for the development of a cemetery. He said the Township has been searching for a parcel to develop for quite awhile. The parcel they have chosen is located in a Pinelands Village along Route 541.
- Staff is in the process of determining whether railroad upgrades are considered a maintenance activity or development and if the activities would require application to the Commission. He said the Interstate Commerce Commission Termination Act of 1995 states that so as long as the maintenance does not interfere with the

operation of the railroad, the rail company must comply with the standards of the Comprehensive Management Plan (CMP).

Commissioner Ashmun asked about the nature of the upgrades to utility right-of ways referenced in the September 9th Commission meeting minutes.

Mr. Horner said that in 2006 a vegetation management plan was created for the three major utilities in the Pinelands to develop a method of maintaining the right-of-ways to deliver reliable energy while keeping the requirements of the CMP in mind. He said some of the utilities are finding it necessary to develop access roads to the right-of ways. Access roads are not covered under the vegetation management plan. Mr. Horner said the vegetation management plan may need to be revised in the future to incorporate access roads. The vegetation management was developed as a pilot program, and the Commission is obligated to review the pilot in 2019.

In response to questions raised by Commissioner Lloyd about development associated with railroads, Mr. Horner specified what types of railroad development activities require application to the Commission. He also said the main concern with the replacement of railroad ties is related to threatened and endangered species.

Mr. Paul Leakan said the Commission held its Annual Pinelands World Water Monitoring Challenge on Friday, October 21st at Batsto Village. He said the event received positive feedback from teachers and students in attendance. He said Commissioner Prickett stopped in at the event.

Mr. Leakan said that thanks to Commissioner DiBello the Commission was provided funding assistance from the National Park Service and is using the funds to produce a 2017 Pinelands wall calendar.

Commissioner Prickett said he attended World Water Monitoring Challenge, and it was great. He commended Tony McNichol, Cultural Resource Planner, for his presentation on the history of the Pinelands.

Chairman Earlen asked for an update on the interpretive center.

Mr. Leakan said architectural drawings need to be provided to the Department of Treasury. He said Split Rock Studios is preparing shop drawings that will be used to fabricate the exhibits.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending the approval for the demolition of three buildings and the construction of an 11,502 square foot emergency services building for the Camden County Improvement Authority.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 2006-0398.002)(See Resolution # PC4-16-38). Commissioner Lohbauer seconded the motion.

Commissioner Prickett asked if any of the structures to be demolished are on the National Register of Historic Places and the process for determining if a cultural resource survey is necessary. He also asked if there were any pictures of the structures to be demolished.

Mr. Horner said that Mr. McNichol, the cultural resource planner for the Commission, reviewed the application and determined that the three structures to be demolished had no historical significance and a cultural resource survey was not required. Mr. Horner said that all major development, including minor development applications located in Villages and Pineland Towns, are reviewed by the cultural resource planner for historic significance. He said archeological sites and indicators such as wetlands are reviewed to facilitate the decision in determining the need for a survey. Mr. Horner passed around photographs of the structures to be demolished on the proposed development site.

Commission Ashmun said she was disappointed that Pinelands Development Credits were not required to be purchased.

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

Public Comment on Agenda Items and Pending Public Development Applications

No members of the public spoke.

Ordinances Not Requiring Commission Action

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

- Jackson Township Ordinance 21-16
- Monroe Township Ordinance O:25-2016 & O:27-2016

No members of the Commission had questions.

Presentation- State of the Bay Report

Ms. Wittenberg introduced Dr. Stan Hales who serves as the Program Director for the Barnegat Bay Partnership. She said the following staff members participate regularly with the Partnership: Joel Mott, Patrick Burritt and Ed Wengrowski.

Dr. Hales said the Barnegat Bay Partnership is publicly funded and represents public interest. The partnership was established through federal law and is a planning entity charged with developing and promoting a Comprehensive Conservation Management Plan (CCMP) to protect and enhance the Barnegat Bay ecosystem. Dr. Hales said the Partnership works with state, federal and non-governmental organizations to solve the Bay's biggest problems. Dr. Hales showed a video on the Barnegat Bay.

After the video was viewed, Dr. Hales said that eutrophication is the biggest challenge in the Bay and he said it's not just the Barnegat Bay but all estuaries. He said what people do on land affects the quality of our water. He said the statewide fertilizer law that has been fully implemented can improve the condition of the Bay. He said the soil restoration law has yet to be implemented, despite passage about five year ago. He said the soil restoration law requires all new development to infiltrate stormwater on-site and could really decrease the negative impacts to the Bay if implemented. He said the website www.jerseyyards.org offers tips to existing homeowners in New Jersey about ways to curb runoff.

A detailed discussion took place about how the Commission could help the Partnership with their goals. Topics raised as part of the discussion were: stormwater basins, water supply and conservation, and land preservation of the watershed. A question was raised about how many acres of the Pinelands Area are located within the Barnegat Bay Watershed.

Dr. Hales handed out copies of the State of Bay 2016 report. Link to the report: http://bbp.ocean.edu/PDFFiles/SOTB%202016/BBP_State%20of%20the%20Bay%20book%202016_forWeb.pdf

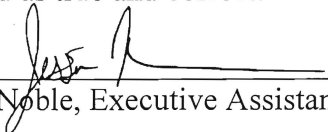
Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities
Jason Howell with the Pinelands Preservation Alliance said the off-road vehicle damaged sites located within a watershed are not infiltrating water. He said the State of New Jersey holds private land owners responsible for their lands but the state does not do the same.

Adjournment

Commissioner Prickett said that one of the structures documented in the photos Mr. Horner passed around for Application Number 2006-0398.002 reminded him of the poultry industry.

Commissioner Brown moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 11:05 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: November 14, 2016



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 38

TITLE: Approving With Conditions an Application for Public Development (Application Number 2006-0398.002)

Commissioner Galletta moves and Commissioner Lohbauer 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:

2006-0398.002	
Applicant:	Camden County Improvement Authority
Municipality:	Waterford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 14, 2016
Proposed Development:	Demolition of three buildings, 50 years old or older, and the construction of an 11,502 square foot emergency services building.

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 2006-0398.002 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: November 4, 2016
Sean W. Earlen
Sean W. Earlen
Chairman



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

October 14, 2016

James Blanda, Executive Director
Camden County Improvement Authority
2220 Voorhees Town Center
Voorhees, NJ 08043

Re: Application # 2006-0398.002
Block 1205, Lots 2 - 4
Waterford Township

Dear Mr. Blanda:

The Commission staff has completed its review of this application for demolition of three buildings, 50 years old or older, and the construction of an 11,502 square foot emergency services building. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 4, 2016 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Waterford Township Planning Board (via email)
Waterford Township Construction Code Official (via email)
Waterford Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)
John Helbig





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Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

October 14, 2016

James Blanda, Executive Director
Camden County Improvement Authority
2220 Voorhees Town Center
Voorhees, NJ 08043

Application No.: 2006-0398.002
Block 1205, Lots 2 - 4
Waterford Township

This application proposes demolition of three buildings, 50 years old or older, and the construction of an 11,502 square foot emergency services building on the above referenced 1.4 acre parcel in Waterford Township.

STANDARDS

The Commission staff has reviewed the proposed demolition and 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 parcel is located in a Pinelands Regional Growth Area. The proposed demolition and development are permitted land uses 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 within existing developed and wooded areas. The proposed development will disturb approximately one acre of wooded lands. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas, 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 proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, this application proposes to construct a stormwater infiltration basin.

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 July 6, 2016. Newspaper public notice was completed on July 7, 2016. The application was designated as complete on the Commission's website on October 3, 2016. The Commission's public comment period closed on October 14, 2016. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

Sheets 1, 5, 6 & 10 - May 1, 2016; last revised September 29, 2016
Sheets 2, 3, 7-9 & 12 - May 1, 2016
Sheet 4 - May 1, 2016; last revised July 19, 2016
Sheet 11 - May 1, 2016; last revised September 7, 2016
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 demolition and development subject to the above conditions.



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Chairman

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Executive Director

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 at the Commission office not later than 5:00 PM on November 1, 2016 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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State of the Bay Report | 2016



National Estuary Program

•Section 320 of the Clean Water Act established the National Estuary Program in 1987; directs USEPA to convene a "Management Conference" to develop plans (CCMP) for attaining and maintaining water quality in an estuary.

•CCMP includes protection of public water supplies; the protection and propagation of native populations of shellfishes, fishes, and wildlife; CCMP allows recreational and other activities; requires control of point and nonpoint sources of pollution; report status and trends...

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NJ FISH & WILDLIFE SERVICE

NRCS Natural Resources Conservation Service

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National Estuary Program

Pacific Region

- Puget Sound
- Columbia River
- Tahlequah Bay
- San Francisco
- Morro Bay
- Santa Monica

Northeast Region

- Casco Bay
- New Hampshire Estuaries
- Massachusetts Bay
- Narragansett Bay
- Long Island Sound
- New York/New Jersey Harbor
- Barnegat Bay
- Delaware Estuary
- Delaware Inland Bays
- Maryland Coastal Bays
- Albemarle/Pamlico

Mid-Atlantic Region

- San Juan Bay

Gulf/Caribbean Region

- Mobile Bay
- Galveston Bay
- Corpus Christi Bay
- Barataria/Terrebonne
- Tampa Bay
- Sarasota Bay
- Charlotte Harbor
- Indian River