



Chris Christie
Governor

Kim Guadagno
Lt. Governor

974.905
P750

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@njpinelands.state.nj.us
Application Specific Information: ApplInfo@njpinelands.state.nj.us

January 15, 2019

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

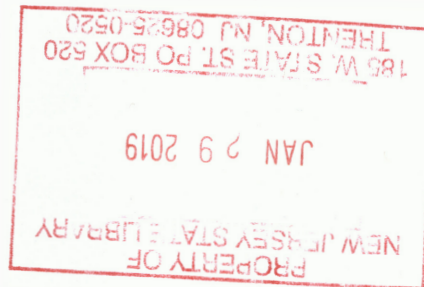
Dear Mr. Lupp:

Enclosed is the Pinelands Commission meeting minutes and attachments for December 14, 2018 for your information.

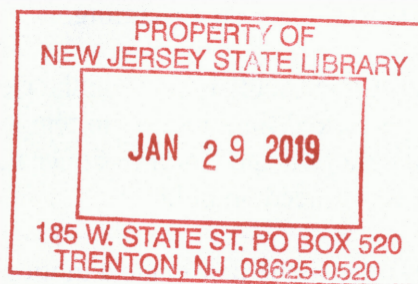
Sincerely,

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

December 14, 2018

Commissioners Present

Alan W. Avery Jr., Candace Ashmun, Giuseppe Chila, Paul E. Galletta, Jordan P. Howell, Ed Lloyd, Mark Lohbauer, William Pikolycky, Richard Prickett, and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Kristina Miles.

Commissioners Absent

Bob Barr, Jane Jannarone, Gary Quinn and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:50 a.m.

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

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 10 Commissioners present at the meeting.)

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

Dedication of the Exhibit

Chairman Earlen said the Commission will take action by formally dedicating and naming the new exhibit the Candace McKee Ashmun Pinelands Education Exhibit.

He read the resolution into the record and congratulated Commissioner Ashmun.

Commissioner Lloyd moved the resolution Formally Dedicating the New Candace McKee Ashmun Pinelands Education Exhibit (See Resolution # PC4-18-41). Commissioner

Lohbauer seconded the resolution. The resolution passed by a vote of 9 to 0, with Commissioner Ashmun abstaining.

Chairman Earlen said at this time the Commission is going to take a break to look at the exhibit. He asked for a motion to temporarily close the meeting. Commissioner Prickett moved the motion and Commissioner Lloyd seconded the motion. At 9:56 a.m., the meeting was placed on hold.

Commissioner Lohbauer made a motion to reopen the meeting, seconded by Commissioner Lloyd. The Commission meeting was reopened at 10:28 a.m.

Commissioner Ashmun said she found out about the Pinelands while she was working to stop a jetport that was going to be located at the Great Swamp. She said someone had mentioned that they were attempting to build a jetport at McGuire Air Force Base. She said her first visit to the Pinelands was a bus trip with The Garden Club of America. She said Governor Brendan Byrne passed the Pinelands Act and asked her to be on the Commission and she has been on the Commission ever since.

Commissioners took a moment to thank Commissioner Ashmun for her leadership, expertise and knowledge of the Comprehensive Management Plan and the Pinelands. They all agreed that the name of the exhibit could not be more fitting.

Minutes

Chairman Earlen presented the open session minutes from the November 9, 2018 Commission meeting. Commissioner Galletta moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The November 9, 2018 Commission meeting minutes were adopted by a vote of 8 to 0. Commissioner Ashmun and Commissioner Chila both abstained from voting on the minutes.

Chairman Earlen presented the closed session minutes from the November 9, 2018 Commission meeting. Commissioner Avery moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The November 9, 2018 closed session Commission meeting minutes were not adopted (vote of 7 to 0). Commissioner Ashmun, Commissioner Chila and Commissioner Howell abstained from the vote and there were not enough votes to carry the minutes. The closed session minutes will need to be re-voted on at a future Commission meeting.

Committee Chairs' Reports

Chairman Earlen provided an update on the November 30, 2018 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the September 28, 2018 meeting.

The Committee recommended Commission certification of Medford Township's Housing Element and Fair Share Plan and Ordinance 2018-16.

The Committee recommended that the Commission approve the eligibility of a 0.57 acre parcel in Buena Vista Township's Rural Development Area to participate in the Limited Practical Use land acquisition program.

The Committee granted an extension request to the Rancocas Conservancy for a Pinelands Conservation Fund project, the 200-acre Katz project in Pemberton Township.

The Committee reviewed a draft amendment to the Pinelands Infrastructure Trust Fund Master Plan and requested that staff proceed with a public hearing on the proposal.

The Committee received an update on the Long-Term Economic Monitoring Program. Staff suggested a schedule for future reports including the development of an interactive web-based reporting tool, the addition of perhaps seven new variables to the existing 23, and the selection of a special study next summer.

Chairman Earlen added that the newly formed Committee that will address climate change, stormwater and sustainability will include the following members: Commissioner Howell, Commissioner Lohbauer, Commissioner Lloyd and Commissioner Avery. Commissioner Barr will serve as an alternate. He said he will also serve on the Committee. Chairman Earlen requested that the Executive Director send out dates to the members for an initial meeting.

Executive Director's Reports

ED Wittenberg said an open house was held for the new exhibits on December 11th. She said it was an opportunity for the individuals who either donated an artifact or a photo or helped with the project in some way to get a first glance at the finished product. She said there are some remaining permitting issues that are currently being resolved. She said Jonathan Meade from the National Park Service attended the open house. She said staff was able to meet with Mr. Meade about the status of on-going monitoring projects.

ED Wittenberg said that the Burlington County Board of Chosen Freeholders recently approved a road closure permit for the New Jersey Natural Gas (NJNG) pipeline. She noted that the applicant has met all the conditions of the Executive Director's Recommendation Report that the Commission approved.

ED Wittenberg directed her last comment to Commissioner Ashmun. She said Commissioner Ashmun is a dedicated Commissioner whose understanding of the CMP is unsurpassable. She said staff is very happy that the exhibit center is named after Commissioner Ashmun.

Director Larry Liggett updated the Commission on the following:

- The Commission will conduct a hearing on proposed amendments to the Pinelands Infrastructure Trust Fund (PITF) Master Plan. The hearing is scheduled for January

3, 2019 at 7:00 p.m. He said the funding is only available for Regional Growth Areas.

- As part of the review that was undertaken for the Long Term Economic Monitoring program, it was suggested that the data be available earlier or on a rolling basis, using the website to post data.

Director Chuck Horner provided information on the following regulatory matters:

- On December 4th, staff including the Executive Director, met with the Mayor of Mullica to discuss economic development opportunities along the White Horse Pike. At that meeting, alternate design septic systems (including a community waste water facility) were discussed as potential options for permitting growth in that area.
- Staff has almost completed the review of a large residential development in Barnegat Township that proposes 777 dwelling units. The development requires the purchase of 50 full Pinelands Development Credits.
- Commission staff is involved a matter in Winslow Township where an agricultural operation has removed soil from the site. The CMP requires an application to the Commission if a certain volume of soil is proposed to be removed. The matter is currently in municipal court.

Communications Director Paul Leakan thanked Commissioners, staff, the public and sister agencies who helped the exhibit come to fruition. He added that Phil Correll from the National Parks Service and who has since retired was instrumental in providing a \$50,000 grant that paid for the exhibit assessment and design.

Mr. Leakan added that the 3rd edition of the Pinelands National Reserve wall calendar is now available and can be found at Bass River State Forest, Brendan Byrne State Forest and Batsto.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending approval for the construction of a salt storage building in Folsom Borough.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1994-0552.003) (See Resolution # PC4-18-42). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

Chairman Earlen presented a resolution for the installation of 294 linear feet of sanitary sewer in Galloway Township.

Commissioner Lohbauer moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 2018-0169.001) (See Resolution # PC4-18-43). Commissioner Avery seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

Planning Matters

Chairman Earlen presented a resolution regarding Medford Township Ordinance 2018-16 and its housing and fair share plan.

Commissioner Lloyd moved the adoption of a resolution Issuing an Order to Certify the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 of Medford Township (See Resolution # PC4-18-44). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

Chairman Earlen presented a resolution regarding an application for the Limited Practical Use program.

Commissioner Lloyd moved the adoption of a resolution Determining the Eligibility of a Parcel of Land for Acquisition by the Department of Environmental Protection Pursuant to the Limited Practical Use Program (See Resolution # PC4-18-45). Commissioner Galletta seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

Public Comment on Public Development Applications and Items where the record is open
No one from the public spoke.

Ordinances Not Requiring Commission Action

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

- Barnegat Township Ordinance 2018-33
- Berlin Borough Ordinance 2018-7
- Buena Vista Township Ordinances 63-2018 and 64-2018
- Chesilhurst Borough Ordinance 2018-8
- Dennis Township Ordinance 2018-11
- Eagleswood Township Ordinances 2018-006 and 2018-007
- Egg Harbor City Ordinances 12-2018, 13-2018 and 14-2018
- Estell Manor City Ordinance 04-2018
- Hammonton Town Ordinance 042-2018
- Monroe Township Ordinance O:28-2018
- Stafford Township Ordinances 2017-22, 2017-24, 2017-25, 2017-27, 2018-12, 2018-16, 2018-17 and 2018-20
- Tabernacle Township Ordinance 2018-5
- Winslow Township Ordinance O-2018-021

No members of the Commission had questions.

Other Resolutions

Chairman Earlen presented a resolution adopting the 2019 meeting schedule.

Commissioner Lloyd moved the adoption of a resolution Scheduling Regular Pinelands Commission Meeting dates for 2019 (See Resolution # PC4-18-46). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

General Public Comment

Jonathan Peters, an Economist for City University said that monitoring recreational use in the Pinelands, including public access, is very important.

Benjamin Breslan said he was impressed with the new exhibit center and hoped that there was a way to create awareness of the Pinelands in Camden County.

Emily Mohr said she appreciates the new exhibit center and hopes it will inform the residents of New Jersey about the Pinelands.

Carleton Montgomery of the Pinelands Preservation Alliance congratulated the Commission on the new exhibit. He thanked Commissioner Ashmun for her wisdom. He said she has been an invaluable asset to the Commission.

Michele Byers, Executive Director of the New Jersey Conservation Foundation, congratulated Commissioner Ashmun on the naming of the exhibit. She said Commissioner Ashmun had a large influence on her career. She said she hopes that Commissioner Ashmun's public service will have a lasting effect on the next generation.

Jessica Pikolycky of Woodbine said she is a first grade teacher in Woodbine and looks forward to bringing her students to the new exhibit. She thanked the Commission for its leadership.

Jason Howell of the Pinelands Preservation Alliance said he appreciates the Commission's efforts to help history and culture continue to survive in the Pinelands.

Former Commissioner Robert Jackson said Commissioner Ashmun's consistent dedication to the Pinelands is remarkable. He said everyone needs to share Commissioner Ashmun's vision or the Pinelands will not be here for the generations to come. He said he hopes the new Committee can address the effects of climate change.

Fred Akers of the Great Egg Harbor Watershed Association said the new Committee to address climate change is a good idea. He said he was in Trenton this past Monday to observe Commissioner Ashmun receive the Richard J. Sullivan award. He congratulated her on her accomplishments.

Michael Flynn, a student at Rutgers Camden, thanked Commissioner Ashmun for her good work. He said he recently read an article that noted Governor Murphy has not been to the Pinelands. He asked if the Commission had any plans to invite the Governor to a meeting in the Pines. He said that protecting the Pinelands from wildfires is just as important as overdevelopment.

Commissioner Ashmun said most Governors have visited the Pinelands.

Commissioner Chila said inviting the Governor to tour the Pinelands is a great idea.

Adjournment

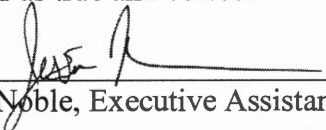
Commissioner Prickett said the Commission does a lot to educate the residents of New Jersey about the Pinelands. He asked about the upcoming Short Course.

Joel Mott said the Short Course will be celebrating its 30th anniversary in 2019. He said the Short Course is scheduled for March 9, 2019 at Stockton University. There are 36 presentations scheduled, 25 of which are new. He said after the classes are done, cake and coffee will be served and people can reminisce about years past.

Commissioner Lohbauer thanked the public, former Commissioners, and environmental groups who attended today's meeting to honor Commissioner Ashmun.

Commissioner Avery moved to adjourn the meeting. Commissioner Prickett seconded the motion. The Commission agreed to adjourn at 11:17 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: December 21, 2018



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 41

TITLE: Formally Dedicating the New Candace McKee Ashmun Pinelands Education Exhibit

Commissioner Lloyd moves and Commissioner Lohbauer
seconds the motion that:

WHEREAS, Candace McKee Ashmun has spent nearly four decades volunteering her time and expertise as a member of the New Jersey Pinelands Commission; and

WHEREAS, Ms. Ashmun is the longest serving member in the Commission's history, and her contributions to the agency and its success are immeasurable; and

WHEREAS, Ms. Ashmun has been a tireless advocate for the Pinelands, helping to raise awareness and appreciation of the region's resources, while touting the Pinelands Comprehensive Management Plan as a model for regional, land conservation planning; and

WHEREAS, Ms. Ashmun's knowledge of the Pinelands Protection Act and of the Commission's past decisions and discussions have been invaluable in the agency's efforts to strengthen the Comprehensive Management Plan; and

WHEREAS, the Commission wishes to formally recognize and honor Ms. Ashmun for her service to the Pinelands Commission and the citizens of New Jersey; and

WHEREAS, the Richard Sullivan Center now features a series of exhibits that will raise awareness and appreciation of the Pinelands; and

WHEREAS, Ms. Ashmun has inspired countless people to preserve, protect and enhance the Pinelands; and

WHEREAS, the new exhibits will advance Ms. Ashmun's remarkable legacy, so it is only fitting to dedicate this space in her honor; and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 14th day of December, 2018, does hereby honor and express its gratitude to Ms. Ashmun by formally dedicating the new Candace McKee Ashmun Pinelands Education Exhibit.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: December 14, 2018

Sean W. Earlen
Sean W. Earlen
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 42

TITLE: Approving With Conditions an Application for Public Development (Application Number 1994-0552.003)

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:

1994-0552.003

Applicant: New Jersey Department of Property Management and Construction
Municipality: Borough of Folsom
Management Area: Pinelands Village
Date of Report: November 21, 2018
Proposed Development: Construction of a salt storage building.

WHEREAS, a 1.54 acre paved vehicle training area was established on the parcel without application to, and approval by, the Commission and constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the applicant proposes to address this violation by removing the vehicle training area and associated paving; and

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 1994-0552.003 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			Howell	X			Prickett	X		
Avery	X			Jannarone		X		Quinn		X	
Barr		X		Lloyd	X			Rohan Green		X	
Chila	X			Lohbauer	X			Earlen	X		
Galletta	X			Pikolycky	X						

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Executive Director

Date: December 14, 2018

Sean W. Earlen
Chairman



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



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

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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

November 21, 2018

Ed Hedger (via email)
New Jersey Department of Property Management and Construction
33 West State Street
Trenton, NJ 08608

Re: Application # 1994-0552.003
Block 801, Lot 14
Borough of Folsom

Dear Mr. Hedger:

The Commission staff has completed its review of this application for the construction of a salt storage 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 December 14, 2018 meeting.

A 1.54 acre paved vehicle training area was developed on the parcel without application to the Pinelands Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). This application proposes the removal of the vehicle training area and associated paving to resolve the violation.

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, Borough of Folsom Planning Board (via email)
Borough of Folsom Construction Code Official (via email)
Borough of Folsom Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Atlantic County Division of Public Health (via email)
James J. Mellett, PE (via email)





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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 21, 2018

Ed Hedger (via email)
New Jersey Department of Property Management and Construction
33 West State Street
Trenton, NJ 08608

Application No.: 1994-0552.003
Block 801, Lot 14
Borough of Folsom

This application proposes the construction of a 31,375 square foot salt storage building on the above referenced 14.8 acre parcel in the Borough of Folsom. There is an existing New Jersey Department of Transportation (NJDOT) maintenance facility located on the parcel.

A 1.54 acre paved vehicle training area was developed on the parcel without application to the Pinelands Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). This application proposes the removal of the vehicle training area and associated paving to resolve the violation.

STANDARDS

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

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

The proposed development is located in the Pinelands Village of Folsom. The proposed development is a permitted land use in a Pinelands Village.

Height Limitations N.J.A.C. 7:50-5.4(a)

The CMP requires that no structure proposed in a Pinelands Village may exceed a height of 35 feet. The proposed salt storage building will have a gambrel roof with an eave height of 15.5 feet and a ridge height of 37.6 feet. For buildings with a gambrel roof, the CMP defines the height of a building as the mean height between the eaves and the ridge. The proposed salt storage building has a mean height of 26.5 feet and is consistent with the CMP height limitation.

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

The proposed development will be located within existing developed, grassed and forested areas. Approximately 0.28 acres of oak-pine forest will be cleared to accommodate the proposed development. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

Water Quality Standard (N.J.A.C. 7:50-6.84(a)4ii)

The existing NJDOT maintenance facility is serviced by an on-site septic system. The applicant has demonstrated that the existing and proposed uses on the parcel will be consistent with the groundwater quality (septic dilution) standard of the CMP.

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

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

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Legal notice to required land owners within 200 feet of the above referenced parcel was completed on August 30, 2018. Newspaper public notice was completed on September 3, 2018. The application was designated as complete on the Commission's website on October 30, 2018. The Commission's public comment period closed on November 9, 2018. 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 Churchill Consulting Engineers and dated as follows:
 - Sheet 1 - August 31, 2018
 - Sheets 2-7 & 9-11 - June 21, 2018
 - Sheet 8 - September 24, 2018; revised to October 19, 2018
 - Sheets 12-14 - August 31, 2018
 - Sheets 15 & 16 - August 9, 2018

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.



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 4:00 PM on December 10, 2018 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. PC4-18- 43

TITLE: Approving With Conditions an Application for Public Development (Application Number 2018-0169.001)

Commissioner Lohbauer moves and Commissioner Avery 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:

2018-0169.001

Applicant:

Galloway Township

Municipality:

Galloway Township

Management Area:

Pinelands Regional Growth Area

Date of Report:

November 21, 2018

Proposed Development:

Installation of 294 linear feet of sanitary sewer main within the Poplar 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 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 2018-0169.001 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			Howell	X			Prickett	X		
Avery	X			Jannarone		X		Quinn		X	
Barr		X		Lloyd	X			Rohan Green		X	
Chila	X			Lohbauer	X			Earlen	X		
Galletta	X			Pikolycky	X						

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 14, 2018

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinlands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

November 21, 2018

Christian Johanson, Township Manager (via email)
Galloway Township
300 E. Jimmie Leeds Road
Galloway, NJ 08205

Re: Application # 2018-0169.001
Poplar Avenue
Galloway Township

Dear Mr. Johanson:

The Commission staff has completed its review of this application for installation of 294 linear feet of sanitary sewer main with the Poplar 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 December 14, 2018 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Galloway Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Vincent J. Polistina, PE, PP, CME (via email)





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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 21, 2018

Christian Johanson, Township Manager (via email)
Galloway Township
300 E. Jimmie Leeds Road
Galloway, NJ 08205

Application No.: 2018-0169.001
Poplar Avenue
Galloway Township

This application proposes installation of 294 linear feet of sanitary sewer main with the Poplar Avenue right-of-way in Galloway Township.

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 sanitary sewer main is a permitted land use 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.

PUBLIC COMMENT

The CMP defines the proposed sanitary sewer main 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 October 29, 2018. The Commission's public comment period closed on November 9, 2018. 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 and dated as follows:

Sheet 1 - October 2018

Sheets 2 & 3 - October 10, 2018

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.



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

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 no later than 4:00 PM on December 10, 2018 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. PC4-18- 44

TITLE: Issuing an Order to Certify the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 of Medford Township

Commissioner Lloyd moves and Commissioner Lehman seconds the motion that:

WHEREAS, on May 6, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Medford Township; and

WHEREAS, Resolution #PC4-83-37 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and codified Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-37 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 June 28, 2017, the Medford Township Planning Board adopted Resolution 20-2017, approving the Township's 2017 Housing Element and Fair Share Plan; and

WHEREAS, on August 15, 2017, Medford Township adopted Ordinance 2017-10, approving a redevelopment plan for the Stokes Square Redevelopment Area for purposes of implementing one of the recommendations contained in the 2017 Fair Share Plan; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2017-10 on August 21, 2017; and

WHEREAS, the Pinelands Commission received a certified copy of Resolution 20-2017 and the adopted 2017 Housing Element and Fair Share Plan on October 4, 2017; and

WHEREAS, by email dated October 3, 2018, Commission staff informed the Township that revisions to the Stokes Square Redevelopment Plan would be necessary for purposes of conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, by email dated October 6, 2017, Medford Township requested an extension of the Pinelands Commission's review period for Ordinance 2017-10 in order to provide an opportunity to discuss possible revisions to the Stokes Square Redevelopment Plan prior to formal Commission action; and

WHEREAS, by letter dated October 10, 2017, the Executive Director notified the Township that an extension was granted through December 31, 2017; and

WHEREAS, by letter dated December 8, 2017, Medford Township requested a further extension of the Pinelands Commission's review period for Ordinance 2017-10 to provide sufficient time for the Township to address the issues identified by Commission staff; and

WHEREAS, by letter dated December 27, 2017, the Executive Director notified the Township that a second extension was granted through March 31, 2018; and

WHEREAS, by email dated March 21, 2018, Medford Township requested an additional extension of the Pinelands Commission's review period for Ordinance 2017-10 during which discussion of revisions to the Stokes Square Redevelopment Plan would continue; and

WHEREAS, by letter dated March 26, 2018, the Executive Director notified the Township that an extension was granted through April 30, 2018; and

WHEREAS, by email dated June 5, 2018, the Township provided the Commission with a draft copy of a revised redevelopment plan for review; and

WHEREAS, on September 4, 2018, Medford Township adopted Ordinance 2018-16, approving an amended redevelopment plan for the Stokes Square Redevelopment Area that includes increased residential densities and requirements for the provision of affordable housing and use of Pinelands Development Credits; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2018-16 on October 3, 2018; and

WHEREAS, by letter dated October 4, 2018, the Executive Director notified the Township that Planning Board Resolution 20-2017 and Ordinance 2018-16 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 was duly advertised, noticed and held on November 7, 2018 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the Executive Director has found that Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are 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 Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee has reviewed the Executive Director's report and has recommended that the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 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 Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Medford 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.

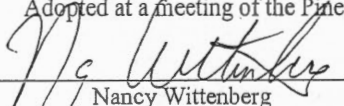
Record of Commission Votes

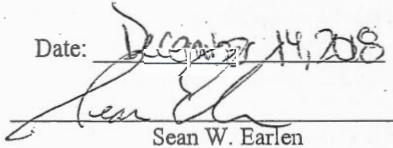
AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*
Ashmun	X			Howell	X			Prickett	X		
Avery	X			Jannarone		X		Quinn			X
Barr		X		Lloyd	X			Rohan Green			X
Chila	X			Lohbauer	X			Earlen	X		
Galletta	X			Pikolycky	X						

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 14, 2018


Nancy Wittenberg
Executive Director


Sean W. Earlen
Chairman



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



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

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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

**REPORT ON MEDFORD TOWNSHIP'S 2017 HOUSING ELEMENT
AND FAIR SHARE PLAN AND ORDINANCES 2017-10 AND 2018-16**

November 30, 2018

Medford Township
17 North Main Street
Medford, NJ 08055

FINDINGS OF FACT

I. Background

The Township of Medford is located in central Burlington County, in the northwestern section of the Pinelands Area. Pinelands municipalities that abut Medford Township include the Township of Waterford in Camden County and the Borough of Medford Lakes and the Townships of Evesham, Shamong, Southampton and Tabernacle in Burlington County.

On May 6, 1983, the Pinelands Commission fully certified the Master Plan and Land Development Ordinance of Medford Township.

On June 28, 2017, the Medford Township Planning Board adopted Resolution 20-2017, approving the Township's 2017 Housing Element and Fair Share Plan.

On August 15, 2017, Medford Township adopted Ordinance 2017-10, approving a redevelopment plan for the Stokes Square Redevelopment Area for purposes of implementing one of the recommendations contained in the 2017 Fair Share Plan. The Stokes Square Redevelopment Area is located in a Pinelands Regional Growth Area.

The Pinelands Commission received a certified copy of Ordinance 2017-10 on August 21, 2017 and a certified copy of Resolution 20-2017 and the adopted 2017 Housing Element and Fair Share Plan on October 4, 2017.

By email dated October 3, 2018, Commission staff informed the Township that revisions to the Stokes Square Redevelopment Plan would be necessary for purposes of conformance with the Pinelands Comprehensive Management Plan. Subsequently, by email dated October 6, 2017, Medford Township requested an extension of the Pinelands Commission's review period for Ordinance 2017-10 in order to provide an opportunity to discuss possible revisions to the Stokes Square Redevelopment Plan prior to

formal Commission action. By letter dated October 10, 2017, the Executive Director notified the Township that an extension was granted through December 31, 2017.

By letter dated December 8, 2017, Medford Township requested a further extension of the Pinelands Commission's review period for Ordinance 2017-10 to provide sufficient time for the Township to address the issues identified by Commission staff. By letter dated December 27, 2017, the Executive Director notified the Township that a second extension was granted through March 31, 2018.

By email dated March 21, 2018, Medford Township requested an additional extension of the Pinelands Commission's review period for Ordinance 2017-10 during which discussion of revisions to the Stokes Square Redevelopment Plan would continue. By letter dated March 26, 2018, the Executive Director notified the Township that an extension was granted through April 30, 2018.

By email dated June 5, 2018, the Township provided the Commission with a draft copy of a revised redevelopment plan for review.

On September 4, 2018, Medford Township adopted Ordinance 2018-16, approving an amended redevelopment plan for the Stokes Square Redevelopment Area that includes increased residential densities and requirements for the provision of affordable housing and use of Pinelands Development Credits. The redevelopment plan adopted by Ordinance 2018-16 entirely supersedes that previously adopted by Ordinance 2017-17. The Pinelands Commission received a certified copy of Ordinance 2018-16 on October 3, 2018.

By letter dated October 4, 2018, the Executive Director notified the Township that Planning Board Resolution 20-2017 and Ordinance 2018-16 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following master plan and ordinance amendments have been submitted to the Pinelands Commission for certification:

- * The 2017 Housing Element and Fair Share Plan of Medford Township, adopted by the Planning Board on June 28, 2017; and
- * Ordinance 2018-16, adopting the Stokes Square Redevelopment Plan, adopted on September 4, 2018.

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

1. **Natural Resource Inventory**

Not applicable.

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

Medford Township's 2017 Housing Element and Fair Share Plan contains updated data and analysis pertaining to Medford's current and projected demographic, housing stock, and employment characteristics, as well as an updated Fair Share Plan for the cumulative period 1987-2025. The Township's Fair Share Plan indicates a rehabilitation obligation of 25 units, a prior round obligation of 418 units and a third round prospective need of 483 units. The Fair Share Plan provides information on past efforts to provide affordable housing and outlines the mechanisms that will facilitate the attainment of the Township's affordable housing obligation. These mechanisms include the rezoning of five sites, only one of which is located in the Pinelands Area. Referred to in the Housing Element and Fair Share Plan as "Stokes Square", this site is proposed for 120 market rate units and a monetary contribution to subsidize the development of affordable housing units in another project, outside the Pinelands Area. These recommendations reflect the terms of a 2017 settlement agreement between Medford Township and Fair Share Housing Center.

Ordinance 2018-16 adopts a Redevelopment Plan for the Stokes Square Redevelopment Area. This redevelopment area consists of four lots (Block 2701.20, Lots 9.01, 9.02, 9.03 and 10.01) located at the intersection of Himmelein Road and Stokes Road (see Exhibit #1). In total, 67 acres are included in the new redevelopment area, 34 of which were previously located in the residential GD (Growth) District and 33 of which were in the RC (Restricted Commercial) District. An existing bank, office building and salon are located in the redevelopment area but the majority of the area is currently vacant and comprised of wetlands (see Exhibit #2). There are approximately 20 acres of uplands in the redevelopment area. The entire redevelopment area is located in a Pinelands Regional Growth Area.

The purpose of the Stokes Square Redevelopment Plan is to provide for new residential housing in a compact format. To that end, permitted uses in the new zone include "independent living" in the form of senior apartments. A maximum of 120 such units is permitted, with the acquisition and redemption of Pinelands Development Credits required for 20% of all units. The Redevelopment Plan does not require that any of the new units be made affordable to low and moderate income households; instead, a contribution to the Township's affordable housing trust fund is required, with the collected funds to be used to produce affordable housing units in another project, outside the Pinelands Area. A variety of nonresidential uses are also permitted in the redevelopment area, including offices, retail sales and service establishments, restaurants, indoor and outdoor recreation, public parks, community buildings and open space. Any development that occurs within the redevelopment area must comply with all other municipal application requirements and development regulations, as well as the Comprehensive Management Plan.

According to the Redevelopment Plan, the new independent living senior apartments will be located all in one building of no more than 45 feet in height. The apartment building will be sited on Himmelein Road in close proximity to the existing commercial uses (see conceptual site plan, Exhibit #3). In order to accommodate the proposed redevelopment project, sanitary sewer will need to be extended to the site and public water will need to be provided to both the new apartment building and the existing office building. With respect to the remainder of the

redevelopment area, the Redevelopment Plan requires that at least 50% of the area be “dedicated and preserved open space or agriculture” so as to preserve scenic vistas and the community greenbelt.

The Stokes Square Redevelopment Plan provides an opportunity for development of 120 new units in Medford’s Regional Growth Area. The resulting density in the Redevelopment Area is significantly higher than that prescribed by the Comprehensive Management Plan, which requires the Township to zone for a density of only one unit per upland acre in its Regional Growth Area. However, the Comprehensive Management Plan does provide municipalities with the ability to zone portions of their Regional Growth Areas for higher densities, provided the lands in question are appropriate for more intensive development, infrastructure exists or can be provided to support the increased density and sufficient opportunities for the use of Pinelands Development Credits are provided. The Stokes Square Redevelopment Area meets these standards.

Medford Township’s 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

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

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Ordinance 2018-16 adopts a new redevelopment plan for a portion of Medford Township’s Regional Growth Area. Based on this plan, 120 age-restricted apartments will be permitted in

the Stokes Square Redevelopment Area, with the use of Pinelands Development Credits (PDC) required for 20% of all proposed units. No exemption for affordable housing units is provided, as no such units are required in the Redevelopment Area.

The result is increased residential zoning capacity and opportunities for the redemption of PDCs in the Township's Regional Growth Area. A maximum of 120 new units can be developed, which would require the redemption of 24 rights (6.0 PDCs). These numbers are well in excess of what the Comprehensive Management Plan prescribes for Medford's Regional Growth Area.

It is important to note that the new Stokes Square Redevelopment Area standards described above represent a departure from the traditional zoning and PDC strategy outlined in N.J.A.C. 7:50-5.28(a). This section of the Comprehensive Management Plan anticipates that municipalities will establish "base" densities in their various Regional Growth Area zoning districts and then provide opportunities to increase such densities through the use of PDCs. In Medford's Regional Growth Area, the Comprehensive Management Plan establishes a "base" density of one unit per developable acre and directs the Township to provide for "bonus" density through the use of PDCs to allow for a total of 1.5 units per developable acre. There is nothing in the CMP that prevents municipalities from exceeding these minimum requirements, which is exactly what Medford Township has elected to do. The Township has chosen to provide for higher density in the Stokes Square Redevelopment Area as a means of advancing its affordable housing objectives. At the same time, the Township has adopted standards to ensure that PDC use will be a significant part of the anticipated redevelopment project.

Rather than relying on the traditional approach of providing developers with the *option* of using PDCs to increase permitted density, Ordinance 2018-16 *guarantees* a PDC redemption rate of 20% for residential development within the Redevelopment Area. Medford Township implemented similar requirements in its other Regional Growth Area residential zones many years ago, again as a means of facilitating affordable housing development. In those zoning districts, the use of PDCs is required for 25% or 33% of all market rate units. Those higher percentages, coupled with the higher than normal density in the new redevelopment area, allow the PDC requirement in the Stokes Square Redevelopment Area to be slightly lower.

Given the greater certainty provided by the Township's overall approach in terms of PDC use, the Executive Director finds that the PDC requirements adopted by Ordinance 2018-16 are consistent with Comprehensive Management Plan standards. This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. This standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

The redevelopment area established by Ordinance 2018-16 does not include 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 Medford Township's application for certification of its 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 was duly advertised, noticed and held on November 7, 2018 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which no testimony was received.

Written comments were accepted through November 14, 2018; however, no such comments were received.

CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that Medford Township's 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 comply with 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 the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 of Medford Township.

SRG/CME
Attachments

Stokes Square Redevelopment Area



Redevelopment Parcels



Parcels



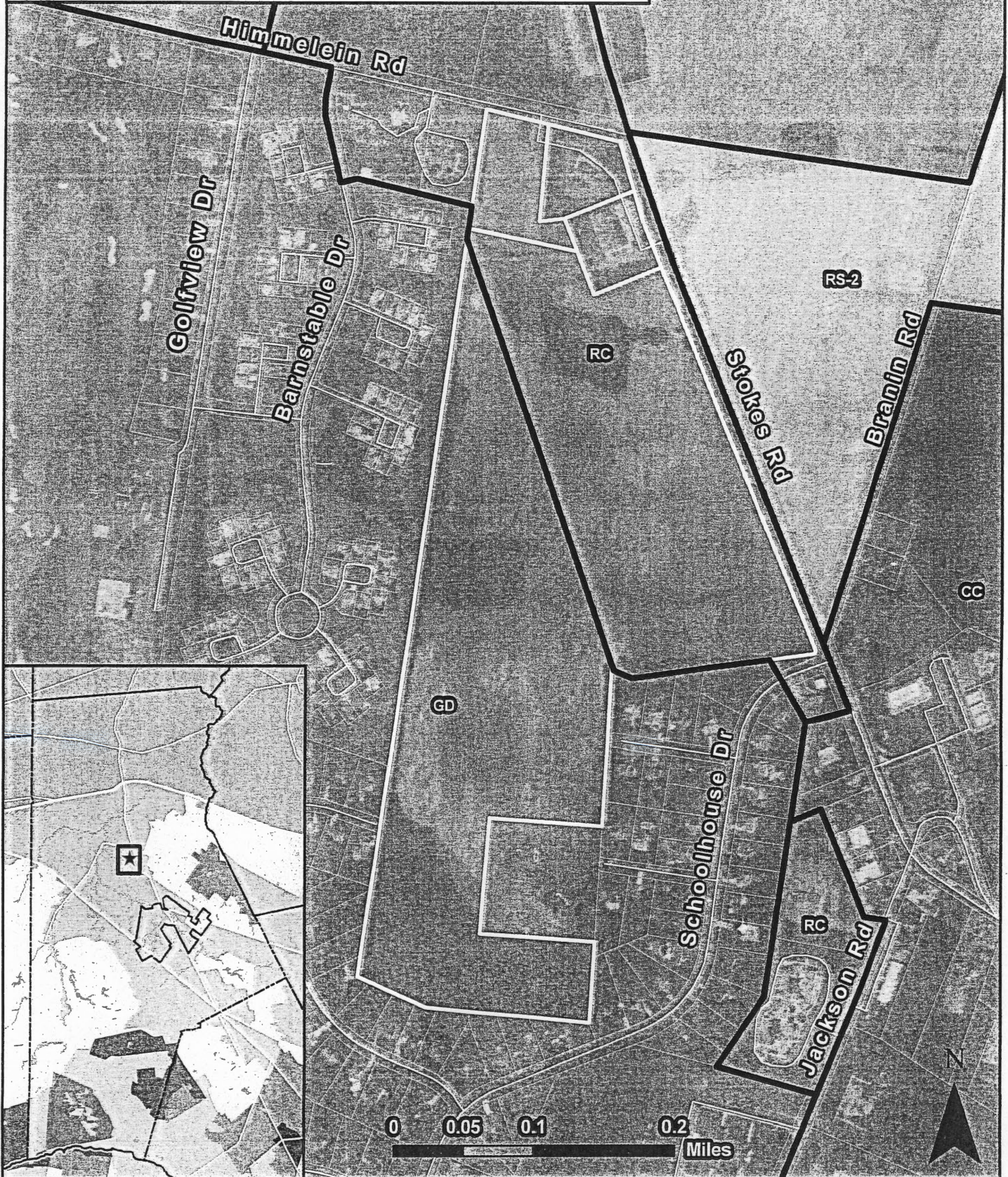
Existing Zoning

Pinelands Management Areas





Rural Development Area

Regional Growth Area

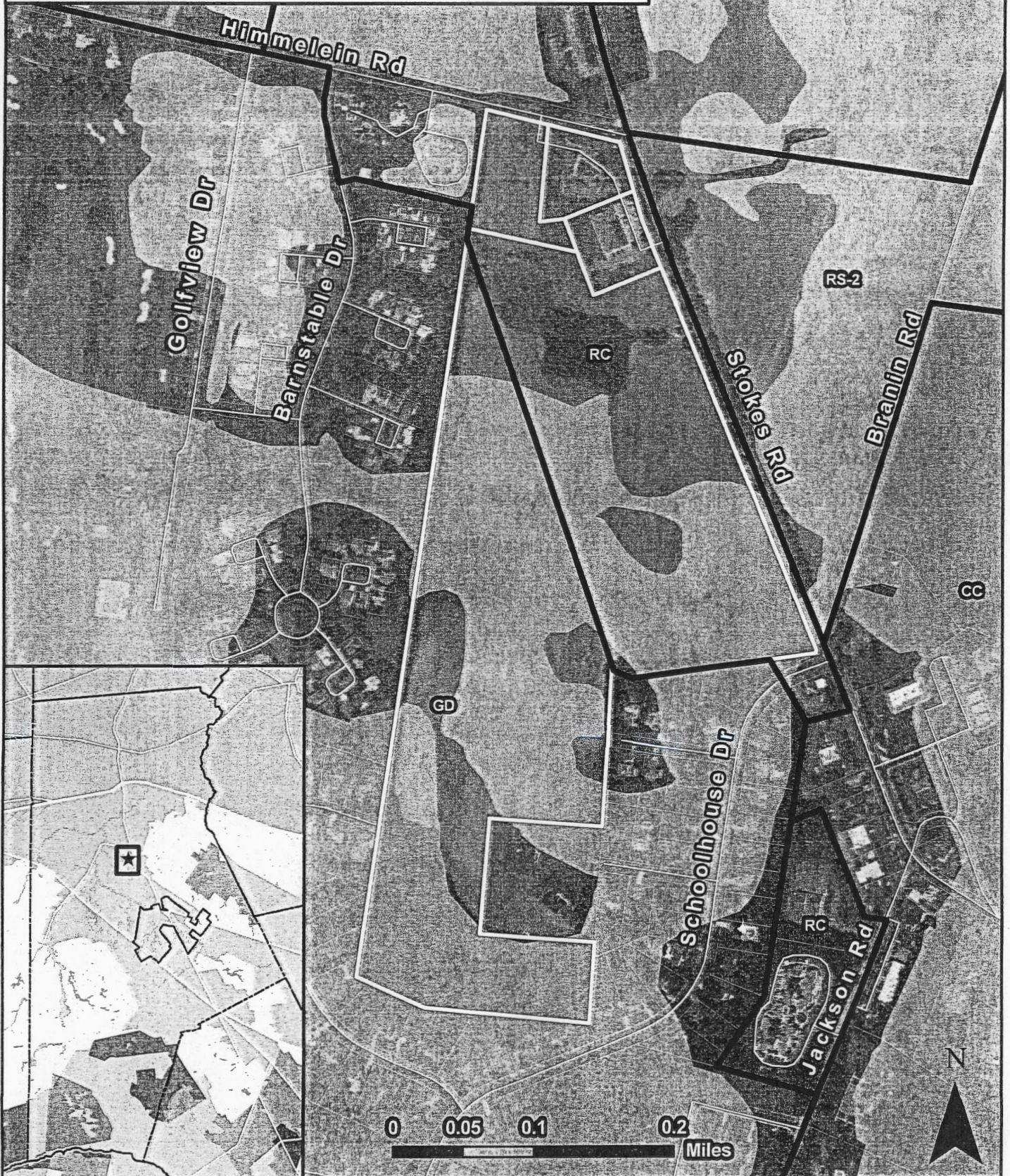
Executive Director's Report
Medford Ordinance 2018-16
Exhibit 1
11/30/2018

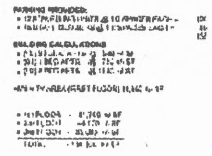


Stokes Square Redevelopment Area

-  Redevelopment Parcels
-  Pinelands Wetlands
-  Parcels
-  Existing Zoning

Executive Director's Report
Medford Ordinance 2018-16
Exhibit 2
11/30/2018





BARTON PARTNERS
ARCHITECTS & PLANNERS, INC.

2 OF 3
PRINTED WITH BOKI
15058
DATE
2016.04.06
REVISED

አገሩ በ ከፊልሞ ሂገገጽ ጋር የተጣራ
 ዘመን ሲሆን የሌላ የፍልሰታ ምንጭ
 ዘመን ሲሆን ሲሆን የሌላ የፍልሰታ ምንጭ
 ነፃነት ሲሆን ሲሆን የሌላ የፍልሰታ ምንጭ



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 45

TITLE: Determining the Eligibility of a Parcel of Land for Acquisition by the Department of Environmental Protection Pursuant to the Limited Practical Use Program

Commissioner Uyeh moves and Commissioner Galletta seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Findings of Fact, Conclusion and recommendation of the Executive Director that the following parcel is eligible for acquisition under the Limited Practical Use program:

2016-0115.001 **Barbara Baldwin**, Block 3003, Lot 14; Buena Vista Township, 0.57 ac.; Pinelands Rural Development Area; waiver application denied November 9, 2018.

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

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director for this parcel; and

WHEREAS, the Pinelands Commission hereby determines that the parcel conforms to the criteria set forth in N.J.A.C. 7:50-9.2 and 9.3 for eligibility for acquisition under the Limited Practical Use program; and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission approves the acquisition of the following parcel and authorizes the Executive Director to transmit the name of this property owner to the Department of Environmental Protection for acquisition, provided that the landowner freely agrees to sell his parcel:

2016-0115.001 **Barbara Baldwin**, Block 3003, Lot 14; Buena Vista Township, 0.57 ac.; Pinelands Rural Development Area; waiver application denied November 9, 2018.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 14, 2018

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



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



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

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

SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

**REPORT ON PROPERTY ELIGIBILITY FOR THE
PINELANDS LIMITED PRACTICAL USE PROGRAM**

November 19, 2018

Barbara Baldwin.
5711 Mary A Court
Bladensburg, MD 20710

Please Always Refer to
This Application Number
App. No. 2016-0115.001
Buena Vista Township
Block 3003, Lot 14

Dear Ms. Baldwin:

The Commission staff has completed its review of this application for eligibility in the Pinelands Limited Practical Use (LPU) land acquisition program. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application at its December 14, 2018 meeting.

FINDINGS OF FACT

This application is for a determination of eligibility for the Pinelands Limited Practical Use Land Acquisition Program. The property is located in Buena Vista Township's Rural Development Area and contains 0.57 acres. An application for a Waiver of Strict Compliance by the applicant to develop a home on this parcel was denied by the Pinelands Commission on November 9, 2018.

The subject parcel contains all contiguous land in common ownership on or after January 14, 1981. There are no principal structures located on the parcel. No resource extraction operation has been approved for this parcel. No development has been approved for this parcel. There are no Pinelands Development Credits allocated to the parcel. Based on the available information, the parcel cannot be developed consistent with the requirements of the Comprehensive Management Plan (CMP). The applicant owns less than 50 acres of land in the Pinelands as of July 17, 1995.

CONCLUSION

N.J.A.C. 7:50-9.2 and 7:50-9.3 set forth the standards which must be met in order for a property to be determined eligible for the Limited Practical Use Program. The first condition is that the Pinelands Commission has either denied a Waiver of Strict Compliance for the parcel in question pursuant to N.J.A.C. 7:50-4, Part V or has approved a Waiver of Strict Compliance for the parcel and granted a transferable development right to other lands in accordance with N.J.A.C. 7:50-4.66(b)3 and 5.30(a). As the applicant received a Waiver denial on November 9, 2018, the applicant meets the criteria contained in N.J.A.C. 7:50-9.2(a)1.

The second condition is that the parcel contains less than 50 acres. As the parcel contains 0.57 acres, the parcel meets the criteria contained in N.J.A.C. 7:50-9.2(a) 2.

The third condition is that the standards contained in N.J.A.C. 7:50-9.3 relative to the ownership and the present and potential uses of the parcel in question have been met. The applicant has demonstrated that the parcel meets the standards contained in N.J.A.C. 7:50-9.3 so the parcel meets the criteria contained in N.J.A.C. 7:50-9.2(a)3.

The property is eligible for the Limited Practical Use acquisition program because all program eligibility criteria in N.J.A.C. 7:50-9.2 and N.J.A.C. 7:50-9.3 have been met. As a result, it is recommended that the Pinelands Commission APPROVE the application and notify the Department of Environmental Protection that the subject parcel is eligible to be acquired under the provisions of N.J.A.C. 7:50-9.

APPEAL

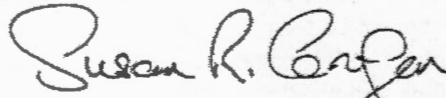
The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory 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 no later than 5:00 PM on December 4, 2018 and include the following information:

- A. the name and address of the person requesting the appeal;
- B. the application number;
- C. a brief statement of the basis for the appeal; and
- D. 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.

If no appeal is received, the Pinelands Commission will act on this application at its meeting on December 14, 2018. At this meeting, the Commission may either approve the determination of the Executive Director or refer the application to the Office of Administrative Law for a hearing.

If you have any questions, please contact Betsy Piner of our staff.

Sincerely,



Susan R. Grogan, P.P., AICP
Chief Planner

/A4

C: Donna Browne, (via email)



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 46

TITLE: Scheduling Regular Pinelands Commission Meeting dates for 2019

Commissioner Hayd moves and Commissioner Avery seconds the motion that:

WHEREAS, the Open Public Meetings Act requires that the Pinelands Commission establish an annual schedule of regular meetings prior to January 10th of each year; and

WHEREAS, the Pinelands Commission will use the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education in New Lisbon, Pemberton Township, as the regular site for its meetings; and

WHEREAS, the Pinelands Commission may need to find an alternate, temporary meeting location within the Pinelands Area for its meetings throughout the year; and

WHEREAS, any meeting that will be scheduled at a location other than the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised in accordance with the requirements of the Open Public Meetings Act; and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission shall conduct its meetings on the following dates in 2019 beginning at the specified time at the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, New Jersey, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

Friday, January 11, 2019 (9:30 a.m.)	Friday, July 12, 2019 (9:30 a.m.)
Friday, February 8, 2019 (9:30 a.m.)	Friday, August 9, 2019 (9:30 a.m.)
Friday, March 8, 2019 (9:30 a.m.)	Friday, September 13, 2019 (9:30 a.m.)
Friday, April 12, 2019 (9:30 a.m.)	Friday, October 11, 2019 (9:30 a.m.)
Friday, May 10, 2019 (9:30 a.m.)	Friday, November 8, 2019 (9:30 a.m.)
Friday, June 14, 2019 (9:30 a.m.)	Friday, December 13, 2019 (9:30 a.m.)

BE IT FURTHER RESOLVED that the Executive Director is directed to publish notice of this schedule in the Commission's official newspapers, file copies of the schedule with the Secretary of State of the State of New Jersey and Pinelands county and municipal clerks, post a copy of the notice in the Commission's offices and to post the annual schedule on the Commission's web page (www.nj.gov/pinelands).

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 14, 2018

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman