



State of New Jersey
THE PINELANDS COMMISSION
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www.nj.gov/pinelands



PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA
Friday, December 13, 2024 - 9:30 a.m.

This meeting will be held in-person and virtually.

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

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

https://www.youtube.com/watch?v=Avbd_mjsveQ

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 873 0945 2807

1. Call to Order

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

2. Adoption of Minutes

- November 8, 2024

3. Committee Chairs' and Executive Director's Reports

4. Matters for Commission Consideration *Where the Record is Closed*

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approvals
 - None
- Public Development Projects and Waivers of Strict Compliance:
 - None

B. Planning Matters

- Municipal Master Plans and Ordinances
 - Issuing an Order to Certify Hamilton Township Ordinance 2085-2024, Adopting a Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2
- Other Resolutions
 - None
- CMP Amendments
 - None

5. Public Comment on Public Development Applications and Waivers of Strict Compliance *Where the Record is Not Closed*

A. Public Development Projects

- Application No. 1981-1833.080 – Stockton University
Construction of 1,200 linear feet of six foot wide pedestrian walkways
Galloway Township

B. Waiver of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Little Egg Harbor Township Ordinance 2024-27
- Port Republic City Ordinance 07-2024
- Tabernacle Township Ordinance 2024-8
- Medford Lakes Borough Ordinances 700 &708

7. Other Resolutions

- Scheduling Regular Pinelands Commission Meeting Dates for 2025

8. General Public Comment

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

10. Other Resolutions

- To Authorize the Executive Director to enter into New Collective Negotiations Agreements with the Communications Workers of America, Local 1040, for the Period Beginning July 1, 2023 and Ending June 30, 2027

11. Adjournment

Upcoming Meetings

Fri., January 10, 2025
Fri., January 31, 2025

Pinelands Commission Meeting (9:30 a.m.)
Policy & Implementation Committee Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES

November 8, 2024

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=64SW7srQFIg>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., John Holroyd, Jerome H. Irick, Mark Lohbauer, Mark Mauriello, William Pikolycky, Jessica Rittler Sanchez and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jill Denyes and Governor's Authorities Unit representative Alexis Franklin.

Commissioners Absent

Dan Christy, Theresa Lettman, Jonathan Meade and Douglas Wallner.

Call to Order

Chair Matos called the meeting to order at 9:34 a.m.

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

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

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's October 11, 2024 meeting. Commissioner Lohbauer moved the adoption of the minutes. Commissioner Pikolycky seconded the motion.

The minutes from the October 11, 2024 Commission meeting were adopted by a vote of 9 to 0.

Committee Reports

Chair Matos provided a summary of the October 25, 2024 Policy and Implementation Committee meeting:

Commissioner Jessica Rittler Sanchez was welcomed as a full member of the P&I Committee.

The Committee approved the minutes of the July 26, 2024 meeting.

The Committee received a presentation on the (New Jersey Department of Environmental Protection) NJDEP proposed REAL Rule Amendments relating to Coastal Zone Management and possible impact on Pinelands activities. The Committee requested to be provided with a copy of the goals in the existing regulations and proposed rule amendments. The Committee discussed the proposed timeline for amendment adoption. Staff noted the need for a discussion with NJDEP on existing Memoranda of Agreement (MOAs) and impacts to permitting in the Pinelands should the rule amendments be adopted.

Staff provided a summary and reviewed evaluation criteria of Pinelands Conservation Fund (PCF) 2024 Land Acquisition Project applications recommending that neither of the two project proposals be awarded funding. The Committee met in closed session to review project specifics, allocation requests, and funding. Committee members returned to open session and moved to accept the staff recommendation that grants should not be awarded for the two projects.

Committee members heard public comments in support of moving forward with the Black Run Rule proposal and a request that Science Office staff be consulted on wetlands delineations for development applications.

Vice Chair Avery provided a summary of the October 29, 2024 Personnel & Budget Committee meeting:

During its meeting on October 29, 2024, the Personnel & Budget Committee adopted the minutes from its August 20, 2024 meeting.

Staff reviewed financial updates, including Check Registers, Electronic Disbursements, and Application Fees. Staff provided an update on the hiring of a Research Scientist 3 and ongoing recruitment efforts.

The meeting concluded with the Executive Director providing an update on the Fenwick Manor Rehabilitation Request for Proposal process.

The Committee adjourned the meeting and retired into Closed Session to discuss collective bargaining negotiations. No action was taken.

Executive Director's Report

ED Grogan provided information on the following matters:

- The last committee meeting of the year is scheduled for November 22. As staff prepares meeting dates for 2025, both Commissioner Lohbauer and Chair Matos will be consulted on the possibility of combining the Climate Committee with the P&I Committee meeting.
- The Science office's newest staff member, Christine Healy, was introduced.

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

- On October 17th an emergency authorization determination was issued to South Jersey Gas for the replacement of approximately three miles of eight-inch natural gas main that became corroded. An after-the-fact application will be completed by South Jersey Gas.
- The Regulatory Programs staff is inundated with inquiries. Most of the inquiries are related to the development potential of a specific parcel. He said currently there are 300 inquiries and application submissions pending for a staff of ten to respond to. He said additional questions arise after staff issues a response to the inquiry. He said these inquiries are in addition to applications that staff are reviewing in which applicants have submitted a formal application and paid the required fee. He said staff has made every effort to provide a self-service function with mapping tools on the Commission's website but most members of the public want to speak with a live person.

Gina Berg, Director of Land Use Programs, provided an update on the following items:

- Staff continue to work in partnership with the NJDEP with the I-Bank (New Jersey Infrastructure Bank) as they continue to consider amendments to the Infrastructure Trust rules, in particular the section that evaluates allowable costs. The rules have not been amended in two decades and during that time staff at the NJDEP have changed, along with the structure of the organization. There is also a flaw in the current rule. She said that in the past, only wastewater projects could be considered, and water supply projects will now be included. Staff will provide guidance to the NJDEP as the amendment process continues.
- Due to vacant positions in the Land Use Programs Office, staff will be requesting an extension for the following two National Park Survey economic monitoring projects: Economy of Parks and Open Space study and Economic Impacts of Climate Change on Growth-Oriented Management Areas.
- The most recent round of PCF 2024 Land Acquisition Project applications were not recommended at this time. Staff will be planning the Annual Land Preservation Summit and a major discussion point will be discussing how to draw in good preservation projects in the Pinelands Area.

- Staff continues to issue Pinelands Development Credit (PDC) Letters of Interpretations (LOI) and is currently working on three LOI's that include approximately 3,000 acres in Washington Township.
- Staff recently began work on three landfill closure assessments.

Stacey Roth, Chief, Legal and Legislative Affairs, reminded Commissioners that ethics and cannabis training must be completed before November 15th.

She added that the Stafford Township Council has approved a resolution authorizing its Township Administrator to sign the MOA that the Commission voted on at its September meeting for accessibility improvements to trails at Forecastle Lake.

Brad Lanute, Chief Planner, said earlier this year the legislature adopted some significant changes to the State's affordable housing laws. The law laid out a new process and set of timelines for municipalities to meet their affordable housing obligations for the upcoming fourth round and future rounds.

The fourth round of affordable housing obligations will begin on July 1 of next year. An important step in the process was completed last month. On October 18th, the Department of Community Affairs (DCA) published calculations for each municipality's present and prospective need for affordable housing for the period covering 2025-2035. Staff is currently reviewing the numbers calculated for Pinelands Area municipalities.

Staff expect Pinelands municipalities will be updating their housing elements and fair share plans between now and July 1st. He said the housing elements and fair share plans are part of the municipal master plan, so any implementing ordinance will need to be reviewed and approved by the Commission. Mr. Lanute said we are anticipating quite a bit of work in the coming months on this front. Staff will provide a more detailed briefing on the DCA numbers and the anticipated impacts to the Pinelands Area at an upcoming P&I Committee early next year.

Mr. Lanute said the November 22nd P&I Committee meeting agenda will include a Hamilton Township ordinance and a preview of an Off-Road Vehicle model ordinance.

Commissioner Pikolycky asked what the Commission's role will be related to affordable housing.

Mr. Lanute said the municipalities will generate the calculations, and Commission staff will review Master Plan amendments and implementing zoning ordinances for consistency with the CMP.

Commissioner Lohbauer said the amendment to the Act provided a breakdown of numbers for the Highlands region and asked why the Pinelands Area isn't specifically recognized.

Mr. Lanute said Pinelands Management Areas were considered when the affordable housing numbers were generated. He said the majority of the state uses land capacity factors based on state planning area designations but the Pinelands Area is reviewed differently.

Commissioner Avery said the deed restriction language for land preservation is quite restrictive. He said tailoring the deed restriction may help in securing future PCF applicants.

Paul Leakan, Communications Officer, said almost a 100 students from Hammonton participated in the 2024 World Water Monitoring Challenge. He displayed the front cover of the 2025 Pinelands National Reserve calendar, which features a theme of "Happy Trails." He also displayed a map that will be included in this 2025 calendar and includes the location of each featured trail. The calendars will be available in early December at multiple locations throughout the Pinelands Area.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution for the construction of a juvenile justice facility in Winslow Township.

Commissioner Avery made a motion Approving With Conditions an Application for Public Development (Application Number 1981-0656.024) (See Resolution # PC4-24-22). Commissioner Pikolycky seconded the motion.

April Field, Chief Permit Officer, said the application is for the development of juvenile secure facility that will be located on the Ancora Psychiatric Hospital parcel. The proposed development includes three 5,925 square foot residential buildings, a 27,132 square foot office and support building, an 8,904 square foot gymnasium, a 328 square foot greenhouse, a 427 square foot equipment shed, an athletic field, a basketball court and three paved parking areas. A map was displayed showing the area where the secure facility will be developed (see attached Exhibit 1). She said the Commission entered into an MOA with the NJDEP, the Department of Human Services (DHS) and Camden County in 2007. The MOA authorized the Ancora site to connect to public sanitary sewer for future development on the site. As part of the MOA, deed restriction of an area where no development will ever occur was required and shown shaded in purple on the displayed map (see attached Exhibit 2). The new juvenile justice facility will be located entirely outside the deed restricted area.

Ms. Field said a stipulation of the MOA was that four existing, uncapped landfills on the parcel were supposed to be closed and capped as required by the CMP. The DHS has not been able to secure the approximately \$10 million estimated to be needed to move forward with closing and capping the landfills. A map was displayed showing the four oddly shaped landfills in yellow (see attached Exhibit 3). The DHS has provided a \$5,000 escrow for staff to complete an analysis and determine the appropriate capping method of the landfills. She said the Public Development Report includes four conditions related to the landfill closure. She said an application must be completed with the Commission by April 8, 2026 and the landfills must be capped by April 8, 2030 and no additional development will be permitted at the site until the landfills are capped.

Commissioner Lohbauer asked if the juvenile justice facility will be developed prior to the landfill closure, and he asked how many acres are available for future development.

Ms. Field said the juvenile justice facility will be able to proceed with construction. She said she doesn't know the exact acreage. She said much of the land outside of the deed restricted area are athletic fields and stormwater basins, and building additions could be possible once the landfills are capped.

Commissioner Pikolycky asked if the proposed development would be utilizing existing vacant buildings.

Ms. Field said the juvenile justice facility is entirely new construction, so no demolition and very little clearing will be necessary.

Commissioner Rittler Sanchez asked if staff know what the landfills contain and if some of the landfills are in the deed-restricted area.

Ms. Field said staff will determine what type of garbage is in the landfill as part of the analysis. She confirmed that some of the landfills are located in the deed-restricted area.

Commissioner Lohbauer asked if there is enough development potential on the parcel to ensure that the DHS will follow through with the landfill capping.

ED Grogan said there have been many applications over the years and based on that, it's likely there will be future redevelopment and expansions of the facility

Director Horner added that Camden County recently inquired about locating a prison at the Ancora site.

Commissioner Irick said the \$5,000 escrow doesn't seem like an adequate amount to complete the landfill assessment.

ED Grogan said the \$5,000 escrow will cover some of the staff's costs associated with the environmental assessment and analysis to determine the most suitable cap for the landfills. The amount of the escrow was established many years ago but will be re-evaluated in the near future to ensure that it covers the special review.

Director Horner noted that new development on the Ancora parcel is only restricted until an application to cap the landfills is completed with the Commission.

The resolution was adopted by a vote of 9 to 0.

Ordinances Not Requiring Commission Action

Chief Planner Lanute highlighted a Hamilton Township Ordinance 2084-2024 that repeals and replaces a 2011 Redevelopment plan for the Atlantic City Racecourse. He said the 2024

Redevelopment Plan simply reconfigures the zones within the redevelopment area maintaining the same acreage and Pinelands Development Credit obligation. The Township is currently working with an interested developer.

General Public Comment

Harry Harper of Pemberton Township said the Pole Bridge property should not be developed and should remain as it is. He said the Commission staff chose to ignore expert reports on a wetland on the parcel. He said the Commission's report went against its own wetland delineation method. He said he would like to see the report rescinded. He said Commission staff disregarded expert opinion on pine snakes. He said the Commission's mission is to protect and preserve. He said residents are not happy about additional development. He said optics are everything and right now, they don't look good. He said the resources are no longer available to support large developments in the Pinelands.

Patrick Giberson, a local farmer, said the water for the Pole Bridge development will come from the Englishtown Aquifer. He said if a fire were to break out in the Pole Bridge development, it could be as catastrophic as Hawaii and North Carolina. He said he would like to see the rural characteristics of the Pinelands remain. He said he supports smart development. He said Pemberton Township has been accommodating developers by making zoning changes outside the Pinelands Area.

Michelle Forman of Pemberton Township said she would like to see development in Pemberton Township slow down. She said Pemberton Township should be kept rural, natural and beautiful. She said Pemberton Township is known for its healing properties, similar to the Adirondack Mountains and the Jersey shore. She said that's why tuberculosis hospitals were built in those areas. She said every other town in Burlington County has been decimated with warehouse development.

Joe Anderson said he has lived in Browns Mills his entire life and was displeased by the amount of development in Barnegat and Chatsworth. He raised concerns that the threatened and endangered species study did not find pine snakes. He said the Pinelands Commission is destroying the Pines one acre at a time and all that will be left is the state forest. He said the Pinelands Commission only cares about permit fees.

Debra Skipper said she is owner of Pinewood Terrace, a 200-unit manufactured home development that will be surrounded by the proposed Liberty Woods residential development project (Pole Bridge). She circulated a photograph of a northern pine snake that one of her residents found in June of 2024. She said the snake survey is flawed. She asked Commissioners to protect the beautiful 700-acre Pinelands forest, consider the wetlands issue, water supply and the proposed one-way-in, one-way-out entrance/exit for the development. She asked that the Commission look carefully at the snake survey results.

Jason Howell of the Pinelands Preservation Alliance said the Commission may want to consider posting a few educational videos to YouTube to help the Regulatory Programs staff with the influx of inquiries from the public. He said in his opinion the protection of wetlands should be

the most important priority in the state. He said the Commission's Science office who conducts field research should review the recently submitted letter to Pemberton Township on the Pole Bridge Road development.

Patricia Guthrey of Pemberton Township said local residents should be included and taken into consideration when development is proposed in the vicinity. She said she lives in the Birmingham section of Pemberton Township (outside of the Pinelands Area) and a warehouse was constructed at the end of her street. She is now dealing with the displacement of wildlife and stormwater runoff. She said the Pinelands Commission is supposed protect the forest. She said destroying 340 acres is horrible.

Elenor Dale of Collingswood, NJ, said many people who do not live in Pemberton Township have signed an online petition to save the Pole Bridge Forest. She said the Commission needs to protect the forest, which is vital in a state that is so overpopulated.

Chair Matos said a public commentor suggested that the Commission is only interested in collecting fees. She said Commissioners who serve this Board are unpaid volunteers and Commission staff are currently severely understaffed. She said application fees are for the review of applications. She said the staff who work for the Commission are exceptional.

Commissioner Rittler Sanchez offered further clarification, saying the additional money submitted was for an escrow not an application fee.

Commissioner Irick said he doesn't recall voting on the application that members of the public have commented on today.

Director Horner said the application that many members of the public provided comment on today is currently before the Pemberton Township Planning Board. He said it's a large, residential development application located in a Regional Growth Area. He said regardless of whether a project is in a Pinelands Management Area that is designated for conservation or growth, all environmental standards of the CMP must be met. He said if the Township issues an approval, staff will review it for consistency with the CMP.

Director Horner said the Pemberton Township Planning Board asked that the Commission assist with a wetland question that arose concerning an area of less than half an acre in size. He said 290 acres of the parcel have already been delineated as wetlands. The Commission provided its opinion to the Planning Board that the half acre area in question was not a wetland. The Commission sent an additional letter reiterating to the Planning Board that the wetlands determination was the opinion of Commission staff, and the Board should consider all expert review on the matter.

Director Horner said the Commission is aware of the threatened and endangered snake in the vicinity of the parcel. He said extensive T&E surveys were conducted in the early 2000s. He said the question that remains is what constitutes the critical habitat for the species. Additional T&E surveys were required over the past year, and staff is awaiting the final results of the fall drift

fence survey. Staff will determine what constitutes critical habitat on the parcel upon completion of its review of the surveys.

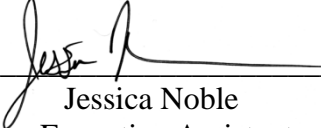
Director Horner explained the process of what can happen after the Commission reviews a local approval. He noted that if the Planning Board denies the application, there is no further role for the Commission.

Commissioner Lohbauer requested that staff provide a presentation to the P&I Committee on wetlands delineation methods in the Pinelands Area.

Adjournment

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Avery seconded the motion. The Commission agreed to adjourn at 11:15 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: November 15, 2024



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24- 22

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1981-0656.024)

Commissioner Avery moves and Commissioner Pikolycky 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:

1981-0656.024

Applicant:	New Jersey Juvenile Justice Commission
Municipality:	Winslow Township
Management Area:	Pinelands Agricultural Production Area Pinelands Rural Development Area
Date of Report:	October 16, 2024
Proposed Development:	Construction of a Juvenile Justice Commission Secure Facility .

WHEREAS, there are four uncapped landfills that ceased operation on or after January 14, 1981 on the 605 acre parcel subject of Application No. 1981-0656.024; and

WHEREAS, the regulations contained in the Pinelands Comprehensive Management Plan (CMP) requires that if a landfill ceased operation on or after January 14, 1981, it must be capped in accordance with the requirements of the CMP (N.J.A.C. 7:50-6.75); and

WHEREAS, the four uncapped landfills constitute a violation of the regulations contained in CMP; and

WHEREAS, the CMP (N.J.A.C. 7:50-4.2(c)ii) provides that an application shall not be deemed complete if there is an outstanding violation on the parcel; and

WHEREAS, to address this CMP regulation, an applicant must agree in writing to take all measures necessary to eliminate any violation on the parcel in a time frame acceptable to the Commission's Executive Director; and

WHEREAS, the CMP (N.J.A.C. 7:50-1.7(a)) contains a provision that allows the Commission's Executive Director to request that a monetary escrow be posted with the Commission for review of complex matters, and

WHEREAS, the capping of the four landfills will involve complex matters, including but not limited to an analysis of the potential impacts of landfill leachate; and

WHEREAS, the Executive Director determined that if the New Jersey Department of Human Services (NJ DHS) posted a \$5,000 escrow to facilitate Commission staff review of the concerned landfills, the Executive Director would determine that the applicant had initiated the application process to cap the landfills in an acceptable time frame; and

WHEREAS, on October 4, 2024, the NJ DHS posted a \$5,000 escrow with the Pinelands Commission; and

WHEREAS, based upon the posting of this escrow with the Commission, the Executive Director has determined that the NJ DHS is taking a necessary measure to eliminate the violation on the parcel in an acceptable time frame; and

WHEREAS, no request for a hearing before the New Jersey Office of Administrative Law regarding 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 1981-0656.024 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

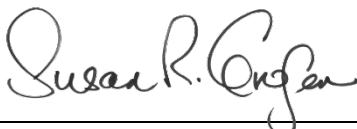
Record of Commission Votes

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

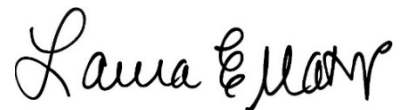
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: November 8, 2024



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

October 16, 2024

Thomas Guerriero (via email)
New Jersey Juvenile Justice Commission
PO Box 107
1001 Spruce Street
Trenton NJ 08625

Re: Application # 1981-0656.024
Block 6801, Lot 1
Winslow Township

Dear Mr. Guerriero:

The Commission staff has completed its review of this application for construction of a Juvenile Justice Commission Secure Facility. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 8, 2024 meeting.

There are four uncapped landfills on the above referenced 605 acre parcel. The four uncapped landfills constitute a violation of the regulations contained in the Pinelands Comprehensive Management Plan. Based upon the information provided in the accompanying Public Development Application Report, the Commission's Executive Director has determined that the New Jersey Department of Human Services is taking all necessary measures to eliminate the violation on the parcel in an acceptable time frame. Accordingly, the Executive Director has deemed this Juvenile Justice Commission Secure Facility application complete.

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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)
David Domen (via email)



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PUBLIC DEVELOPMENT APPLICATION REPORT

October 16, 2024

Thomas Guerriero (via email)
New Jersey Juvenile Justice Commission
PO Box 107
1001 Spruce Street
Trenton NJ 08625

Application No.: 1981-0656.024
Block 6801, Lot 1
Winslow Township

This application proposes the construction of a Juvenile Justice Commission Secure Facility on the above referenced 605 acre parcel in Winslow Township. The Ancora Psychiatric Hospital is located on the parcel.

The proposed development will include three 5,925 square foot residential buildings, a 27,132 square foot office and support building, an 8,904 square foot gymnasium, a 328 square foot greenhouse, a 427 square foot equipment shed, an athletic field, a basketball court and three paved parking areas containing a total of 110 parking spaces.

Four Uncapped Landfills on the Parcel:

There are four uncapped landfills located on the parcel. The four landfills have a total surface area of approximately 18 acres. The concerned landfills ceased operation on or after January 14, 1981. The Pinelands Comprehensive Management Plan (CMP) requires that if a landfill ceased operation on or after January 14, 1981, it must be capped in accordance with the standards of the CMP (N.J.A.C. 7:50-6.75).

The uncapped landfills on the parcel constitute a violation of the CMP. The CMP (N.J.A.C. 7:50-4.2(c)ii) provides that an application shall not be deemed complete if there is an outstanding violation of the CMP on the parcel. To address this CMP regulation, an applicant must agree in writing to take all measures necessary to eliminate any violation on the parcel in a time frame acceptable to the Commission's Executive Director.

On December 23, 2008, the New Jersey Department of Human Services (NJ DHS) filed an application with the Commission to provide public sanitary sewer service to the Ancora Psychiatric Hospital parcel (App. No. 1981-0656.021). As part of App. No. 1981-0656.021, the NJ DHS submitted a January 30, 2009 proposal indicating that all landfills on the parcel would be capped by the Fall of 2014. The then

Commission Executive Director determined that this time frame to eliminate the uncapped landfill violation on the parcel was acceptable. On March 13, 2009, the Pinelands Commission approved the application to provide public sanitary sewer service to the Ancora Psychiatric Hospital parcel.

To date, an application to the Commission has not been completed for the capping of the concerned landfills and the landfills remain uncapped. The uncapped landfills on the parcel continue to constitute a violation of the CMP.

By email dated September 19, 2024, the NJ DHS indicated that they have been requesting state funding to cap the landfills since at least 2015. The NJ DHS further indicated that it is difficult to provide an updated timeline for the capping of the landfills due to budget and funding issues and that other critical life safety projects often require prioritization over the landfill capping. The NJ DHS estimates that the cost of capping the concerned landfills is over \$10 million.

The CMP (N.J.A.C. 7:50-1.7(a)) contains a provision that allows the Commission's Executive Director to request that a monetary escrow be posted with the Commission for review of complex matters. The capping of the four landfills will involve complex matters, including but not limited to an analysis of the potential impacts of landfill leachate. The Commission has previously utilized this CMP provision to determine whether a permeable or impermeable landfill cap is required for other landfills in the Pinelands Area.

Posting of such an escrow by the NJ DHS would allow the Commission staff to undertake a review of the landfills on the parcel. In reviewing the landfills, the Commission staff would evaluate the hydrologic framework of the landfills and surroundings, review landfill monitoring well data collected to date, determine compliance with the Commission's non degradation water quality standards, determine the potential need for additional groundwater sampling and review fate and transport modeling. The Commission staff would work with NJ DHS professionals to determine whether permeable or impermeable caps are required for the four landfills.

The Commission staff has previously required the posting of a \$5,000 escrow with the Commission to determine whether permeable or impermeable landfill caps are required. The Executive Director determined that if the NJ DHS posted a \$5,000 escrow to facilitate Commission staff review of the concerned landfills, the Executive Director would determine that the applicant had initiated the application process to cap the landfills in an acceptable time frame and deem the Juvenile Justice Commission Secure Facility application complete.

On October 4, 2024, the NJ DHS posted a \$5,000 escrow with the Pinelands Commission. Based upon the posting of this escrow with the Commission, the Executive Director has determined that the NJ DHS is taking a necessary measure to eliminate the violation on the parcel in an acceptable time frame. Accordingly, the Executive Director has deemed the Juvenile Justice Commission Secure Facility application complete.

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. 7:50-5.26)

The 605 acre parcel is partially located in a Pinelands Rural Development Area (532.17 acres) and partially located in a Pinelands Agricultural Production Area (72.83 acres). The proposed development will be located in the Pinelands Rural Development Area portion of the parcel. Institutional uses, including law enforcement facilities and public office buildings, are a permitted land use in a Pinelands Rural Development Area.

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

Wetlands are located on the parcel. The proposed development will be located at least 300 feet from wetlands.

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

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

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

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

On October 30, 2007 and as amended on June 10, 2010, the Pinelands Commission approved a Memorandum of Agreement (MOA) with the New Jersey Department of Human Services, the New Jersey Department of Environmental Protection and the Camden County Municipal Utilities Authority regarding future development on the Ancora Psychiatric Hospital's 605 acre parcel. The MOA addressed the provision of public sanitary sewer to service the Ancora Psychiatric Hospital parcel. The MOA designated an approximately 211 acre "development area" on the Ancora Psychiatric Hospital parcel. The remaining approximately 394 acres of the parcel is subject of a conservation deed restriction that prohibits most future development in the deed restricted area. The MOA authorized public sanitary sewer service in the Pinelands Rural Development Area and Pinelands Agricultural Production Area portions of the parcel. The MOA authorized public sanitary sewer to service both current and future development within the approximately 211 acre "development area." The development proposed in this application will connect to the public sanitary sewer main that serves the Ancora Psychiatric Hospital parcel and is located within the designated "development area" specified in the MOA.

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 eight stormwater infiltration basins.

Scenic Standards (N.J.A.C. 7:50-6.104)

The proposed development is located in the Pinelands Rural Development Area portion of the parcel. The parcel fronts on a public paved road. In a Rural Development Area, the CMP designates all public paved roads as scenic corridors. The CMP requires that all buildings be set back at least 200 feet from

the center line of a scenic corridor. The CMP further requires that if compliance with the 200 foot setback is constrained by environmental or other physical considerations, all buildings shall be set back as close to 200 feet as practical and the site shall be landscaped so as to provide screening from the corridor.

The proposed development is located within an existing cleared area on the parcel. The three proposed residential buildings will be located 135 feet to 150 feet from the centerline of Spring Garden Road, a paved public road. Each building is 35 feet in height. The above discussed MOA conservation deed restriction that was imposed on the parcel is located immediately adjacent to both sides of the area proposed for development. The conservation deed restriction constitutes a physical consideration that constrains the siting of development on the parcel.

There is an existing forested area on the parcel of varying width, averaging approximately 65 feet wide, located between Spring Garden Road and the three proposed residential buildings. Trees within the existing forested area are approximately 40 feet high. This existing forested area effectively provides landscape screening from Spring Garden Road.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on January 28, 2024. On August 22, 2024 the application was designated as complete for public comment on the Commission's website. The Commission's public comment period closed on September 13, 2024. 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 21 sheets, prepared by Marathon Engineering & Environmental Services, all sheets dated June 26, 2023 and revised to July 18, 2024.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

6. With respect to the four uncapped landfills on the parcel:
 - a. An application(s) for the capping of all four landfills shall be completed with the Pinelands Commission by April 8, 2026.
 - b. Absent a Pinelands Commission approval of an application for a Waiver of Strict Compliance based upon a compelling public need or a determination by the Commission's Executive Director that immediate action is necessary to remedy or prevent a condition that is dangerous to life health or safety, no further development applications shall be approved by the Commission on Block 6801, Lot 1 prior to Commission approval of an application(s) for the capping of all four existing landfills.
 - c. Utilizing the construction cost estimates that are required as part of the application(s) to the Commission for the capping of all four landfills, the NJ DHS shall take all necessary steps to pursue and secure funding for the capping of the four landfills.
 - d. All four landfills shall be capped by April 8, 2030.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

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www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

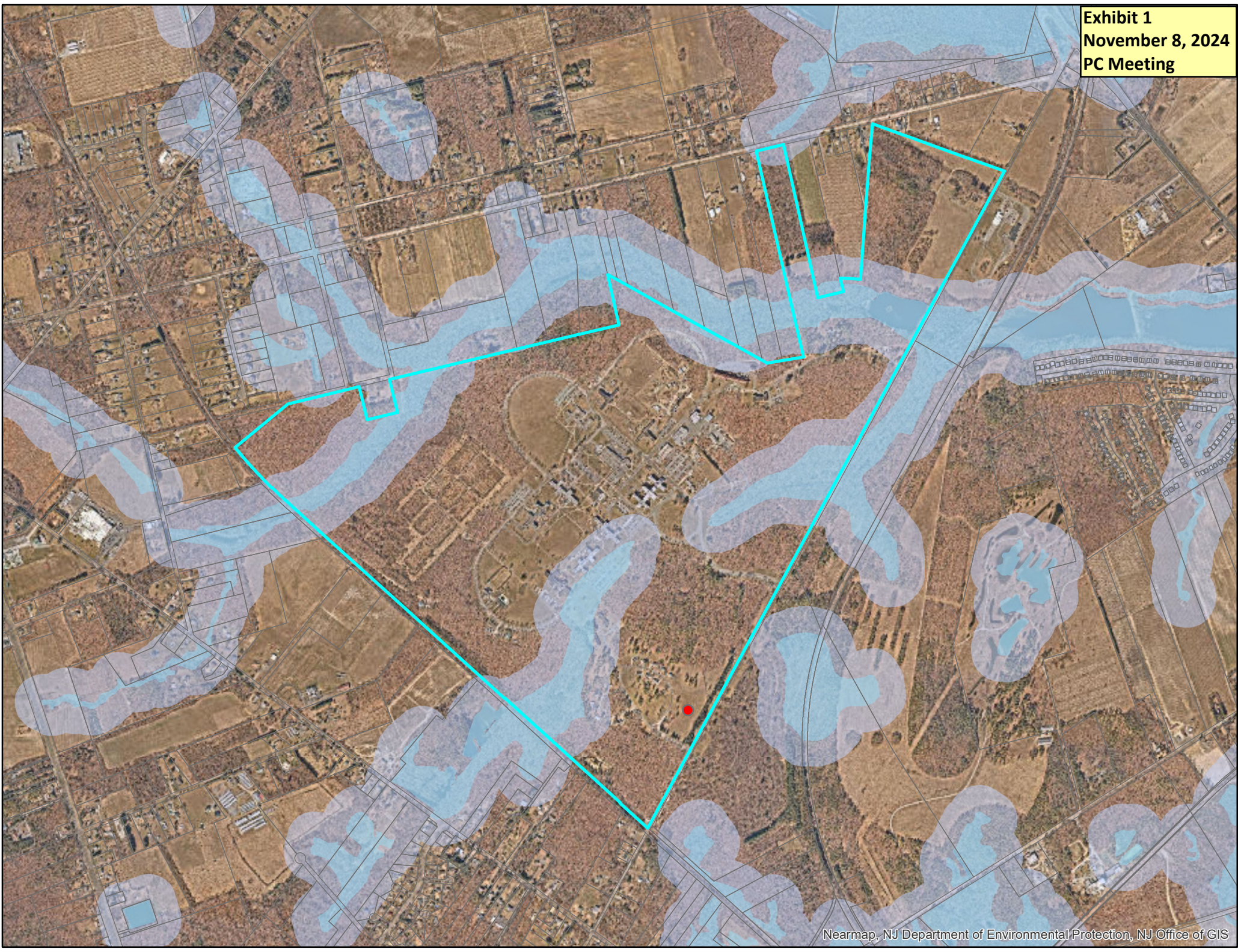
SUSAN R. GROGAN
Executive Director

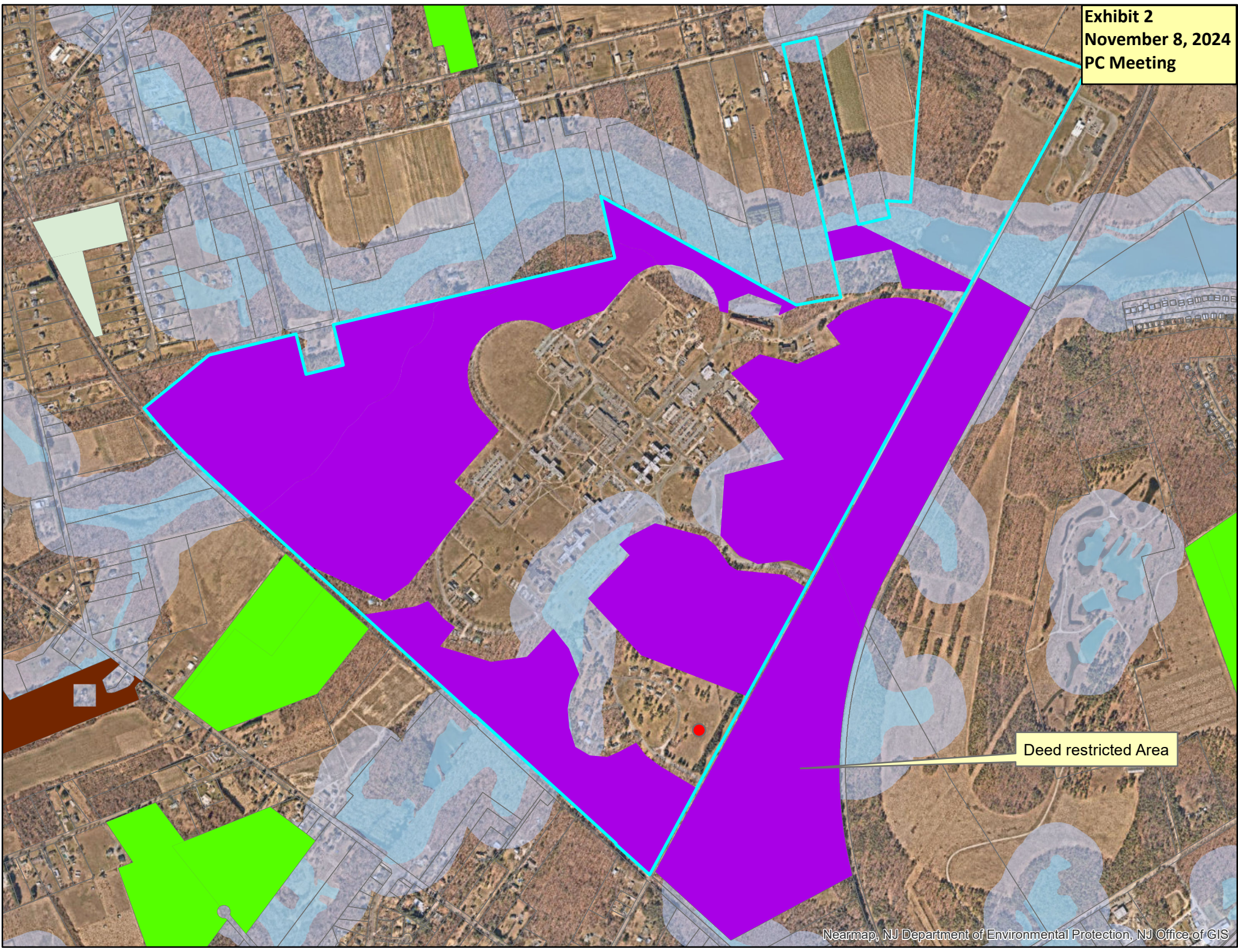
PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 4, 2024 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.





Deed restricted Area



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: Issuing an Order to Certify Hamilton Township Ordinance 2085-2024, Adopting a Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, on March 8, 1985, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Hamilton Township; and

WHEREAS, Resolution #PC4-85-10 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 #PC4-85-10 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 September 16, 2024, Hamilton Township adopted Ordinance 2085-2024, adopting a Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2 located within the Township's Pinelands Forest Area; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2085-2024 on September 19, 2024; and

WHEREAS, by letter dated October 4, 2024, the Executive Director notified the Township that Ordinance 2085-2024 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 2085-2024 was duly advertised, noticed and remotely held on November 6, 2024, at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Executive Director has found that Ordinance 2085-2024 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2, is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2085-2024 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 Hamilton Township Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2, dated August 2024, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Hamilton Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey
THE PINELANDS COMMISSION
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www.nj.gov/pinelands



PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

Report on Hamilton Township Ordinance 2085-2024, Adopting the Site-Specific Redevelopment Plan for Block 237, Lot 1 & 2

November 22, 2024

Hamilton Township
6101 Thirteenth Street
Mays Landing, NJ 08330

Findings of Fact

I. Background

The Township of Hamilton is located in the south-central portion of the Pinelands Area in Atlantic County. Pinelands Area municipalities adjacent to Hamilton Township include the Townships of Mullica, Galloway, Egg Harbor, Weymouth and Buena Vista as well as Estell Manor City, Folsom Borough and the Town of Hammonton, all of which are located in Atlantic County.

On March 8, 1985, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Hamilton Township.

On September 16, 2024, the Hamilton Township Committee adopted Ordinance 2085-2024, approving the Site-Specific Redevelopment Plan for Block 237, Lot 1 and 2, dated September 2024. The associated redevelopment area is located within a Pinelands Forest Area. The Pinelands Commission received a certified copy of Ordinance 2085-2024 on September 19, 2024.

By letter dated October 4, 2024, the Executive Director notified the Township that Ordinance 2085-2024 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

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

- * Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lots 1 and 2, dated August 2024, introduced on August 19, 2024 and adopted on September 16, 2024.

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

Ordinance 2085-2024 adopts the Site-Specific Redevelopment Plan for Block 237, Lot 1 & 2, dated September 2024. The associated redevelopment area is approximately 105.2 acres and is the site of a former, but now vacant, industrial building (see Exhibit #1). The existing industrial building predates the CMP and contains approximately 31,000 square feet. The redevelopment area is bordered by the Atlantic City Expressway to the south and southwest, privately-owned, forested lands to the northwest; and the Makepeace Lake Wildlife Management Area from the northeast to the southeast. A shooting range at the Makepeace Lake Wildlife Management Area is located directly across Elwood Road from the redevelopment area. The entirety of the redevelopment area is located in the Township's Forest Area-70 (FA-70) District, which is within a Pinelands Forest Area.

The Township has been actively seeking a tenant for the existing facility that could ameliorate the blighted conditions of the site and to return it to active use. This task has faced barriers as the prior non-conforming industrial use has been deemed abandoned under the CMP. This status prevents the reestablishment of the prior non-conforming industrial use at the site (N.J.A.C. 7:50-5.2). The Township's FA-70 District is reflective of the limited uses that the CMP permits in a Forest Area. The district permits agriculture, agricultural commercial establishments, campgrounds, forestry, low-intensity recreation, places of worship, and schools. Single-family dwelling units are also permitted at a density of one dwelling unit per 70 acres. Re-establishing a non-residential use at this site has remained a challenge due to these constraints.

The redevelopment plan adopted by Ordinance 2085-2024 seeks to effectuate the redevelopment of the former industrial building as a Class 1 Cannabis (cultivation) facility. The redevelopment plan establishes an overlay zone encompassing the entire redevelopment area. The underlying zoning regulations of the FA-70 District remain applicable to the redevelopment area except as modified by the redevelopment plan. The overlay zone conditionally permits Class 1 Cannabis (cultivation) facilities and provides a variety of associated conditional use standards.

A notable conditional use standard limits any Class 1 Cannabis facility to those activities consistent with the definitions of "Agricultural or Horticultural Purpose or Use" and "Agricultural Products Processing Facility" as provided in Chapter 203 of the Township Code. These two definitions align with those contained in the CMP. Importantly, while the CMP permits agricultural uses in Forest Areas, it does not permit agricultural products processing facilities in that management area. The Township's FA-70 District reflects those limitations.

However, drawing upon the CMP's municipal flexibility provisions, the Township is providing a limited opportunity for a Class 1 Cannabis Cultivator licensee to engage in the full range of activities permitted under that license, including those that would fall under the CMP definition of agricultural products processing.

Class 1 Cannabis Cultivator licenses are established by state law (N.J.S.A. 24:6I-37), and activities authorized under a Class 1 Cannabis Cultivator license are further described under the Personal Use Cannabis Rules adopted by the Cannabis Regulatory Commission (N.J.A.C. 17:30-10.2). As interpreted through the regulations of the CMP, some of the activities authorized under the Class 1 license are considered agricultural activities (i.e., propagating, germinating, planting, cultivating, growing, or harvesting cannabis), while others are considered agricultural products processing activities (i.e., processing or packaging cannabis or, depending on the methods, drying or curing cannabis). Under the redevelopment plan, these later processing activities would be permitted within the redevelopment area.

Recognizing the size of the parcel and the Township's targeted focus on rehabilitating the vacant industrial building, the redevelopment plan limits the location of any development associated with a Class 1 Cannabis facility to an approximately 10-acre area that has been previously developed/cleared as depicted in the redevelopment plan (see Exhibit #2). This is an important constraint that would limit agricultural products processing activities to no more than 10 acres of the overall redevelopment area.

The remaining conditional use standards include minimum distance requirements from other cannabis facilities, schools, and places of worship; requirements that cultivation take place in enclosed heated and air-conditioned buildings; requirements for air treatment and ventilation to mitigate odor; and various security requirements.

The overlay zone also permits various uses accessory to a Class 1 Cannabis facility including administrative offices, environmental equipment, parking, trash enclosures, fencing, signage, and any other accessory buildings incidental to a permitted principal use. The sale or consumption of food, beverages, alcohol, or tobacco, as well as a marijuana consumption area are expressly prohibited.

Lastly, it is noted that Section XII (Relationship of the Redevelopment Plan to Other Plans) of the redevelopment plan incorrectly references the redevelopment area as being in the Pinelands Regional Growth Area rather than the Forest Area. This is clearly a clerical error, as the remainder of the redevelopment plan correctly acknowledges the redevelopment area's location in the FA-70 District within the Forest Area. Furthermore, Section XII has no impact on the land development standards contained in the redevelopment plan and, therefore, should not warrant further amendment for the purposes of Commission certification.

Pinelands municipalities have long had the ability to refine the various standards and provisions of the CMP and tailor them to local conditions, provided CMP goals and objectives continue to be achieved. In this case, Hamilton Township has chosen to adopt an ordinance that allows a limited opportunity for redevelopment of an existing nonresidential structure in its Pinelands Forest Area. Under the ordinance, redevelopment may only consist of agriculture and the processing of agricultural products. Furthermore, the standards adopted by Ordinance 2085-2024 confine the redevelopment to the previously disturbed portion of the site. This represents an appropriate exercise of municipal flexibility, one that meets the objectives of the CMP.

Ordinance 2085-2024 and the Site-Specific Redevelopment Plan for Block 237, Lot 1 & 2, 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

All development in the redevelopment area remains subject to the application requirements and procedures in the Township's certified land use ordinance, including the need to obtain a Certificate of Filing from the Pinelands Commission and to meet the minimum application submission requirements.

This standard for certification is met.

4. Requirement for Municipal Review and Action on All Development

All development in the redevelopment area remains subject to the municipal development review procedures in the Township's certified land use ordinance.

This standard for certification is met.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

All development in the redevelopment area remains subject to municipal development review procedures in the Township's certified land use ordinance.

This standard for certification is met.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Not applicable

9. Referral of Development Applications to Environmental Commission

All development in the redevelopment area remains subject to the municipal development

review procedures in the Township's certified land use ordinance, including the referral of any application within the Pinelands Area portion of the Township to the Township Environmental Commission for review and comment.

This standard for certification is met.

10. General Conformance Requirements

Ordinance 2085-2024 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Ordinance 2085-2024 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

The redevelopment area subject to Ordinance 2085-2024 does not affect lands adjacent to any other municipalities. Intermunicipal conflicts are not anticipated. Therefore, this standard for certification is met.

Public Hearing

A public hearing to receive testimony concerning Hamilton Township's application for certification of Ordinance 2085-2024 was duly advertised, noticed and held on November 6, 2024 at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcast live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. Oral testimony was provided by the following individual:

Brooke Fisher of the Great Egg Harbor River Watershed Association thanked the Pinelands Commission for the work on this redevelopment plan. She stated that redevelopment makes a lot of sense and would be an improvement on what is already there. She asked whether there would be any updates to the stormwater management practices on the site and if any of the forested area of the parcel will be deed restricted as a condition of the new use.

Written comments on Ordinance 2085-2024 were accepted through November 8, 2024. No written comments were received.

Executive Director's Response




In response to Ms. Fisher's questions, any proposed development within the redevelopment area under either the redevelopment plan or the underlying zoning will require application to the Pinelands Commission. Any such application will be required to demonstrate consistency with the minimum environmental standards of the Pinelands CMP, including those for stormwater management. The Commission received an application for the development of a Class 1 Cannabis Facility at the site in January 2024. However, it has not yet been determined what existing stormwater facilities are contained on the site and what additional development will be proposed in the 10-acre area. Therefore, it is hard to predict what, if any, additional stormwater management improvements will be required onsite to meet CMP standards. In terms of whether there is any requirement to deed restrict the remaining forest lands on the parcel, the redevelopment plan contains no such requirements. The remainder of the site, outside the 10-acre area, will remain available for agriculture and other uses permitted in the Township's FA-70 District.

Conclusion

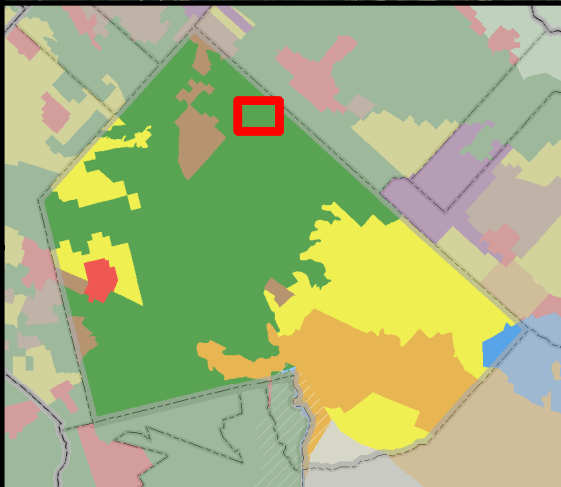
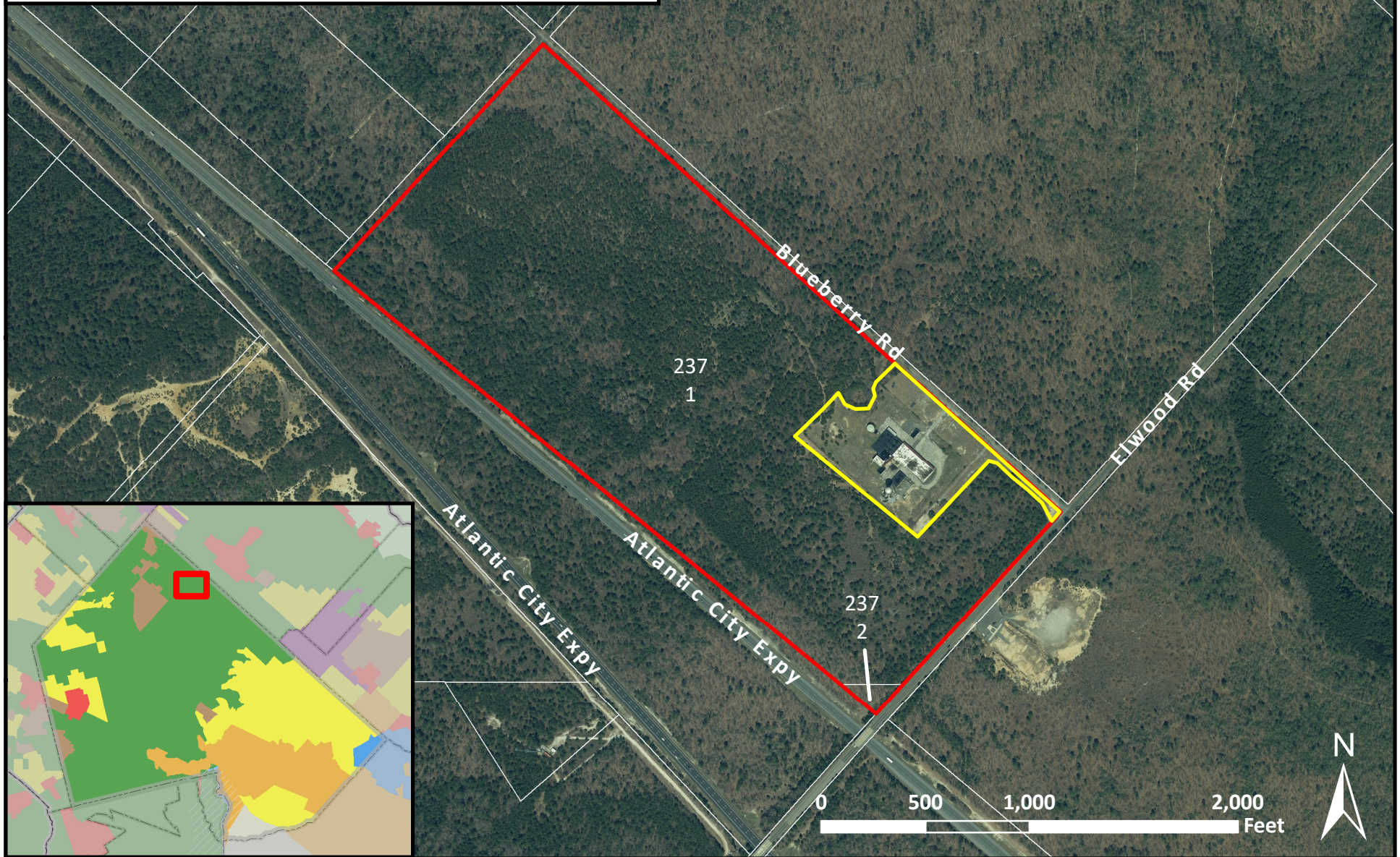
Based on the Findings of Fact cited above, the Executive Director has concluded that Hamilton Township Ordinance 2085-2024, adopting the Site-Specific Redevelopment Plan for Block 237, Lots 1 and 2, complies with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 2085-2024 of Hamilton Township.

SRG/DBL/KLE/CHA
Attachments

Hamilton Township Ordinance 2085-2024

-  Redevelopment Area
-  Parcel Boundaries
-  Developed/Cleared Area

Executive Director's Report
Hamilton Twp. Ord. 2085-2024
11/22/20224
Exhibit #1





2377 ELWOOD
RD

Blueberry Road



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 THE PINELANDS COMMISSION
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PHILIP D. MURPHY
 Governor
 TAHESHA L. WAY
 Lt. Governor

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
 Planning Specialist

Date: December 2, 2024

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed five ordinance amendments that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

2023 CMP Amendments/NJDEP Stormwater Management Amendments

The following ordinances responded to the New Jersey Department of Environmental Protection (NJDEP) amendments to the statewide stormwater management regulations at N.J.A.C. 7:8, adopted July 17, 2023 and the Pinelands Commission’s amendments to the CMP water management regulations, adopted December 4, 2023:

Little Egg Harbor Township Ordinance 2024-27 – amends Chapter 215, Land Use and Development, and Chapter 290, Soil Removal, Excavation and Mining, of the Code of Little Egg Harbor Township.

Port Republic City Ordinance 07-2024 – amends Chapter 160, Land Use, and Chapter 241, Stormwater Management in Pinelands Area, of the Code of Port Republic City.

Tabernacle Township Ordinance 2024-8 – amends Chapter 17, Zoning, and Chapter 20, Stormwater Control, of the Code of Tabernacle Township.

Other Ordinances

Medford Lakes Borough Ordinance 700 – amends Chapter 145, Land Development, of the Code of Medford Lakes Borough by revising Section 145-158, Demolition. The ordinance prohibits the demolition, in whole or in part, of any log structure located within the Borough without a demolition permit. The ordinance provides application requirements for the demolition of such structures and

provides for the review of such applications by the Borough's Historic Preservation Commission (HPC) and the Planning Board. The ordinance requires the HPC to provide written findings of fact in support of their decision to either recommend approval or denial of the application and it must be based on criteria provided in the ordinance. The Planning Board renders the final decision to approve or deny the application.

Medford Lakes Borough Ordinance 708 – amends Chapter 138, Historic Preservation, of the Code of Medford Lakes Borough. The ordinance amends the definition of the term “Demolition” to include the razing of any structure, in whole or in part. The ordinance also provides the Historic Preservation Commission with the responsibility to hear and determine applications for demolition in accordance with Section 145-158. A Certificate of Appropriateness is currently required for any demolition or relocation of a structure within the Lakes Historic District. The ordinance further specifies that any demolition or relocation is further governed by Section 145-158. Lastly, the ordinance repeals the historic district design standards related to demolition of log structures and incorporates by cross-reference the demolition standards at Section 145-58.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: Scheduling Regular Pinelands Commission Meeting Dates for 2025

Commissioner _____ moves and Commissioner _____ 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, any meeting to be held 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, the public can attend all regular Commission meetings in person or livestream the meetings through the Commission’s YouTube channel. Public comment can be provided in person or by dialing the phone number and entering the code displayed on the meeting agenda and the YouTube screen during each meeting. An agenda will be posted on the Commission’s website at www.nj.gov/pinelands/ in advance of each meeting; 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 2025, beginning at 9:30 a.m., unless notice is otherwise provided in accordance with the Open Public Meetings Act:

- | | |
|---------------------------|----------------------------|
| Friday, January 10, 2025 | Friday, July 11, 2025 |
| Friday, February 14, 2025 | Friday, August 8, 2025 |
| Friday, March 14, 2025 | Friday, September 12, 2025 |
| Friday, April 11, 2025 | Friday, October 10, 2025 |
| Friday, May 9, 2025 | Friday, November 14, 2025 |
| Friday, June 13, 2025 | Friday, December 12, 2025 |

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 post the annual schedule on the Commission’s website (www.nj.gov/pinelands/).

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair