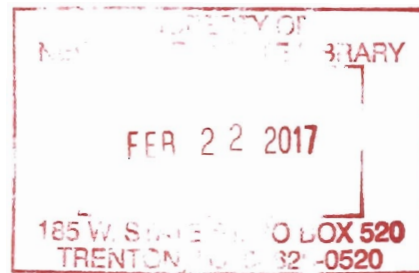


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PC2-1



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

MINUTES

January 12, 2018

Commissioners Present

Alan W. Avery Jr., Giuseppe Chila, Paul E. Galletta, Jane Jannarone, Ed Lloyd, Mark Lohbauer, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Bruce Velzy.

Commissioners Participating by Phone

Candace Ashmun.

Commissioners Absent

Bob Barr, Ed McGlinchey and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:35 a.m.

DAG Velzy read the Open Public Meetings Act Statement.

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

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

Minutes

Chairman Earlen presented the minutes from the December 12, 2017 Commission meeting. Commissioner Prickett moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The December 12, 2017 Commission meeting minutes were adopted by a vote of 10 to 0.

Remembering Brendan T. Byrne

Chairman Earlen said Governor Byrne was instrumental in the creation of this Commission and the protection of the Pinelands. He said we have a tribute video that we will view in his memory.

After the video, a few Commissioners took a moment to reflect on their experiences and memories of the late Governor Byrne.

Committee Chairs' Reports

Chairman Earlen said there were no Committee meetings in December. He said the next Policy and Implementation Committee meeting is scheduled for Friday, January 26, 2018.

Executive Director's Reports

Director Larry Liggett said the Commission along with the New Jersey Department of Environmental Protection and the New Jersey Conservation Foundation will be involved in a study with NASA to determine fire risks in the Pinelands using satellite data. He said a conference call is scheduled for next week.

Director Liggett also provided an update on the Long Term Economic Monitoring (LTEM) program:

- He reminded the Commission that the LTEM program is being re-examined. Staff will be issuing a report covering a 2-year period.
- The Commission contracted with Rutgers University to analyze the LTEM report, and provide recommendations on how the Commission might improve and modify the report.
- Staff will be meeting with Socrata, a company that specializes in creating websites and other open data services for government entities, about the potential for a new LTEM website.

Director Charles Horner updated the Commission on the following items:

- Woodland Township continues to evaluate the development potential of a 100 acre municipally-owned parcel located near the Route 72 and Route 70 circle. Staff has previously met with Woodland Township to discuss the parcel. The Township recently applied for and received a PDC Letter of Interpretation for the property. The LOI, allocating 2.5 PDCs, was included in the Commission packet.
- Staff held a pre-application conference with a developer that is interested in building an assisted-living facility on the south side of Route 72 in Stafford Township.

- Staff is currently assisting nine municipalities in an effort to resolve various land use violations.

Commissioner Lloyd asked if Woodland Township owns the 100 acre parcel.

Director Horner confirmed that the Township owns the lands. He noted that the Commission's rules allow a government agency to be eligible for a PDC allocation only if the parcel was acquired after the adoption of the Comprehensive Management Plan (CMP). He said Woodland purchased the parcel after the adoption of the CMP.

Commissioner Lloyd asked about the status of the stormwater basin the Commission approved to alleviate flooding along Route 72 in Stafford Township. He also asked about the stormwater impact of the assisted living facility.

Director Horner said the Commission approved a Waiver of Strict Compliance to address an on-going drainage related problem. He said Stafford Township has not yet built the stormwater facilities. He also said the applicant would need to address stormwater as part of the development application for the assisted living facility. He noted that the assisted living project is located closer to the Garden State Parkway.

Commissioner Avery said as Chairman of the Audit Committee he wanted to thank the two public members of the Committee who volunteer their time to provide valuable knowledge.

Paul Leakan updated the Commission on the following items:

- The 29th annual Pinelands Short Course will feature 41 presentations. Commissioners are invited to attend for free. Commissioner Prickett along with Commission staff members Marilyn Sobel and John Bunnell will be delivering presentations at the March 10th event. He said the artwork featured on the brochure is the winner from last year's poster contest.
- The state reviewer has requested that the drawings for the visitor center be revised to include fire rating test results. Hopefully once that is complete and resubmitted, the State will issue the permit needed to move forward on the visitor center.

Chief Planner Susan R. Grogan noted that there has been an uptick in PDC sales. She said that the majority of developers that are purchasing the PDCs are not familiar with the PDC process and have not had prior dealings with the PDC Bank. She noted that most of the projects are in Ocean County and that there has been no increase to the average sales price.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending approval of three public development applications in Pemberton Township.

Commissioner Pickett said he would be recusing himself from the vote. He left the meeting room.

Commissioner Lohbauer moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 1991-1108.011, 1991-1108.012 & 2017-0204.001) (See Resolution # PC4-18-01). Commissioner Galletta seconded the motion.

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

Commissioner Prickett returned to the meeting.

Chairman Earlen presented a resolution recommending the approval for the installation of 544 linear feet of sanitary sewer main in Medford Township.

Commissioner Lohbauer moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 2006-0039.003) (See Resolution # PC4-18-02). Commissioner Prickett 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:

- Manchester Township Ordinance 17-024
- Winslow Township Ordinance O-2017-020

No members of the Commission had questions.

Other Resolutions

Chairman Earlen presented a resolution to accept the Fiscal Year 2016 Audit Report.

Commissioner Avery moved the adoption of a resolution To Accept the Fiscal Year 2016 Audit Report (See Resolution # PC4-18-03). Commissioner Jannarone seconded the motion.

Commissioner Avery said that because of the timing of the FY 2016 Audit, the Commission was unable to adequately correct the findings from the FY 2015 Audit, causing the findings to be noted once again. He said that new accounting software has been purchased to improve the Commission's financial records. He said the Commission's accountant from Bowman and Company is now reviewing bank reconciliations, and a server has been purchased to test the Commission's disaster recovery plan. He said the goal is to have no findings in the next audit.

ED Wittenberg provided an update on the status of Edmunds accounting software. She said financial data has been shared, data testing will occur and dual systems will need to be used until Edmunds goes live at the end of February.

ED Wittenberg said that staff is reviewing a management letter from the State Auditors.

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

Presentation: Progress Report on the Pinelands Electric Transmission ROW Vegetation Management Plan Pilot Program

Director Horner said that in 2009, the Commission approved a Pilot Program to establish a program to manage the vegetation in certain utility ROW's in the Pinelands Area.

Jean Montgomerie displayed a timeline of the ROW Pilot Program beginning in 2009 and ending in 2019. She explained that a "span" is an area between two transmission towers. She said the goal is to keep the span looking like a mini Pinelands ecosystem without interfering with electric distribution. She reviewed the three items that the ROW Progress Report must address: the type and extent of vegetation management activities undertaken, significant problems or issues and the need for amendments to the ROW Plan.

Patrick Burritt of the Science Office explained the methods and results of the vegetation study plots. He said the Science Office conducts monitoring to determine if the prescription areas have remained stable and sustainable early successional habitats that are characteristic of the Pinelands. (See attached presentation slides for further details)

Staff answered some questions from the Commissioners.

Commissioner Pricket asked if any threatened and endangered species were identified in the plot surveys and if the early successional species are more likely to change or maintain their population.

Mr. Burritt said that he has observed orchids and a red headed woodpecker in the spans. He said because the spans are continually mowed there is limited opportunity for shrubs and trees to grow, allowing early successional habitat to flourish.

Commissioner Lohbauer asked if ORV damage can be seen in the utility spans.

Director Horner said ORV damage is a common problem in utility ROWs.

There was a brief discussion regarding the tree height requirements within a utility ROW. ED Wittenberg said she believes the height limits stem from the Board of Public Utilities regulations.

Director Horner added that the purpose of the ROW pilot program was to create a canopy with a low shrub layer throughout the utility ROWs. He added that staff would provide additional information about tree height requirements at a later date.

Commissioner Prickett said that eventually he would like to see the progress report include an assessment of ORV damage in utility ROWs.

Link to the ROW Progress Report 2013-2015:

<http://www.nj.gov/pinlands/infor/online/Electric%20Transmission%20ROW.pdf>

General Public Comment

Rich Bizub with the Pinelands Preservation Alliance said that Jason Howell is a professional videographer and he created the tribute video on Governor Brendan T. Byrne.

Ryan Rebozo with the Pinelands Preservation Alliance said he enjoyed the ROW Progress Report presentation. He said if the Commission is not already practicing timing restrictions on mowing herbaceous vegetation, it should be considered.

Adjournment

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Chila seconded the motion. The Commission agreed to adjourn at 11:00 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: January 19, 2018



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 01

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1991-1108.011, 1991-1108.012 & 2017-0204.001)

Commissioner Lohbauer moves and Commissioner Galletta seconds the motion that:

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

1991-1108.011

Applicant: Pemberton Township Board of Education
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: December 19, 2017
Proposed Development: Construction of a 43 space parking lot at the Isaiah Haines School;

1991-1108.012

Applicant: Pemberton Township Board of Education
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: December 22, 2017
Proposed Development: Placement of two temporary classroom buildings at the Isaiah Haines School; and

2017-0204.001

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: December 19, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1991-1108.011, 1991-1108.012 & 2017-0204.001 for public development are hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

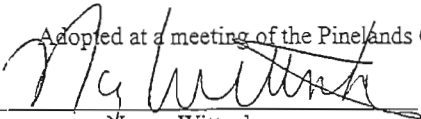
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun	X			Jannarone	X			Quinn	X		
Avery	X			Lloyd	X			Rohan Green			X
Barr			X	Lohbauer	X			Earlen	X		
Chila	X			McGlinchey			X				
Galletta	X			Prickett			R				

*A = Abstained / R = Recused

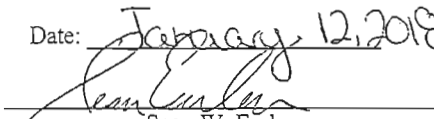
Adopted at a meeting of the Pinelands Commission

Date:

January 12, 2018



Nancy Wittenberg
Executive Director



Sean W. Earlen
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

December 19, 2017

Patricia Austin, Business Administrator
 Pemberton Township Board of Education
 One Egbert Street
 Pemberton, NJ 08068

Re: Application # 1991-1108.011
 Block 773, Lot 3
 Block 941, Lot 2
 Pemberton Township

Dear Ms. Austin:

The Commission staff has completed its review of this application for construction of a 43 space parking lot at the Isaiah Haines School. 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 January 12, 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, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Dante Guzzi, P.E.





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Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

December 19, 2017

Patricia Austin, Business Administrator
 Pemberton Township Board of Education
 One Egbert Street
 Pemberton, NJ 08068

Application No.: 1991-1108.011
 Block 773, Lot 3
 Block 941, Lot 2
 Pemberton Township

This application proposes construction of a 43 space parking lot at the Isaiah Haines School on the above referenced 40.99 acre parcel in Pemberton Township. The Joseph T. Stackhouse School, Isaiah Haines School and the Harker-Wylie School are located on the parcel.

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

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

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 CMP stormwater

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management standards. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on September 8, 2017. Newspaper public notice was completed on September 12, 2017. The application was designated as complete on the Commission's website on November 17, 2017. The Commission's public comment period closed on December 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of five sheets, prepared by Dante Guzzi Engineering Associates, L.L.C., all sheets date June 6, 2017.
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.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Sean W. Earlen
Chairman

Nancy Wittenberg
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 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 5:00 PM on January 8, 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.



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Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

December 22, 2017

Patricia Austin, Business Administrator
 Pemberton Township Board of Education
 One Egbert Street
 Pemberton, NJ 08068

Re: Application # 1991-1108.012
 Block 773, Lots 3, 4, 10.01 & 10.02
 Block 941, Lot 2
 Pemberton Township

Dear Ms. Austin:

The Commission staff has completed its review of this application for placement of two temporary classroom buildings at the Isaiah Haines School. 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 January 12, 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, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
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- Dante Guzzi, P.E.





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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

December 22, 2017

Patricia Austin, Business Administrator
Pemberton Township Board of Education
One Egbert Street
Pemberton, NJ 08068

Application No.: 1991-1108.012
Block 773, Lots 3, 4, 10.01 & 10.02
Block 941, Lot 2
Pemberton Township

This application proposes placement of two temporary classroom buildings at the Isaiah Haines School located on the above referenced 43.32 acre parcel in Pemberton Township. The Joseph T. Stackhouse School, Isaiah Haines School and the Harker-Wylie School are located on the parcel. The parcel is serviced by public sanitary sewer.

The Board of Education is proposing the demolition of the Crichton and Alexander Denbo Elementary Schools and the construction of a new elementary school on Block 849, Lot 2 in the Township. The applicant has indicated that the proposed two temporary classroom buildings will be utilized to handle an increase in the number of students attending the Isaiah Haines School during the construction of the new elementary school.

STANDARDS

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

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

The proposed development is located in a Pinelands Regional Growth Area. The proposed classroom buildings are a permitted 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 within an existing maintained lawn 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.

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

In 2013, the applicant removed 3,912 square feet of impervious coverage from the parcel. The impervious coverage was comprised of a 1,056 square foot temporary classroom trailer, a second 1,056 square foot temporary classroom trailer and a 1,800 square foot building accessory to the existing schools. The current application proposes to add 7,475 square feet of impervious surface to the parcel comprised of two new classroom buildings and walkways. The proposed development will result in a net increase in impervious surface of 3,563 square feet.

The applicant has indicated that the two proposed classroom buildings and walkways will be removed by September 30, 2020. Based upon the relatively small net overall increase in impervious surfaces from the proposed development and the temporary placement of the classroom buildings, the applicant did not proposed stormwater management facilities.

The staff is recommending that any approval of the proposed development be conditioned on the applicant submitting a stormwater management plan for the proposed development if the classroom buildings proposed in this application remain on the parcel beyond September 30, 2020.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on September 8, 2017. Newspaper public notice was completed on September 12, 2017. The application was designated as complete on the Commission's website on November 16, 2017. The Commission's public comment period closed on December 12, 2017. 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 Dante Guzzi Engineering Associates, L.L.C., all sheets dated June 30, 2017.
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. The temporary classroom buildings shall be removed from the parcel by September 30, 2020. If the temporary classroom buildings need to remain on the parcel after September 30, 2020, the applicant shall submit a stormwater management plan consistent with the

stormwater requirements of the CMP by March 31, 2020.

CONCLUSION

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



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Sean W. Earlen
Chairman

Nancy Wittenberg
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 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 5:00 PM on January 9, 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.



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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

December 19, 2017

David Benedetti, P.P.
 Pemberton Township
 500 Pemberton Browns Mills Road
 Pemberton, NJ 08068

Re: Application # 2017-0204.001
 Block 553, Lot 1
 Pemberton Township

Dear Mr. Benedetti:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its January 12, 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, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)





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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

December 19, 2017

David Benedetti, P.P.
Pemberton Township
500 Pemberton Browns Mills Road
Pemberton, NJ 08068

Application No.: 2017-0204.001
Block 553, Lot 1
Pemberton Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 0.22 acre parcel in Pemberton Township. The Township owns the parcel.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Area. The CMP permits the demolition of structures, including single family dwellings, in the Pinelands Area.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on November 2, 2017. The Commission's public comment period closed on December 12, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

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



Sean W. Earlen
Chairman

Nancy Wittenberg
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 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 5:00 PM on January 8, 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- 02

TITLE: Approving With Conditions an Application for Public Development (Application Number 2006-0039.003)

Commissioner Lohbauer moves and Commissioner Prickett seconds the motion that:

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

2006-0039.003

Applicant:	Medford Township
Municipality:	Medford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	December 19, 2017
Proposed Development:	Installation of 544 linear feet of sanitary sewer main within the Old Marlton Pike 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 2006-0039.003 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				Jannarone	X				Quinn	X			
Avery	X				Lloyd	X				Rohan Green			X	
Barr			X		Lohbauer	X				Earlen	X			
Chila	X				McGlinchey			X						
Galletta	X				Prickett	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: January 12, 2018

Sean W. Earlen
Sean W. Earlen
Chairman



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

December 19, 2017

Christopher Noll, Township Engineer
 Medford Township
 17 North Main Street
 Medford, NJ 08055

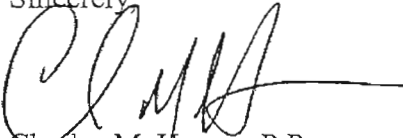
Re: Application # 2006-0039.003
 Old Marlton Pike
 Medford Township

Dear Mr. Noll:

The Commission staff has completed its review of this application for installation of 544 linear feet of sanitary sewer main within the Old Marlton Pike 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 January 12, 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, Medford Township Planning Board (via email)
- Medford Township Construction Code Official (via email)
- Medford Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Dante Guzzi, PE





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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

December 19, 2017

Christopher Noll, Township Engineer
 Medford Township
 17 North Main Street
 Medford, NJ 08055

Application No.: 2006-0039.003
 Old Marlton Pike
 Medford Township

This application proposes the installation of 544 linear feet of sanitary sewer main within the Old Marlton Pike right-of-way in Medford 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)

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 entirely below existing pavement. All soil disturbance is limited to that which is necessary to accommodate the proposed development.

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 31, 2017. The Commission's public comment period closed on December 12, 2017. No public comment was submitted to the Commission regarding this application.

NEW JERSEY STATE LIBRARY
 974.905 P956
 11/21/11

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by Dante Guzzi Engineering Associates and dated August 17, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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Chris Christie
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Sean W. Earlen
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Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on January 8, 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- 03

TITLE: To Accept the Fiscal Year 2016 Audit Report

Commissioner Avery moves and Commissioner Jannarone seconds the motion that:

WHEREAS, the audit of the Pinelands Commission Fiscal Year 2016 Financial Statements, Notes to the Financial Statements and Schedules of Federal and State Assistance was performed by the Office of the State Auditor; and

WHEREAS, the Fiscal Year 2016 Audit Report contains two findings for the Commission to address. This includes strengthening the internal controls by ensuring the Bank Account Reconciliations are prepared and reviewed by the independent accounting firm and the testing of the Disaster Recovery Plan; and

WHEREAS, to address the internal controls finding, the Pinelands Commission staff and the independent accounting firm have revised the bank reconciliation. To address the testing of the Disaster Recovery Plan, the Commission needs to purchase additional computer hardware. Funds were included in the FY 18 Budget; and

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

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby accepts the Audit Report for Fiscal Year 2016 and directs that it be included as a publication available through the Pinelands Commission's website.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: January 12, 2018

 Sean W. Earlen
 Chairman

New Jersey Pinelands Electric Transmission Right-of-Way Maintenance Plan

Pilot Program Progress Report 2013-2015

Jean Montgomerie
Environmental Specialist
Regulatory Programs Office



NEW JERSEY PINELANDS
ELECTRIC-TRANSMISSION RIGHT-OF-WAY
VEGETATION-MANAGEMENT PLAN

- Approved by the New Jersey Pinelands Commission approval
- Pinelands Electric Transmission Right-of-Way Vegetation Management Plan (ROW Plan)
- Purpose:
 - Maintain early successional habitats
 - Preserve wetland integrity
 - Maintain utility transmission line safety
- Extent: Manage 233 miles of high voltage ROW in the Pinelands Area.

ROW Pilot Plan Timeline

2009: ROW plan approved as a ten-year Pilot Program in the CMP

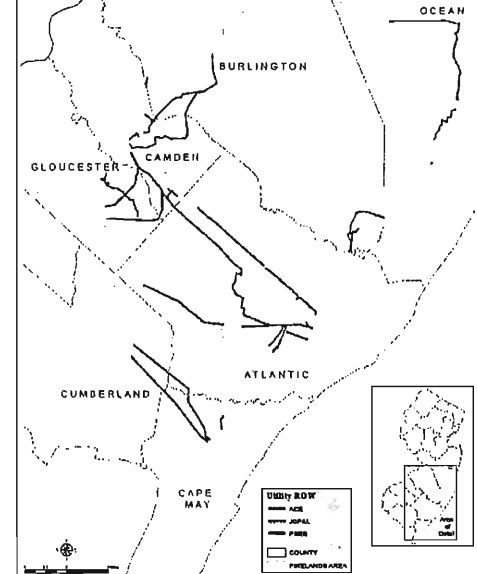
2010: Companies begin annual reporting on which spans were managed

2014: Staff provided first progress report on years 2010-2012 to Commission

2017: Staff providing second progress report on years 2013-2015 to Commission

2019: Commission Executive Director must review Pilot Program and determine whether or not the Program has been successful and may be incorporated into CMP

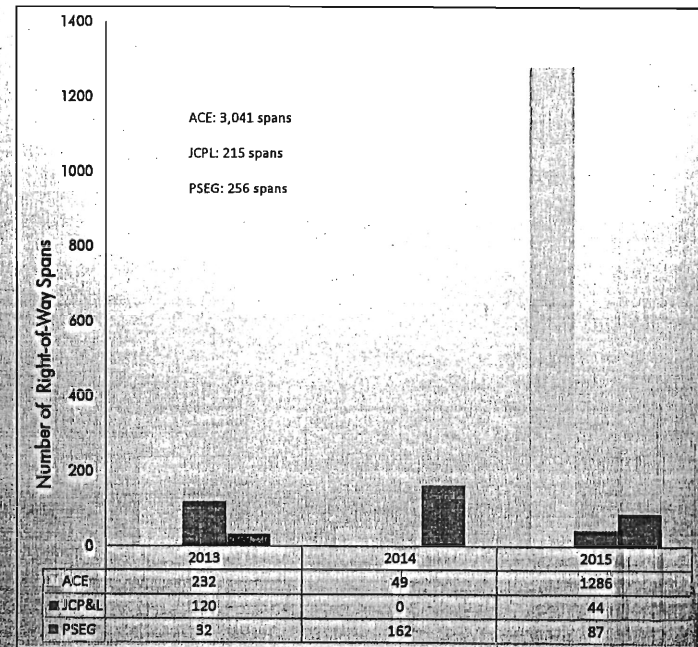
Utility ROW's Subject of the Plan



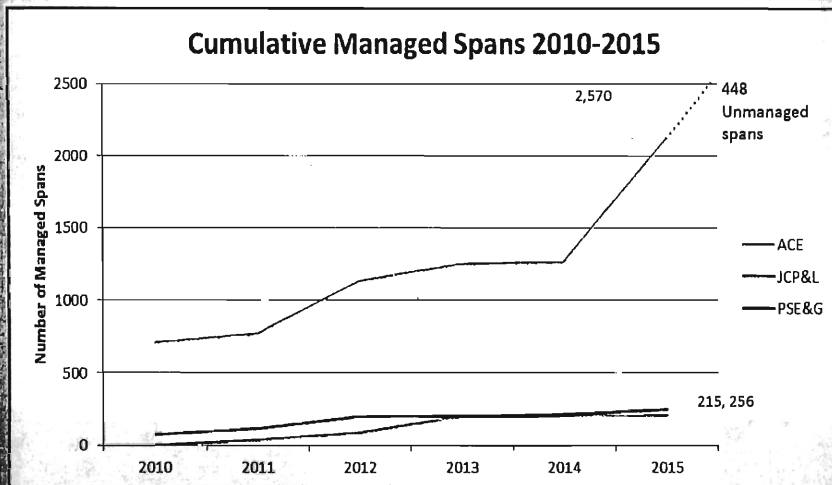
The ROW Progress Report must address:

1. Type and extent of vegetation management activities undertaken
2. Significant problems or issues
3. The need for amendments to the ROW Plan

1. Type and Extent of Vegetation Management



SPAN MANAGEMENT OVER THE PAST SIX YEARS BY UTILITY COMPANY



2. Significant Problems or Issues Encountered



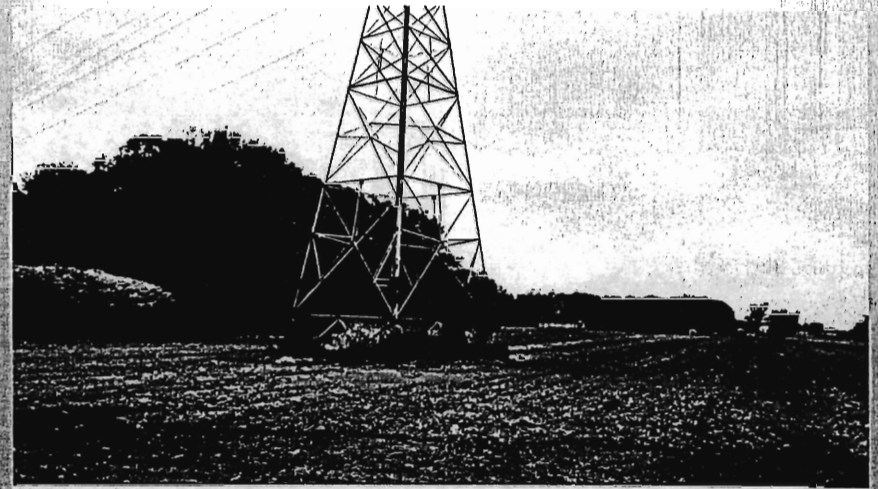
Problem: Utility companies must use vehicles in wetland spans.
Solution: Restrict use to access road only and limit the use to dry season if possible.

Problem: Access road "Routine Maintenance"
what does that mean?



Solution: Define what is NOT routine maintenance...

Problem: Why weren't all the Pinelands spans managed by 2015 if Utilities manage
all lines once every four years?



Discovery: Farmed spans and marsh spans exist in some areas of the Pinelands. These do not need to be cut or trimmed by the Utilities, even as they have low or herbaceous vegetation and no trees.

Problem: Vegetation management is being reported differently among the 3 Utilities.

"MOW"

ACE: "Managed.
Manual Wall Trim"

JCPL: "Vegetation maintenance
conducted as per the span
prescription."

PS&G: "Managed"

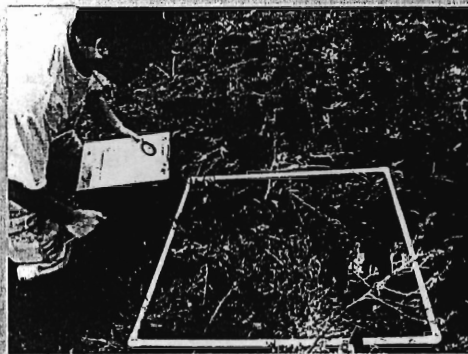
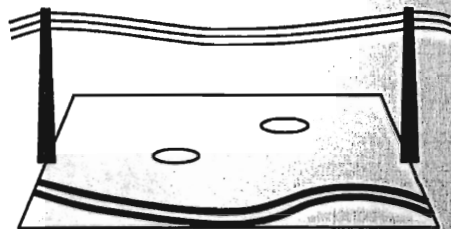
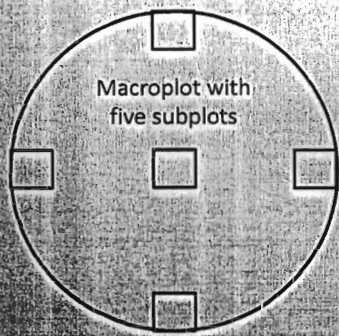
Solution: Create unified reporting terms to be used by all three Utilities

INTERIM REPORT ON VEGETATION MONITORING

Commission Right-of-way Rule Criterion #2 in N.J.A.C. 7:50-10.35

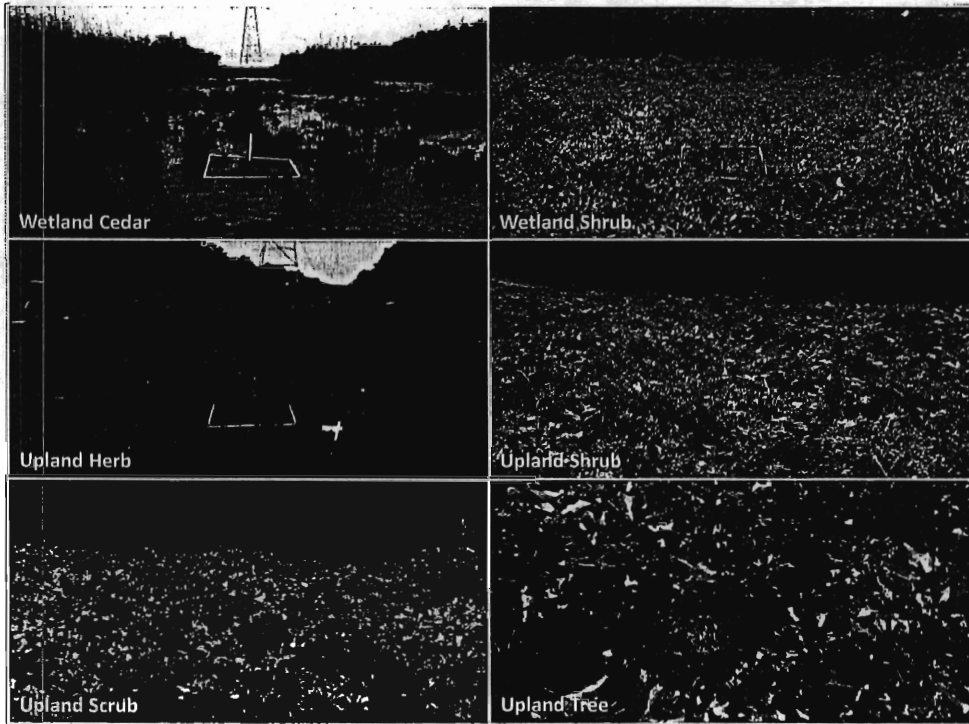
Determine "whether the vegetation-management prescriptions have resulted in relatively stable and sustainable early successional habitats that are characteristic of the Pinelands and which provide habitat for native-Pinelands plants and animals, including threatened and endangered species."

VEGETATION STUDY PLOTS



VEGETATION STUDY PLOTS

Vegetation Type	Management Prescription	# of Spans	# Plots/Span	Total # of Plots
Wetland Cedar	Manual tree removal	4	2	8
Wetland Shrub	Manual tree removal	4	2	8
Upland Herb	Mow trees, shrubs and herbs	4	2	8
Upland Shrub	Mow trees, shrubs and herbs	4	2	8
Upland Scrub	Mow trees, shrubs and herbs	4	2	8
Upland Tree	Mow trees, shrubs and herbs	4	2	8
		24		48



VEGETATION SURVEYS

Surveyed vegetation in 24 ROW spans (2011-2018)
Surveyed vegetation in the adjacent forest (2012)

ROW vs Adjacent Forest Comparison

1. Woody plant communities
2. Dominant shrub cover
3. Number of woody species

ROW VS ADJACENT FOREST

1. Woody plant communities

61 woody species in all plots
77% native, 16% nonnative, 7% unclassified

ROW Plots = 16 tree species, 39 shrub species
Forest Plots = 16 tree species, 31 shrub species

Native and nonnative species were found in ROW and Forest Plots
No differences for any of the six woody plant communities

2. Dominant shrub cover

Difference in Upland Scrub type
Scrub oak > ROW Plots
black huckleberry and dangleberry > Forest Plots

3. Number of Woody Species

No differences

ROW VS ADJACENT FOREST

Conclusion

No major differences in:

1. Woody plant communities
2. Dominant shrub cover
3. Number of woody species

3. Need for Amendments to the ROW Plan

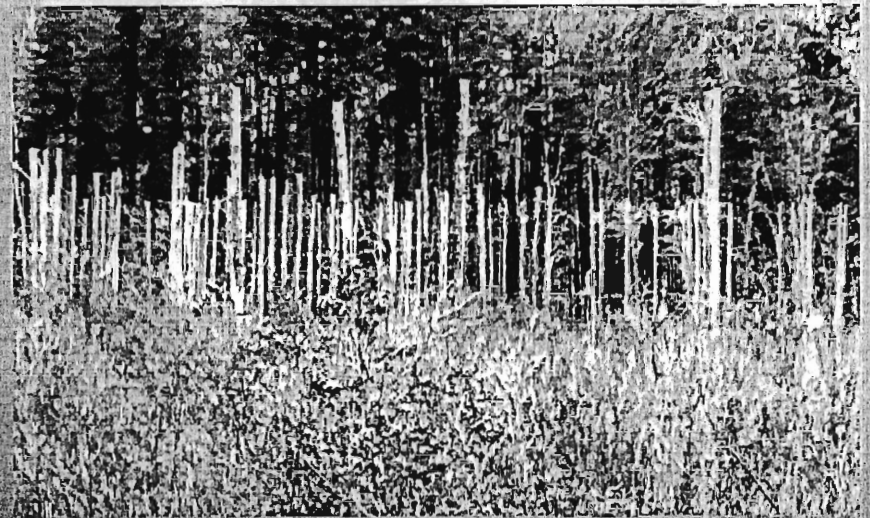
Two Minor Adjustments to Plan Allowed with Executive Director's Approval



Prescription: "Cut trees manually. Do not mow."

Adjustment: "OK to mow on either side of bermed access road with boom mower."

Minor Adjustments to Plan Allowed with Executive Director's Approval:



Prescription: "Cut trees manually July-Oct."

Adjustment: "Cut trees October through March 31, OK to top trees."

SPECIAL THANKS TO:

Marilyn Sobel NJPC Science Office

Mark Delorenzo NJPC Land Use & Technology Office

NJDEP Land Use Regulation Division

**Pilot Program Progress Report
2013-2015**

Jean Montgomerie
Environmental Specialist
Regulatory Programs Office

