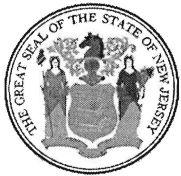


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State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
NEW LISBON, NJ 08064
(609) 894-7300
www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

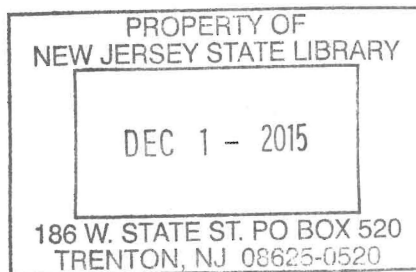
General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

November 13, 2015

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



Dear Mr. Lupp:

Enclosed are the Pinelands Commission meeting minutes for October 9, 2015 for your information.

Sincerely,

Melody A. Wood,
Receptionist

PC1
Enclosure: Minutes

PC2-76

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

MINUTES

October 9, 2015

Commissioners Present

Candace Ashmun, Alan W. Avery Jr., Bob Barr, Bill Brown, Joe DiBello, Sean Earlen, Paul E. Galletta, Jane Jannarone, Ed Lloyd, Ed McGlinchey, Richard Prickett, Fran Witt and Chairman Mark Lohbauer. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Amy Herbold and Deputy Attorney General Sean Moriarty.

Commissioners Absent

D'Arcy Rohan Green and Gary Quinn.

Chairman Lohbauer called the meeting to order at 9:37 a.m.

DAG Sean Moriarty read the Open Public Meetings Act Statement.

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

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

PC2-77

Minutes

Chairman Lohbauer presented the minutes from the September 11, 2015 Commission meeting. Commissioner Prickett moved the adoption of the minutes. Commissioner Barr seconded the motion. Commissioner Jannarone abstained.

The minutes of the September 11, 2015 Commission meeting were adopted by a vote of 10 to 0. Commissioner McGlinchey and Commissioner Lloyd were not present for the vote.

Committee Chairs' Reports

Chairman Lohbauer said there were no Committee meetings this past month.

Executive Director's Reports

Ms. Nancy Wittenberg updated the Commission on the following:

- The Municipal Council met on September 29th. At that meeting Superintendent Robert Aermiller presented the Motorized Access Plan for off-road vehicles at Wharton State Forest. She said the plan was receiving some pushback and the NJ Department of Environmental Protection (NJDEP) has begun a stakeholder process.
- The Board of Public Utilities will hold a public hearing on October 19, 2015 at the Upper Township Municipal court on the South Jersey Gas Pipeline <http://www.state.nj.us/pinelands/home/news/bpupublichearing.shtml>.
- World Water Monitoring day will be held on October 23rd at Batsto Lake.
- A new link on the Commission's website has been created for requesting documents through the Open Public Record Act (OPRA).

Commissioner McGlinchey joined the meeting.

Mr. Paul Leakan displayed the updated OPRA page on the Commission's website and explained the three options for submitting an OPRA request.

Link: <http://www.state.nj.us/pinelands/home/contact/opra.shtml>

Commissioner Lloyd joined the meeting.

Ms. Wittenberg said at the September 11th Commission meeting, a member of the public read emails into the record about the New Jersey Natural Gas (NJNG) Southern Reliability Link. Ms. Wittenberg said that staff held two pre-application meetings with New Jersey Natural Gas. She said at those meetings various potential routes were discussed. In April 2015, NJNG submitted a formal application that is currently under review.

Ms. Wittenberg said she does not know who sent the emails in question and that the proposal presented to staff always included routes through Joint Base McGuire-Dix-Lakehurst.

Chairman Lohbauer asked if staff recommended that the applicant shift the route through the base.

PC2-78

Ms. Wittenberg said no, staff offered guidance as to the restrictions imposed on the routes consistent with the Comprehensive Management Plan (CMP).

Chairman Lohbauer said that at the last Commission meeting a member of the public read emails into the record that gave the perception that staff suggested that NJNG direct the proposed pipeline through the Joint Base.

Mr. Larry Liggett updated the Commission on the following:

- The State's Water Supply Advisory Committee continues to meet but there is no news on the issuance of a report.
- The Delaware River Basin Commission is having a water forum on October 22. Commission staff will be making a presentation on how water is managed in the Pinelands.
- A meeting with the New Jersey Builders Association has been rescheduled to November. At that meeting the Pinelands Development Credit Program and the Kirkwood Cohansey study will be discussed

Mr. Chuck Horner provided an update on the following:

- Commission staff met with Stafford Township officials. Stafford Township is pursuing a Waiver of Strict Compliance application for a compelling public need to construct a stormwater basin on the south side of Route 72 to help alleviate flooding problems in the Ocean Acres residential development area. A public hearing on the matter will be scheduled before the end of the year.
- An October 8th letter to the Department of Transportation has been distributed to Commissioners. Mr. Horner said that in 2014 the Commission approved the reconstruction of the Blue Anchor Dam in Winslow Township, construction on the project has begun. He said a staff member recently identified the endangered plant species American Lotus at the project site. Staff has reviewed and determined that the development will not result in an irreversible, adverse impact on the local population.
- The Commission recently issued a Certificate of Filing (CF) for an addition to the existing Wal-Mart store in the Town of Hammonton. The issuance of the CF was contingent on the resolution of two matters: a failing stormwater basin at the Wal-Mart site and the Town's ability to have the land disposal application for wastewater fully operational.

Commissioner Avery asked if the Commission would see a summary of the comments from the Stafford Township Waiver application public hearing.

Mr. Horner reviewed the sequence of actions the Waiver of Strict Compliance would follow. He said the Commission will receive a report and recommendation from the Executive Director, including a summary of the public comments and relevant responses from the staff.

Public Development Projects and Other Permit Matters

PC2-79

Chairman Lohbauer presented a resolution recommending the approval of a forestry stewardship plan for Double Trouble State Park.

Commissioner Barr moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1982-4156.019) (See Resolution # PC4-15-28). Commissioner Galletta seconded the motion.

The Commission adopted the resolution by a vote of 13 to 0.

Chairman Lohbauer presented a resolution recommending the approval of an asphalt walking track and associated improvements at the Chatsworth Elementary School in Woodland Township.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1993-0148.003) (See Resolution # PC4-15-29). Commissioner Earlen seconded the motion.

The Commission adopted the resolution by a vote of 13 to 0.

Other Resolutions

Chairman Lohbauer presented a resolution to adopt the 2014 Annual Report.

Commissioner Ashmun moved the adoption of a resolution To Approve the New Jersey Pinelands Commission's 2014 Annual Report (See Resolution # PC4-15-30). Commissioner Prickett seconded the motion.

The Commission adopted the resolution by a vote of 13 to 0.

Chairman Lohbauer said the next resolution acknowledges the late Bob Hagaman for his service on the Commission. The Chairman read the resolution into the record.

Commissioner Avery moved the adoption of a resolution Expressing the Commission's appreciation to the late Robert Hagaman for his service as a member between December 16, 2002 and June 12, 2008 (See Resolution # PC4-15-31). Commissioner Barr seconded the motion.

The Commission adopted the resolution by a vote of 13 to 0.

Public Comment on Agenda Items and Pending Public Development Applications

There were no members of the public who offered comment.

PC2-80

Ordinances Not Requiring Commission Action

Chairman Lohbauer asked if any Commissioners had questions regarding the master plans not requiring Commission action:

- Berkeley Township's 2015 Master Plan Reexamination Report and Master Plan Amendments
- Little Egg Harbor Township's 2015 Master Plan Reexamination Report, Master Plan Amendments and Floodplain Management Plan
- Ocean Township's 2015 Master Plan Reexamination Report and Master Plan Amendments

No members of the Commission had questions.

Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities

Micah Rasmussen commented on the New Jersey Natural Gas (NJNG) Southern Reliability Link project based on emails he provided at the September Commission meeting. He questioned how the route was chosen and the veracity of the application.

Georgina Shanley of Ocean City, NJ expressed her dismay that the South Jersey Gas application is classified as a private development application. She read a July 2015 quote from Governor Chris Christie about making the NJDEP more business friendly and more transparent. She said the Commission needs a moratorium on transmission pipelines.

Jeff Tittel of the New Jersey Sierra Club said that there are two applications at the Commission moving behind closed doors without transparency and public input. He said people no longer trust government and it's a problem throughout the country. He said the system worked when the Commission voted on the Memorandum of Agreement with the Board of Public Utilities for the pipeline to repower BL England because there was scrutiny and debate. He said the South Jersey Gas application is not a private development application because it is a public utility. He said New Jersey does not need any additional energy. He said there needs to be an investigation into the Department of Defense and the NJNG Southern Reliability Link (SRL). He said the NJNG SRL is not for resiliency but for development along the coast and places like Heritage Minerals. He asked that the Commission put a stop to these types of applications until an independent review occurs.

Margit Meissner-Jackson, Sierra Club Ocean County spoke about the risks pipelines pose to water bodies and the people of New Jersey.

Ann Kelly said pipelines do not serve the Pinelands, New Jersey, the country or the world. She said that there is a toxic plume near the base, and to run a pipeline in this area would be very dangerous.

Bill Wolfe said he hopes that the Commission will take Mr. Rasmussen's testimony seriously and that if the applicant (NJNG) submitted false information, an outside entity should investigate the matter. He said with the ongoing Paris conference on climate, this is

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a great time to amend the CMP to address climate change. He provided rationale as to why the Air Quality standards in the CMP obligate the Commission to do so. He asked about the status of the Commission's ability to impose a moratorium.

Ms. Roth said DAG Moriarty would be providing guidance on the issue of a moratorium in closed session.

Mr. Wolfe said there are management issues at the Commission. He said the upcoming Board of Public Utilities hearing will accept comment on the pre-emption of municipal approvals under the Municipal Land Use Law for the South Jersey Gas pipeline.

Nathalie Neiss of Upper Township said there have been many misconceptions with the pipeline to repower BL England and the upcoming hearing. She asked the Commission to provide clarification.

Chairman Lohbauer offered Ms. Neiss the opportunity to have a Commission staff member answer her questions after the meeting.

Ms. Neiss requested more information about the upcoming BPU hearing on October 19.

Ms. Wittenberg said the BPU will hold a public hearing on the provisions of N.J.S.A. 40:55D:19. She said this provision in the Municipal Land Use Law allows a public utility to bypass approval from a municipality and gain approval from the BPU.

Marianne Clemente questioned why the Commission can't hold a hearing on the South Jersey Gas pipeline application.

Chairman Lohbauer said there is no provision in the CMP that allows there to be a hearing for a private application.

Ms. Clemente asked why South Jersey Gas is considered a private entity.

Mr. Horner provided clarification as to how the CMP defines and determines the difference between a public entity and a private entity for development applications.

Connie Higgins of Long Beach Island, NJ said that the Commissioner's job is to protect and preserve the Pinelands. She said that she is losing confidence in government. She asked the Executive Director to allow the Commission to vote on the South Jersey Gas application.

Marilyn Miller said to the Commission that she is here to support the Commission in protecting and preserving the Pinelands.

Doug O'Malley of Environment New Jersey said there is a problem with the application process at this Commission. He said NJNG is using the Joint Base to undermine the CMP. He said that a moratorium on pipelines should be implemented at the Commission just as

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the Delaware River Basin Commission instituted a moratorium on fracking in its watersheds. He requested that the Commission complete an independent investigation and scrutinize the NJNG application and implement a moratorium on pipelines.

Mr. Wolfe added that he filed an inquiry with the Base to find out what happened on their side.

Margo Pellegrino said she agrees that an independent investigation is necessary to determine what really happened with the NJNG emails. She said Mr. Lloyd's recusal was not directed by the Attorney General's office.

Commissioner Ashmun requested that staff prepare a resolution in support of the continuation of the Land and Water Conservation Fund.

Commissioner Lloyd said the Attorney General's office was involved in his recusal. He also said that he attended a signing of a Memorandum of Agreement that New York Governor Cuomo and numerous other jurisdictions from around the world initiated and committed to keeping the temperature rise below two degrees. He said he agrees with Mr. Wolfe that this Commission has a commitment to address climate change.

Closed Session Resolution

DAG Moriarty read a resolution to retire into closed session to discuss pending litigation.

Commissioner Lloyd moved to retire into closed session. Commissioner Prickett seconded the motion. The Commission agreed to retire into closed session by a vote of 13 to 0, beginning at 11:23 a.m.

Return to Open Session

Commissioner Lloyd made a motion to return to open session. Commissioner Prickett seconded the motion. The meeting resumed at 12:14 p.m.

DAG Moriarty said that in closed session the Commission discussed pending Tuckahoe Turf Farm litigation, pending South Jersey Gas litigation, moratoriums and pending anticipated New Jersey Natural Gas litigation.

Commissioner Prickett said he was excited about the upcoming World Water Monitoring Day at Batsto on Friday, October 23.

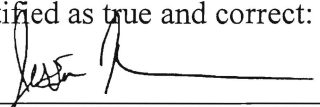
Chairman Lohbauer said that the next Policy and Implementation and MOA Committee meetings will be on October 30, 2015.

PC2-83

Adjournment

Commissioner Barr moved to adjourn the meeting. Commissioner Jannarone seconded the motion. The Commission agreed to adjourn at 12:17 p.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: October 21, 2015



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 28

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1982-4156.019)

Commissioner Barr moves and Commissioner Galletta 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:

1982-4156.019
Applicant: NJ State Forestry Services (NJDEP)
Municipality: Berkeley Township
 Lacey Township
Management Area: Pinelands Agricultural Production Area
 Pinelands Forest Area
 Pinelands Preservation Area District
Date of Report: September 21, 2015
Proposed Development: Forestry and forest fire management activities at Double Trouble State Park.

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 1982-4156.019 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn			X
Barr	X			Jannarone	X			Rohan Green			X
Brown	X			Lloyd	X			Witt	X		
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: October 9, 2015

 Mark S. Lohbauer
 Chairman



State of New Jersey

THE PINELANDS COMMISSION
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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

Mark S. Lohbauer
Chairman
Nancy Wittenberg
Executive Director

September 21, 2015

Todd Wyckoff, Regional Forester
NJ State Forestry Services
P.O. Box 420
Trenton, NJ 08625

Re: Double Trouble State Park
Application # 1982-4156.019
Block 15, Lot 5
Block 17, Lot 4
Block 22, Lots 1, 1.01, 2, 3 & 5
Block 22.01, Lot 1
Block 23, Lots 1, 5 & 28
Block 23.07, Lot 1
Berkeley Township
and
Block 2500, Lots 1.01, 1.02, 7, 7.02, 8-8.04, 9, 9.01, 10-13, 13.02, 13.03 & 15-17
Block 2600, Lots 6-8, 9.01, 10.01, 14, 15, 21 & 27-29
Block 2675, Lots 3, 4.08, 4.10 & 4.11
Block 2700, Lots 3 & 5
Block 2701, Lots 27-34
Block 2818, Lots 1-8, 13-21, 24-36, 39, 43-55, 59-65 & 70-73
Lacey Township

Dear Mr. Wyckoff:

The Commission staff has completed its review of the above referenced application for forestry and forest fire management activities at Double Trouble State Park. 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 October 9, 2015 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,

A handwritten signature in black ink, appearing to read 'C. M. Horner', with a long horizontal line extending to the right.

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

Enc: Appeal Procedure

c: Secretary, Berkeley Township Planning Board (via email)
Berkeley Township Construction Code Official (via email)
Berkeley Township Environmental Commission (via email)
Secretary, Lacey Township Planning Board (via email)
Lacey Township Construction Code Official (via email)
Lacey Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Dr. Ryan Rebozo, Pinelands Preservation Alliance
Dr. Emile DeVito, New Jersey Conservation Foundation
Jeff Tittel, New Jersey Sierra Club



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



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 21, 2015

Todd Wyckoff, Regional Forester
NJ State Forestry Services
P.O. Box 420
Trenton, NJ 08625

Application No.: 1982-4156.019

Location: Double Trouble State Park
Block 15, Lot 5
Block 17, Lot 4
Block 22, Lots 1, 1.01, 2, 3 & 5
Block 22.01, Lot 1
Block 23, Lots 1, 5 & 28
Block 23.07, Lot 1
Berkeley Township
and
Block 2500, Lots 1.01, 1.02, 7, 7.02, 8-8.04, 9, 9.01, 10-13, 13.02, 13.03 & 15-17
Block 2600, Lots 6-8, 9.01, 10.01, 14, 15, 21 & 27-29
Block 2675, Lots 3, 4.08, 4.10 & 4.11
Block 2700, Lots 3 & 5
Block 2701, Lots 27-34
Block 2818, Lots 1-8, 13-21, 24-36, 39, 43-55, 59-65 & 70-73
Lacey Township

This application proposes forestry and forest fire management activities on the above referenced 8,677 acre parcel located entirely within the Double Trouble State Park in Berkeley and Lacey Townships.

The proposed forestry and forest fire management activities are described in the "Double Trouble State Park Natural Resource Stewardship Plan (Plan)," prepared by the New Jersey Department of Environmental Protection (NJDEP), State Forestry Services. The Plan is dated January 1, 2016 and supplemented and amended by information submitted to the Commission through September 21, 2015.

The Plan specifies management goals and objectives for Double Trouble State Park. Goals and objectives include conserving biological diversity and ecologically significant habitat, maintaining productive capacity of the landscape, improving resilience to unplanned disturbances and conserving soil and water resources.

The Plan proposes to manage 2,906 acres of the 8,677 acre State Park for forestry and forest fire management activities. Of the 2,906 acres proposed for management, the Plan proposes prescribed burning and forest fire plowline maintenance and installation on at least 1,691 acres. Prescribed burning and plow line maintenance and plowline installation do not require application to the Pinelands Commission (N.J.A.C. 7:50-4.1(a)17).

STANDARDS

The Commission staff has reviewed the proposed forestry and forest fire management activities 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. 7:50-5.22(a)3, 5.23(a)5 & 5.24(a)5)

The proposed forestry and forest fire management activities are located partially in the Pinelands Preservation Area District (approx. 2,370 acres), partially in a Pinelands Forest Area (approx. 534 acres) and partially in a Pinelands Agricultural Production Area (approx. 2 acres). The proposed forestry and forest fire management activities are permitted in the Pinelands Area.

Wetlands Standards (N.J.A.C. 7:50-6.9)

There are wetlands located on the parcel. Some forestry and forest fire management activities are proposed in wetlands. The CMP permits forestry and forest fire management activities in wetlands.

Forestry Standards (N.J.A.C. 7:50- 6.46)

The proposed Plan is consistent with all CMP forestry standards.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

The Plan has been reviewed by the New Jersey Division of Fish and Wildlife, Endangered and Nongame Species Program. That review concluded that there would be no irreversible adverse impacts on any local populations of those threatened or endangered wildlife species known to be in the project area.

The NJDEP Office of Natural Lands Management determined that the Plan would not result in an irreversible adverse impacts on any local populations of threatened or endangered plant species known to be in the project area.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Public notice to required land owners within 200 feet of the proposed activities was completed on July 27, 2015. Newspaper public notice was completed on August 6, 2015. The application was designated as complete on the Commission's website on September 1, 2015. The Commission's public comment period closed on September 11, 2015. The Commission received three oral public comments regarding this application.

Public Comment One:

The commenter asked what kind of herbicide would be used for the proposed Atlantic White cedar restoration. The commenter also inquired about specific efforts which have been taken to locate existing threatened and endangered species within the area subject to the proposed Atlantic White cedar restoration.

Response to Public Comment One:

The submitted Plan, Page 90, indicates that the applicant will utilize the herbicides salt of imazapyr and/or glyphosate. Specifically, the applicant has indicated that selected herbicides will target broadleaf vegetative competition. The CMP provides that herbicide treatments are permitted for forestry provided, among other requirements, that control of competitive plant species is clearly necessary and that that control of competitive plant species by other, non-chemical means is not practical. The applicant indicated that control of competitive hardwood species is required and that control by non-chemical means (e.g. mowing) is not practical. The applicant has indicated that the areas subject of threatened and endangered species concern were re-located or removed from the Plan.

Public Comment Two:

The commenter raised concerns regarding the proposed Shortleaf pine restoration within an existing pine-oak forest area. The commenter indicated that the proposed management activity, intended to restore Shortleaf pine forest areas, does not meet the CMP because such restoration would constitute a forest stand conversion. The commenter also recommended that the proposed timing restrictions within critical habitat for Pinelands threatened and endangered snakes, be expanded to November 1st through March 15th, when snakes are in their dens hibernating.

Response to Public Comment Two:

The Plan proposes the harvesting of pine and oak over an area of 106 acres. After harvesting, the applicant has indicated that healthy oak will remain as a natural regeneration seed source and shortleaf pine will be planted. The applicant has further represented that they do not intend to alter the ratio of pine and oak currently found on the site. The current version of the Plan addresses this comment by making use of contracting incentives to discourage activities after September 15 and before May 16.

Public Comment Three:

The commenter raised concerns regarding the proposed aerial application of herbicide. The commenter is concerned about the potential for chemical drift resulting from aerial spraying. The commenter recommended that the application of herbicide be more localized.

Response to Public Comment Three:

The CMP provides that herbicide treatments are permitted for forestry provided certain conditions are met. The applicant represents that the 164 acres to be treated is too large to be completed with solely ground based herbicide application techniques. The applicant further indicates that herbicide drift is dealt with through monitoring of weather conditions and that spray equipment on planes is calibrated with wind sensors and flight data to shut off applicator nozzles near the edge of a stop drift.

CONDITIONS

1. The proposed forestry and forest fire management activities shall adhere to the “Double Trouble State Park Natural Resource Stewardship Plan,” prepared by the New Jersey Department of Environmental Protection (NJDEP) State Forestry Services, dated January 1, 2016 2016 and as supplemented and amended by information submitted to the Commission through September 21, 2015.
2. The Commission’s approval for the proposed forestry and forest fire management activities shall expire on October 9, 2025.
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.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Mark S. Lohbauer
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 within eighteen days of the date of the Executive Director's determination and must 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. PC4-15- 29

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1993-0148.003)

Commissioner Galletta moves and Commissioner Earlen 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:

1993-0148.003

Applicant:	Woodland Township
Municipality:	Woodland Township
Management Area:	Pinelands Village
Date of Report:	September 18, 2015
Proposed Development:	Construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements at the Chatsworth Elementary School.

WHEREAS, the 9,000 square foot asphalt walking track and associated recreational improvements subject of this application occurred without application to, and approval by, the Commission and constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the completion of this application is intended to address this violation; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1993-0148.003 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Earlen	X				Prickett	X			
Avery	X				Galletta	X				Quinn			X	
Barr	X				Jannarone	X				Rohan Green			X	
Brown	X				Lloyd	X				Witt	X			
DiBello	X				McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: October 9, 2015

 Mark S. Lohbauer
 Chairman



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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

September 18, 2015

Matthew Henrich, Mayor
Woodland Township
P.O. Box 388
Chatsworth, NJ 08019

Re: Application # 1993-0148.003
Block 4807, Lot 1
Woodland Township

Dear Mayor Henrich:

The Commission staff has completed its review of this application for construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements at the Chatsworth Elementary 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 October 9, 2015 meeting.

The asphalt walking track and certain of the associated recreational improvements were developed prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.

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

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

Sincerely

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

Enc: Appeal Procedure

- c: Secretary, Woodland Township Planning Board (via email)
- Woodland Township Construction Code Official (via email)
- Secretary, Burlington County Planning Board (via email)
- Thomas Lisse, PE





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

September 18, 2015

Matthew Henrich, Mayor
Woodland Township
P.O. Box 388
Chatsworth, NJ 08019

Application No.: 1993-0148.003

Location: Block 4807, Lot 1
Woodland Township

This application proposes construction of a 1,440 square foot equipment storage building, a 9,000 square foot asphalt walking track and associated recreational improvements at the Chatsworth Elementary School located on the above referenced 10.25 acre parcel in Woodland Township.

The asphalt walking track and certain of the recreational improvements were developed prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). Completion of this application is intended to address that violation.

STANDARDS

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

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

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

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

The proposed improvements will be located in existing grassed recreational areas. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to use grass species that meet this 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 stormwater management standards of the CMP. To meet the stormwater management standards, this application proposes to construct two stormwater infiltration basins and seven small stone recharge areas to recharge stormwater runoff.

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

A cultural resource survey was prepared for this application. The survey determined that there were no cultural resources eligible for Pinelands designation within the project area.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Public notice to required land owners within 200 feet of the above referenced parcel was completed on June 12, 2015. Newspaper public notice was completed on June 17, 2015. The application was designated as complete on the Commission's website on September 1, 2015. The Commission's public comment period closed on September 11, 2015. 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 four sheets, prepared by Pennoni Associates, Inc., all sheets dated April 22, 2015 and revised to July 27, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed landscaping or revegetation shall adhere to the "Vegetation" standards of the municipal land use ordinance and 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

State of New Jersey

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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

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

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must 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. PC4-15- 30

TITLE: To Approve the New Jersey Pinelands Commission's 2014 Annual Report

Commissioner Ashmun moves and Commissioner Prickett seconds the motion that:

WHEREAS, in September 2006, then Governor Corzine issued Executive Order #37; and

WHEREAS, Executive Order #37 called for the preparation and approval of a comprehensive report concerning the operations of each State authority; and

WHEREAS, the report shall set forth the significant actions of the Commission; and

WHEREAS, since the report is to be done on an annual basis and it includes much of the same information as the Commission's Annual Report, which is required by the Pinelands Protection Act, the two reports have been combined since 2007 as a cost savings measure to eliminate waste and promote efficiency as called for in Executive Order #37; 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 attached 2014 Annual Report be approved, submitted to the Governor's Authorities Unit and posted on the Commission's web site.

Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Earlen	X				Prickett	X			
Avery	X				Galletta	X				Quinn			X	
Barr	X				Jannarone	X				Rohan Green			X	
Brown	X				Lloyd	X				Witt	X			
DiBello	X				McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: October 9, 2015

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 31

TITLE: Expressing the Commission's appreciation to the late Robert Hagaman for his service as a member between December 16, 2002 and June 12, 2008

Commissioner Avery moves and Commissioner Barr seconds the motion that:

WHEREAS, Robert Hagaman was first appointed by Governor James E. McGreevey on December 16, 2002 and served on the Commission with distinction until June 12, 2008; and

WHEREAS, during his tenure, Mr. Hagaman served on the Commission's Personnel and Budget Committee, Permanent Land Protection Committee and as an alternate member of the Science Committee; and

WHEREAS, Mr. Hagaman also served eight terms as a member of the Pinelands Municipal Council, which serves as a sounding board between the 53 municipalities in the Pinelands Area and the Pinelands Commission; and

WHEREAS, as a hay farmer and as the former Mayor of Mullica Township, Mr. Hagaman provided a unique, local perspective on farming and municipal matters during his time on the Commission; and

WHEREAS, during Mr. Hagaman's tenure, the Commission strengthened the Pinelands Protection Program by adopting eight amendments to the Pinelands Comprehensive Management Plan; and

WHEREAS, Commission members are unpaid volunteers, and Mr. Hagaman devoted hundreds of hours of his time as a Commissioner; and

WHEREAS, the members of the Commission want to recognize Mr. Hagaman's significant contributions and express their appreciation for the service that he performed.

NOW, THEREFORE BE IT RESOLVED that the members of the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 9th day of October, 2015, do hereby express our appreciation to the family of the late Robert Hagaman for his commitment to the Pinelands and for his service as a member of the Commission between December 16, 2002 and June 12, 2008.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn			X
Barr	X			Jannarone	X			Rohan Green			X
Brown	X			Lloyd	X			Witt	X		
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: October 9, 2015

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman