



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



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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

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

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

This meeting will be held in-person and virtually.

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

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

https://www.youtube.com/watch?v=Hi_T3zUi0yk

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 840 0989 7356

1. Call to Order
 - Open Public Meetings Act Statement
 - Roll Call
 - Pledge Allegiance to the Flag
2. Adoption of Minutes
 - August 9, 2024
3. Committee Chairs' and Executive Director's Reports
4. Matters for Commission Consideration **Where the Record is Closed**

A. Permitting Matters

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

Resolution Approving With Conditions (2) Applications for Public Development:

- Application No. 2007-0301.005 - TJC at Wrightstown, LLC
 Construction of recreational facilities at the existing New Hanover Township

Elementary School
Wrightstown Borough

- Application No. 1991-0320.005 - Mullica Township
Construction of a 4,473 square foot public safety building
Mullica Township

B. Planning Matters

- Municipal Master Plans and Ordinances
 - None
- Other Resolutions
 - Authorizing Execution of a Memorandum of Agreement Between the Pinelands Commission and Stafford Township Regarding Accessibility Improvements to the Existing Trails at Forecastle Lake Park
- CMP Amendments
 - None

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

A. Public Development Projects

- Application No. 1981-0656.024 – New Jersey Juvenile Justice Commission
Construction of a Secure Facility at the Ancora Psychiatric Hospital
Winslow Township
- Application No. 2004-0057.002 – Ocean County Parks and Recreation
Construction of a recreational facility, including athletic fields and a trail system
Manchester Township
- Application No. 2010-0008.007 – Egg Harbor City
Construction of a 12,200 square foot public park
Egg Harbor City

B. Waiver of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Barnegat Township Ord. 2024-14, 2024-15
- Berlin Borough Ord. 2024-12
- Buena Vista Township Ord. 145-2024
- Dennis Township Ord. 2024-04

- Estell Manor City Ord. 11-2024, 12-2024
- Evesham Township Ord. 12-7-2024, 13-7-2024
- Franklin Township Ord. O-9-24
- Lacey Township Ord. 2024-15, 2024-16
- Manchester Township Ord. 24-27
- Medford Township Ord. 2024-11
- Monroe Township Ord. O:32-2024, O:35-2024
- North Hanover Township Ord. 2024-11
- Ocean Township Ord. 2024-6
- Pemberton Township Ord. 20-2024
- Shamong Township Ord. 2024-10
- Southampton Township Ord. 2024-12
- Stafford Township Ord. 2024-23, 2024-24
- Vineland City Ord. 2024-37
- Washington Township Ord. 2024-05, 2024-06
- Weymouth Township Ord. 605-2024
- Wrightstown Borough Ord. 2024-12

7. Other Resolutions

- To Adopt the Pinelands Commission’s Fiscal Year 2025 Budgets for the Operating Fund, Fenwick Manor Preservation Fund and Pinelands Conservation Fund
- To Authorize an Additional Extension of the Time Period for Atlantic County to Complete its Obligations Under the Secondary Impacts Agreement for Interchange 44 of the Garden State Parkway

8. General Public Comment

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

10. Adjournment

Upcoming Meetings

Wed., September 18, 2024	Climate Committee Meeting (9:30 a.m.)
Fri., September 27, 2024	Policy & Implementation Committee Meeting (9:30 a.m.)
Fri., October 11, 2024	Pinelands Commission Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES
August 9, 2024

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=R8xcRv7vksg>

Commissioners Participating in the Meeting

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

Commissioners Absent

Dan Christy and Mark Mauriello.

Call to Order

Chair Matos called the meeting to order at 9:38 a.m.

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

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

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's July 12, 2024 meeting. Commissioner Irick moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes from the July 12, 2024 Commission meeting were adopted by a vote of 11 to 0.

Resolution Honoring former Commissioner Joan Batory

Chair Matos introduced a resolution acknowledging the wonderful contributions of Commissioner Joan Batory who passed away on July 27th. Commissioner Batory was an original member of the Commission.

Commissioner Avery made a motion Expressing the Commission's Gratitude and Appreciation for the Late Joan Batory and Her Extraordinary Service as a Founding Member of the New Jersey Pinelands Commission and Her Contributions to the Pinelands. Commissioner Lohbauer seconded the motion.

Chair Matos read the resolution into the record. The resolution was adopted by a vote of 11 to 0. See attached Resolution # PC4-24-14.

ED Grogan said the photograph displayed on the screen includes the Commission's first Executive Director Terrence D. Moore and former Commissioners at an event from the 1990's. Commissioner Batory can be seen on the left (see attached photo).

Paul Leakan said Commissioner Batory never stopped caring about the Pinelands and just last year, she dropped off her original Comprehensive Management Plan at the Commission offices.

Committee Reports

Vice Chair Avery provided a summary of the July 26, 2024 Policy and Implementation Committee meeting:

The Committee approved the minutes of the May 31, 2024, meeting.

The Committee considered a draft Memorandum of Agreement between the Pinelands Commission and Stafford Township. The MOA concerns improvements to an existing trail at Forecastle Lake Park to make it accessible to individuals with ambulatory challenges. The improvements are within wetland buffers which requires the MOA to allow for a deviation from the standards of the CMP. The Township intends to offset the impacts by revegetating an upland area onsite. Staff informed the Committee that with their approval to move forward, a public hearing would be scheduled for August 14, 2024. The Committee supported moving forward with the MOA process and allowing the draft MOA to proceed directly to the full Commission after the public hearing, provided there are no substantial issues identified.

The Committee received a presentation regarding the NJDEP REAL (Resilient Environments and Landscapes) Rule Amendments. The overview introduced extensive NJDEP draft amendments to eleven rule chapters. The staff plans to return to the Committee with a more detailed review of any impacts on Pinelands activities. The DEP anticipates its rule proposal to be published this summer with the potential adoption and effective date of Fall 2025.

Executive Director Susan Grogan provided a presentation of the P&I Committee FY24 accomplishments and FY25 work plan projects. The presentation reviewed completed, ongoing, and some unanticipated projects. Additionally, the presentation included new initiatives and continuing work for FY25's work plan. ED Grogan requested Committee input on the FY25 work plan projects. Committee members supported work on PDC program initiatives, projects to enhance protection of threatened and endangered species, and continuation of efforts to minimize the Commission's carbon footprint, among other projects. Several Committee members noted the importance of acknowledging the funding and staff time that will need to be devoted to the rehabilitation of Fenwick Manor.

Executive Director's Report

ED Grogan provided an update on the following matters:

- Commission staff recently met with the new program officer from the NJ Historic Trust assigned to the Fenwick Manor Restoration project. The grant agreement has been signed by all parties and the NJ Historic Trust will be providing the entire sum of the grant funds to the Commission for future distribution. Additionally, the Scope of Work and Request for Proposal (RFP) has been finalized and the Division of Property Management and Construction will share it with their procurement office who will then post the RFP to their website. The Commission's Archaeologist is planning to conduct pre-bid site visits for consultants.

At the July Commission meeting, staff delivered a presentation on the five-year Long Term Economic Monitoring (LTEM) Program Report. At that meeting, Commissioner Asselta inquired about economic development and prior funding designated to the Commission. Review of the Commission's records indicates that in 1997, the Legislature adopted a Bill that provided \$250,000 to the Commission to study the rural communities in the Pinelands Area. That study is known as the Pinelands Rural Economic Development Pilot Program. The Commission hired a consultant and worked with seven municipalities. Reports stemming from the Pilot Program can be found on the website. The Pine Barrens Byway was an outcome of the study.

Commissioner Asselta noted that the recommendation to fund a rural economic development program came from the Pinelands Municipal Council.

Chuck Horner, Director of Regulatory Programs, encouraged everyone to read the July Management Report and provided information on the following regulatory matters:

- The Commission signed off on approvals issued by Washington Township for the construction of a 150-ft communications tower that will be an accessory use to the Lower Bank Fire Company.
- The Commission received a proposal for a very large project that will include the construction of approximately ten 20-acre greenhouses on a 2,500-acre parcel in Maurice River Township. The applicant plans to grow a variety of vegetables inside the greenhouses. The greenhouses will be constructed in such a way as to capture rainwater for use in the agricultural operation. Roof-top solar is also proposed to generate electricity solely for the agricultural operation. The construction of greenhouses exclusively for agricultural purposes does not require application to the Commission but must meet all environmental standards.
- The Executive Director issued an emergency authorization to Atlantic County for the removal and replacement of docks at Lake Lenape due to public safety concerns. The letter was shared with Commissioners and the County will file an after the fact application.
- The fill that was used to improve an agriculture driveway on Magnolia Road in Pemberton Township contained contaminants that exceed CMP standards. The applicant must demonstrate that the material will not degrade groundwater or the fill must be removed by September 15th.

Commissioner Rittler Sanchez asked which Pinelands Management Area the Maurice River Township Proposal is located in.

Director Horner said the Forest Area.

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

- The LTEM report funded by the National Park Service has been published and distributed.
- The Commission's composting program, an initiative from the Climate Committee, is almost ready to launch.
- Staff is reviewing many non-Pinelands Commission rules. In addition to the NJDEP's REAL rule amendments, the State Agriculture Development Committee (SADC) is in the process of adopting soil protection standards. The NJDEP is moving forward with modifications to its Infrastructure Trust rules and staff is assisting by reviewing the Pinelands Infrastructure Trust Fund (PITF) portion. The draft rules are intended to address water supply projects and eligible costs that were previously not included for funding but were identified as priorities in the 2019 Pinelands Infrastructure Master Plan. A water supply project that could benefit from the amendment is a water system improvement project in Pemberton Township.

- Director Berg said another PITF project, the Williamstown Square transportation project in Monroe Township, has applied for funding through the Infrastructure Bank and will be reviewed by the New Jersey Department of Transportation for eligible costs.
- Director Berg said the NJDEP is also proposing amendments to its wastewater systems rules. The amendments to Chapter 9A could authorize additional advanced wastewater treatment systems. The addition of more technologies in the program would require further monitoring and agreements. Staff will consider how this rule amendment may expand the array of technologies that could be allowed to participate in the Pilot Program or to serve non-residential development in the Pinelands Area.

Stacey Roth, Chief, Legal and Legislative Affairs said an 86-page brief was submitted related to the Kirkwood Cohansey appeal by Clayton Sand Company. The litigation states that the Commission is preempted from issuing water diversion allocation permits and challenges that the Commission did not follow the proper rule making procedures. The Commission's brief is due in September.

Brad Lanute, Chief Planner said Pinelands municipalities continue to make progress on adopting model ordinances related to stormwater management and water management regulations:

- 38 municipalities have adopted and submitted ordinances
- We are anticipating another four municipalities to adopt and submit in August
- Staff are actively doing outreach to the remaining eight municipalities

He said adoption of the Preliminary State Plan by the State Planning Commission is still pending State agency comments.

Paul Leakan, Communications Officer said that the following events have been scheduled at the Commission's offices:

- "Wildlife of the Pinelands," at 3 p.m. on August 16th. Staff from the Woodford Cedar Run Wildlife Refuge will deliver the presentation, which will feature live animals;
- "If You Plant It, They Will Come: The Importance of Native Plants in the Landscape," at 3 p.m. on August 22nd presented by Randi V. Wilfert Eckel, PhD; and
- A program about Fungi of the Pinelands is scheduled for September 26th.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution approving a classroom addition in Medford Township

Commissioner Lohbauer made a motion Approving With Conditions an Application for Public Development (Application Number 1991-0484.006) (See Resolution # PC4-24-15).

Commissioner Irick seconded the motion.

April Field, Chief Permitting Officer, said the Medford Township Board of Education is proposing an approximately 3,500 square foot addition at the Chairville Elementary School. The addition will be constructed on a maintained grass lawn and there are no environmental issues to note.

The resolution was adopted by a vote of 10 to 0. Commissioner Meade was not present during the vote.

Public Comment on Development Applications and Items Where the Record is Open

No one from the public provided comment.

Ordinances Not Requiring Commission Action

Chief Planner Lanute said during the past month, the Land Use Programs Office reviewed seven ordinance amendments that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP).

- Four ordinances addressing DEP stormwater management and CMP water management amendments;
- An ordinance from Shamong Township pertaining to Flood Damage Prevention; and
- Two ordinances from Monroe Township, one related to development standards and local tax requirements for cannabis establishments and the other related to maximum lot coverage requirements in the Township's Forest Area Zones.

General Public Comment

Harry Harper from Pemberton Township said the first phase of the snake study for the Pole Bridge Road development has been completed. He said over 600 hours were spent looking for a specific snake that was not found but residents on either side of the development have seen snakes. He asked the Commission to scrutinize the survey as the fall study is about to begin. He said the developer has done some questionable things, including cutting large scale trees to possibly chase out owls from the parcel. He noted that a large wetland was not delineated on the plans. He said that residents are unhappy and want to keep the site as preserved land. He thanked the Commission for its efforts to hold the property owner accountable for the dumping matter on Magnolia Road.

Edward Ferruggia with the group New Jersey Pinelands SOAR (Save our Arboreal Resources) said he was impressed to hear about all the matters the Commission is working on. He said he is here today in support of the Commission's proposal to redesignate the Black Run watershed to a Forest Area. He said members of SOAR have been seeing some property sales in the Black Run and hearing about potential development proposals. He said if the land is acquired by developers, it will be more difficult to preserve. He said the Management Area change is crucial.

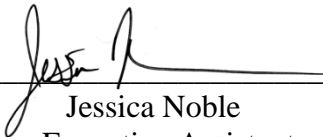
Jason Howell, Pinelands Preservation Alliance, noted the developer of the Pole Bridge Forest is required to conduct a fall snake survey per the conditions of the Wildlife Permit from the NJDEP. He said the developer may request that the Commission waive that survey requirement but the Commission needs ensure that the studies are completed. He said that a 268-acre parcel adjacent to the Pomona Woods Preserve in Hamilton Township is under contract with NJDEP's Green Acres Program. He said the area is west of the Atlantic City airport. He said there aren't many big swaths of land left that aren't agricultural lands. He said he hopes the headwaters of the Black Run can be preserved.

Adjournment

Commissioner Irick said Rutgers University and the Farm Bureau have teamed up and scheduled three information sessions on agrivoltaics.

Commissioner Pikolycky moved to adjourn the meeting. Commissioner Irick seconded the motion. The Commission agreed to adjourn at 10:25 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: August 14, 2024





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24- 14

TITLE: Expressing the Commission’s Gratitude and Appreciation for the Late Joan Batory and Her Extraordinary Service as a Founding Member of the New Jersey Pinelands Commission and Her Contributions to the Pinelands

Commissioner Avery moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, Joan Batory served as Camden County’s representative on the Pinelands Commission from the agency’s creation on June 28, 1979 until October 21, 1985; and

WHEREAS, during her tenure on the Commission, Commissioner Batory served on the Commission’s Work Plan, Conformance, Acquisition, Public Participation and Plan Review committees, attended hundreds of meetings, and played a major role in helping to build the foundation of the Pinelands protection program; and

WHEREAS, on November 21, 1980, Commissioner Batory voted to adopt the original Pinelands Comprehensive Management Plan; and

WHEREAS, Commissioner Batory devoted more than four decades of her life to protecting the environment in New Jersey and Pennsylvania. While working as a Program Manager for the National Park Service, she successfully advanced the designation of the Great Egg Harbor River as a National Wild and Scenic River. She also taught history at Woodrow Wilson High School in Camden, served as the former Director of the Camden County Environmental Commission, and had a direct, positive impact on the environment and public health of millions while developing policies as the Coordinator of Recycling and Solid Waste in Philadelphia and 50 municipalities in Chester County, Pennsylvania; and

WHEREAS, during an interview that was part of the Pinelands Commission’s celebration of the 40th anniversary of the Pinelands Comprehensive Management Plan in 2021, Commissioner Batory said that serving on the Commission and being a force in the preservation of the Great Egg Harbor River were among the two things she was most proud of in her career; and

WHEREAS, members of the Commission want to express their gratitude for Commissioner Batory’s decades of public service and significant contributions to the Pinelands protection effort.

NOW, THEREFORE BE IT RESOLVED that the members of the Pinelands Commission hereby express their appreciation for the late Joan Batory for her extraordinary service as a member of the Commission from June 28, 1979 until October 21, 1985 and her contributions to the Pinelands, while extending their condolences to her family and friends.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 9, 2024

 Susan R. Grogan
 Executive Director

 Laura E. Matos
 Chair



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-15

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1991-0484.006)

Commissioner Lohbauer moves and Commissioner Irick 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:

1991-0484.006

Applicant:	Medford Township BOE
Municipality:	Medford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	July 16, 2024
Proposed Development:	Construction of a 3,539 square foot classroom building at the Chairville Elementary School.

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 1991-0484.006 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 9, 2024

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

July 16, 2024

Evon DiGangi (via email)
Medford Township BOE
137 Hartford Road
Medford NJ 08055

Re: Application # 1991-0484.006
Block 4106, Lot 15
Medford Township

Dear Mr. DiGangi:

The Commission staff has completed its review of this application for the construction of a 3,539 square foot classroom building at the Chairville 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 August 9, 2024 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)
Joseph Gray, PE (via email)



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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 16, 2024

Evon DiGangi (via email)
Medford Township BOE
137 Hartford Road
Medford NJ 08055

Application No.: 1991-0484.006
Block 4106, Lot 15
Medford Township

This application proposes the construction of a 3,539 square foot classroom building at the Chairville Elementary School located on the above referenced 56.3 acre parcel in Medford Township.

The applicant has indicated that the proposed classroom building is necessary to provide space for an increasing student population.

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 parcel is located in a Pinelands Regional Growth Area. Institutional uses, including schools, are a permitted land use in a Pinelands Regional Growth Area.

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

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

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

The proposed building will be located within a maintained lawn area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

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

The existing school is serviced by public sanitary sewer. The proposed classroom building will be serviced by public sanitary sewer.

PUBLIC COMMENT

The CMP defines the proposed development 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 June 7, 2024. The Commission’s public comment period closed on July 12, 2024. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of three sheets, prepared by CME Associates, all sheets dated June 12, 2024.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

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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PINELANDS COMMISSION **APPEAL PROCEDURE**

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

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1991-0320.005 & 2007-0301.005)

Commissioner _____ moves and Commissioner _____ 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:

1991-0320.005

Applicant: Mullica Township
Municipality: Mullica Township
Management Area: Pinelands Village
Date of Amended Report: September 3, 2024
Proposed Development: Construction of a 4,473 square foot public safety building; and

2007-0301.005

Applicant: TJC at Wrightstown, LLC
Municipality: Borough of Wrightstown
Management Area: Pinelands Town
Date of Report: August 15, 2024
Proposed Development: Construction of recreational facilities at the existing New Hanover Township Elementary School

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 1991-0320.005 & 2007-0301.005 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*

Asselta					Lettman					Rittler Sanchez				
Avery					Lohbauer					Wallner				
Christy					Mauriello					Matos				
Holroyd					Meade									
Irick					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

September 3, 2024

Ralph Condo (via email)
Mullica Township
4528 White Horse Pike
Elwood NJ 08217

Re: Application # 1991-0320.005
Block 3405, Lot 5
Mullica Township

Dear Mr. Condo:

The Commission staff has completed its review of this application for construction of a 4,473 square foot public safety building. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 13, 2024 meeting.

A Public Development Application Report and a cover letter to that Report, both dated August 22, 2024, were previously issued for this application. A minor revision has been made to the site plan cited in the August 22, 2024 Report. The minor revision clarifies that a second existing septic system that services a municipal garage building on the parcel is also proposed to be abandoned. The attached September 3, 2024 Amended Report reflects that all sheets of the site plan, except sheet 4, have been revised to August 30, 2024 to reflect this minor revision. All other text in the August 22, 2024 Report remains unchanged.

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, Mullica Township Planning Board (via email)
Mullica Township Construction Code Official (via email)
Mullica Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Atlantic County Division of Public Health (via email)
Marianne G. Risley (via email)



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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

AMENDED PUBLIC DEVELOPMENT APPLICATION REPORT

(See 9/3/24 Cover Letter to this Report for Explanation of Amendment)

September 3, 2024

Ralph Condo (via email)
Mullica Township
4528 White Horse Pike
Elwood NJ 08217

Application No.: 1991-0320.005
Block 3405, Lot 5
Mullica Township

This application proposes the construction of a 4,473 square foot public safety building on the above referenced 1.6 acre parcel in Mullica Township. The Mullica Township municipal complex, including the municipal building and public works facility are located on the parcel.

The Mullica Township police department currently occupies the basement floor of the existing municipal building. The applicant has submitted information indicating that, based upon the presence of mold, there is a health and safety issue with the police department utilizing the basement floor of the existing municipal building. The proposed public safety building will be occupied by the police department. The applicant has indicated that the basement of the municipal building will be utilized only for storage.

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. 7:50-5.27)

The parcel is located in the Pinelands Village of Elwood. Institutional uses, including public office buildings and law enforcement facilities, are a permitted land use in a Pinelands Village.

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

The existing municipal building is serviced by an existing on-site septic system. The existing on-site septic system does not reduce the level of nitrate/nitrogen in the wastewater.

The CMP requires that ground water exiting a parcel from both existing and proposed development must meet a two parts per million nitrate/nitrogen groundwater quality (septic dilution) standard. The existing

municipal building on the 1.6 acre parcel currently exceeds the groundwater quality (septic dilution) standard. To meet this standard, the applicant proposes to abandon the existing on-site septic system and service the existing municipal building and the proposed public safety building with an on-site septic wastewater treatment system that will reduce the level of nitrate/nitrogen in the wastewater.

The CMP (N.J.A.C. 7:50-6.84(a)5iv(3)) specifies certain requirements for the use of an on-site septic wastewater treatment system that will reduce the level of nitrate/nitrogen in the wastewater. Those requirements include monitoring of the treated wastewater effluent to ensure that the wastewater from the existing and proposed uses will meet the two parts per million nitrate/nitrogen groundwater quality (septic dilution) standard. A condition is included in this Public Development Application Report to address the requirements of the CMP (N.J.A.C. 7:50-6.84(a)5iv(3)) for use of the proposed system.

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

The proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the application proposes to construct a stormwater infiltration basin.

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

The proposed development will be primarily located in an existing stone storage area and a 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 a seed mixture which meets that recommendation.

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

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 April 2, 2024. Newspaper public notice was completed on April 6, 2024. The application was designated as complete on the Commission's website on July 2, 2024. The Commission's public comment period closed on July 12, 2024. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

Sheets 1 - 3 & 5 - 12 - June 14, 2024; last revised August 30, 2024

Sheet 4 - June 14, 2024; last revised August 20, 2024

2. 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.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
4. Prior to issuance of a Certificate of Occupancy for the proposed public safety building, the applicant shall submit to the Pinelands Commission an executed copy of a legal agreement addressing the CMP (N.J.A.C. 7:50-6.84(a)5iv(3)) monitoring and maintenance requirements for the proposed on-site wastewater treatment system.

CONCLUSION

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



State of New Jersey

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on September 9, 2024 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

August 15, 2024

Scott Slage (via email)
TJC at Wrightstown, LLC
On Behalf of the New Hanover Township School District
603 First Avenue
Raritan NJ 08869

Re: Application # 2007-0301.005
Block 401, Lot 35.02
Borough of Wrightstown

Dear Mr. Slage:

The Commission staff has completed its review of this application for the construction of recreational facilities at the existing New Hanover Township 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 September 13, 2024 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, Borough of Wrightstown Planning Board (via email)
Borough of Wrightstown Construction Code Official (via email)
Secretary, Burlington County Planning Board (via email)
Robert S. Baranowski, Jr. (via email)



State of New Jersey

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 15, 2024

Scott Slage (via email)
TJC at Wrightstown, LLC
On Behalf of the New Hanover Township School District
603 First Avenue
Raritan NJ 08869

Application No.: 2007-0301.005
Block 401, Lot 35.02
Borough of Wrightstown

This application proposes the construction of recreational facilities at the existing New Hanover Township Elementary School located on the above referenced 7.3 acre parcel in the Borough of Wrightstown.

This application proposes the surfacing of an existing cinder running track with asphalt, the construction of a basketball one half-court, a softball/baseball field and a 162 square foot gazebo.

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. 7:50-5.27)

The parcel is located in the Pinelands Town of Wrightstown. Institutional uses, including schools and athletic facilities accessory to a school, are a permitted land use in a Pinelands Town.

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

The proposed development will occur partially within a maintained lawn area and partially in a wooded area. The proposed development will result in the clearing of approximately 1.95 acres of wooded area. The proposed vegetation 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 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 stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing an underground stormwater infiltration system.

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

A cultural resource survey was previously completed on the parcel in 1999 on behalf of the United States Army prior to conveyance of the property from the federal government to the Borough of Wrightstown. That survey concluded that no significant cultural resources exist on the parcel.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on February 23, 2024. Newspaper public notice was completed on February 28, 2024. The application was designated as complete on the Commission's website on July 25, 2024. The Commission's public comment period closed on August 9, 2024. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of nine sheets, prepared by Matrix New World Engineering, Land Surveying & Landscape Architecture, P.C. and dated as follows:

 Sheets 1 & 4-6 - May 24, 2023; last revised June 5, 2024
 Sheets 2, 3 & 7-9 - May 24, 2023; last revised March 6, 2024
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



State of New Jersey

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on September 2, 2024 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: Authorizing Execution of a Memorandum of Agreement between the Pinelands Commission and Stafford Township Regarding Accessibility Improvements to the Existing Trails at Forecastle Lake Park

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the New Jersey Pinelands Commission (the “Commission”) is a public body, corporate and politic which was established to prepare and administer the Pinelands Comprehensive Management Plan (CMP) to protect the resources of the Pinelands Area; and

WHEREAS, Stafford Township (the “Township”) was formed by Royal Charter on March 3, 1750 and incorporated on February 21, 1798 as one of New Jersey’s first 104 Townships; and

WHEREAS, Forecastle Lake Park is a 7.45 acre area located within the Ocean Acres section of Stafford Township and consists of Block 44.117, Lot 8; Block 44.118, Lot 27 and Block 44.119, Lots 29.01 and 30; and

WHEREAS, there are existing dirt trails within Forecastle Lake Park that run along the top of the banks of Forecastle Lake; and

WHEREAS, the Township is proposing improvements to the existing dirt trails to render them firm, stable and flat from side to side, with a width of 6 ft. and no more than a running slope of 5% along their entire length with a 2% cross slope; and

WHEREAS, specifically the Township is proposing to pave with an asphalt surface approximately 0.34 acres, for a length of 2,670 linear feet, of existing dirt trails; pave 0.0275 acres of an existing stone parking area to create four accessible parking spaces; and construct a 35 ft. x 6 ft. pedestrian footbridge over the lake’s spillway discharge channel; and

WHEREAS, the proposed improvements would make the existing trails more accessible for individuals with ambulatory disabilities; and

WHEREAS, the existing trails within Forecastle Lake Park are located with wetland buffers; and

WHEREAS, although the CMP authorizes the development of trails within wetlands and wetlands buffers if certain standards are met, the proposed improvements are not consistent with all of these standards and may not proceed unless the Commission authorizes a deviation from same; and

WHEREAS, the proposed project is expected to result in 0.55 acres of disturbance of wetland buffers, which includes 0.34 acres of asphalt paving for the trail surface; and

WHEREAS, N.J.A.C. 7:50-4.52(c)2 authorizes the Commission to enter into an intergovernmental memorandum of agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities that may not be fully consistent with the provisions of N.J.A.C. 7:50-5 and 6, provided such agency demonstrates and the Commission finds that variation from the standards of the Pinelands CMP is accompanied by measures that will, at a minimum, afford an equivalent level of protection of the resources of the Pinelands as would be provided through strict application of the CMP’s standards; and

WHEREAS, to offset the impacts associated with the proposed improvements, the Township proposes to: 1) revegetate two existing cleared areas totaling 35,000 sq. ft., in the portion of the park located adjacent to Canal Avenue, so as to restore these areas to a fully forested condition with native Pinelands species; 2) install bollards at the trailhead at each end of the improved trail to prohibit entry by off-road vehicles; and 3) install signage at each end of the trail advising that the trail is designed to be accessible to those using wheelchairs and that use of the trail by motorized vehicles, bicycles and horses is prohibited.

WHEREAS, N.J.A.C. 7:50-4.52(c)1 authorizes the Commission to enter into an intergovernmental agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the provisions of N.J.A.C. 7:50-5 and 6; and

WHEREAS, establishing an alternate permitting process will facilitate the Township’s submission of additional information to the Commission concerning the proposed project and the proposed offsetting measures; and

WHEREAS, the Township has agreed, prior to commencing construction of any portion of the proposed improvements, that it will obtain and provide the following to the Commission: 1) a final reforestation plan for the 35,000 sq. ft. offset area and 2) final construction details for the prefabricated pedestrian footbridge; and

WHEREAS, the Commission’s CMP Policy & Implementation Committee reviewed and indicated support for the draft Memorandum of Agreement at its July 26, 2024 meeting and agreed to forego further review, provided public comment did not result in any recommended substantive changes to the agreement; and

WHEREAS, a public hearing to receive testimony on the proposed Memorandum of Agreement was duly advertised, noticed and held remotely on August 14, 2024 at 9:30 a.m.; and

WHEREAS, following the public hearing the Commission staff became aware of a technical issue involving the live broadcast of the hearing on the Pinelands Commission’s public YouTube channel; and

WHEREAS, a second public hearing to receive testimony on the proposed Memorandum of Agreement was duly advertised, noticed and held remotely on August 29, 2024 with live broadcast on the Pinelands Commission’s public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the comment period for submission of written comments from the public was initially scheduled to close on April 19, 2024, but was extended until August 29, 2024, with no public comments received; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to execute the Memorandum of Agreement; and

WHEREAS, the Commission finds that the offsetting measures proposed by the Township will provide an equivalent level of protection for the resources of the Pinelands as would be provided through strict application of the CMP; and

WHEREAS, the Commission further finds that the Memorandum of Agreement, attached hereto, satisfies the standards of N.J.A.C. 7:50-4.52(c), which authorizes the Commission to enter into such agreements; and

WHEREAS, the Commission has reviewed the Executive Director’s Report and accepts the recommendation of the Executive Director contained therein; 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 Commission agrees to enter into the attached Memorandum of Agreement with Pemberton Township.

BE IT FURTHER RESOLVED that the Commission authorizes the Executive Director to execute this Memorandum of Agreement.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey
 THE PINELANDS COMMISSION
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PHILIP D. MURPHY
 Governor
 TAHESHA L. WAY
 Lt. Governor

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

September 3, 2024

REPORT ON A PROPOSED MEMORANDUM OF AGREEMENT BETWEEN THE NEW JERSEY PINELANDS COMMISSION AND STAFFORD TOWNSHIP REGARDING ACCESSIBILITY IMPROVEMENTS TO TRAILS AT FORECASTLE LAKE PARK

FINDINGS OF FACT

Stafford Township is proposing to improve existing trails located along the elevated banks of Forecastle Lake and an existing parking lot located close to the trail head near Breakers Drive. These improvements are intended to make the trail accessible to individuals with mobility challenges. The proposed improvements will be conducted within wetland buffers. The proposed Memorandum of Agreement (MOA) would authorize a deviation from the wetland buffer standards of the Pinelands Comprehensive Management Plan (CMP) and establish an alternative permitting process to facilitate construction of the trail improvements.

I. Background and Purpose the of the MOA

Forecastle Lake Park is a 7.45 acre area located in the Ocean Acres section of Stafford Township. The park is adjacent to Forecastle Lake and is bordered by NJ Route 72, Forecastle Drive and Breakers Drive. Forecastle Lake Park is located in a Regional Growth Area within the State designated Pinelands Area.

The trails are a total of 0.66 miles (3,470 ft.) long and consists of 3 parts: 1) a 1,580 ft. section from the Breakers Drive parking area to Forecastle Lake with a 220 ft. side loop in the vicinity of the lake, 2) an 800 ft. section utilizing the existing pavement of Forecastle Avenue to Canal Avenue; and 3) an 870 ft. section at the Canal Avenue section of the park with a stub path connecting to Canal Avenue. Given an 800 ft. section of the trails are already paved, the total length of the trail to be paved is 2,670 linear ft.

The existing trail consists of an uneven and erodible dirt surface. Stafford Township plans to pave a 6-foot width of the existing 10-foot wide trail and install trenches at the edge of the pavement to collect stormwater. Additionally, Stafford intends to install a pedestrian bridge over the lake’s spillway discharge channel and to construct 4 accessible parking spaces within the existing parking area off Breakers Drive.

Forecastle Lake Park is a good candidate for a place for accessible nature recreation. The park is located in a Regional Growth Area near many homes and is readily accessible to residents of Stafford, especially those residents living in Ocean Acres. The trail is relatively short and offers lovely views of the lake and places to fish along its length.

There is growing interest among public and nonprofit land managers in providing better opportunities for people with disabilities to access recreational resources throughout the State, including the Pinelands. People with disabilities that impair their ability to enjoy natural places make up a large portion of the population. The percentage of people in Stafford Township who identify as having a disability is 10.2%. Of these individuals, 6.1% identify as having mobility issues. One mechanism to provide better access to nature is by making accessibility improvements to suitable existing trails.

II. Proposed Project and Offset

As discussed above, the Township is proposing to make improvements to the existing dirt trails, including paving a 6 ft. wide portion of the existing 10 ft. wide trails in Forecastle Lake Park. The proposed improvements would make the trail, firm, flat and stable from side to side and establish a running slope of not more than 5% grade throughout its length.

Additionally, Stafford intends to install a 35 ft. x 6 ft. prefabricated pedestrian footbridge over the lake's existing spillway channel located at the southerly edge of the lake, near Route 72. The footbridge would rest on 2 ft. x 2 ft. concrete abutments that would sit upon 10-inch timber pilings. The pilings would be vibrated into place to avoid the need for excavation.

The Township also proposes to pave 0.0275 acres of an existing stone-surfaced parking area located off Breakers Drive and to construct 4 accessible parking spaces. A 6 ft. wide aisle will connect the parking area to the accessible trail.

The proposed project is expected to result in 0.55 acres of disturbance of wetland buffers, which includes 0.34 acres of asphalt paving for the trail surface. To offset these impacts, Stafford Township is proposing to revegetate a 33,500 sq. ft. area and a 1,500 sq. ft. area, both located in the portion of Forecastle Lake Park adjacent to Canal Avenue. Stafford is proposing to restore these areas to a fully forested condition with native Pinelands species. The areas to be revegetated are sparsely vegetated and dominated by native warm season grasses, punctuated by 47 mature pines, cedars and oaks.

III. Basis of the MOA

Under N.J.A.C. 7:50-4.52(c)2, the Commission may enter into a MOA with a governmental entity to permit development that may not be fully consistent with the land use and development standards (N.J.A.C. 7:50-5 and 6) of the Pinelands CMP. The governmental entity must demonstrate and the Commission must find that proposed deviations from the CMP are accompanied by measures that will, at a minimum, afford an equivalent level of protection for the resources of the Pinelands than would be provided through strict application of the CMP.

The Commission may also enter into an MOA with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the land use and environmental standards of the CMP. N.J.A.C. 7:50-4.52(c)1.

IV. Findings

The information provided in the Township's request for this MOA supports the need for the accessibility improvements proposed for the Pemberton Lake Trail. The Pinelands National Reserve contains a wide assortment of open spaces and recreational opportunities. However, although hundreds of miles of trails

suitable for hiking and bicycling exist throughout the Pinelands, as well as countless unmarked, sand roads that are also used for such purposes, few of these trails would be considered accessible.

As discussed above, the Forecastle Lake Park is a good candidate for accessible natural recreation. Additionally, given the trails to be improved are pre-existing, the improvements required to render them accessible will not result in significant impacts to Pinelands flora or fauna. Although the projects will result in impacts to wetlands buffers, the offsetting measures proposed by the Township will provide an equivalent level of protection of these resources as required by the CMP. The measures include revegetation of a 35,000 sq. ft. area to its prior forested state, installation of bollards at the trailheads to restrict the use of the improved trails by off-road vehicles, and construction of 4 accessible parking spaces and associated signage.

The MOA also establishes an alternate permitting process. In lieu of submitting individual public development applications for the revegetation of the 35,000 sq. ft. offset area or the installation of the prefabricated pedestrian footbridge, the Township would submit the information set forth in the MOA. Provided that this information demonstrates consistency with the relevant provisions of the Pinelands CMP, for which a deviation was not authorized, and the terms of the MOA, such development will be approved through a letter issued by the Executive Director.

The alternate permitting process would also be available to the Township for minor, de minimis changes to the scope or design of the trail improvements, provided such changes do not have more than a de minimis impact to wetland buffers. This process allows for expedited review and approval of the offsets and any de minimis changes and will facilitate completion of the project on a timely basis. Additionally, given the proposed offset affords an equivalent level of protection of the resources of the Pinelands as strict application of the CMP, the proposed project is consistent with the development standards of the CMP and implementation of an alternate permitting process is authorized.

V. Public Hearings

Pursuant to N.J.A.C. 7:50-4.52(c)3, a public hearing to receive testimony concerning the proposed MOA was duly advertised, noticed and held on August 14, 2024 at 9:30 a.m. The hearing was conducted by Executive Director Susan R. Grogan and held virtually, via Zoom. Mr. Frank J. Little, Jr., Owen, Little & Associates Inc., attended the hearing on behalf of Stafford Township. Executive Director Grogan, Stacey Roth and Joel Mott of the Commission's staff were present at the hearing. No one called into the hearing to provide testimony.

Following the hearing, Commission staff became aware of a technical issue with Zoom that effected livestreaming of the public hearing. A second hearing was therefore duly advertised, noticed and held on August 29, 2024 at 9:30 a.m. The August 29th hearing was conducted by Executive Director Grogan and held virtually, via Zoom. Matthew von der Hayden, Stafford Township Administrator, attended the hearing on behalf of Stafford Township. Executive Director Grogan and Paul Leakan of the Commission's staff were present at the hearing.

At the outset of each public hearing, Executive Director Grogan provided a summary of the terms of the MOA being requested and the offset proposed by the Township. Ms. Grogan noted that written comment concerning the proposed MOA would be accepted by mail, fax or email, initially until Monday August 19, 2024, and following the scheduling of the August 29, 2024 public hearing, extended until 5:00 p.m. on Thursday, August 29, 2024.

Ms. Grogan advised the public at both hearings, that following the hearing, a staff report would be prepared with recommended actions concerning the proposed MOA for the Commission's review. This report would include a summary of any testimony provided at the hearing and any written comments received before the record closed. Ms. Grogan further advised that the Commission's CMP Policy & Implementation Committee was expected to discuss the proposed MOA initially at its August 30, 2024 meeting and moved to at its September 27, 2024 meeting as a result of the second public hearing. However, if little public comment was received and did not result in any recommended substantive changes to the MOA itself, the full Commission could consider the proposed MOA at its meeting on September 13, 2024.

The following testimony was received at the August 29, 2024 public hearing:

Matthew von der Hayden, Stafford Township Administrator, thanked the Commission and its staff for working with the Township on the MOA. He noted that the accessibility improvements to the trails at Forecastle Lake Park were part of the Township's comprehensive plan to make all of the parks and recreational facilities within the Township accessible.

There being no further testimony, the hearing concluded at 9:39 a.m.

No written comments were received regarding the proposed MOA.

VI. Conclusions and Recommendations

The proposed MOA would authorize a deviation from the wetland buffer standards of the Pinelands CMP in order to permit improvements to the existing trails within Forecastle Lake Park to make them accessible for individuals with mobility challenges. As discussed above, the project involves asphalt paving of a 6 ft. wide portion of the trails for their entire length; the installation of a prefabricated pedestrian footbridge and the asphalt resurfacing of an existing stone-surfaced parking area and construction of 4 accessible parking spaces.

The MOA includes the following measures to offset the wetlands buffer impacts associated with the proposed project:

1. Revegetation of a 33,500 sq. ft. area and a 1,500 sq. ft. area in that portion of Forecastle Lake Park adjacent to Canal Avenue;
2. Installation of bollards at the trail heads to restrict the use of the improved trails by off-road vehicles; and
3. Construction of 4 accessible parking spaces and associated signage.

The MOA is accompanied by measures that, at a minimum, afford an equivalent level of protection for the resources of the Pinelands as required by N.J.A.C. 7:50-4.52(c)2. That being the case, the Commission's authorization of an alternative application process for the Township's revegetation plans for the offset area and the installation of the prefabricated pedestrian footbridge in accordance with N.J.A.C. 7:50-4.52(c)1 is also warranted. The Executive Director, therefore, recommends that the Commission enter into this MOA with Stafford Township regarding implementation of accessibility improvements to the existing trails at Forecastle Lake Park.

Memorandum of Agreement
Between the New Jersey Pinelands Commission
and Stafford Township Regarding Development of
an Accessible Trail at Forecastle Lake Park
_____, 2024

I. PURPOSE

This Memorandum of Agreement (“MOA”) is entered into between the New Jersey Pinelands Commission (“Commission”), an independent political subdivision of the State of New Jersey, having its offices at 15 Springfield Road, P.O. Box 359, New Lisbon, New Jersey 08064; and the Township of Stafford (the “Township”), a municipality, with its offices at 260 East Bay Avenue, Manahawkin, New Jersey 08050.

The Township is proposing to improve existing walking trails located adjacent to Forecastle Lake. These improvements will render the trails accessible to individuals with mobility (ambulatory) disabilities as well as provide a better experience for residents and visitors to enjoy the scenic nature of this area and easier access for fishing.

The existing trails run along the top of banks of Forecastle Lake and are located within the 300-foot buffer to wetlands. The elevation of the trail runs from approximately 2 ft. to 10 ft. above the lake surface. Currently, the trail consists of a hardpacked non-level soil surface. A spillway exists along the southerly edge of the lake to control the lake’s water surface with a pipe outlet beneath Route 72 to the south.

The Pinelands Comprehensive Management Plan (“CMP”) authorizes the development of trails within wetlands and wetland buffers provided: (1) there is no feasible alternative route that does not involve development in a wetland/buffer, or, if none, that another feasible route which results in less significant adverse impacts on wetlands/buffers does not exist; (2) the need for the proposed linear improvement cannot be met by existing facilities or modification thereof; (3) the use represents a need which overrides the importance of protecting the wetland/buffer; (4) development of the facility will include all practical measures to mitigate the adverse impact on the wetland; and (5) the resources of the Pinelands will not be substantially impaired as a result of the facility and its development as determined exclusively based on the existence of special and unusual circumstances. N.J.A.C. 7:50-6.13.

As discussed below, Stafford Township proposes to pave a 6 ft portion of the existing 10 ft wide trail, which is located within wetlands buffers. There are other practical measures, such as installation of gravel or boardwalks, that would have less impact on wetland buffers. Stafford Township has advised that use of an asphalt surface, in lieu of wood, mulch or stone requires less maintenance and provides a level, more suitable surface for wheelchair and or other ambulatory assistive device access. Consequently, absent the Commission's approval of this MOA permitting a deviation from the wetland buffer standards of the Pinelands CMP at N.J.A.C. 7:50-6.6, -6.13 and 6.14, respectively, the project would not be able to proceed. This MOA will also establish an alternative application process in accordance with N.J.A.C. 5:50-4.52(c)1.

II. BACKGROUND

Forecastle Lake Park is a 7.45-acre area consisting of Block 44.117, Lot 8; Block 44.118, Lot 27; and Block 44.119, Lots 29.01 and 30 in the Ocean Acres section of Stafford Township. The park is adjacent to Forecastle Lake, an excavated, human created lake, and also to NJ Route 72, Forecastle Drive and Breakers Drive. Forecastle Lake Park is located in a Regional Growth Area.

The existing trails are located in an area that was formed during the creation of the lake by the placement of soils excavated from a wetland area along a branch of the Mill Creek. The trails are sparsely vegetated and approximately 10 ft. wide. The trails currently consist of uneven, unimproved and erodible compacted soil aggregate surface. The trails start at a stone-surfaced parking area adjacent to Breakers Drive and head toward Forecastle Lake. There is a loop section located between the Breakers Drive Parking Area and the shore of Forecastle Lake that then reconnects to the main trail and traverses the bank of Forecastle Lake to the spillway. Currently, there is no connection from the portion of the trail that ends at the spillway to the section located adjacent to Canal Avenue.

Forecastle Lake Park is a good candidate for a place for accessible nature recreation. The park is located close to many homes and is readily accessible to residents of Stafford, especially those residents living in Ocean Acres. The trail is relatively short and offers lovely views of the lake and places to fish along its length.

III. THE PROJECT

The Pinelands National Reserve represents an important recreational resource and contains a wide assortment of public open spaces including, but not limited to, two national wildlife refuges, numerous State-owned parks, forests and wildlife management areas, and county and municipal parks. Hundreds of miles of trails suitable for hiking and bicycling exist throughout the Pinelands as well as countless unmarked sand roads that are also used for these purposes.

The Pinelands CMP protects natural resources and promotes recreational opportunities and minimizes land use conflicts by permitting low-intensity, recreational uses in undeveloped areas and directing more intensive recreational uses to developed areas. In order to be certified by the Commission, municipal master plans and land use ordinances must contain a program to protect and enhance recreational resources.

There is a growing interest among public and nonprofit land managers to provide better opportunities for people with disabilities to access recreational resources in the Pinelands and coastal areas of the State through low impact and affordable improvements to suitable, existing trails.

A. Need for Accessible Trails

People with disabilities that impair their ability to enjoy natural places make up a large portion of the population. According to the 2022 U.S. Census estimates, the total population of the seven counties located within the Pinelands National Reserve is about 2.4 million people. Approximately 14% of these individuals, just over 340,000, identify as having a disability. Ambulatory challenges account for 49% of these disabilities.

The percentage of people with disabilities in Stafford Township is 10.2%. Of these individuals, 6.1% identify as having ambulatory difficulties.

The United States Department of Agriculture, Forest Service's Accessibility Guidebook for Outdoor Recreation and Trails, dated 2013, defines accessibility as a facility that complied with accessibility guidelines/standards when it was built or altered. To comply with these standards, trails must be firm and stable, at least 36 inches wide, with no more than a 5% grade (except for short segments), and without gaps or protruding obstacles. Based on these standards, it is likely that the vast majority of existing trails in Stafford Township and the Pinelands National Reserve as a whole are not accessible, because they (1) are not flat due to gaps in the soil, slopes, protruding tree roots and puddles, (2) have sand that is too soft in places for regular wheelchairs or walkers, and (3) are not maintained, so the condition of these trails changes over time.

According to the Forest Service, the best way to integrate accessibility is to design programs and facilities to the greatest extent possible, without separate or segregated access for people with disabilities. The goal is independence, integration, and dignity for all visitors.

B. Health Benefits from Spending Time Outdoors

Although it is intuitive that human health is deeply intertwined with outdoor spaces and the environment, studies have proven the health benefits of spending time outside.¹ This growing body of research supports the theory that that exposure to the natural world has beneficial effects on health, reducing stress and promoting healing.² These studies suggest that nature is not only nice to have, but it's a have-to-have for physical health and cognitive function.

C. Proposed Improvements

Stafford Township is proposing to pave with an asphalt surface approximately 0.34 acres for a length of 2,670 linear feet of existing dirt trails, pave 0.0275 acres of an existing stone parking area with asphalt to create accessible parking spaces and construct a 35 ft. x 6 ft. pedestrian footbridge over the lake's spillway discharge channel.

The project is depicted in the plans entitled "Township of Stafford – Forecastle Lake Park, Plan of Footpath and Accessible Parking Construction," dated October 23, 2023 and prepared by Owens, Little & Associates Inc. (attached hereto as Exhibit A.) The project is located entirely within wetland buffers.

The trail is a total of 0.66 miles (3,470 ft.) long and consists of 3 parts: 1) a 1,580 ft. section from the Breakers Drive parking area to Forecastle Avenue with a 220 ft. side loop in the vicinity of the lake; 2) an 800 ft. section utilizing the existing pavement of Forecastle Avenue connecting to

¹ *Prescribing Nature: A Physician's Perspective on Wellness and the Outdoors*
<https://www.landscapeforms.com/blog/Pages/Prescribing-Nature-Article.aspx>

² *Ecopsychology: How immersion in Nature Benefits Your Health*, Jim Robbins, Yale Environment 360 (2020), <https://e360.yale.edu/features/ecopsychology-how-immersion-in-nature-benefits-your-health>, See also. *Nature and mental health: An Ecosystem Service Perspective*, Bratman et al., Science Advances, July 24, 2019, <https://www.science.org/doi/10.1126/sciadv.aax0903>

Canal Avenue; and 3) an 870 ft. section at the Canal Avenue section of the park with a stub path connecting to Canal Avenue.

Consistent with the United States Forest Service Guidelines³, Stafford Township proposes to make improvements to the existing dirt trails to make them firm, stable and flat from side to side, with a width of 6 ft. and no more than a running slope of 5% along its entire length with a 2% cross slope. The Township proposes to fill and grade a 6 ft. wide portion of the trail within its existing 10 ft width to create a compacted subgrade. Six inches of dense base aggregate will then be placed on top of the subgrade followed by the placement of 2 inches of a HMA (hot mix asphalt) surface course⁴. Stafford Township intends to seed the remaining width of the existing 10 ft wide trail to stabilize it. It will address stormwater runoff generated from the paved trail through installation of stone trenches at the downward sloping edge of the pavement. (See plan entitled “Township of Stafford – Forecastle Lake Park, Footpath and Accessible Parking Construction Details,: dated March 18, 2024, prepared by Owens, Little & Associates, Inc. (Attached hereto as Exhibit B.)

Stafford Township plans to install a 35 ft. by 6 ft. prefabricated footbridge over the existing spillway located at the southerly edge of the lake near NJ Route 72. The footbridge would rest on 2 ft. x 2 ft. concrete abutments that would sit upon 10-inch diameter timber pilings. (See Exhibit B for a typical piling and abutment layout. The final piling and abutment design will be made upon the Township’s selection of the footbridge and would be based on the loading and design detail for same.) The pilings would be vibrated into place to avoid the need for excavation.

Additionally, the Township intends to pave 0.0275 acre of an existing stone-surfaced parking area located off Breakers Drive and to construct four accessible parking spaces there. The parking spaces will measure 8 ft. by 18 ft. Two of the spaces will have an adjacent 5 ft. wide aisle, and the other two spaces will be van accessible with an 8 ft wide aisle. A 6 ft wide aisle will connect the parking area to the accessible trail. The accessible parking spaces will be marked with appropriate signage.

³ US Forest Service Trail Accessibility Guidelines (FSTAG) dated 2013, <https://www.fs.usda.gov/sites/default/files/FSTAG-2013-Update.pdf>. See also <https://www.fs.usda.gov/sites/default/files/FSORAG-2013-Update.1.pdf>

⁴ HMA is a combination of approximately 95% stone, sand or gravel bound together by asphalt cement.

Stafford Township intends to conduct the proposed trail improvements using existing Township staff and resources. Additionally, once the improvements are completed, signage will be installed at each end of the trail advising that the trail is designed to be accessible to those using wheelchairs and that use of motorized vehicles, bicycles and horses is prohibited on the trail. The availability of the accessible trail will be promoted on various websites. Additionally, the Township intends to maintain the trail by conducting quarterly inspections and making repairs as necessary.

IV. MEASURES PROPOSED TO AFFORD AN EQUIVALENT OR BETTER LEVEL OF PROTECTION FOR THE RESOURCES OF THE PINELANDS

The proposed project is expected to result in 0.55 acres of disturbance of wetland buffers, which includes 0.34 acres of asphalt paving for the trail surface. To offset these impacts, Stafford Township is proposing to revegetate a 33,500 sq. ft. area and a 1,500 sq. ft. area, both located in the portion of Forecastle Lake Park adjacent to Canal Avenue. (See Reforestation Plan for Forecastle Lake Walking Path, attached hereto as Exhibit C, See also page 3 of Exhibit A.) Stafford is proposing to restore these areas to their forested state prior to the establishment of the Ocean Acres Residential Community. Prior to clearing, the site was a typical pine-oak upland forest associated with the upper stream terrace of the Mill Creek drainage area. Based on a review of aerial photography, the site has been devoid of forest cover since 1972. Various herbaceous cover types have occupied the field during the ensuing year. Today the site is a sparsely vegetated area dominated by native warm season grasses and punctuated with 47 mature pines, cedars and oaks. Stafford Township is proposing to plant the 33,500 sq. ft. area with 303 new trees intermixed with forest shrubs. Forest Shrubs would also be planted under and between the existing pines, cedars and oaks. In the 1,500 sq. ft. area between the proposed accessible trail and the rear of the homes facing Forecastle Avenue, Stafford is proposing to create a visual buffer comprised of 24 evergreen species and 24 dense shrubs.

V. THE BASIS FOR THE MOA

The Pinelands CMP at N.J.A.C. 7:50-4.52(c)2 authorizes the Commission to enter into intergovernmental memoranda of agreement with any agency of the Federal, State or local government to authorize such agency to carry out specified development activities that may not be fully consistent with the provisions of the CMP. To qualify for a MOA, the governmental entity

must demonstrate, and the Commission must find, that any proposed development that may not be fully consistent with the provisions of the Pinelands CMP is accompanied by measures that will, at a minimum, afford a level of protection for the resources of the Pinelands equivalent to that provided by strict application of the standards of the Plan. As discussed above in Paragraph IV, Stafford Township has proposed measures designed to offset the wetland buffer impacts attributable to the project and these measures will afford, at a minimum, an equivalent level of protection for the resources of the Pinelands.

In accordance with N.J.A.C. 7:50-4.52(c)i, the Commission may also enter into intergovernmental memoranda of agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the provisions of N.J.A.C. 7:50-5 and 6. Execution of this MOA also warrants alternative application procedures because the Township is proposing measures that will afford an equivalent level of protection of the resources of the Pinelands as would be accomplished by application of the standards in Subchapters 5 and 6, which makes the MOA consistent with requirements of the Pinelands CMP.

VI. AGREEMENTS

A. The Township agrees:

1. The proposed improvements to existing Forecastle Lake Park trails will be constructed in accordance with following:
 - a. The Plan entitled “Township of Stafford – Forecastle Lake Park, Plan for Footpath and Accessible Parking, Block 44.117, Lot 8; Block 44.118, Lot 27 and Block 44.119, Lot 29.01, Township of Stafford, Ocean County, New Jersey,” prepared by Owen, Little & Associates, Inc., dated October 23, 2023, consisting of 3 sheets, incorporated herein by reference;
 - b. “Stormwater Management Report, Forecastle Lake Park Footpaths and Accessible Parking, Stafford Township, Tax Block 44.117, Lot 8; Tax Block 44.118, Lot 27; Tax Block 44.119, Lot 29.01, Ocean Acres, Township of Stafford, Ocean County, New Jersey,” prepared by Owen, Little & Associates, Inc., dated October 23, 2023, revised March 18, 2024, incorporated herein by reference; and
 - c. The Plan entitled “Township of Stafford – Forecastle Lake Park, Plan for Footpath and Accessible Parking, Construction Details, Block 44.117, Lot 8;

Block 44.118, Lot 27 and Block 44.119, Lot 29.01, Township of Stafford, Ocean County, New Jersey,” prepared by Owen, Little & Associates, Inc., dated March 18, 2024, consisting of 1 sheet, incorporated herein by reference.

2. It will undertake the following to provide an equivalent level of protection for the resources of the Pinelands:
 - a. Reforestation Areas adjacent to Canal Avenue – 35,000 sq. ft.
 - i. It will revegetate the existing cleared 33,500 sq. ft. and 1,500 sq. ft. areas located within the portion of Forecastle Lake Park adjacent to Canal Avenue in accordance with the standards of the Pinelands CMP at N.J.A.C. 7:50-6.23 through -6.27.
 - b. Accessible Parking at Breakers Avenue Parking Area (1,200 sq. ft.)
 - i. It will construct four (4) accessible parking spaces in the parking area adjacent to Breakers Avenue, two of which will be van accessible. The accessible parking spaces will be marked with appropriate signage.
 - c. Other Offsets
 - i. It will install bollards at the trailhead at each end of the improved trail that is designed to permit pedestrians, wheelchairs, walkers, electric scooters and other mobility assisting devices to enter the trail, while prohibiting entry by off-road vehicles.
 - ii. It will install signage at each end of the trial advising that the trail is designed to be accessible to those using wheelchairs and that use of motorized vehicles, bicycles and horses is prohibited on the trail. It will also promote the availability of the accessible trail on various websites of its choosing.
 - iii. It will conduct quarterly inspections of the trail and make repairs as necessary.
 - iv. Upon completion of reforestation activities in the portion of Forecastle Lake Park adjacent to Canal Avenue, it will monitor the offset areas and,

as necessary, replace any vegetation that has withered or died, and maintain these areas in their reforested state in perpetuity. No portion of these areas may be converted into any use other than forested open space, including, but not limited to active recreational facilities.

3. At least thirty (30) days prior to commencing construction of the proposed improvements to the Forecastle Lake Park Trails, Stafford Township shall provide the following information to the Commission's Executive Director:
 - a. A final reforestation plan for the 33,500 sq. ft. and 1,500 sq. ft. areas in the portion of Forecastle Lake Park adjacent to Canal Avenue. Such reforestation plan shall include:
 - i. A list of the specific type and number of native Pinelands trees and shrubs that will be used in the revegetation of the areas. Temporary fencing shall be installed to protect the reforested areas during maturation of the planted vegetation.
 - ii. A plan showing the locations of the plantings and temporary fencing.
 - iii. A plan for replacement of vegetation that does not survive after planting, and percentage survival rate for replanted vegetation required to ensure viability of the replanted areas in perpetuity.
 - b. A final construction detail for the prefabricated footbridge to be constructed over the spillway near NJ Route 72.
4. To ensure that its staff, as well as any volunteers, who assist with the construction of the proposed project, comply with the obligations of this MOA and all requirements of the Pinelands CMP, unless a deviation therefrom is expressly authorized by this Agreement.
5. To obtain any and all certificates, licenses, consents, approvals, or permits required from any other State and/or Federal entity. No part of this MOA is intended to release the Township and/or any of its consultants, staff, volunteers, assignees, or successors from the responsibility to obtain all required approvals for the project.

6. Incorporate the terms of this MOA, as well as the obligation to comply with all requirements of the Pinelands CMP from which a deviation has not been expressly authorized by this Agreement, into any agreements, contracts, or other legal documents pertaining in any way to the construction of the improvements to the Breakers Drive Parking Area and the trails within Forecastle Lake Park.
7. Any material addition, deviation, or modification to the proposed for the Forecastle Lake Park Trails project as delineated in Exhibit A, shall require the Township to submit a formal public development application in accordance with N.J.A.C. 7:50-4.52(b) to the Commission and seek formal Commission approval of such addition, deviation, or modification. Any construction activities that may have commenced on the Forecastle Lake Park Trails project shall cease and no further development may proceed until the public development application review process has been completed and the Commission has issued a resolution approving the addition, deviation, or modification to the Forecastle Lake Trails project.
8. To the extent that new information becomes available or changes are made to the scope or design of the proposed Forecastle Lake Park Trails project that would result in more than a de minimis change to the impacts to wetland buffers but would not be considered material and subject to Paragraph VI.A.7., the Township shall submit the new information or changes to the Executive Director who shall determine whether the proposed development remains consistent with the terms of this MOA, the requirements of N.J.A.C. 7:50-5 or 6 not addressed by this MOA, and Exhibit A and issue a written consistency determination.
9. If the Executive Director determines that as a result of the new information or any de minimis change to the scope or design of the proposed Forecastle Lake Park Trails project is inconsistent with the terms of this MOA or a standard of the Pinelands CMP from which a deviation has not been expressly authorized by this Agreement or results in increased impacts to threatened or endangered animal species habitat or plant species, or wetland buffers associated with the proposed Forecastle Lake Park Trails project, the Township shall modify the proposed development project(s) until the Executive Director determines that it is consistent with all requirements of this MOA and the Pinelands CMP. If the Township disagrees with the Executive Director's determination, it may file an application for public development pursuant to N.J.A.C. 7:50-4.52(b) and seek formal approval

from the Pinelands Commission of the project. The proposed development project may not proceed until the public development application review process has been completed and the Commission has issued a resolution approving the development project.

10. The terms of this MOA shall immediately be suspended in the event that the Executive Director determines that an unresolved violation of the terms of this MOA, a requirement of the Pinelands CMP for which a deviation is not authorized by this Agreement, or a written authorization issued by the Executive Director has occurred on the site of the Forecastle Lake Park Trails project (Block 44.117, Lot 8; Block 44.118, Lot 27 and Block 44.119, Lot 29.01, Township of Stafford, Ocean County, New Jersey.) The Township shall have thirty (30) days to seek reinstatement of this MOA by providing the Commission with a written agreement itemizing the steps the Township will take to remedy the violation and a timeline for completion of such steps. If the measures and timeline for completion proposed by the Township are acceptable to the Executive Director, following Commission concurrence, she shall issue a letter to the Township reinstating the terms of this MOA. Failure of the Township to complete the measures required to cure the violation or make changes to its submission following staff review within the specified timeline may result in reinstatement of the suspension.

11. The Township shall attend a meeting of the Commission's CMP Policy & Implementation Committee to provide a summary of the project following its completion.

12. The Township shall notify the Commission upon the completion of each component of the project, including improvements to the existing Forecastle Lake Park trails, revegetation of the cleared areas in the portion of Forecastle Lake Park adjacent to Canal Avenue, completion of the paving of the parking area at Breakers Drive and the construction of the accessible parking spots and installation of the gates and signage required in Paragraphs VI.A. 2 above.

B. The Pinelands Commission agrees:

1. The Commission shall not require the filing of formal public development applications in accordance with N.J.A.C. 7:50-4.52(b) for the proposed improvements to the Forecastle Lake Trail and implementation of the offsetting measures set forth in Paragraphs VI.A.1 and 2 above, unless:
 - a. Any of the proposed offsetting measures set forth in Paragraph VI.A.2 are inconsistent with the requirements of this MOA and/or any of the standards of Subchapter 5 and 6 of the Pinelands CMP for which a deviation has not been expressly provided by this MOA, and the Township has not modified the proposed development project to render it consistent with such requirements;
 - b. There is a material addition to, deviation from, or modification to any of the proposed development projects; or
 - c. As a result of new information or any change to the scope or design of the proposed development project(s) submitted to the Executive Director in accordance with Paragraph VI.A.8., the proposed development project is inconsistent with the requirements of this MOA or a standard of the Pinelands CMP from which a deviation has not been authorized by this Agreement or will result in a material increase in the wetland buffers impacts associated with the proposed project for which deviations have been authorized by this MOA, and the Township has not modified the proposed development project to render it consistent with such requirements.
2. Within thirty (30) days of receipt of the information submitted pursuant to Paragraphs VI.A.3 or VI.A.8, the Executive Director will provide written authorization in accordance with Paragraph VI.B.4 or the Commission staff will provide a written explanation of deficiencies in accordance with Paragraph VI.B.3.
3. If the Executive Director determines that any portion of a proposed project is inconsistent with this MOA and/or the provisions of the CMP from which a deviation has not been authorized by this Agreement, then the Commission staff shall provide a written explanation of the deficiencies and identify specific actions that must be taken by the Township to remedy such deficiencies.

4. If the Commission staff determines, after review of information submitted in accordance with Paragraphs VI.A.3 or VI.A.8 and/or in response to any deficiency letter issued by the Commission pursuant to Paragraph VI.B.3, that a proposed project is consistent with this MOA and the provisions of the CMP from which a deviation has not been authorized by this Agreement, it shall issue a written authorization to the Township setting forth this determination. This written authorization shall constitute a public development approval and no further action by the Commission shall be required.
5. In the event of a suspension of the terms of this MOA in accordance with Paragraph VI.A.10, the Executive Director shall, following the Commission's concurrence, issue a letter to the Township reinstating the terms of this MOA following the Township's submission of a written agreement in accordance with Paragraph VI.A.10 and the acceptance of same by the Executive Director and the Commission. The Executive Director retains the right to deem a violation unresolved until such time as the Township has implemented all measures set forth within its written agreement.

VII. EFFECTIVE DATE, DURATION AND SIGNATURES

1. In accordance with N.J.S.A. 13: 18A-5(h), this MOA shall take effect following the conclusion of the Governor's review period and approval of the Pinelands Commission meeting minutes authorizing execution of this MOA and then upon approval and signature by the authorized representatives of all parties.
2. This agreement shall remain in effect unless amended by written consent of both Parties or otherwise terminated or suspended by the Pinelands Commission or terminated by both parties upon sixty (60) days written notice or suspended by the Commission in accordance with Paragraph VI.A.10.
3. This MOA, along with any exhibits, appendices, addendums, or schedules, attached hereto and incorporated herein by reference and any subsequent written amendments executed by the parties, constitutes the entire agreement of the parties, and supersedes all previous understandings and agreements between the parties, whether oral or written. The Parties hereby acknowledge and represent that said parties have not relied on any representation, assertion, guarantee, warranty, collateral contract or other

assurance, except those set forth in this MOA, made by or on behalf of any other party or any other person whatsoever, prior to the execution of this MOA.

4. This MOA may be executed in counterparts. All such counterparts shall constitute an original and all of which together shall constitute one and the same agreement, binding upon the parties. Faxed and electronic signatures shall constitute original signatures.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this MOA on and as of the day and year written below. This MOA shall be executed in at least three (3) original copies, one of which is to be delivered to Stafford Township and two (2) of which are to be delivered to the Pinelands Commission.

Stafford Township

Witnessed:

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: _____
Title: _____
Date: _____

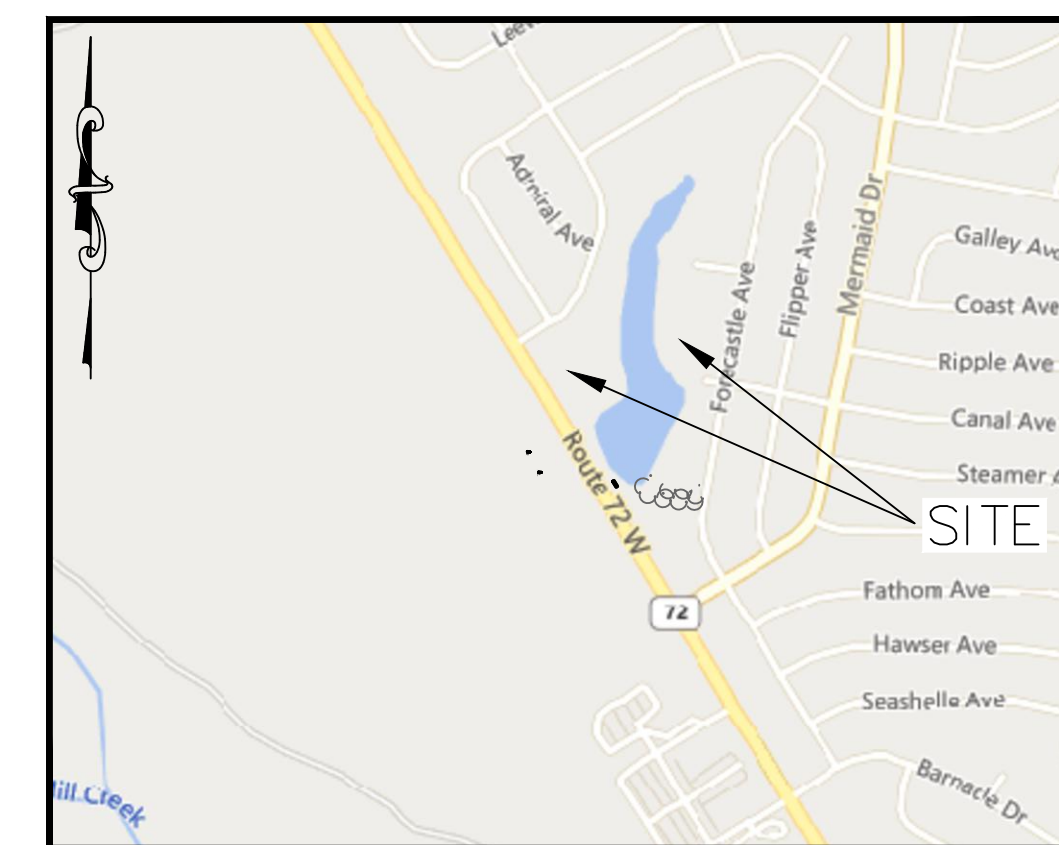
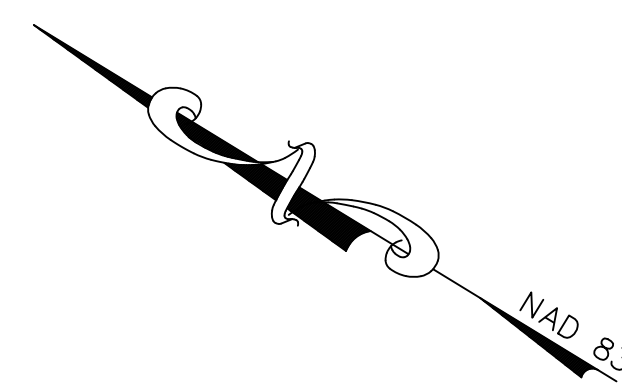
New Jersey Pinelands Commission

Witnessed:

By: _____
Susan R. Grogan
Executive Director
Date: _____

By: _____
Name: _____
Title: _____
Date: _____

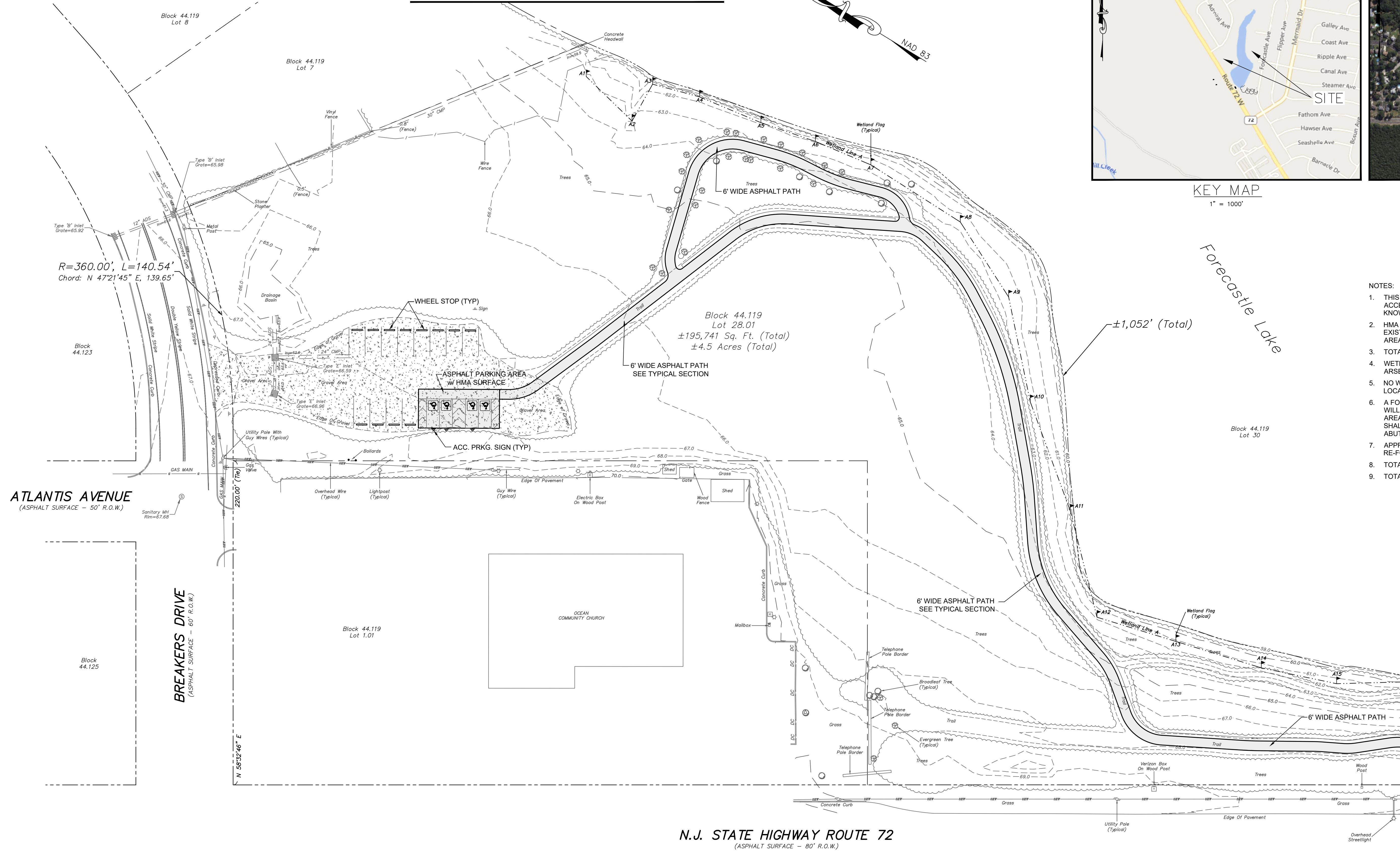
MATCH LINE - SHEET 3



KEY MAP
1" = 1000'



LOCATION MAP
1" = 500'



$R=360.00'$; $L=140.54'$
Chord: N 47°21'45" E, 139.65'

Block 44.119
Lot 28.01
±195,741 Sq. Ft. (Total)
±4.5 Acres (Total)

±1,052' (Total)

ATLANTIS AVENUE
(ASPHALT SURFACE - 50' R.O.W.)

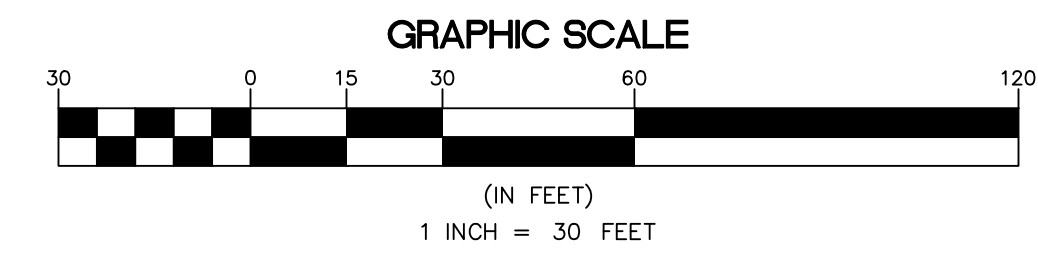
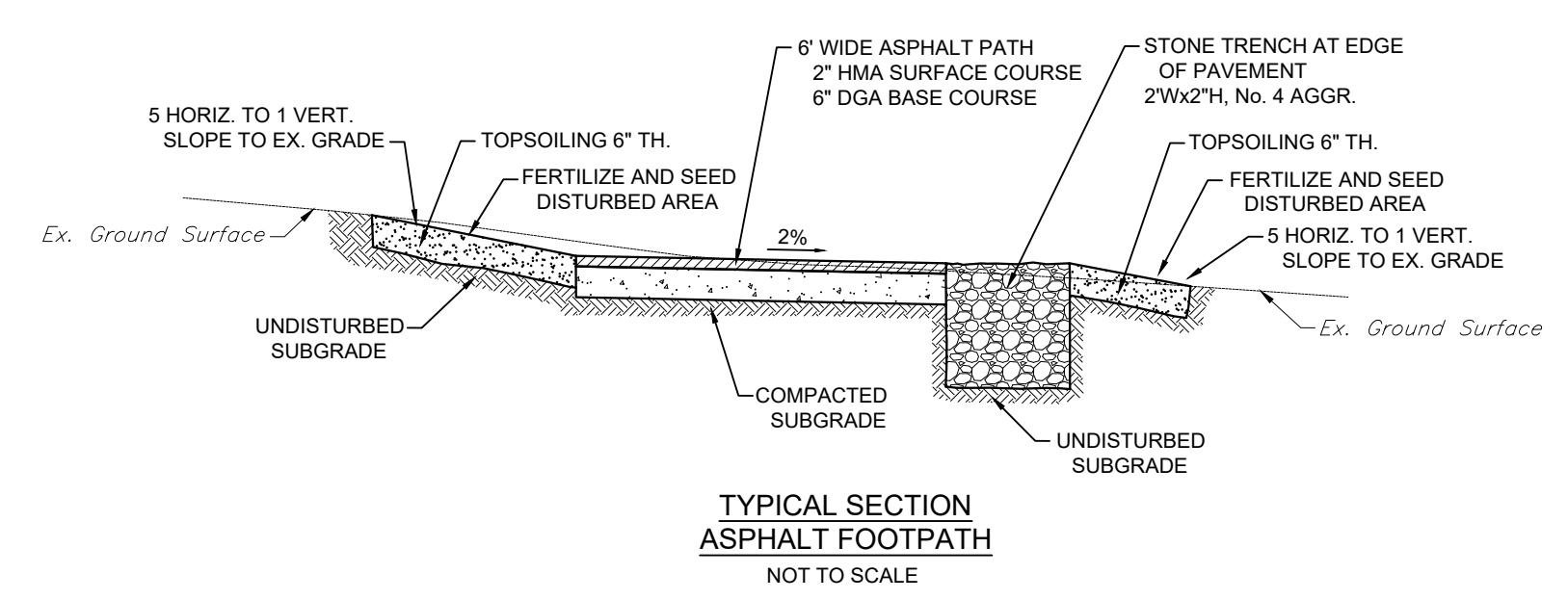
BREAKERS DRIVE
(ASPHALT SURFACE - 60' R.O.W.)

N.J. STATE HIGHWAY ROUTE 72
(ASPHALT SURFACE - 80' R.O.W.)

MATCH LINE - SHEET 2

NOTES:

1. THIS PLAN IS FOR THE CONSTRUCTION OF ASPHALT FOOTPATHS AND AN ACCESSIBLE PARKING AREA WITHIN THE STAFFORD TOWNSHIP LANDS KNOWN AS FORECASTLE LAKE PARK.
2. HMA PAVED FOOTPATHS WILL BE CONSTRUCTED WITHIN AREAS OF EXISTING UN-SURFACED TRAILS AND WITHIN EXISTING GRAVEL SURFACED AREAS. NO VEGETATION IS TO BE REMOVED.
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7. APPROX. 0.85 ACRE OF AREA AT THE CANAL AVENUE PARK SHALL BE RE-FORESTED.
8. TOTAL AREA OF DISTURBANCE IS 0.55 ACRE.
9. TOTAL AREA OF NET IMPERVIOUS COVERAGE IS 0.34 ACRE.



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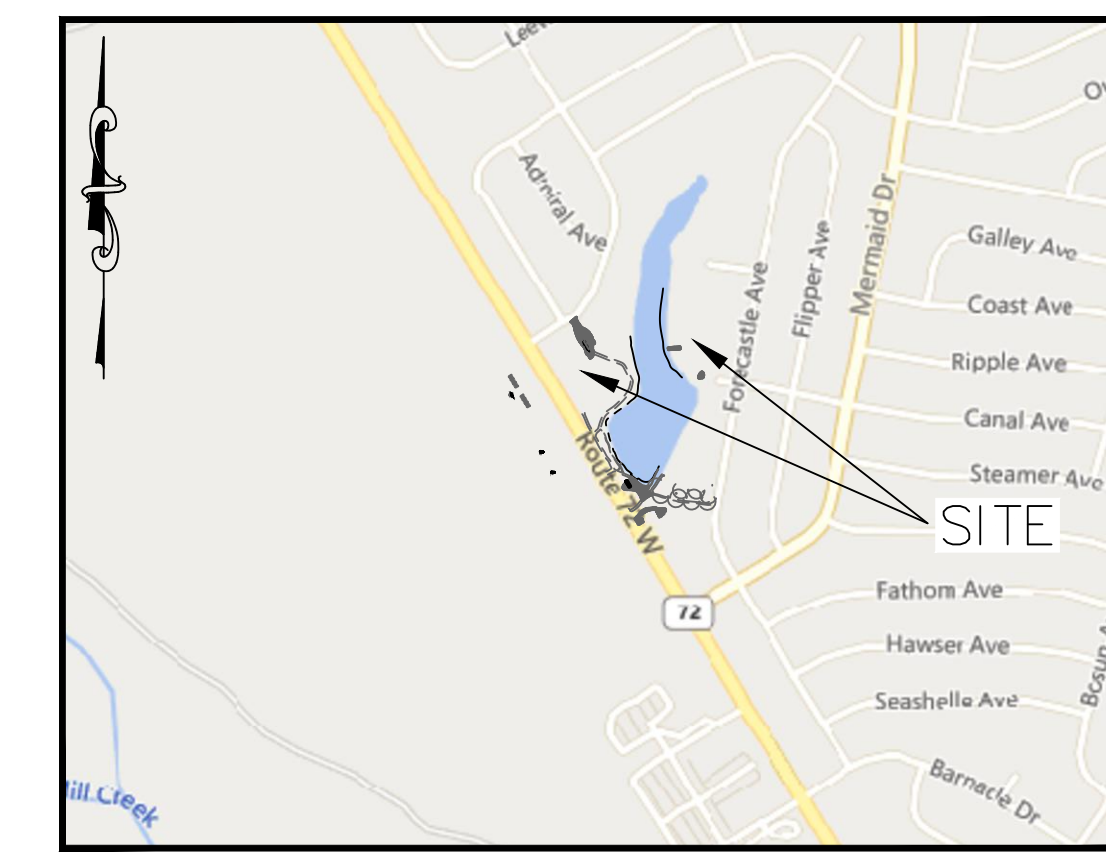
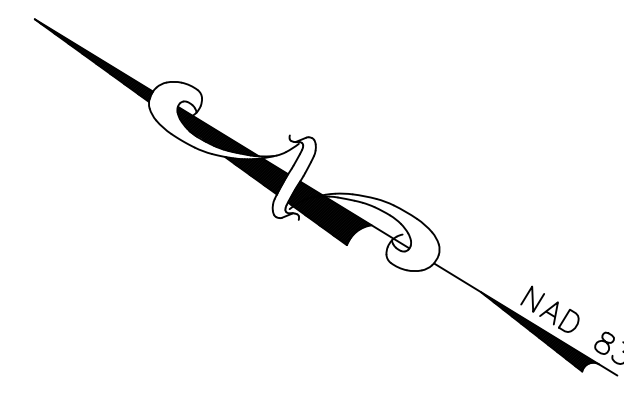
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NO.	DATE	REVISION DESCRIPTION	DRAWN	CHK'D

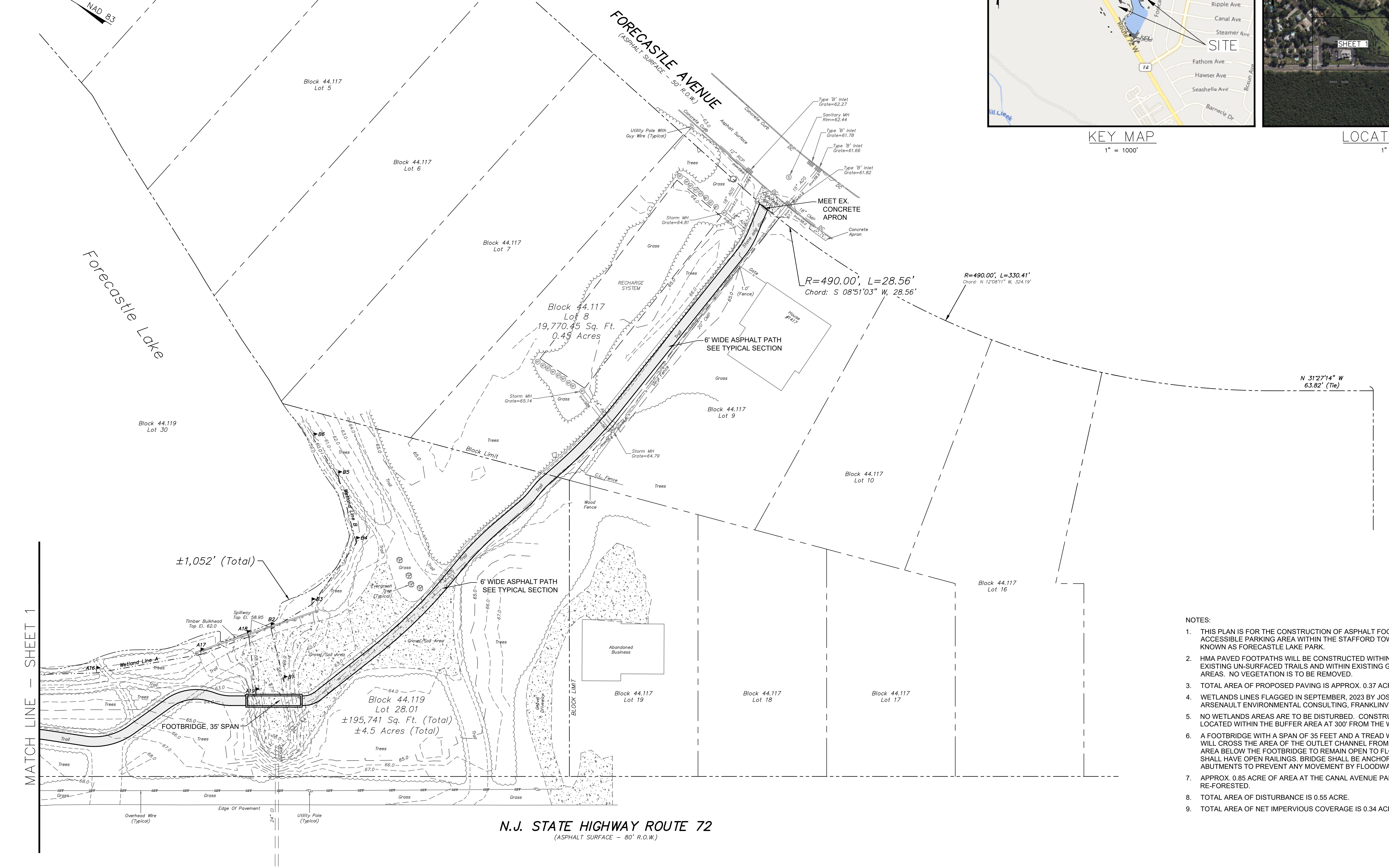
<p>OWEN, LITTLE & ASSOCIATES, INC. Authorization No. 24627985700 Engineers, Planners, Surveyors 443 Atlantic City Blvd. Beachwood, NJ 07002 Tel: 732/244-1392 Fax: 732/241-3412</p>	<p>FRANK J. LITTLE, JR. P.E., P.P.</p>		<p>TOWNSHIP OF STAFFORD - FORECASTLE LAKE PARK</p> <p>PLAN OF FOOTPATH AND ACCESSIBLE PARKING</p> <p>BLOCK 44.119, LOT 8 BLOCK 44.119, LOT 27 BLOCK 44.119, LOT 29.01 TOWNSHIP OF STAFFORD</p>			
	<p>OCEAN COUNTY</p>		<p>NEW JERSEY</p>			
SCALE	DATE	DRAWN	CHK'D	APPROVED FOR CONSTRUCTION	SURVEY & BILLING NO.	DRAWING NO.
1" = 30'	10/23/23	JMW	WJB		23-084501 STAFF(23FORE)	1

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KEY MAP
1" = 1000'

LOCATION MAP
1" = 500'

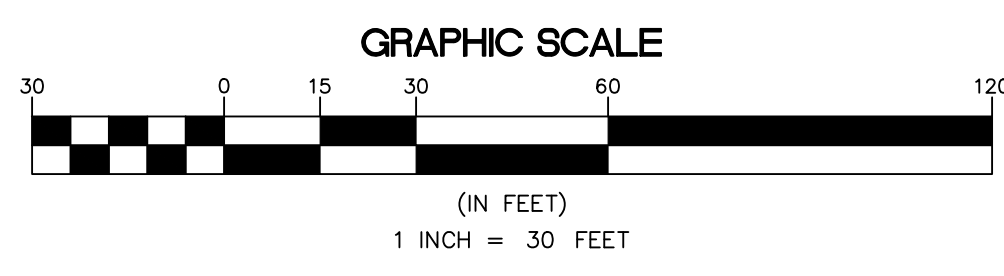
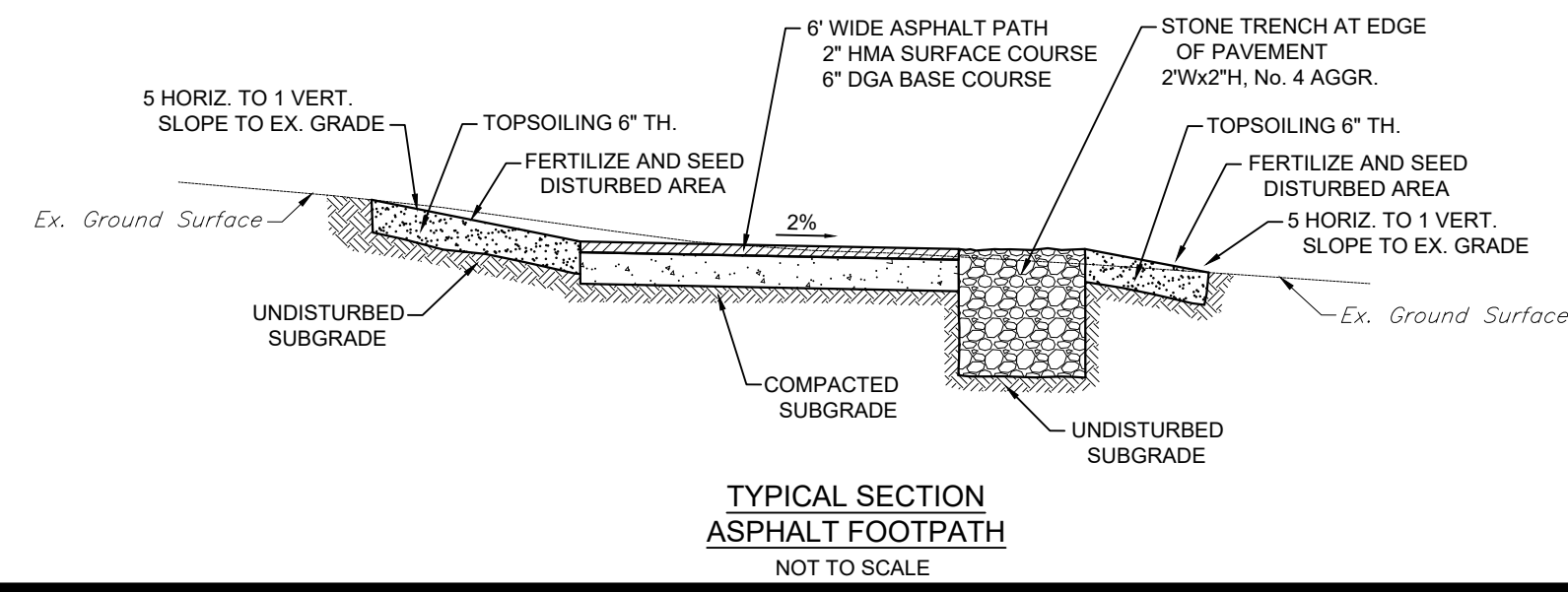


MATCH LINE - SHEET 1

MERMAID DRIVE
(ASPHALT SURFACE - 60' R.O.W.)

N.J. STATE HIGHWAY ROUTE 72
(ASPHALT SURFACE - 80' R.O.W.)

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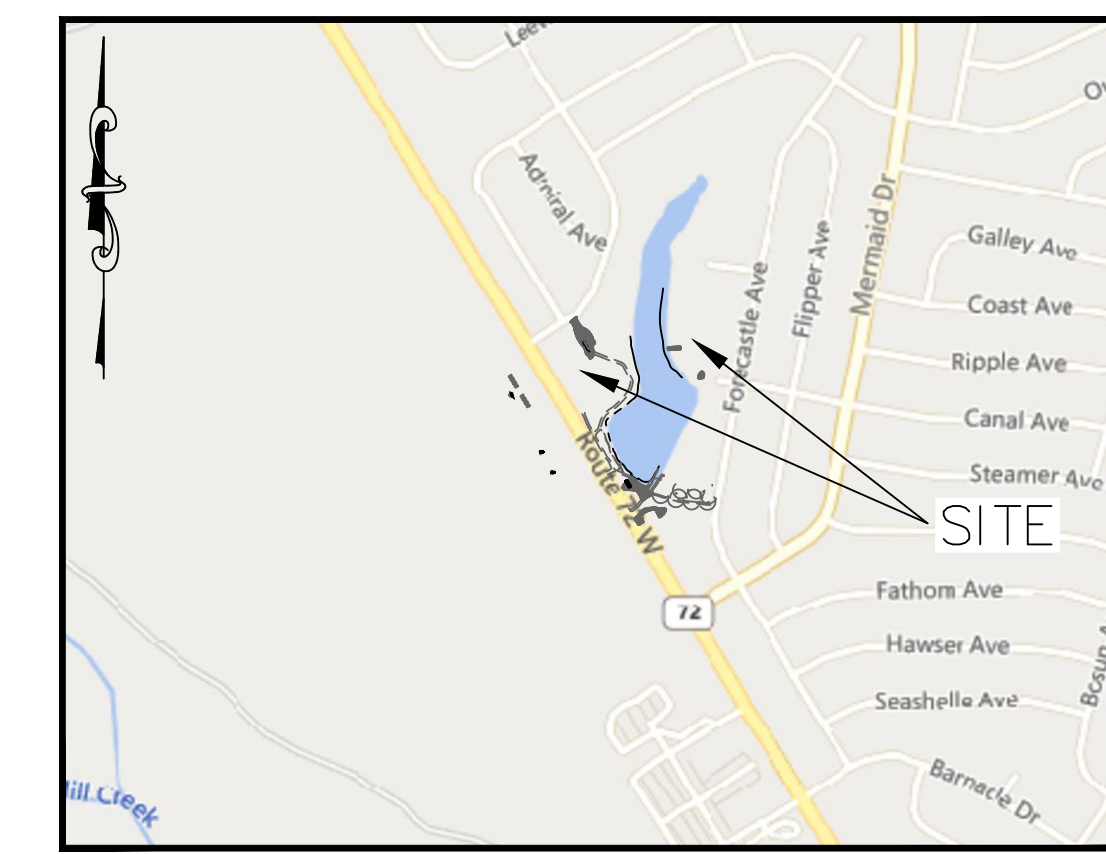
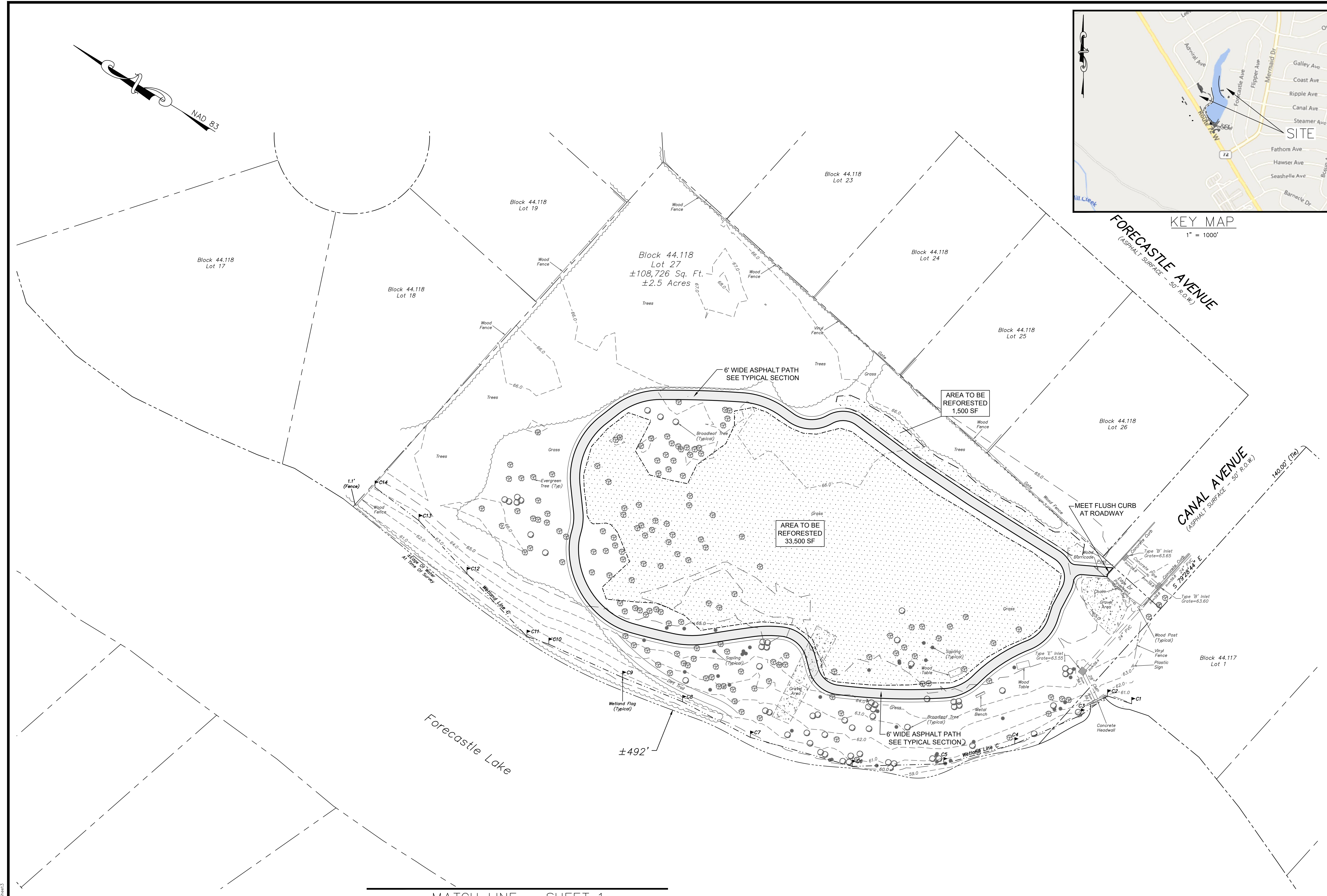
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<p>OCEAN COUNTY NEW JERSEY</p>				
SCALE	DATE	DRAWN	CHK'D	APPROVED FOR CONSTRUCTION
1" = 30'	10/23/23	JMW	WJB	
<p>PROFESSIONAL ENGINEER N.J. LIC. NO. 248E02708500 PROFESSIONAL PLANNER N.J. LIC. NO. 030996</p>				<p>SURVEY & BILLING NO. 23-084501 STAFF(23)FORE</p>
				DRAWING NO.
				2
				3

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MATCH LINE - SHEET 1

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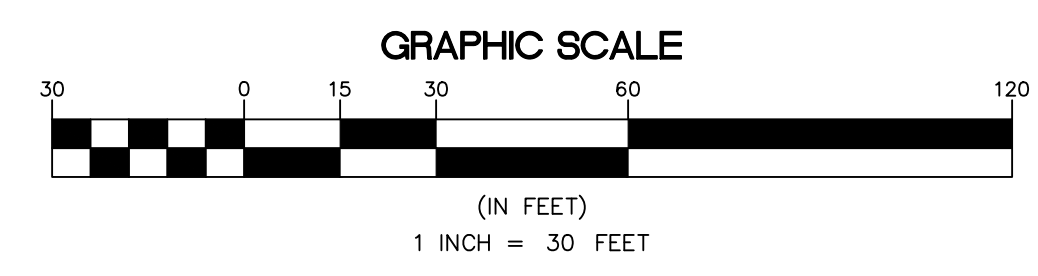
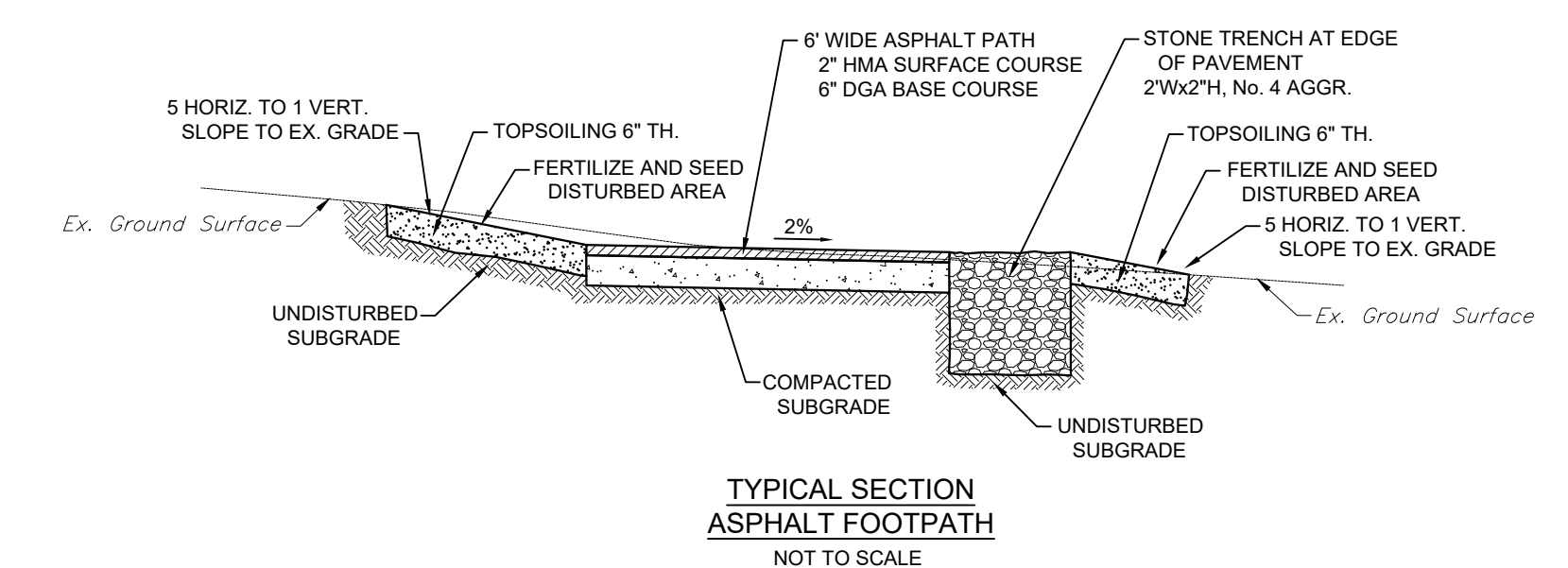
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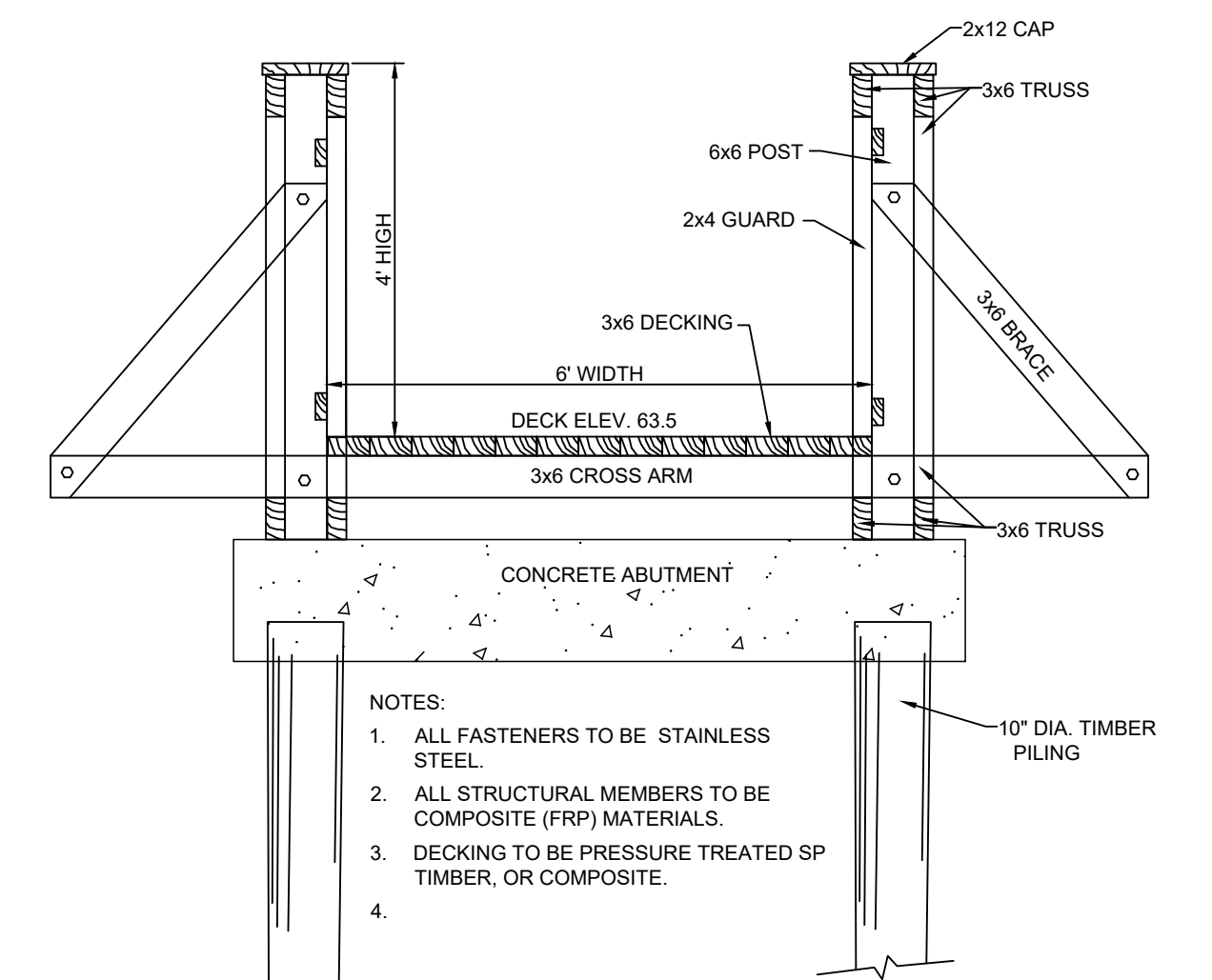
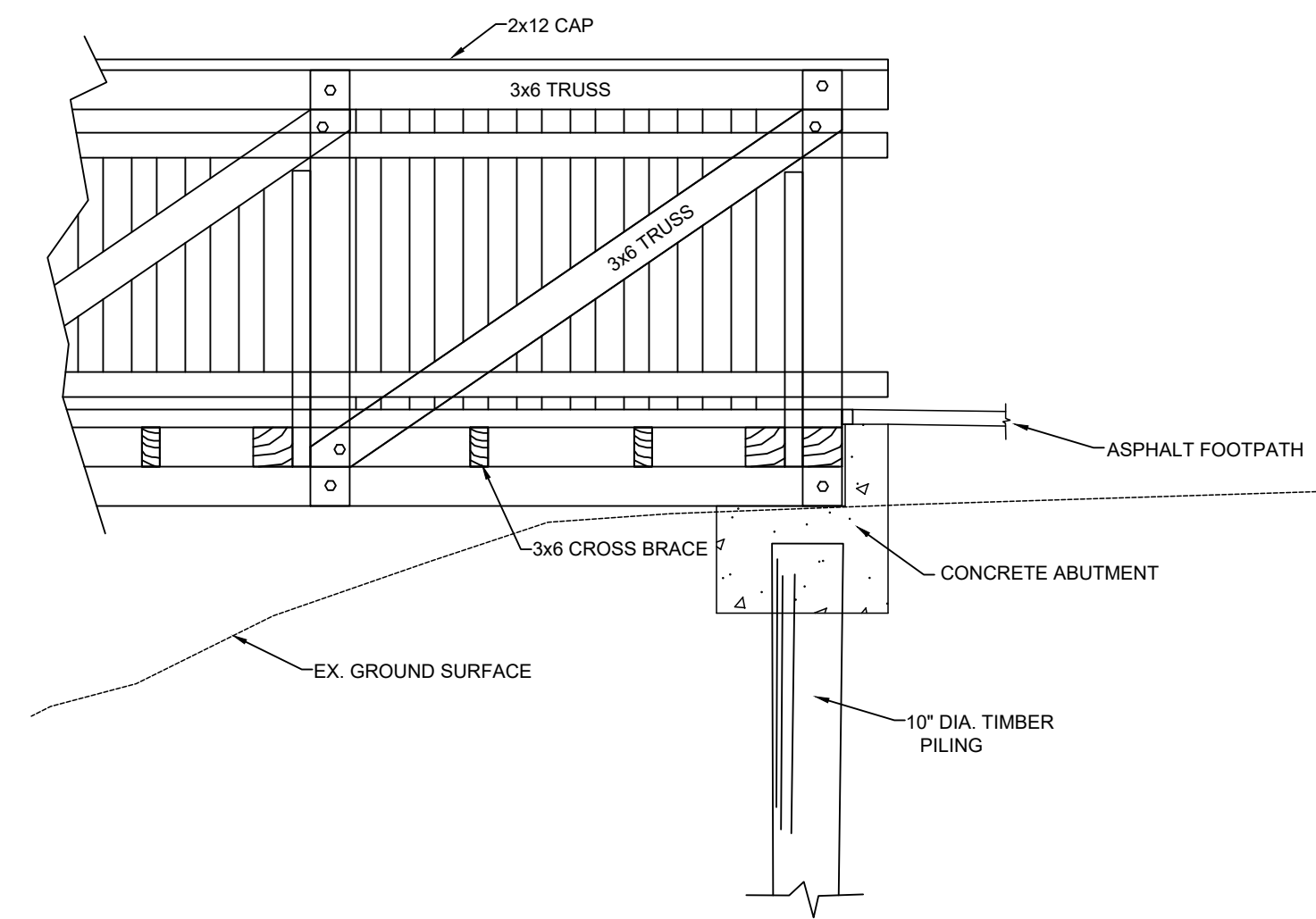
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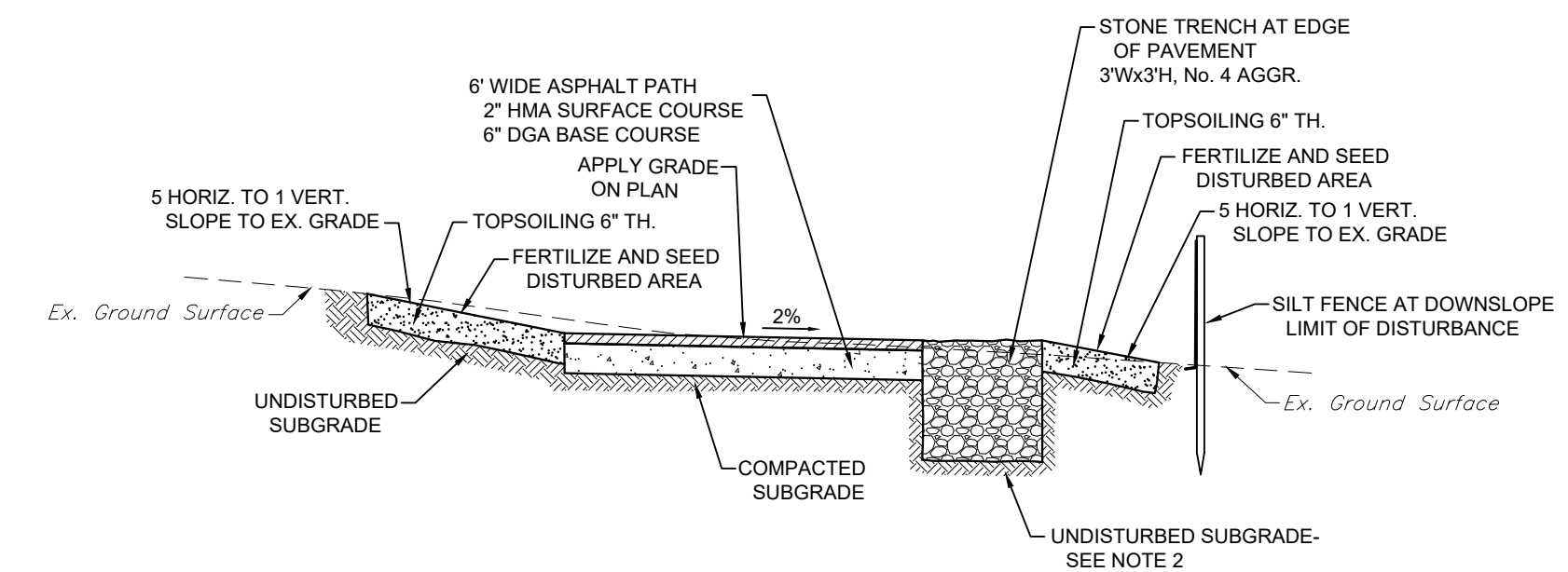
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<p>TOWNSHIP OF STAFFORD - FORECASTLE LAKE PARK PLAN OF ACCESSIBLE PARKING AND FOOTPATH BLOCK 44,118, LOT 8 BLOCK 44,118, LOT 27 BLOCK 44,119, LOT 29.01 TOWNSHIP OF STAFFORD</p>				
<p>OCEAN COUNTY NEW JERSEY</p>				
SCALE	DATE	DRAWN	CHK'D	APPROVED FOR CONSTRUCTION
1" = 30'	10/23/23	JMW	WJB	
SURVEY & BILLING NO.				DRAWING NO.
23-084501				3
STAFF(23FORE)				



**TIMBER TRUSS FOOTBRIDGE
SCHEMATIC CROSS SECTION**

NOT TO SCALE

- NOTES:
1. ALL FASTENERS TO BE STAINLESS STEEL.
 2. ALL STRUCTURAL MEMBERS TO BE COMPOSITE (FRP) MATERIALS.
 3. DECKING TO BE PRESSURE TREATED SP TIMBER, OR COMPOSITE.
 - 4.



**TYPICAL SECTION
ASPHALT FOOTPATH**

NOT TO SCALE

- NOTES:
1. IMPERMEABLE BARRIER OF PVC PLASTIC SHEETING MIN. 10 MIL. THICK (OR EQUIVALENT), TO BE INSTALLED ACROSS STONE TRENCH AT LOCATIONS SHOWN ON PLAN TO SERVE AS WATERSTOP.
 2. WHERE SOILS, AS DETERMINED BY THE ENGINEER, DO NOT MEET THE REQUIREMENT FOR K3 PERMEABILITY, BASED ON INSPECTION OF THE SOILS ENCOUNTERED DURING CONSTRUCTION, THE MUNICIPAL ENGINEER WILL REQUIRE SUITABLE SOIL REPLACEMENT TO A DEPTH OF 2 FEET BELOW THE BOTTOM OF THE TRENCH. THE SOIL PERMEABILITY FOR ANY SOIL REPLACEMENT SHALL BE K3 SOILS OR GREATER.



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		<p>SCALE</p>	<p>DATE</p>	<p>DRAWN</p>	<p>CHK'D</p>	<p>APPROVED FOR CONSTRUCTION</p>
NO SCALE	3/18/24	JMW	WJB		23-084501	4
					STAFF(23FORE)	4

Restoration Plan for Forecastle Lake Walking Path

The Township of Stafford has applied to the Pinelands Commission to create a walking path in the vicinity of Forecastle Lake. The trail would provide public access to Forecastle Lake via an improved path made specifically for the enjoyment of the citizens of Stafford.

The Area: As part of the path design, a 35,000 SF open field at the end of Canal Avenue would be allowed to re-vegetate and become the forest it once was prior to the establishment of the Ocean Acres residential development. Prior to clearing, the site was a typical pine-oak upland forest associated with the upper stream terrace of the Mill Creek drainage. Based on aerial photography, the site has been without a forest cover since 1972. Various herbaceous cover types have occupied the field during the ensuing years, and today it is a thinly covered old field dominated by native warm season grasses punctuated with large, specimen pine and oak trees.

The Plan: The restoration concept is to replace what was there, using the adjacent forest as the template for species selection. The selected species would be dependent on the native nursery availability, as well as the size and quantity availability. The opening supports a scattered open canopy of 47 mature pine, cedars, and oaks. Although included in the 35,000 SF area, no forest trees would be planted under or around the existing specimens. The number of forest trees selected is based on an artificial grid of 10 foot squares, with one tree occupying each square or one per 100 SF. The result is 350 forest trees, minus the existing 47 specimens, to yield a total of 303 forest trees. The forest trees will be planted in 30 clusters of 10 specimens randomly selected from the available stock. They will be spaced 8-10 foot apart, intermixed with forest shrubs. The clusters would be spaced evenly until open area is planted. Shrubs within the re-planted forest would be set at a rate of one shrubs per tree, or 300 shrub specimens. Ten shrubs will be planted within each tree cluster, and the remaining specimens planted under and between the existing pine, cedars, and oaks.

The land between the path and the rear of the homes facing Forecastle Avenue would be visually separated by a planting of 24 evergreen specimens and 24 dense shrubs. White pine and eastern red cedar would be selected as buffer trees, and groundsel bush used as the dense woody shrubs planted in gaps between the evergreen trees.

The tree species: The selection will include 303 specimens from the following list. Three species minimum should be selected from highlighted species, otherwise the choice is based on availability and size. Three wetland tree species, red maple, sweet gum, and black gum, have been added to the selection based on their presence in adjacent forests.

Acer rubrum
Liquidambar styraciflua
Nyssa sylvatica
Pinus echinata
Pinus rigida
Quercus coccinea
Quercus prinus
Quercus alba

Quercus stellata
Sassafras albidum

Sub-canopy Tree Specimens. These specimens are planted at 1/8 rate of the forest tree selection (38). They would be planted between tree clusters, and under existing forest trees.

Amelanchier canadensis
Ilex opaca
Betula populifolia

Buffer Specimens: Planted on a staggered 12' on center pattern, with white pine nearest to homes, eastern red cedar filling the gaps between the pines, and groundsel bush filling gaps between cedars and pines.

Baccharis halimifolia
Pinus strobus
Juniperus virginiana

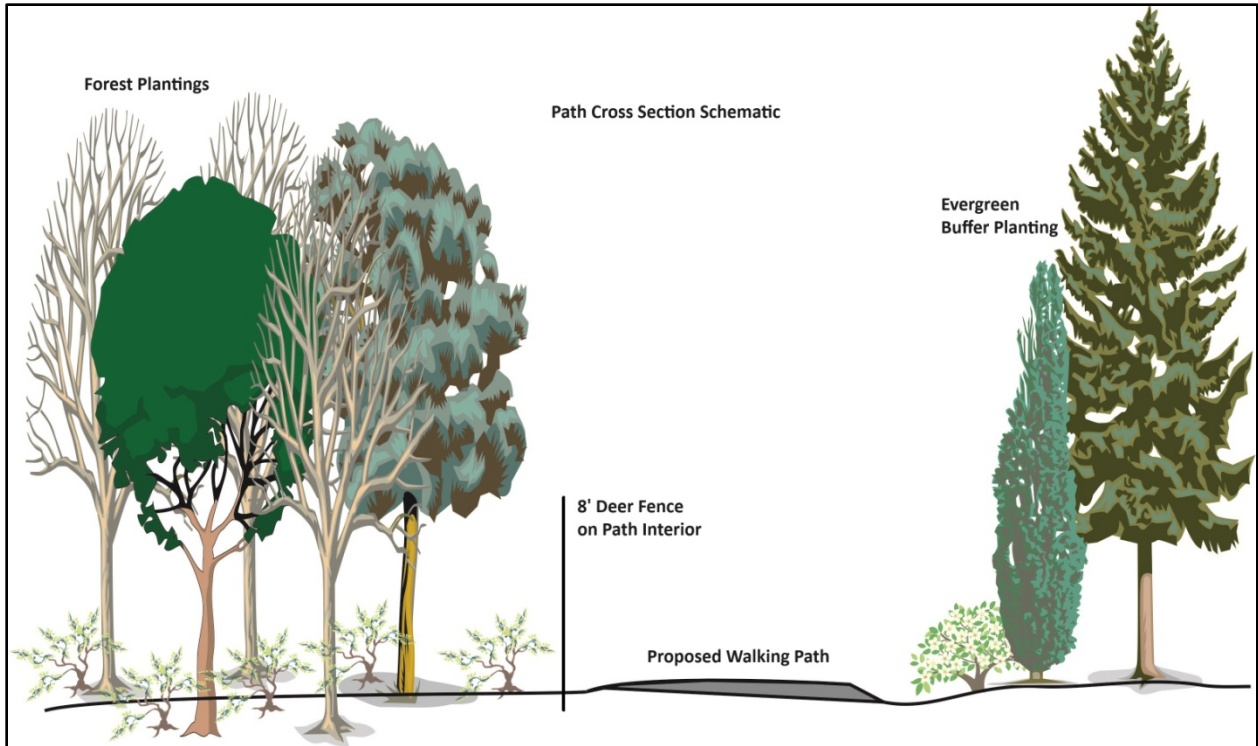
Forest Shrubs: These plants are planted at a rate of 1 shrubs per forest tree. This would provide 300 shrubs, 10 per cluster, remaining planted under existing forest trees.

Ilex glabra-evergreen with black berry
Ilex verticillata-deciduous with red berry
Morella pensylvanica-semi-evergreen with dry berries
Quercus ilicifolia/prinodites-dense multi-stem shrub oaks
Rhus copallina-dense multi-stem shrubs with brilliant red leaves in autumn

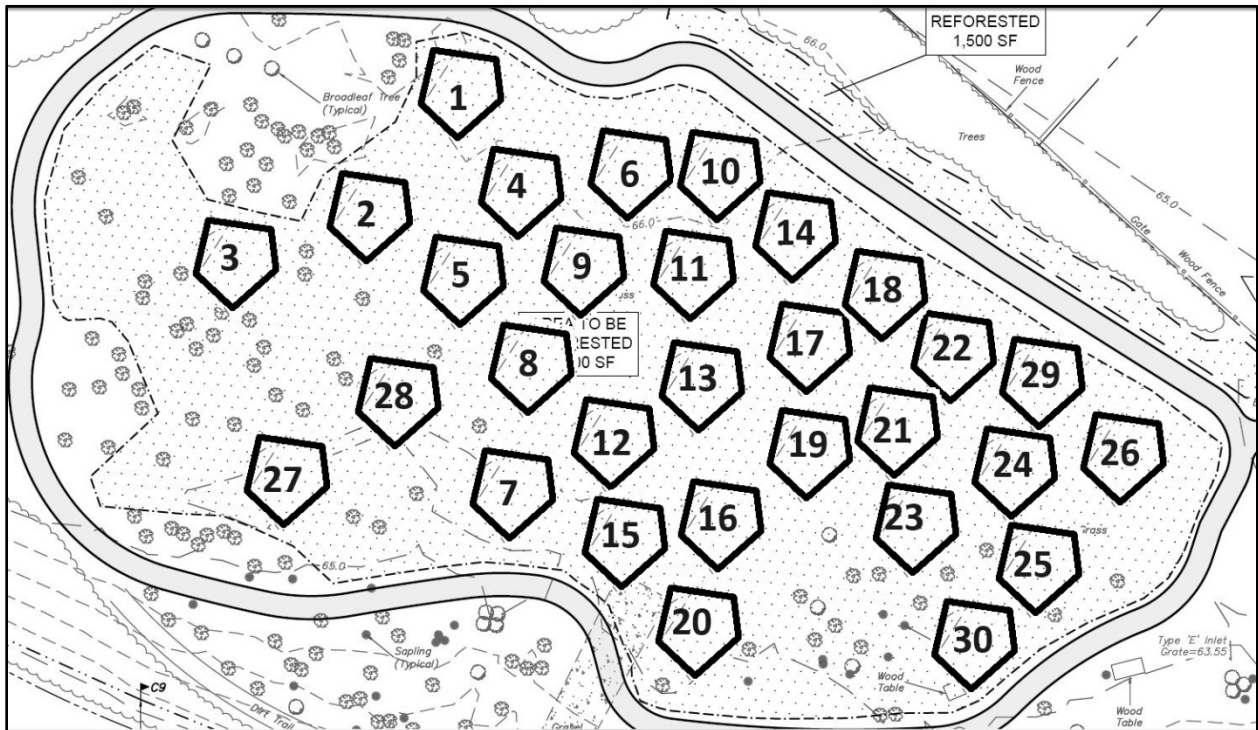
No herbs or seed is specified. The nearby native sources will fill in open areas once the site is planted and isolated from deer and humans.

Total specimens: ~665

forest trees-303
sub-canopy trees-38
buffer trees/shrubs~24 t/s each
forest shrubs-300



Cross section illustration showing path side plantings nearest evergreen buffer.



Thirty clusters to re-establish canopy. Shrubs and sub-canopy trees are planted in between and among clusters. This is to show the number of clusters can occupy the space; their location would be field located.



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



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

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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
 Planning Specialist

Date: August 30, 2024

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed 28 ordinance amendments that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

2023 CMP Amendments/NJDEP Stormwater Management Amendments

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

Berlin Borough Ordinance 2024-12 – amends Chapter 335, Zoning, and Chapter 336, Stormwater, of the Code of Berlin Borough.

Buena Vista Township Ordinance 145-2024 – amends Chapter 115, Development Regulations, and Chapter 248, Stormwater Management, of the Code of Buena Vista Township.

Estell Manor City Ordinances 11-2024 & 12-2024 – both amend Chapter 380, Zoning, of the Code of Estell Manor City. Ordinance 12-2024 additionally amends Chapter 330, Stormwater Management, of the Code of Estell Manor City. Ordinance 12-2024 also responds to the Pinelands Commission's amendments to the CMP stormwater management regulations, adopted January 22, 2022.

Evesham Township Ordinances 12-7-2024 & 13-7-2024 – amend Chapter 160, Zoning, and Chapter 62, Subdivision and Site Plan Design Standards, respectively, of the Code of Evesham Township.

Franklin Township Ordinance O-9-24 – amends Chapter 253, Land Development, and Chapter 335, Stormwater Control Within and Outside Pineland Zone, of the Code of Franklin Township.

Lacey Township Ordinances 2024-15 & 2024-16 – amend Chapter 292, Stormwater Regulations for Pinelands Areas, and Chapter 335, Zoning, respectively, of the Code of Lacey Township.

Medford Township Ordinance 2024-11 – amends Chapter 509B, Stormwater Control in Areas of Medford Township Under the Jurisdiction of the Pinelands Commission, and the Development Regulations of the Code of Medford Township.

North Hanover Township Ordinance 2024-11 – amends Chapter 15, Land Subdivision and Site Plan Review, of the Code of North Hanover Township.

Ocean Township Ordinance 2024-6 – amends Chapter 322, Stormwater Control, and Chapter 410, Zoning, of the Code of Ocean Township.

Pemberton Township Ordinance 20-2024 – amends Chapter 190, Zoning, of the Code of Pemberton Township.

Shamong Township Ordinance 2024-10 – amends Chapter 110, Land Development, of the Code of Shamong Township.

Southampton Township Ordinance 2024-12 – amends Chapter 19, Pinelands Development, and Chapter 21, Waste Disposal/Pollution Control/Stormwater Management, of the Code of Southampton Township.

Stafford Township Ordinance 2024-23 – amends Chapter 130, Land Use and Development, Chapter 181, Soil Removal/Resource Extraction, and Chapter 211, Zoning, of the Code of Stafford Township.

Stafford Township Ordinance 2024-24 – amends Chapter 130, Land Use and Development, of the Code of Stafford Township. The ordinance amends stormwater management regulations applicable to areas of the Township outside of the Pinelands Area. In 2009, the Pinelands Commission certified the Township’s land development regulations and zoning plan for the area of the Township located outside of the State designated Pinelands Area, but within the Pinelands National Reserve.

Vineland City Ordinance 2024-37 – amends Chapter 425, Land Use, of the Code of Vineland City.

Washington Township Ordinances 2024-05 & 2024-06 – amend Chapter 275, Land Development, and Chapter 407, Stormwater Control, respectively, of the Code of Washington Township. Ordinance 2024-06 also responds to the Pinelands Commission’s amendments to the CMP stormwater management regulations, adopted January 22, 2022.

Weymouth Township Ordinance 605-2024 – amends Chapter 155, Land Use, of the Code of Weymouth Township.

Wrightstown Borough Ordinance 2024-12 – amends Chapter 184, Stormwater Management, and Chapter 219, Zoning and Land Development, of the Code of Wrightstown Borough.

Other Ordinances

Barnegat Township Ordinance 2024-14 & 2024-15 – both amend Chapter 55, Land Use, of the Code of Barnegat Township by revising Section 55-191, Trees and Shrubs. Ordinance 2024-14 is applicable within the Pinelands Area and Ordinance 2024-15 is applicable outside the Pinelands. The ordinances provide nearly identical amendments. The ordinances repeal exemptions from tree protection standards for garden centers, surface mining operations and activities within public rights of way. The ordinances increase tree removal application fees and permit fees and revise the Township officials responsible for application review and enforcement of the regulations. Lastly, Ordinance 2024-14 includes additional violation provisions for unpermitted tree removal in conservation easements and/or deed restricted areas within the Pinelands Area portion of the Township. In 2013, the Pinelands Commission certified the Township’s land development regulations and zoning plan for the area of the Township located outside of the State designated Pinelands Area, but within the Pinelands National Reserve.

Dennis Township Ordinance 2024-04 – amends Chapter 163, Stormwater Control, and Chapter 185, Zoning, of the Code of Dennis Township in response to the Pinelands Commission’s amendments to the CMP stormwater management regulations, adopted January 22, 2022.

Manchester Township Ordinance 24-27 – amends Chapter 245, Land Use and Development, of the Township Code. The ordinance amends Section 245-74.1, Mixed Use Development, by revising front- and rear-yard setback requirements as well as off-street parking requirements associated with mixed use development. The ordinance also revises standards for outdoor play areas for child-care centers associated with mixed used development. Lastly, the ordinance provides standards and procedures for technical subdivisions associated with mixed use development. Within the Pinelands Area portion of the Township, mixed use development is permitted in the Pinelands Business (PB-1) District, which is located within a Pinelands Regional Growth Area.

Monroe Township Ordinance O:32-2024 – amends Chapter 175, Land Management, of the Code of Monroe Township by exempting public schools and all public buildings from on-site signage regulations and to revise standards related to temporary signs.

Monroe Township Ordinance O:35-2024 – amends Chapter 175, Land Management, of the Code of Monroe Township by revising zoning permit application requirements related to land surveys. The ordinance also requires that any proposed improvement of 500 square feet or more be reviewed by the Township Engineer for lot grading in accordance with Section 175-117.1.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: To Adopt the Pinelands Commission’s Fiscal Year 2025 Budgets for the Operating Fund, Fenwick Manor Preservation Fund and Pinelands Conservation Fund

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with the continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, the State of New Jersey has appropriated \$3,749,000 to support the Commission's operations during Fiscal Year 2025; and

WHEREAS, the Department of the Treasury has informed the Commission that \$687,000 (29%) of budgeted health benefits and pension costs will be covered through the State’s interdepartmental accounts in Fiscal Year 2025; and

WHEREAS, the Commission anticipates that additional funding sources of \$1,368,000 will be available to further support the Commission's operations, including grants from the National Park Service, the Environmental Protection Agency and the New Jersey Department of Environmental Protection, interest income and application fee revenue; and

WHEREAS, the Fenwick Manor Preservation Fund Budget includes the State’s \$500,000 special appropriation to the Pinelands Commission in Fiscal Year 2023 and \$120,000 from the Commission’s Fenwick Manor Painting Reserve, with all funds to be used for the refurbishment, maintenance and preservation of Fenwick Manor; and

WHEREAS, a financial plan for the Pinelands Conservation Fund (PCF), which includes four programs (Land Acquisition, Conservation Planning and Research, Community Planning and Design and Education and Outreach), was approved by the Commission in April 2005 and last revised in August 2014; and

WHEREAS, the Fiscal Year 2025 budget for the Land Acquisition program totals \$3,027,450 and includes potential expenditure of up to \$3,000,000 for acquisition and preservation of land in the Pinelands Area; and

WHEREAS, the Fiscal Year 2025 budget for the Conservation Planning and Research program totals \$549,324 and

WHEREAS, the Fiscal Year 2025 budget for the Community Planning and Design program totals \$211,230; and

WHEREAS, the Fiscal Year 2025 budget for the Education and Outreach program totals \$70,950; and

WHEREAS, the total Fiscal Year 2025 budget for the Pinelands Conservation Fund is \$3,858,954; and

WHEREAS, the Operating Budget for Fiscal Year 2025 totals \$7,127,603; and

WHEREAS, the Fiscal Year 2025 Operating Budget reflects the continuation of the Energy Conservation Reserve established in Fiscal Year 2023 at the request of the Pinelands Climate Committee, with funds to be used for projects and capital expenditures that foster the Commission’s mission toward improved energy conservation, sustainability and mitigation of greenhouse gas emissions to the greatest extent feasible, consistent with Pinelands Commission Resolutions PC4-20-37 and PC4-22-15; and

WHEREAS, in order to accomplish these and other important initiatives and to continue to carry out the Commission’s regulatory responsibilities, the Fiscal Year 2025 Operating Budget anticipates the need for a \$929,603 draw from the Commission’s unreserved, undesignated fund balance; and

WHEREAS, the remaining unreserved, undesignated fund balance amount is sufficient to cover unforeseen or emergency expenditures in the near future; and

WHEREAS, the Commission’s Personnel & Budget Committee has reviewed the FY 2025 budgets for the Operating Fund, Fenwick Manor Preservation Fund and Pinelands Conservation Fund and has recommended their adoption by the Commission; 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 adopts the attached Fiscal Year 2025 Budgets for the Operating Fund totaling \$7,127,603, the Fenwick Manor Preservation Fund totaling \$1,195,000 and the Pinelands Conservation Fund totaling \$3,858,954.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair

**PINELANDS COMMISSION
OPERATING BUDGET REVENUES
GENERAL FUND
FISCAL YEAR 2025**

Revenue Source	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
State Appropriation	3,249,000	3,399,000	3,549,000	3,749,000	1
State Supplemental Funding (Fringe Benefits)	687,000	687,000	687,000	687,000	2
Interest Income	4,000	6,500	75,000	100,000	3
NPS - Long Term Environmental Monitoring	155,400	145,055	138,975	160,545	4
NPS - Long Term Economic Monitoring	142,600	152,945	159,025	137,455	4
EPA - Micro	95,000	0	0	0	
EPA - Kingsnake	225,000	85,000	92,500	92,500	5
NJDEP Box Turtle	0	0	90,000	90,000	6
Timber Rattlesnake Study				32,500	7
Wetlands Permitting	1,000	6,000	5,000	5,000	8
Pinelands Application Fees	500,000	650,000	700,000	750,000	9
TOTAL REVENUE	5,059,000	5,131,500	5,496,500	5,804,000	
Microfilm Reserve Anticipated	3,650	0	0	0	
Computer Reserve Anticipated	18,420	0	0	0	
Fenwick Manor Painting Reserve Anticipated	120,000	120,000	120,000	0	10
Energy Conservation Reserve	0	500,000	375,000	370,000	11
Regulatory Programs Shelving Reserve	0	0	10,000	15,000	12
Administrative Assessment (PCF)	60,000	60,000	9,000	9,000	13
Undesignated Fund Balance Anticipated	705,132	688,078	886,395	929,603	14
TOTAL OTHER INCREASES	907,202	1,368,078	1,400,395	1,323,603	
TOTAL REVENUE AND OTHER INCREASES	5,966,202	6,499,578	6,896,895	7,127,603	

PINELANDS COMMISSION
OPERATING BUDGET EXPENDITURES
GENERAL FUND
FISCAL YEAR 2025

Expenditure Account	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
PERSONNEL					
Salaries & Wages	3,021,984	3,374,398	3,783,408	3,938,758	15
Fringe Benefits	1,910,905	2,188,901	2,250,922	2,337,651	16, 17
TOTAL PERSONNEL	4,932,889	5,563,299	6,034,330	6,276,408	
SUPPLIES					
Printing & Office Supplies	26,420	34,040	36,675	37,550	18
Vehicular Supplies	10,900	11,400	12,600	12,600	19
Household Supplies	10,400	18,420	12,100	12,200	20
Fuel & Utilities	42,500	47,500	50,000	51,000	21
Other Supplies	41,492	36,842	30,246	40,947	22
TOTAL SUPPLIES	131,712	148,202	141,621	154,297	
SERVICES					
Travel	5,925	4,190	10,713	10,475	23
Telephone	45,120	46,120	45,900	46,350	24
Postage	2,175	1,725	1,750	1,600	25
Insurance	59,225	64,260	72,760	77,275	26, 27
Information Processing	108,861	126,835	135,847	153,032	28
Household Services	2,600	4,600	3,700	4,400	29
Professional Services	462,728	222,500	259,540	190,500	30
Other Services	35,717	35,147	27,313	31,065	31
TOTAL SERVICES	722,351	505,377	557,523	514,697	
MAINTENANCE & RENT					
Maintenance - Buildings & Grounds	94,000	75,500	81,000	91,000	32
Maintenance - Equipment	21,350	23,500	26,400	25,500	33
Maintenance - Vehicular	6,720	9,720	5,720	6,300	34
Rent - Other	10,550	10,350	8,900	7,900	35
TOTAL MAINTENANCE & RENT	132,620	119,070	122,020	130,700	
IMPROVEMENTS & ACQUISITIONS					
Acquisitions - Equipment	10,130	106,630	10,300	12,500	36
Acquisitions - Information Processing Equipment	36,500	57,000	31,100	39,000	37
TOTAL IMPROVEMENTS & ACQUISITIONS	46,630	163,630	41,400	51,500	
TOTAL EXPENDITURES	5,915,074	6,499,578	6,896,895	7,127,603	38,39,40

PINELANDS COMMISSION
OPERATING BUDGET
FISCAL YEAR 2025 NOTES
August 16, 2024

1. The adopted state budget includes a FY 2025 State Appropriation to the Commission in the amount of \$3,749,000.
2. State Supplemental Funding (Fringe Benefits) totaling \$687,000 helps to offset the Commission's health and pension costs. Since FY 2004, the Department of the Treasury agreed to help the Commission finance its escalating health benefits premiums through an Interdepartmental Account. Beginning in FY 2009, the amount of assistance was calculated using projected health and pension costs not funded through other sources. Using this calculation, the Commission requested \$838,218 in FY 2012, \$837,927 in FY 2013, \$844,809 in FY 2014 and \$840,455 in FY 2015 but was only approved to receive \$687,000. No increase in funding occurred between FY 2016-FY 2024. The FY 2025 budget once again anticipates receipt of only \$687,000.
3. Interest Income is earned in the Commission's checking account and the cash management fund designated for general use. Interest income for the Pinelands Conservation Fund is reflected in the budgets for those programs. Interest rates have fluctuated in recent years, greatly affecting interest income. The Federal Reserve may decrease interest rates beginning in Fall of 2024.
4. The Commission is entering its 29th year of the Environmental and Economic Long Term Monitoring programs, funded in part by a \$298,000 from the National Park Service.
5. The EPA Kingsnake Study remains an active grant; staff will continue their work in Fiscal Year 2025.
6. The Commission anticipates receiving grant funding from NJDEP for the continuation of the Box Turtle study that began in FY 2022.
7. New in FY 2025 is the use of the remaining funds (\$32,500) provided through the 2000 Sanctuary settlement agreement for tracking and monitoring of Timber Rattlesnakes.
8. The anticipated revenue from the NJDEP Wetlands Permitting program that the Commission helps to administer reflects the estimated permit fees to be received and is authorized through language in the Appropriations Act.
9. Application Fees of \$750,000 are anticipated to be received during FY 2025. This important component of the Commission's Operating Budget fluctuates tremendously from month to month. This funding source will be closely monitored throughout the fiscal year.

10. The Fenwick Manor Painting Reserve was established in FY 2015 to earmark funds for exterior painting of Fenwick Manor. Funds were added annually as follows: \$40,000 in FY 2015; \$40,000 in FY 2016; \$20,000 in FY 2017 and \$20,000 in FY 2018. All funds(\$120,000) have been transferred to the Fenwick Preservation account.

11. FY 2025 will be the third year of the Commission's Energy Conservation Reserve. This reserve is for projects and capital expenditures that foster the Commission's mission toward energy conservation and sustainability. Potential projects include installation of an electric vehicle charging station and necessary electrical upgrades, retention of a solar facility expert to assess the feasibility of installing a solar energy facility on the Commission's property, development of a long-term plan for replacement of the Commission's existing HVAC systems and other initiatives recommended in the Local Government Energy Audit reports or by the Pinelands Climate Committee. Grants available to state agencies will also be pursued.

12. The FY 2024 budget reflected establishment of the Regulatory Programs Shelving Reserve. The current automated shelving system has reached its life expectancy of twenty years. An additional \$15,000 is being added to the reserve in FY 2025 so that the Commission will be prepared when the shelving needs to be replaced.

13. In April 2005, the Commission adopted a financial plan for the Pinelands Conservation Fund, which was amended in 2014. Included in the original plan was an annual administrative assessment of \$60,000 (see Pinelands Conservation Fund budget note #3). FY 2025 will see the continued reduction of the administrative assessment to \$9,000.

14. The projected amount needed from the Undesignated Fund Balance to balance the FY 2025 budget deficit is \$929,603.

15. The Commission's authorized staffing level is 66 full time equivalent positions (FTEs). Since FY 2007, unfilled vacancies have steadily increased to a total of 22 unfilled full time equivalent positions, or more than 33% of the authorized staffing level. The FY 2025 salaries and wages budgets (Operating and Pinelands Conservation Fund) finance only 44 of the 66 authorized full time equivalent positions.

16. The fringe benefits budget includes expenditures for the employer's share of Social Security (\$200,000), Medicare (\$60,000), disability insurance (\$1,000), flexible savings accounts (\$1,500) and miscellaneous administrative charges (\$500). The employer liability of pension related funds is estimated at \$700,000. The Commission's escalating health benefit premiums for active and retired employees are estimated at \$1,307,000 with a \$215,000 reduction for coinsurance payments from staff members. Also included is \$20,400 for dental insurance premiums and \$500 for participation in the Employee Advisory Service.

17. Upon Commission approval of the FY 2025 Operating Budget, the Executive Director will be authorized to pay the employer share of Social Security and Medicare at an amount not to exceed the budgeted funding of \$260,000.

18. The printing and office supplies budget includes expenditures for printing; office, computer, mailing, copying, and meeting supplies; office and computer equipment with an item cost of less than \$1,000; reference materials; scientific report printing/publication; and staff and Commissioner service awards. Grant-related expenses account for \$2,900 of this budget.
19. The majority of the vehicular supplies budget covers gasoline for Commission vehicles. Other costs budgeted in this account include replacement tires, supplies used for routine vehicular maintenance and other miscellaneous supplies such as keys, mats, scrapers and first aid kits.
20. The household supplies budget provides for the purchase of materials to perform minor buildings and grounds maintenance, cleaning supplies, household paper products, basic kitchen supplies, household equipment costing less than \$2,000 and other operating supplies.
21. The fuel and utilities budget covers expenditures for heating fuel, electricity, water and sewer.
22. The other supplies budget covers expenditures for supplies and equipment (less than \$1,000) supporting map-making, scientific research, fieldwork, and photographic needs. Grant related expenditures are a significant portion (over 99%) of this account, totaling \$40,247 for FY 2025.
23. The travel budget covers reimbursements to Commissioners and staff for business mileage on their personal vehicles, tolls and parking, and meal allowances.
24. The telephone budget includes basic service, toll charges, the service cost of a data circuit, conference calls, and cellular phone service.
25. The postage budget finances general postage fees, parcel delivery charges and post office box rental charges. Over the last several years, this account has decreased as more correspondence is sent electronically, including letters, reports, and public outreach materials.
26. The insurance budget covers estimated premiums for automobiles, general liability, fire, theft, workers compensation, volunteers, and the umbrella liability policy.
27. Upon Commission approval of the FY 2025 Operating Budget, the Executive Director will be authorized to pay the State's insurance broker an amount not to exceed the budgeted funding of \$77,275 to cover the Commission's insurance premiums.
28. The FY 2025 budget for information processing includes \$137,782 for software maintenance agreements and data purchases, \$6,500 for payroll processing, \$3,000 for database administration services and \$1,250 for online legal services. Over \$4,500 of this budget is reimbursable through grants or special revenue.
29. The household services budget covers trash removal, alarm (security and fire) monitoring, and exterminating services.

30. The professional services account covers expenditures for legal fees, technical and consulting services, and other miscellaneous services. Estimated costs include \$50,000 for legal fees associated with DAG services; \$35,000 for labor counsel and \$2,000 for publication of the Commission's rulemaking documents by the Office of Administrative Law. Grant-related technical services totaling \$12,000 are budgeted.

31. Expenditures in the other services budget include annual subscriptions (\$2,500), required memberships and professional licenses (\$4,860); meeting expenses (\$2,000); advertising (\$2,525), research related fees (\$1,100), training (\$17,430), and banking fees (\$650).

32. The maintenance buildings and grounds budget for FY 2025 includes an estimated cost for implementation of Energy Efficiency measures and installation of an Electric Vehicle Charging Station (the cost of which may be partially offset by grant funding). The remaining amount is available for minor maintenance services (plumbing, electrical, HVAC, Tree Trimming, etc.).

33. The maintenance - equipment budget provides for the inspection, maintenance and repair of certain building systems and other equipment.

34. The maintenance vehicular budget finances routine maintenance, vehicular fees, and repairs, including any needed body work not performed by the Commission's Maintenance Technician.

35. The FY 2025 budget includes \$300 for the postage meter, \$3,000 for the lease of (1) black and white copier, and \$100 for excess copy charges. Leasing of a Large Format Scanner for \$2,500 per year is also included to facilitate scanning and saving of site plans and zoning maps.

36. The acquisitions - equipment budget contains \$10,500 for scientific equipment supporting grant related projects and \$2,000 for unanticipated telephone system expenses.

37. The acquisitions - information processing equipment budget includes the replacement of outdated computers and servers.

38. The total estimated Operating Budget expenditures for FY 2025 equal \$7,127,603. During the fiscal year, certain unforeseen and/or emergency expenditures may become necessary. The Personnel and Budget Committee has discussed this issue and recommends that the Executive Director be authorized to exceed the budget of an expenditure category (personnel, supplies, services, maintenance/rent, improvements/acquisitions) by no more than 10% provided that funds are available in other expenditure categories to ensure that the total Operating Budget is not exceeded and provided further that the combined salary budgets for the Operating Fund and the Pinelands Conservation Fund do not exceed \$4,352,212.

39. Several expenditure account budgets include funding for various services and benefits that are reimbursed to the State of New Jersey and are over the Executive Director's authorized contracting limit of \$250,000 (OMB 24-16-DPP). These consist of employee health benefits and the employer liability assessed by the Division of Pensions.

40. Upon Commission approval of the FY 2025 Operating Budget, the Executive Director will be authorized to pay the State of New Jersey for the aforementioned items in an amount not to exceed the budgeted funding.

**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2025 BUDGET**

Revenue Source	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
Interest Income - Land Acquisition	1,050	5,100	45,000	100,000	1
Interest Income - Conservation Planning & Research	1,800	5,000	30,000	45,000	1
Interest Income - Community Planning & Design	900	2,800	25,000	35,000	1
Interest Income - Education & Outreach	1,100	950	5,000	8,000	1
SJTA - MOA	500,000	500,000	500,000	0	2
Total Revenue	504,850	513,850	605,000	188,000	
Cancellation of Prior Year Encumbrances	0	0	0	0	
Reserves for Pinelands Conservation Activities	538,782	446,981	359,866	3,670,954	
Total Revenue/Other Sources Anticipated	1,043,632	960,831	964,866	3,858,954	

Expenditure Account	FY2022 Unaudited	FY2023 Unaudited	FY2024 Unaudited	FY2025 Anticipated	Notes
<u>Land Acquisition</u>					
Salaries & Wages	20,000	5,000	12,000	15,000	
Fringe Benefits	10,600	2,650	8,160	11,550	
Land Acquisition	0	0	0	3,000,000	2
Printing & Office Supplies	0	600	600	600	
Travel	0	100	300	300	
Total Land Acquisition Expenditures	30,600	8,350	21,060	3,027,450	4

Conservation Planning and Research

Salaries & Wages	363,812	372,616	365,224	284,454	
Fringe Benefits	192,820	191,937	248,352	219,030	
Printing & Office Supplies	0	0	4,250	4,200	
Other Supplies	15,500	35,150	25,610	25,900	
Travel	5,421	7,421	4,100	4,000	
Information Processing	500	1,110	1,110	610	
Technical Services	5,300	0	0	0	
Professional Services	88,199	67,647	0	0	
Other Services	75	330	6,230	5,130	
Acquisitions - Equipment	3,400	6,800	3,000	3,000	
Administrative Assessment	20,000	20,000	3,000	3,000	3
Total Conservation Planning/Research Expenditures	695,027	703,011	660,876	549,324	5

Community Planning and Design

Salaries & Wages	101,000	90,000	94,000	89,000	
Fringe Benefits	53,530	42,370	63,920	68,530	
Printing & Office Supplies	100	200	50	50	
Travel	0	0	110	50	
Postage	500	500	600	250	
Information Processing	250	750	250	250	
Other Services	275	250	100	50,100	
Administrative Assessment	20,000	20,000	3,000	3,000	3
Total Community Planning/Design Expenditures	175,655	154,070	162,030	211,230	6

Education and Outreach

Salaries & Wages	75,000	40,000	65,000	25,000	
Fringe Benefits	39,750	21,200	44,200	19,250	
Printing & Office Supplies	0	2,000	0	0	
Travel	100	100	100	200	
Other Supplies	1,600	4,500	7,200	3,500	
Other Services	5,000	7,600	1,400	18,000	
Acquisitions - Equipment	900	0	0	2,000	
Administrative Assessment	20,000	20,000	3,000	3,000	3
Total Education and Outreach	142,350	95,400	120,900	70,950	7

Total Expenditures	1,043,632	960,831	964,866	3,858,954	
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PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2025 BUDGET NOTES
August 16, 2024

1. The funds provided from Atlantic City Electric (formerly Conectiv) and other related revenue sources are kept in four separate cash accounts, one for each program of the Fund. The FY 2025 estimated interest income totals are anticipated to reach \$188,000 and are comprised of interest income from the four cash accounts. All interest income stays within the particular program and is available to help fund the associated projects. The Federal Reserve is considering dropping interest rates starting in Fall 2024 and during 2025.
2. This revenue results from the SJTA MOA Amendment executed in April of 2019, under which SJTA is required to contribute a total of \$3,000,000 for land acquisition in the Pinelands Area. The Pinelands Commission has received all six annual payments of \$500,000.00. PCF land acquisition grants are expected to be awarded in Fiscal Year 2025.
3. The financial plan that designated the three original programs within the Fund (Land Acquisition, Conservation Planning & Research and Community Planning & Design) was approved by the Commission in April 2005 and included a \$20,000 annual assessment from each program to cover administrative expenses as described in Operating Budget note #12. The Commission amended the PCF policies in 2014 to include a fourth program, Education & Outreach, from which a \$20,000 annual administrative assessment was also to be drawn. The annual assessment from the Land Acquisition program was eliminated in FY 2019. Assessments from the other three programs were reduced to \$3,000 in FY 2024. The FY 2025 budget continues that reduced administrative assessment.
4. The Land Acquisition program budget for FY 2025 totals \$3,027,450. Personnel costs (salaries/wages and fringe benefits) are estimated at \$26,550 in support of the Commission's permanent land protection initiatives, which include a new round of land acquisition (\$3,000,000), PCF deed restriction monitoring and the third annual permanent land protection summit. An additional \$900 is included to coverage mileage and meeting supplies.
5. The Conservation Planning and Research program budget for FY 2025 totals \$549,324. Personnel costs (salaries/wages and fringe benefits) are estimated at \$503,484 to support the following initiatives and special projects: continued implementation of the alternate septic system pilot program; implementation of the Kirkwood-Cohansey aquifer water management amendments; rulemaking associated with protection of the Black Run Watershed; and data maintenance and reporting related to permanent land protection. In addition, the Science Office will be continuing to conduct Corn Snake and King Snake research, now having the ability to perform pit tag implants in-house. In FY 2025, the Science Office's research related to box turtles will also be funded from this account. An additional \$42,840 is included for other expenses (supplies, services, software maintenance, printing, mileage, training and legal advertising) to support these initiatives. Rounding out the budget is the \$3,000 administrative assessment mentioned above.

6. The Community Planning and Design program budget for FY 2025 totals \$211,230. Personnel costs (salaries/wages and fringe benefits) are estimated at \$157,530 to support the following initiatives and special projects: CMP amendments related to Forest and Rural Development Area clustering, use of Pinelands Development Credits and development of accessible trails; administration of the Pinelands Development Credit Bank; administration of the Pinelands Infrastructure Trust Fund; and technical assistance related to implementation of the state's new affordable housing legislation. Also reflected in the budget are funds to support a variety of climate change initiatives and efforts, including support for the Pinelands Climate Committee, participation on the state's Interagency Council on Climate Resilience, coordination with NJBPU on a dual-use solar program and research to support future CMP amendments. \$50,000 in professional services is budgeted to allow for retention of a consultant to review stormwater management plans, provide training and develop guidance documents. A total of \$700 is budgeted for expenses related to legal advertising, mileage, postage, software maintenance and office supplies. Rounding out the budget is the \$3,000 administrative assessment mentioned above.

7. The Education and Outreach program budget for FY 2025 totals \$70,950. Personnel costs (salaries/wages and fringe benefits) are estimated at \$44,250 to support the two annual Pinelands Short Courses, the World Water Monitoring Challenge and the Pinelands Speakers Series. A total of \$8,700 is included for photographic equipment and supplies related to the Visitors Center, the World Water Monitoring Challenge, maintenance of the bog garden and tree/plant identification markers. An additional \$15,000 is budgeted for services provided by the Office of Information Technology associated with redesign of the Commission's website. Miscellaneous expenses supporting the program (honoraria for participants in the Pinelands Speakers Series and mileage) are also included. Rounding out the budget is the \$3,000 administrative assessment mentioned above.

PINELANDS COMMISSION
Fenwick Manor Preservation Budget
FISCAL YEAR 2025 BUDGET

Revenue	FY 2025 Anticipated	Notes
NJHT Capital Grant	\$575,000	
Fund Balance - Commission Match	\$575,000	
Fund Balance from Fenwick Painting Reserve	\$45,000	
Total	\$1,195,000	1

Expenditure Account	FY 2025 Anticipated	Notes
Partial Exterior Restoration	\$436,013	2
Structural Reinforcement/Maintenance	\$315,805	2
Partial Interior Restoration	\$297,583	2
Non Construction Cost	\$100,600	3
Other	\$45,000	4
Total Expenditures	\$1,195,000	

**PINELANDS COMMISSION
FENWICK MANOR PRESERVATION BUDGET
FISCAL YEAR 2025 BUDGET NOTES
August 16, 2024**

1. Revenue includes a \$575,000 Preserve New Jersey Capital Improvement Grant for Fenwick Manor, awarded to the Commission by the New Jersey Historic Trust in late 2023. The Fund Balance includes the Commission's match of \$575,000, primarily provided through a \$500,000 special state appropriation to the Commission in the State of New Jersey FY 2023 Budget (Pages 79-80 of P.L. 2022, Chapter 49). All remaining funds in the Fenwick Manor Painting Reserve (\$45,000) are also included. A grant agreement with the New Jersey Historic Trust was executed in July 2024 and includes the advancement of the entire \$575,000 grant to the Commission. In partnership with the Department of Treasury, Division of Property Management and Construction, and the New Jersey Historic Trust, a scope of services for design services was finalized in late July. The RFP is expected to be issued in August 2024.
2. Costs associated with Exterior Restoration, Structural Reinforcement/Maintenance and Interior Restoration are based on the estimates provided in the Fenwick Manor Preservation Plan prepared in FY23 by the Commission's consultant, Connolly & Hickey.
3. Non-construction related costs include engineering services, design development, and contract administration.
4. An allocation for any unanticipated expenditures incurred.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: To Authorize an Additional Extension of the Time Period for Atlantic County to Complete its Obligations Under the Secondary Impacts Agreement for Interchange 44 of the Garden State Parkway

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, on January 7, 2014, the Pinelands Commission (Commission) and Atlantic County (the County) entered into a Secondary Impacts Agreement (the Agreement) as a means of obviating the potential secondary impacts associated with the completion of Interchange 44 of the Garden State Parkway; and

WHEREAS, this Agreement obligated the County to limit the development potential of parcels totaling 356 acres located within 1.5 miles of Interchange 44 within the Pinelands Area referred to in the Agreement as Tier 1; and

WHEREAS, the County had three years to obviate the secondary impacts within the Tier 1 area ending January 7, 2017; and

WHEREAS, based on the terms of the Agreement, the County requested, and the Executive Director granted an 18-month extension of the deadline for completion of the County's obligation in Tier 1 which ended on July 7, 2018; and

WHEREAS, by letter dated March 5, 2020, the County advised the Commission that it had completed acquisition of 327 acres of lands within Tier 1 and requested an additional 18-month extension to complete its acquisition of the remaining 29 acres required by the Agreement; and

WHEREAS, on May 8, 2020, the Commission approved Resolution PC4-20-14, granting the County an extension from January 7, 2020 to January 7, 2022 to complete its obligations under the Agreement; and

WHEREAS, by letter dated August 15, 2022, the County advised the Commission that it has acquired 342 of the required 356 acres of lands within Tier 1 and requested an additional 12-month extension to complete acquisition of the 14 remaining acres; and

WHEREAS, on September 9, 2022, the Commission approved Resolution PC4-22-36 granting the County an extension from January 7, 2022 until September 7, 2023 to acquire the remaining 14 acres within Tier 1; and

WHEREAS, by letter dated August 2, 2023, the County advised that it had acquired 10 of the remaining 14 acres of land within Tier 1, bringing the total to 352 of the 356 acres of land within Tier 1 targeted for preservation, and requested an extension of the deadline to acquire the remaining 4 acres; and

WHEREAS, on September 8, 2023, the Commission approved Resolution PC4-23-37 granting the County an extension from September 7, 2023 to September 7, 2024 to acquire the remaining four acres within Tier 1; and

WHEREAS, by letter dated August 9, 2024, the County advised that since the September 2023 extension, its efforts to acquire the final four acres required by the Agreement had been delayed due to staffing shortages, resulting from the retirements of three of its professional planners and the Assistant County Counsel involved in the County's acquisition program; and

WHEREAS, the County also advised that it had recently hired a new Senior Planner to resume its acquisition efforts; and

WHEREAS, in its August 9, 2024 letter, the County renewed its commitment to preserve not only the remaining 4 acres within Tier 1, but the additional acreage within Tier 1 that the Atlantic County Board of Commissioners authorized for acquisition by adoption of Ordinance #7 of 2022; and

WHEREAS, the County has requested an additional 12-month extension to acquire the last four acres of land within Tier 1 to complete its obligation under the Agreement; and

WHEREAS, the County has acquired 98.9% of the 356 acres of land within Tier 1 necessary to obviate the potential secondary impacts associated with the Interchange 44 project; and

WHEREAS, the Agreement contains a provision that requires the County to pay an amount equal to fair market value of any acreage that it fails to acquire within Tier 1 within six years from the effective date of the Agreement (i.e. January 7, 2020) to a non-profit, government entity or university or college to undertake the acquisition of Pinelands Development Credits from agricultural lands or other projects, including land acquisition, to improve water quality within the boundaries of Tiers 1 through 3 in Atlantic County; and

WHEREAS, given the County’s continued diligent efforts to complete its obligations under the Agreement, and its commitment to preserve substantially more acreage within Tier 1 than required by the Agreement, the Commission believes it is preferable to allow the County to complete its acquisition of the remaining 4 acres rather than having the County provide funds to a non-profit, governmental entity or university for that purpose; and

WHEREAS, the Commission further acknowledges the extenuating circumstances outlined in the County’s request for an extension, and seeks to afford the County sufficient time to complete the land acquisition required by the Agreement; 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 Commission grants Atlantic County an additional extension of 24 months, from September 7, 2024 until September 7, 2026, to complete its acquisition of the remaining 4 acres within Tier 1.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
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www.nj.gov/pinelands



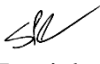
PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Stacey P. Roth 
Chief, Legal & Legislative Affairs

Date: September 3, 2024

Subject: Atlantic County's Request for an Additional Extension of the Deadline to Complete Acquisition of Parcels to Address Secondary Impacts Associated with the Completion of Garden State Parkway Interchange 44

Atlantic County's request for an additional extension of its deadline to obviate the secondary impacts associated with the Garden State Parkway Interchange 44 project will be presented for your consideration at the Commission's September 13, 2024 meeting. As you may recall, the Commission and County entered into a Secondary Impacts Agreement on January 7, 2014, which required the County to limit the development potential of parcels located within 1.5 miles of Interchange 44 (356 acres) within the Pinelands Area. From the outset, the County decided to acquire the 356 acres. As of August 2, 2023, the County had acquired all but 4 acres (352 out of 356 acres) within the Tier 1 target area.

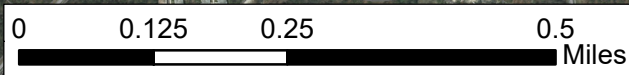
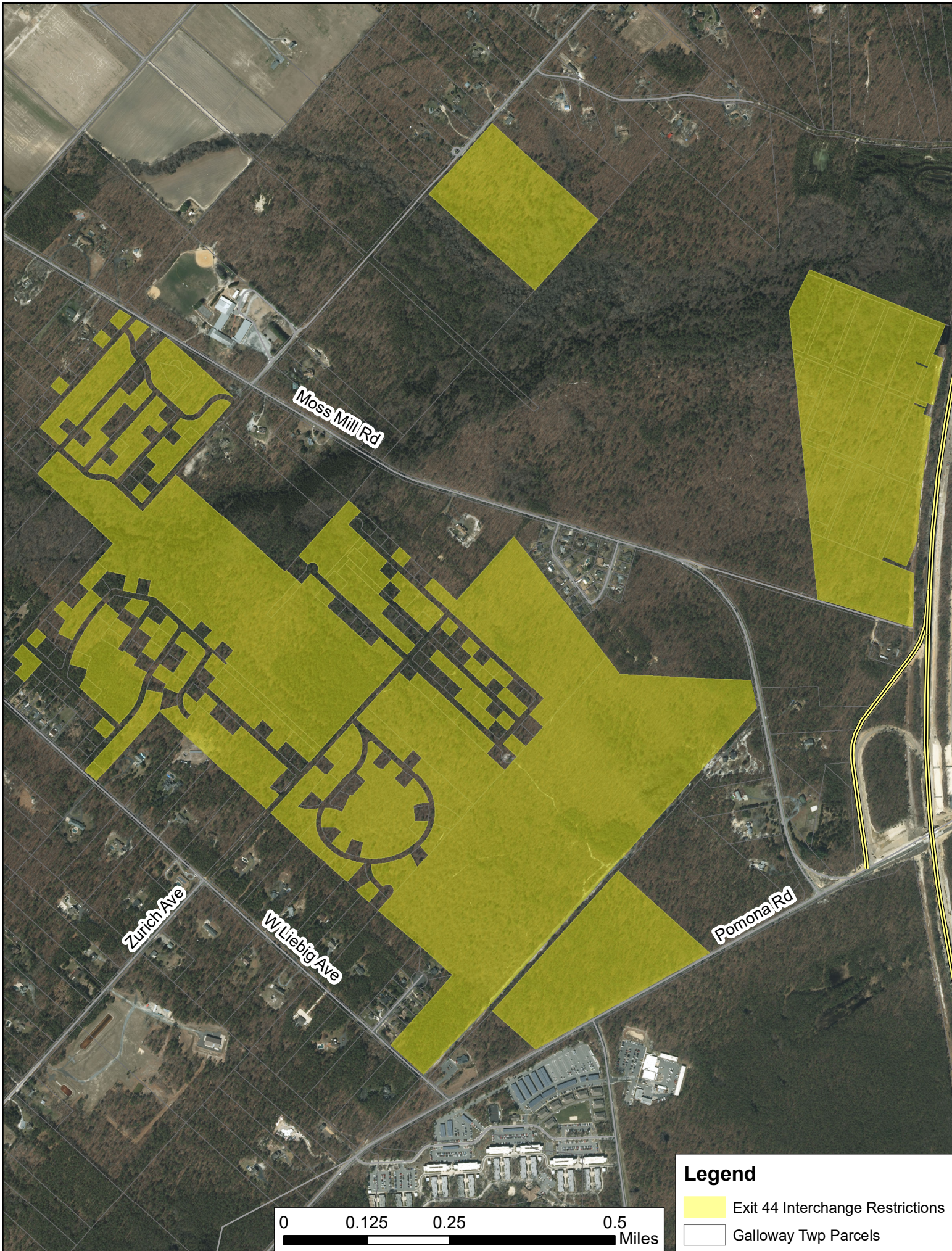
By letter dated August 9, 2024, the County has requested an additional 12-month extension to complete its acquisition of the remaining 4 acres. The County advised that the acquisition of this acreage has been delayed because of staffing shortages resulting from the retirements of 3 professional planners and the Assistant County Counsel involved in the acquisition program. The County recently hired a new Senior Planner who will be picking up the acquisition project and moving it to completion.

Staff, however, is recommending the Commission grant a 24-month extension to the Agreement. This extension is anticipated to provide sufficient time for the County to finalize acquisition of the remaining 4 acres. Additionally, the County intends to acquire an additional 110 lots, comprising approximately 95 acres, within the Tier 1 target area for preservation. If authorized, this would represent the fourth extension of the agreement.



Although the Agreement contains a contingency provision should the County fail to obviate the remaining secondary impacts of the required 356 acres by the deadline, staff does not believe this contingency should be invoked at this time. The contingency requires the County to pay the fair market value of any acreage within Tier 1 to a non-profit, government entity or university or college for the acquisition of Pinelands Development Credits from agricultural lands or other water quality improvement projects, including land acquisition, within the boundaries of Tiers 1 through 3. As noted above, the County has acquired 352 acres

of the 356 acres required by the Agreement. Despite various challenges it has worked diligently to satisfy the Agreements obligations. Additionally, despite only 4 acres remaining to be acquired under the Agreement, it has also committed to acquiring another 110 lots, approximately 95 acres, within the Tier 1 target area. Consequently, staff believes it is preferable to allow the County to complete its acquisition of the remaining 4 acres rather than having the County provide funds to a non-profit, governmental entity or university for that purpose.

A resolution granting the County's extension request is included in the packet. At the September 13, 2024 meeting, staff will ask the Commission to authorize the two year extension of Atlantic County's acquisition deadline.



Legend

-  Exit 44 Interchange Restrictions
-  Galloway Twp Parcels



Atlantic County

Department of Regional Planning and Development

Dennis Levinson
County Executive

Ranae Fehr
Department Head

Division of Planning
609/645-5898 FAX: 609/645-5836
TDD: 348-5551

Division of Engineering
609/645-5898 FAX: 609/645-5836

Office of GIS

August 9, 2024

Susan Grogan, Executive Director
NJ Pinelands Commission
PO Box 359
15 Springfield Road
New Lisbon, New Jersey 08064

RE: GSP Interchange 44, Galloway Twp. – Secondary Impacts Agreement

Dear Ms. Grogan,

Please accept this letter as a request for an additional extension of the agreement between Atlantic County and the NJ Pinelands Commission, previously executed in connection with the NJ Turnpike Authority's expansion of Interchange 44 of the Garden State Parkway. To date, Atlantic County has acquired most of the land required to satisfy the requirements of that agreement, including the purchase of 352 of 356 acres of land within the Tier 1 area targeted for preservation.

Unfortunately, our efforts to acquire the final four acres have been delayed due to staffing shortages, including the retirement of three of our Professional Planners as well as Assistant County Counsel Anthony Pagano. Fortunately, last month we were able to bring on a new Senior Planner, who will be picking up this project and moving it through completion.

As previously reported, the County is currently pursuing acquisition of approximately 110 lots within the Tier 1 target area, totaling approximately 95 acres, more or less. Title searches have been obtained for individual lots and the County has developed a plan to phase the acquisition of these lots to keep the project manageable. Appraisals will be updated to reflect current market value. Also as previously reported, title issues impact some of the lots which has complicated the acquisition process.

Acquisition of the subject lots was approved by the Atlantic County Board of Commissioners on July 5, 2022, allowing for the County to purchase the lots via negotiations or Eminent Domain action (mostly in cases where clear title cannot be established). Formal offer packages will be sent out to the initial phase of lots once appraisal reports have been updated.



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Based on our progress to date and our ongoing commitment to purchase and preserve the remaining acreage, we respectfully request the Commission's consideration of an additional 12-month extension of time to complete this project.

The Commission's consideration of this and prior requests is greatly appreciated. If you or your staff have any questions regarding this request or the County's progress to date, please feel free to contact me at 609-645-5898. Thank you.

Respectfully,



Ranae L. Knowles, PP, AICP, CPM
Department Head

cc: Stacey Roth, Esq., Chief, Legal and Legislative Affairs, NJ Pinelands Commission