



State of New Jersey  
THE PINELANDS COMMISSION  
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LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA  
Thursday, November 9, 2023 - 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/@PinelandsCommission>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 860 8893 5797

1. Call to Order

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

2. Resolution to Retire into Closed Session – Personnel, Litigation and Acquisition Matters.  
*(The Commission may take action on the matters discussed in closed session when it returns to the public portion of the meeting.)*

3. Adoption of Minutes

- October 13, 2023

4. Committee Chairs' and Executive Director's Reports

5. 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 (3) Applications for Public Development:

- Application No. 1997-0045.014 - Lenape Regional High School District  
Construction of six tennis courts at the Seneca High School  
Tabernacle Township
- Application No. 2023-0043.001 - Town of Hammonton  
Installation of 6,780 linear feet of potable water main within the Twelfth Street, Chew  
Road, First Road and Second Road rights-of-way  
Town of Hammonton
- Application No. 1981-0390.003 - Ocean County Vocational Technical School  
Construction of a 20,138 square foot school building  
Jackson Township

Resolution Approving With Conditions (1) Application for Public Development:

- Application No. 1989-0089.013 - Hamilton Township Board of Education  
Installation of an irrigation well at the existing George Hess elementary school  
Hamilton Township

Resolution Approving With Conditions (1) Application for Public Development:

- Application No. 1988-1286.002 - Hammonton Board of Education  
Construction of a 10,563 square foot addition to an existing school and 73 parking spaces  
Town of Hammonton

B. Planning Matters

- Municipal Master Plans and Ordinances
  - None
- Other Resolutions
  - None
- CMP Amendments
  - None

6. Public Comment on Public Development Applications and Waivers of Strict Compliance *Where the Record is Not Closed*
  - A. Public Development Projects
    - Application No. 1985-0204.011 - Greater Egg Harbor Regional High School District Construction of two parking areas and concrete walkways at the Oakcrest High School Hamilton Township
  - B. Waiver of Strict Compliance
    - Application No. 1989-0139.003 - Knights Single family dwelling Monroe Township
7. Master Plans and Ordinances Not Requiring Commission Action
  - Egg Harbor City Ordinance 12-2023
8. Presentation by Cliff McCreedy, National Park Service/Federal Liaison to the U.S. Biosphere Network
9. General Public Comment
10. Adjournment

#### **Upcoming Meetings**

Wed., November 29, 2023	Policy & Implementation Committee Meeting (9:30 a.m.)
Fri., December 8, 2023	Pinelands Commission Meeting (9:30 a.m.)
Wed., December 13, 2023	Climate Committee Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES  
October 13, 2023

*All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: [https://www.youtube.com/watch?v=btXk\\_Kce8Q0](https://www.youtube.com/watch?v=btXk_Kce8Q0)*

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Jerome H. Irick, Theresa Lettman, Mark Lohbauer, Mark Mauriello, Jonathan Meade, William Pikolycky, 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 Dorian Smith.

Commissioners Absent

Dan Christy & John Holroyd

Call to Order

Chair Matos called the meeting to order at 9:33 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. Ten Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's September 8, 2023 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes from the September 8, 2023 Commission meeting were adopted by a vote of 10 to 0.

### Committee Reports

Chair Matos provided a summary of the September 29, 2023 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the August 25, 2023 meeting.

The Committee received an update on the South Jersey Transportation Authority's (SJTA) request for an extension of the deadline to record the deed of conservation restriction on the new Grassland Conservation and Management Area (GCMA) established in Hamilton Township. The new GCMA was a requirement of the Commission's Amended Memorandum of Agreement with the SJTA. Recordation of the deed restriction was required by April 2023 but was delayed because of ongoing negotiations with Atlantic City Electric regarding applicability of the deed restriction to its easement on the property. The SJTA requested an extension through April 16, 2024. The Committee voted to recommend the matter to the full Commission and it is on our agenda for action today.

Commissioner Lohbauer made a presentation on Enduro Racing in the Pinelands.

The Committee was briefed on potential Comprehensive Management Plan (CMP) amendments involving application fee changes and the establishment of expiration dates for Certificates of Filing and pre-1992 Waivers of Strict Compliance.

Commissioner Lohbauer provided an update on the September 20, 2023 Climate Committee meeting:

The Committee adopted the minutes of the July 19, 2023 meeting.

The Committee received a presentation from the staff on the Pinelands management area boundary assessment, including the next level of analysis to be completed.

The staff also provided brief updates on state and Pinelands office initiatives.

Finally, the Committee discussed its work plan for Fiscal Year 2024.

### Executive Director's Report

ED Grogan provided information on the following matters:

- The Commission was awarded a \$575,000 capital fund grant for improvements to Fenwick Manor. It's a matching grant and the Fiscal Year 2024 Budget included \$575,000 designated for Fenwick Manor. The majority of those funds originated

from a special appropriation in last year's state budget. One of the next steps will be the issuance of a Request for Proposal seeking a contractor to complete the restoration work.

- The Commission recently launched an online portal for the payment of application fees. Applicants can now pay application fees using a credit card or e-check.
- The science office is preparing an Environmental Protection Agency (EPA) grant application due on October 24<sup>th</sup>. The study must be related to the following: wetlands, climate change and environmental justice.
- Commissioners were invited to stay for a tree dedication in memory of Commissioner Edward Lloyd after the Commission meeting.

ED Grogan said recruitment efforts are ongoing for three vacant positions. She said former employee Ed Wengrowski will be working on a part-time basis. He will review landfill closure projects that are funded by escrow payments from the applicant.

ED Grogan said the Planning office has been restructured and will now be called Land Use Programs. She said Gina Berg has been promoted to Director of that office and Brad Lanute has been promoted to Chief Planner.

April Field, Chief Permit Administrator, provided information on the following regulatory matters:

- Staff recently sent a letter to Evesham Township regarding the establishment of hiking trails and other recreational improvements at the Black Run Preserve. Staff noted that an application must be submitted for development activities. The letter also noted that the parcel has extensive wetlands and threatened and endangered (T&E) species habitat.
- The Town of Hammonton submitted an application to treat Hammonton Lake with herbicide. Staff advised that there may be a T&E plant species and requested the applicant to submit a T&E plant survey. The T&E survey is currently under review.
- In June, the Commission staff was notified that a wildlife rehabilitation and veterinary center had been established on a 1.5-acre residential property in Southampton Township. Staff sent a letter to the property owner advising them that an application was necessary and that there were issues related to lot size, zoning and environmental constraints. To date, the Commission has not received a response but did receive a public comment indicating the center had been closed and raising concerns over who would rehabilitate endangered bat species.
- Recently, there have been a few news articles regarding the installation of a well at the Woodland Volunteer Fire and EMS in Chatsworth. Staff has advised Woodland

Township that an application for the well would be necessary. To date, the Commission has not received an application for the well.

Gina Berg, Director of Land Use Programs, provided the following updates:

- The Kirkwood-Cohansey water management rule is currently under a 30-day review period by the Governor. The review period expires on October 30<sup>th</sup>. The adopted amendments will be submitted to the Office of Administrative Law and published in the New Jersey Register on December 4, 2023, which will also serve as the effective date.

Director Berg reviewed a number of National Park Service work plan initiatives. She noted that the federal fiscal year began on October 1<sup>st</sup>. She said staff will continue to work on the economy of open space project. The Long-Term Economic Monitoring report was previously completed annually and later became a five-year report. It will be produced this federal fiscal year.

She said staff will also begin development of a new and improved local conformance and municipal zoning information system. She said there are also plans to arrange an archaeological field school. She added that staff will be using ground penetrating radar at a cemetery in Tabernacle Township.

Lastly, she said the staff will visit and monitor approximately five sites that were preserved using Pinelands Conservation Fund grant monies. She said stewardship issues will be evaluated and staff will use that information to put together a comprehensive proposal for a future America the Beautiful Challenge grant proposal.

Chief Planner Brad Lanute introduced Nick Crivaro, who attended the meeting. Mr. Crivaro is a 2<sup>nd</sup> year Executive Master of Public Administration (MPA) Candidate at the Fels Institute of Government at the University of Pennsylvania. Nick reached out to the Commission in July to see if we would be interested in partnering with him on his Capstone Project. Mr. Crivaro will be evaluating the ways in which the Pinelands Development Credit (PDC) Bank communicates with its stakeholders and he will be putting together a plan to help modernize the Bank's communications between now and next May. We are hoping his findings will provide a road map to an improved PDC Bank website that will better assist landowners with the PDC severance process as well as improve the efficiency of PDC transactions between buyers and sellers. We look forward to working with Nick in the coming months and look forward to sharing the results of his work sometime in the late spring of 2024.

Mr. Lanute said the State Planning Commission is embarking on the first update to the State Plan since 2001. The State Plan contains a comprehensive framework intended to guide future development, redevelopment, conservation, preservation, and restoration efforts in the state of New Jersey. The revised plan will add two new goals to its planning framework: a Climate Change and Resilience goal as well as an Equity and Environmental Justice goal.

He said the State Plan doesn't directly impact planning within the Pinelands Area as the Pinelands CMP and the Pinelands Commission serve that function. Staff will be participating in an interagency workgroup to ensure any changes to the State Plan are consistent with the CMP including areas outside the Pinelands Area but within the Pinelands National Reserve.

The State Planning Commission is seeking to adopt an updated plan by the end of 2024 and have already started stakeholder outreach and expects to publish a preliminary plan in early 2024. This will be followed by the cross-acceptance process whereby state agencies, counties, and municipalities negotiate further refinement to the plan. Once those final revisions are incorporated, the State Planning Commission will consider the revised plan for adoption.

He said to learn more about this process or provide input see the following website: [www.publicinput.com/njstateplan](http://www.publicinput.com/njstateplan).

Paul Leakan, Communications Officer, provided the following update:

- The Pinelands Commission's online store was launched last month and has registered approximately \$500 in themed merchandise. All proceeds from sales will support the Katie Fund for native plants and plantings.
- The annual World Water Monitoring Challenge is scheduled for October 20<sup>th</sup> at Batsto Lake, and over 100 students from South Jersey will be participating.
- The 2024 Pinelands National Reserve wall calendar is currently being drafted. This year's theme will be "winged wonders," including birds, butterflies, moths, dragonflies, damselflies, bees, insects and other winged creatures.

Commissioner Irick asked if the well proposed in Chatsworth is centrally located so as to address recent forest fire issues and if other fire departments could use the well to fill their trucks.

Ms. Field said at this point she could not answer those questions because an application has not been submitted but she said she would keep the Commission updated on the matter.

Commissioner Mauriello wanted confirmation that staff participates on the Governor's Interagency Council on Climate Change. He said it's key to have the Commission's concerns and issues raised in the Council's reports because it may lead to specific funding.

ED Grogan said she is a member of the Council and participates in the meetings. She said she has mentioned to the Council that the Commission would like to be more involved but has challenges with staffing and resources. She said there will be a Pinelands component in each of the reports that are issued.

Commissioner Mauriello suggested that the Commission consider adopting a resolution outlining its goals and priorities that align with the Council's efforts so as to better position itself for future funding requests.

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

Chair Matos read the list of public development projects.

No one from the public provided comment.

Ordinances Not Requiring Commission Action

Mr. Lanute said the Commission reviewed 11 Ordinances in the month of September that were found to raise no substantial issue. He said five were related to the CMP stormwater amendments and two were related to the Department of Community Affairs model ordinance for electric vehicle charging stations. He said Evesham Township Ordinance 13-8-2023 adopted the Evesham Landfill Solar Energy Redevelopment Plan. The redevelopment area is about 55 acres and spans six lots in the Rural Development Area. It's the site of a former municipal landfill that ceased operation in 1983 and has been capped. The Township is seeking to develop solar energy facilities on the landfill.

Commissioner Avery asked if the landfill cap was impermeable.

Mr. Lanute said he believes it's an impermeable cap.

Other Resolutions

Chair Matos introduced a resolution that would grant an extension to the South Jersey Transportation Authority (SJTA) related to an amended Memorandum of Agreement (MOA).

Commissioner Irick made a motion Authorizing an Additional Extension of the Deadline for Recordation of a Deed Restriction on the Parcel Where the New Grassland Conservation and Management Area Will Be Constructed in Accordance with the April 16, 2019 First Amendment to the February 26, 2004 Memorandum of Agreement Between the New Jersey Pinelands Commission and the South Jersey Transportation Authority (See Resolution # PC4-23-39). Commissioner Pikolycky seconded the motion.

ED Grogan said today's extension request stems from a 2019 amendment to an existing MOA between the Commission and SJTA that required the creation of a new Grassland Conservation Management Area (GCMA) for a T&E birds species found at the Atlantic City Airport. She said SJTA was required to find and purchase a site suitable for the creation of the GCMA. The purchase has been facilitated by Atlantic County. The County has made very good progress, which included a public development application that the Commission approved in August of 2022 and more recently the issuance of a wetlands

General Permit. A number of other permits and approval were required and have been obtained.

She said the last remaining requirement is the recording of the deed to prohibit all future development at the site. She said that was supposed to occur by April 16, 2023 but was delayed because it was determined that there is an Atlantic City Electric (ACE) easement on the property. The County has been working with ACE regarding the language of the deed restriction and its impacts. Staff feels comfortable recommending the extension request to April 16, 2024 at which time its anticipated that the construction of the GCMA will be complete and the deed restriction will be recorded. (See attached presentation slides.)

The resolution was adopted by a vote of 10 to 0.

Presentation: Annual Update on Permanent Land Protection and the Pinelands Development Credit Program

Director Berg provided an update on lands permanently protected in the Pinelands Area from July 1, 2022 - June 30, 2023. A total of 1,359 acres were protected through one of the following initiatives: Pinelands programs, the Pinelands Development Credit (PDC) severance process, state acquisitions and county farmland preservation. She said 65% of the Section 502 Target Areas have been preserved and 40% of the Commission's own 20 Planning target Areas have been preserved. She said 85% of the Preservation Area District has been preserved through deed restrictions and state ownership. (See attached Presentation slides.)

Commissioner Asselta asked if there was something that could be attributed to the slower increase in preserved lands in recent years.

Director Berg said several years ago, staff conducted a survey after receiving little interest in Pinelands Conservation Fund grants. Several of the counties said that the Commission was doing a good job preserving lands in the Pinelands and, therefore, they were going to focus on preserving lands outside of the Pinelands Area.

She added that the NJDEP is currently preparing its Statewide Comprehensive Outdoor Recreation Plan (SCORP). She said SCORP is still in draft form, but the focus is on environmental justice and climate impacts, both of which tend to be more urban issues. She said the Green Acres program is likely to have the same goals.

Commissioner Mauriello said Green Acres has to contend with properties that are heavily regulated under various land use statues, and that creates a tendency for them to focus on preserving properties that have a development potential rather than lands in the Pinelands that they know are regulated and protected by the CMP.

Director Berg said years ago, the National Parks Service gave money to the NJDEP for acquisition of lands in the Section 502 Areas in the Pinelands Area. She said that money

has been spent and it would be helpful to get more funds appropriated for the Section 502 Areas.

Commissioner Asselta said Cumberland County, the county which he represents on this board, is the second poorest county in the state. He said it becomes difficult to create economic growth when so much land is preserved. He described a situation in Cumberland County outside of the Pinelands Area where a large property was preserved rather than developed and the County lost jobs and tax revenue.

Commissioner Avery said the Ocean County Natural Lands Trust Program has been actively preserving lands in the Pinelands National Reserve. He said a property is only considered if it's voluntarily brought to the board. He said Ocean County has focused its efforts in Jackson Township to preserve lands in the Toms River Corridor. A study from long ago determined that the area had important land and water resources.

ED Grogan added that Ocean County requires a letter of support from the town before approving an acquisition. She said this recognizes the town will lose tax revenue if the parcel is preserved.

Commissioner Avery suggested that the Commission consider expanding its acquisition priority areas to facilitate preservation of more land in the Pinelands Area.

Commissioner Lohbauer said the PDC program, a successful transfer development right program, has demonstrated that land can have value without being developed. He said land preservation has come along way, but the acquisition price needs to be higher for it to work in counties like Cumberland.

Commissioner Irick said he would like PDCs to be required for more than just residential development.

Steve Simone, Planning Specialist, said the PDC Bank is separate from the Commission but is administered by Commission staff. The Bank is required to issue an annual report before or on August 28<sup>th</sup>. He said the report was shared with Commissioners and can be viewed on the [Commission's website](#). He summarized the key findings of the Fiscal Year 2023 PDC Bank Annual Report. He noted that the number of PDC redemptions were up compared to the previous year, while the number of PDC allocations were comparable to the previous fiscal year, and the number of sales and the average price of PDCs were slightly down. Staff also presented the latest estimates of PDC supply and demand, while explaining the methodologies utilized to formulate these estimates. (See attached presentation slides.)

Commissioner Lohbauer asked if there is any correlation between the demand for PDCs and the increase in sales price.

ED Grogan said the sales price is a function of the immediate supply. She said typically and especially with large projects, developers will wait until they receive their final

approval to purchase PDCs. She said for the most part, PDCs are not purchased as an investment and buyers aren't holding on to the PDCs.

Commissioner Mauriello suggested that the Commission may want to rethink how it calculates the PDC obligation for single-family dwellings and multi-family dwelling units; and is it helping or hindering land preservation goals. He asked if it would be beneficial to require a specific or lower number of PDCs if an applicant proposes to cluster development or includes affordable housing units.

ED Grogan said staff has been thinking about modifications to PDC requirements for the last 10 years, especially as the housing market has changed. She said the most recent round of affordable housing rules and Fair Share Housing litigation promoted the use of PDCs. She municipalities were seeking the Commission's assistance with new housing plans, ordinances and redevelopment plans to facilitate high density and mixed-use development. She said this provided the Commission the opportunity require a PDC component for certain units while exempting the affordable housing units. She said it was not done through CMP amendments but through the municipal flexibility provision. She added that staff is meeting regularly with Fair Share Housing, in part to prepare for the next affordable housing round.

Commissioner Irick asked if there was any news about officially moving the Bank to the Commission.

ED Grogan said for years Commission staff has been administering the daily operations of the PDC Bank with no funding. She said the Bank requires a great deal of staff time. She said staff will be working on the necessary steps, which include a legislative change, to formally move the bank from the Department of Banking & Insurance to the Commission.

#### General Public Comment

Mike Czyzyk of Medford Township, NJ, said he is interested in working cooperatively with the Commission regarding current issues that his Pinelands municipality faces regarding state-mandated affordable housing, limited commercial space, creating more open space and overcrowded schools with limited expansion potential. He was curious if the Commission has a mechanism, such as outreach programs or best practices, to ensure that the Pinelands remain safeguarded from over development. He expressed interest in learning more about voluntary deed restrictions of property in the Pinelands. He thanked Commissioners for their dedication and volunteerism.

Ed Ferruggia of Voorhees Township, NJ, said he worked with Ed Lloyd many years ago and was happy to hear about the tree memorial. He said he would be speaking on behalf of a recently created group called New Jersey Pinelands SOAR (Save our Arboreal Resources). He said the group is opposed to the Draft Black Run Rule proposal that would create a super dense cluster development of 290 units on 175 acres in Evesham Township. He provided two additional reasons why the development is not feasible, one being that 38% of the proposed cluster development will be located in the watershed. He provided

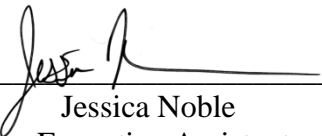
maps (see attached). He said the proposed development will not be able to link to existing roads in Voorhees due to existing utilities and cul-de-sacs and it will be necessary to construct new roads through the Black Run watershed. He said SOAR is interested in finding grant partners to acquire and preserve the property slated for the cluster residential development.

Connie Wagner of Voorhees Township, NJ, said she is also a member of New Jersey Pinelands SOAR. She said according to her calculation, the cluster development will be 1.1 miles long and the houses would be constructed right up to the fences in the back yards of properties in her Voorhees Township housing development. She said the cluster development could lead to increased damage from dirt bikes and more chemicals affecting the environment. She said the property located in Evesham Township is better suited for preservation and her group will be actively looking for other partners and organizations to preserve the land.

Adjournment

Commissioner Irick moved to adjourn the meeting. Commissioner Lohbauer seconded the motion. The Commission agreed to adjourn at 11:16 a.m.

Certified as true and correct:

  
\_\_\_\_\_  
Jessica Noble  
Executive Assistant

Date: October 19, 2023



# ***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-23-39**

**TITLE:** Authorizing an Additional Extension of the Deadline for Recordation of a Deed Restriction on the Parcel Where the New Grassland Conservation and Management Area Will Be Constructed in Accordance with the April 16, 2019 First Amendment to the February 26, 2004 Memorandum of Agreement Between the New Jersey Pinelands Commission and the South Jersey Transportation Authority

**Commissioner Irick moves and Commissioner Pikolycky seconds the motion that:**

**WHEREAS**, on April 16, 2019, the Pinelands Commission (the Commission) and the South Jersey Transportation Authority (SJTA) entered into an amendment of the February 26, 2004 Memorandum of Agreement (MOA) for certain development at Atlantic City International Airport; and

**WHEREAS**, under the terms of the April 2019 MOA Amendment, SJTA is obligated to acquire lands within the Pinelands Area, fund the creation and long-term maintenance of a new Grassland Conservation and Management Area (GCMA) thereon, and preserve the new GCMA in perpetuity through the execution and filing of a deed restriction; and

**WHEREAS**, the April 2019 MOA Amendment required acquisition of land for the new GCMA within one year of SJTA's execution of the MOA Amendment (April 16, 2020) and establishment of the new GCMA within three years of execution (April 16, 2022); and

**WHEREAS**, by letter dated March 11, 2020, SJTA requested an extension of the deadline to acquire the site for the new GCMA; and

**WHEREAS**, the Executive Director, in accordance with the MOA Amendment and with the concurrence of the Commission Chair, extended the acquisition deadline until October 12, 2020; and

**WHEREAS**, by letter dated September 29, 2020, SJTA requested additional time to acquire the site for the new GCMA; and

**WHEREAS**, at its October 9, 2020 meeting, the Pinelands Commission approved an additional extension for acquisition of the new GCMA until February 28, 2021; and

**WHEREAS**, Atlantic County, acting on behalf of SJTA, acquired the new GCMA site consisting of 102.6 acres in Hamilton Township on December 28, 2020; and

**WHEREAS**, based on the original terms of the April 2019 MOA Amendment, preservation of the new GCMA parcel through recordation of a Deed of Conservation Restriction (DCR) was required within ninety (90) days of site acquisition; and

**WHEREAS**, based on a request from SJTA for additional time to create and maintain the new GCMA, the Commission approved Resolution PC4-22-03 on January 14, 2022, extending the deadline for deed restriction of the new GCMA parcel to April 16, 2023; and

**WHEREAS**, on August 12, 2022, the Commission approved establishment of the new GCMA through its adoption of Resolution PC4-22-27, conditioned upon the SJTA's provision of a recorded DCR to the Commission by April 16, 2023; and

**WHEREAS**, since that time, Atlantic County has worked with Commission staff to draft the language of the required DCR for the parcel; and

**WHEREAS**, because of the existence of an Atlantic City Electric Company easement on the parcel, Atlantic County has also needed to coordinate with Atlantic City Electric Company's counsel on the language of the DCR; and

**WHEREAS**, as a result of the time required for coordination with the Atlantic City Electric Company, Atlantic County has not yet filed the required DCR for the new GCMA parcel; and

**WHEREAS**, Atlantic County, on behalf of SJTA, has requested a further extension until April 16, 2024 to complete its process to record the required DCR; and

**WHEREAS**, the Commission’s CMP Policy & Implementation Committee has reviewed the extension request and, in recognition of the significant progress made to date relative to the new GCMA, recommends the Commission’s approval of the additional extension; and

**WHEREAS**, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force and 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 review same, in which case the action shall become effective upon such approval.

**NOW, THEREFORE BE IT RESOLVED** that the Commission grants an additional extension of the deadline for recordation of the Deed of Conservation Restriction for the new Grassland Conservation and Management Area until April 16, 2024. Unless expressly authorized herein, all other provisions and deadlines pertaining to the GCMA set forth in the April 16, 2019 MOA Amendment and the extension resolutions subsequently approved by the Commission shall remain in full force and effect.

**Record of Commission Votes**

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

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: October 13, 2023



Susan R. Grogan  
Executive Director



Laura E. Matos  
Chair

P&I Committee  
Meeting

September 29,  
2023

South Jersey Transportation  
Authority

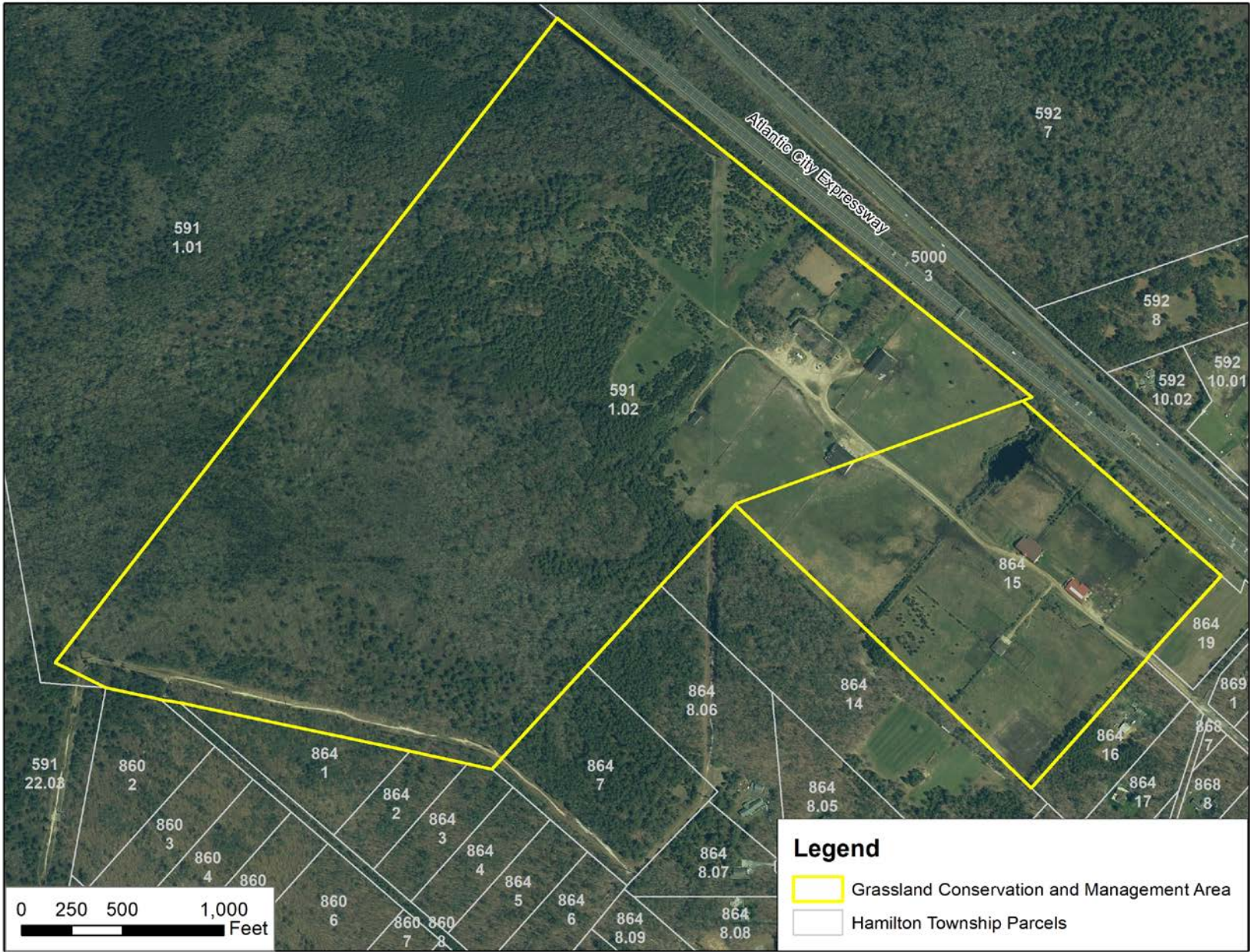
Request for Extension of  
Deadline to File the Deed of  
Restriction

# Status of GCMA Obligations

1. Land for New GCMA Site Acquired December 21, 2021
2. Public Development Application Approved by the Commission on August 12, 2022
3. NJDEP, Division of Forestry issued a Conditional Approval under the No Net Loss of Forest Act on June 6, 2023

# Status of GCMA Obligations

4. NJDEP issued a Flood Hazard Control Act IP and Verification on July 13, 2023
5. SJTA awards construction contract for development of the GCMA on July 19, 2023
6. Commission issued FWPA GP on August 16, 2023
7. Construction was to commence October 2023.



# Extension Request

- September 19, 2023 SJTA submitted a request for an extension of the April 16, 2023 Deadline for the Filing of a Deed of Conservation Restriction for the new GCMA site.
- Development of the Deed Restriction has been delayed as Atlantic County, on behalf of SJTA, has worked with ACE re: terms of the Deed Restriction.
- Language is almost finalized.
- SJTA has asked to extend the deadline to April 16, 2024, which is also the deadline for completion of construction of the GCMA

# Permanent Land Protection

## FY 2023

### Annual Update



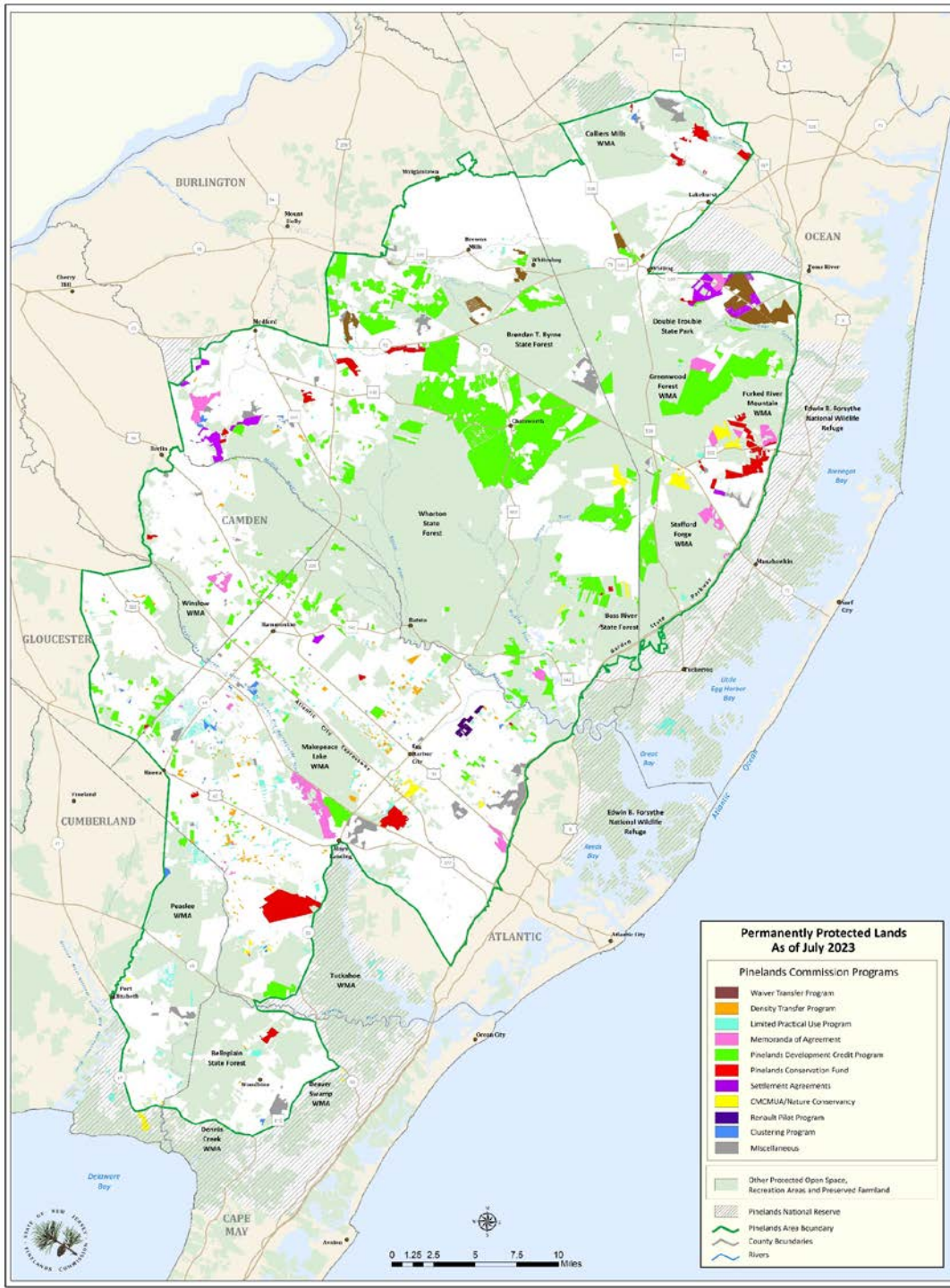


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## Highlights

- Farmland Preservation: Dennis, Pemberton, Tabernacle & Hammonton
- 348 acres in PDC Severances
- Open space acreage added in Estell Manor between Peaslee acquisition area & Tuckahoe acquisition area

# Newly Protected Land in the Pinelands Area July 2022 – June 2023



All Programs FY 2023	Acres Protected
Pinelands Programs	123
PDC Severance	348
State Acquisitions	198
County Farmland Preservation	690
County Open Space	0
Non-Profit Organizations	0
<b>Total Acres</b>	<b>1,359</b>



## Preservation by Agency Group

620 ac = Government Agencies (farmland, open space)

123 ac = Pinelands Programs (app conditions, settlements, Ocean Acres ordinance)

348 ac = Pinelands Development Credit Program

0 ac = Non-Governmental Organizations

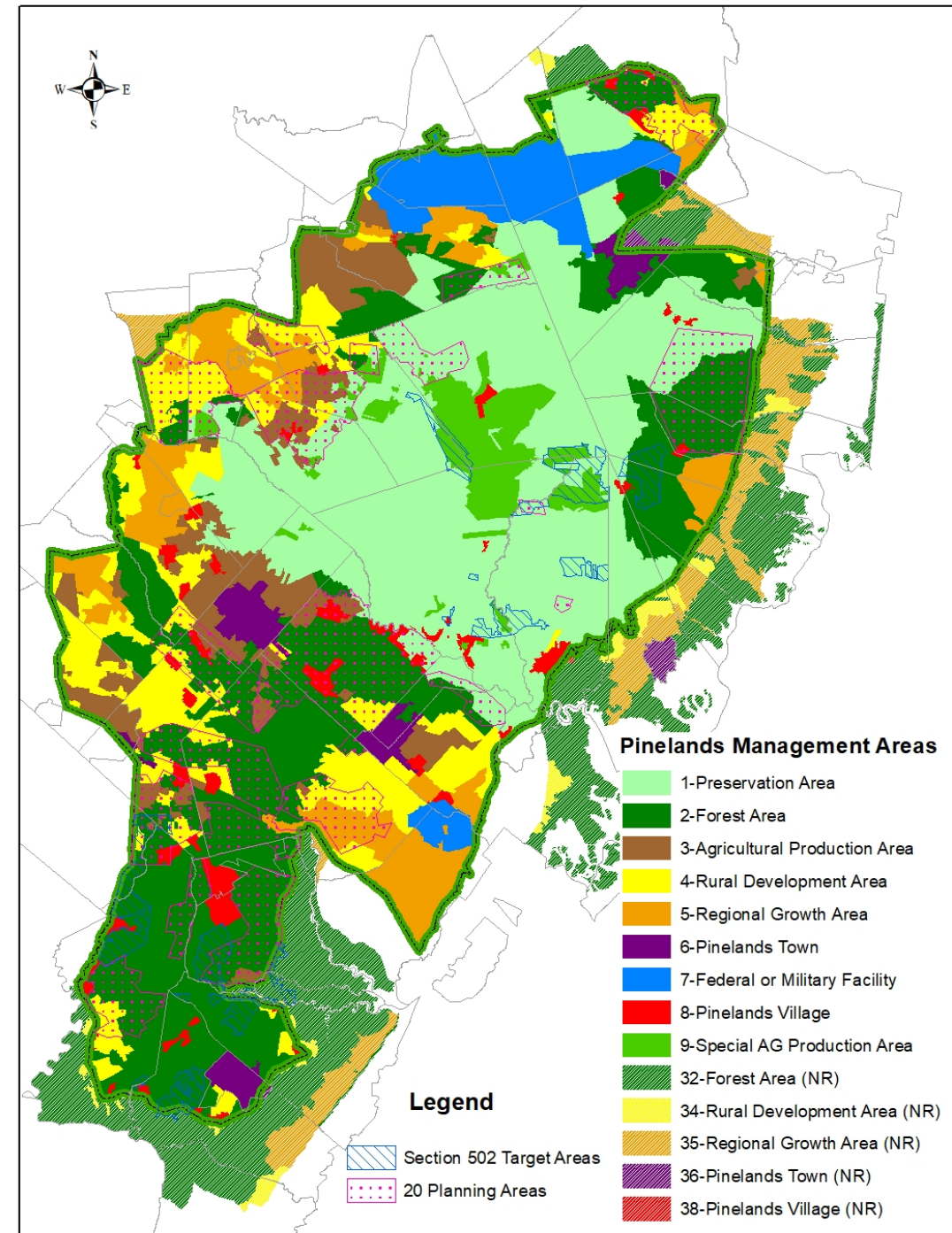
# Planning Areas & Section 502 Target Areas

## Section 502 Target Areas

- Refers to National Parks & Recreation Act of 1978, Title 16 sec.471i
- Appropriated funding, identified acquisition goals and target areas
- 65% of total acreage in Section 502 Target Areas is preserved (no change)

## Planning Areas

- Identified by the Pinelands Commission
- Some overlap with Section 502 targets
- 40% of total acreage in 20 Planning Areas is preserved



# Pinelands Programs



Non-buildable subdivision – 84 acres

Violation reparation – 19 acres

Septic dilution – 14 acres

Forest Area/Rural Development Area Clustering – 6 acres

# Green Acres/NJDEP Pinelands Area Acquisitions

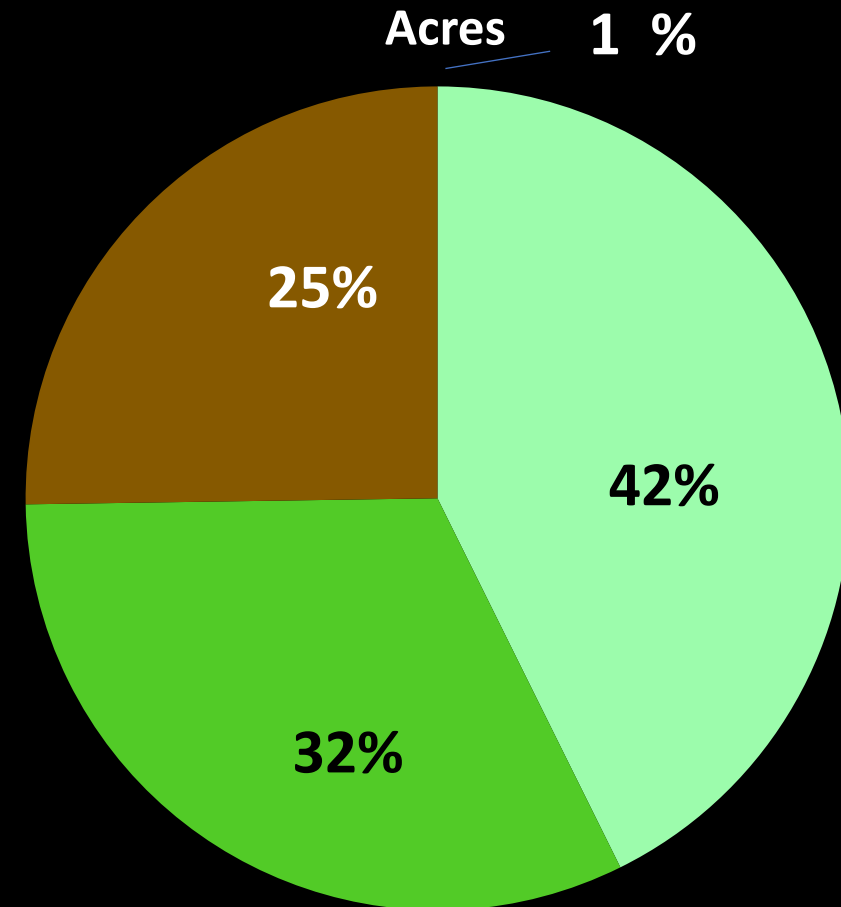
Municipality	Management Area	Area
Barnegat Township	Preservation Area District	1 acre
Bass River Township	Preservation Area District	144 acres
Eagleswood Township	Preservation Area District	2 acres
Estell Manor City	Forest Area and Pinelands Village (50/50)	31 acres
Galloway Township	Preservation Area District	20 acres

# Protected Land in All Management Areas 2023

Management Area	Total Acres in Management Area	% Protected
Preservation Area District	295,000	85%
Special Agricultural Production Area	37,500	66%
Forest Area	257,000	57%
Agricultural Production Area	68,500	43%
Rural Development Area	109,500	21%
Regional Growth Area	76,500	8%
Pinelands Village	26,000	4%
Pinelands Town	21,500	6%
Military/Federal Installation Area	47,000	1%

# PDC Program Lands Preserved through FY 2023

Management Area	Acres Preserved
Preservation Area District	24,431
Special Agricultural Production Area	18,371
Agricultural Production Area	14,446
<b>Total</b>	<b>57,248</b>

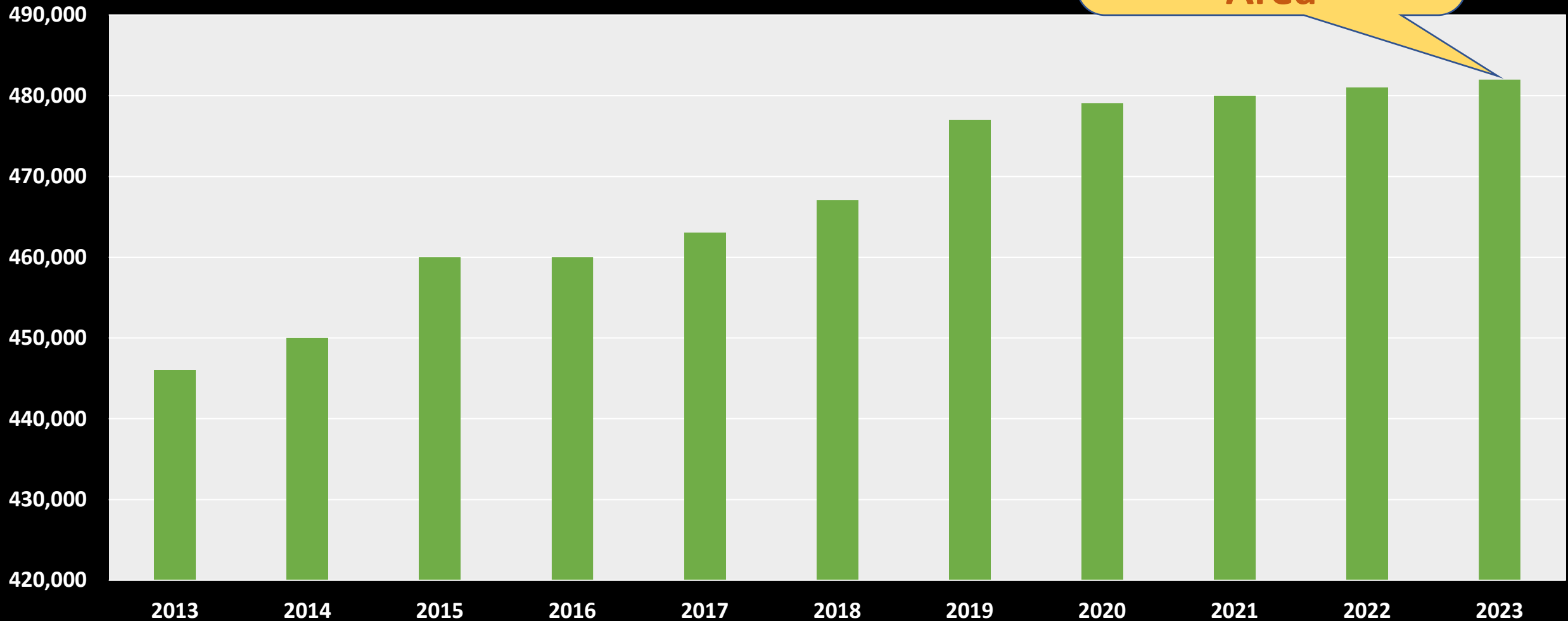


- Preservation Area District
- Special Agricultural Production Area
- Agricultural Production Area

# Acres Preserved

(rounded to the nearest thousand)

**482,000 ACRES =  
51% of Pinelands  
Area**



# **PDC Bank Annual Report**

## **FY 2023**



**October 13, 2023**

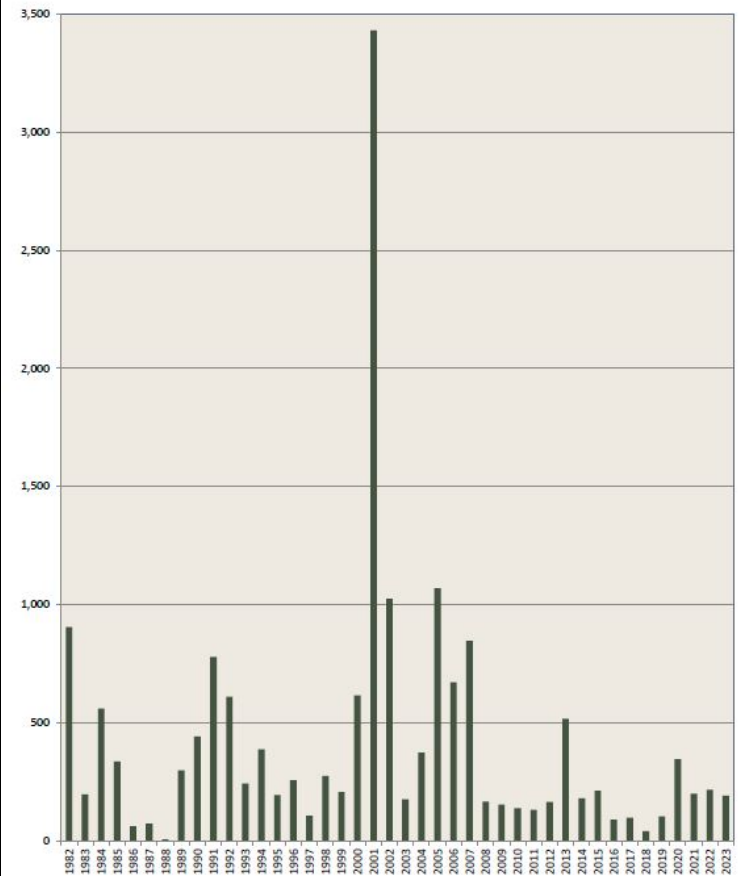
# **PDC Bank FY23 Annual Report**

- **Statistics**
  - **Allocations**
  - **Severances**
  - **Transactions**
  - **Prices**
  - **Redemptions**
- **Executive Summary**
- **Narrative & interpretive content to provide context**
- **Tables & graphs for deeper analysis**

# FY23 Allocations

- **FY23:**
  - 18 Letters of Interpretation issued to sending area parcels
  - 10 APA; 6 PAD; 2 SAPA
  - 47.75 PDCs (191 rights)
- Comparable to FY21 and FY22 in number of LOIs and PDCs
- 17,071 rights allocated since program inception
- 12,135 “active” rights

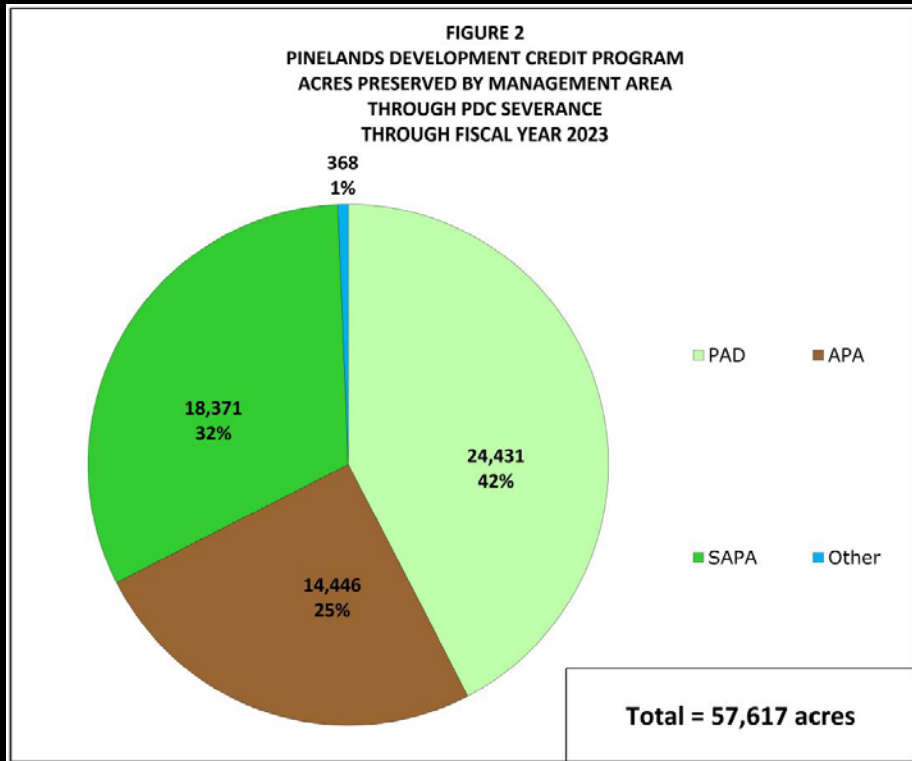
FIGURE 1  
RIGHTS ALLOCATED BY FISCAL YEAR



TOTAL ACTIVE ALLOCATED RIGHTS: 12,135

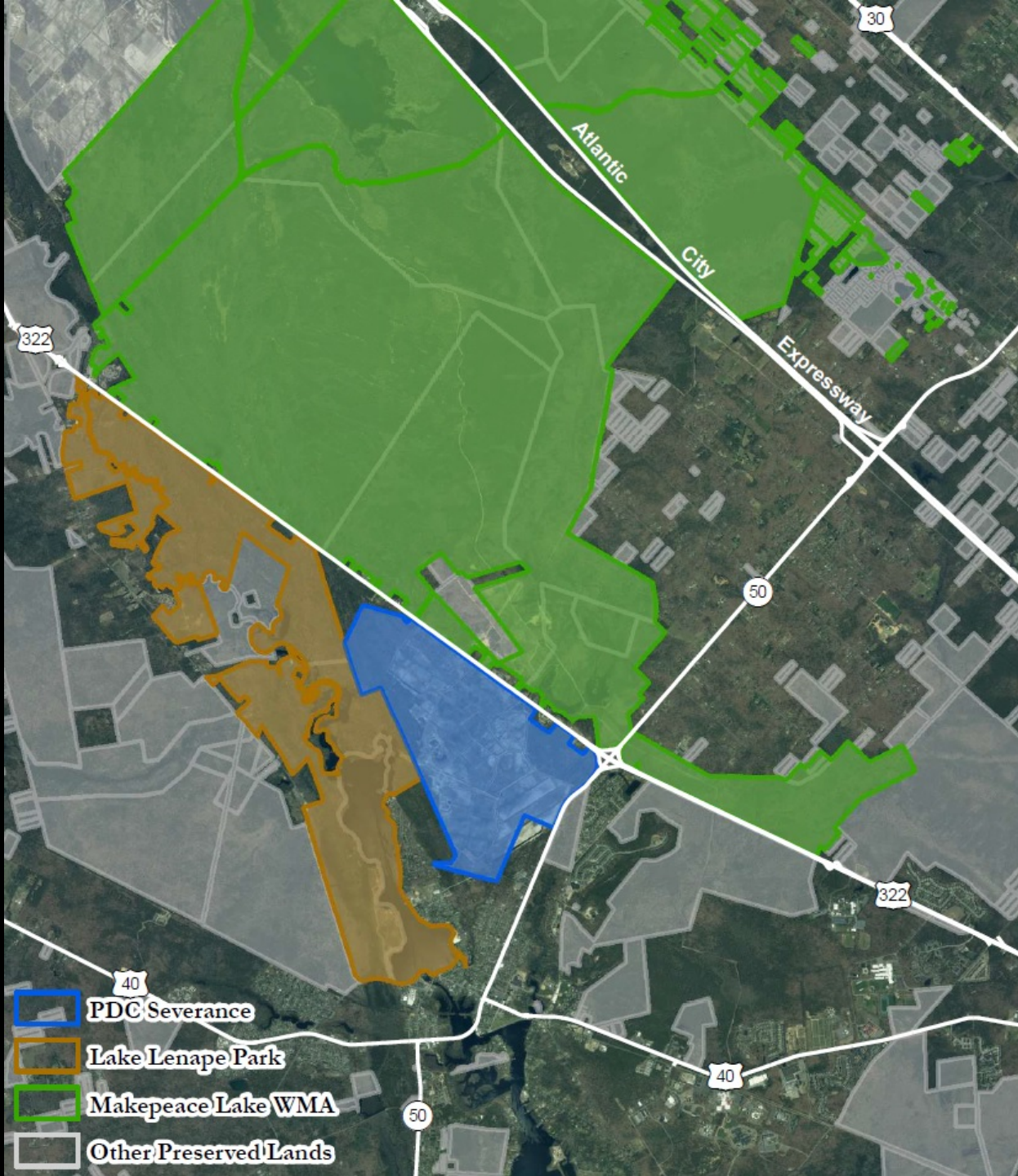
1) One transferable development right equals one-quarter Pinelands Development Credit

# FY23 Severances



- FY 23
  - Severances: 4
  - PDCs severed: 14.25
  - Acres preserved:
    - PAD = 98 acres
    - APA = 250 acres\*
    - Total = 348 acres
- 57,617 acres preserved to date

\*Most acres preserved through the PDC Program in APA since 2009

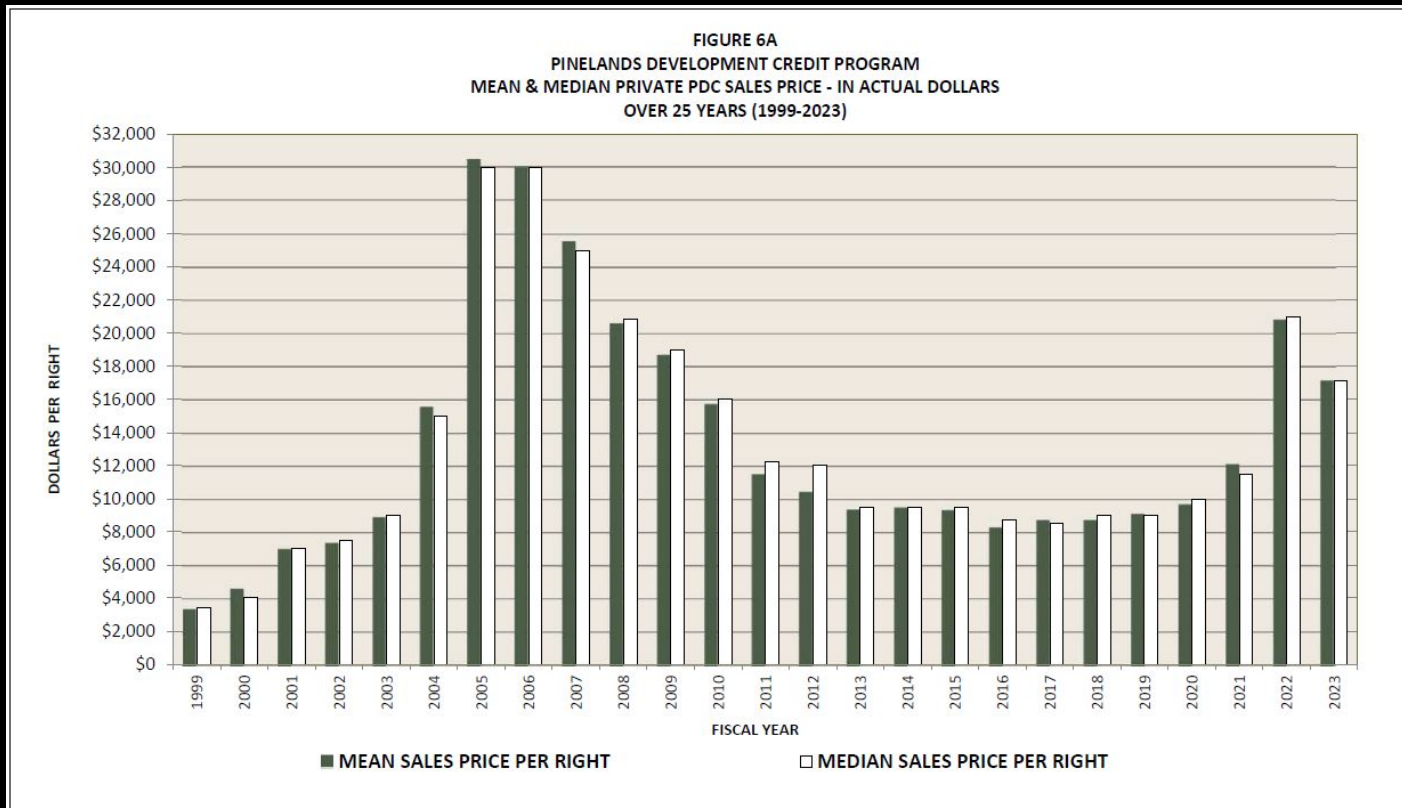


# FY23 Sales

- **FY23:**
  - 27.50 PDCs (110 rights) sold
  - 10 first-time sales
  - 4 resales
- **FY23 saw a decrease in PDC sales transactions & total rights sold, but an increase in the number of rights per sales transaction**
- **Data reflect only “arm’s-length” transactions. Gifts, sales involving family members, and sales with property are excluded**

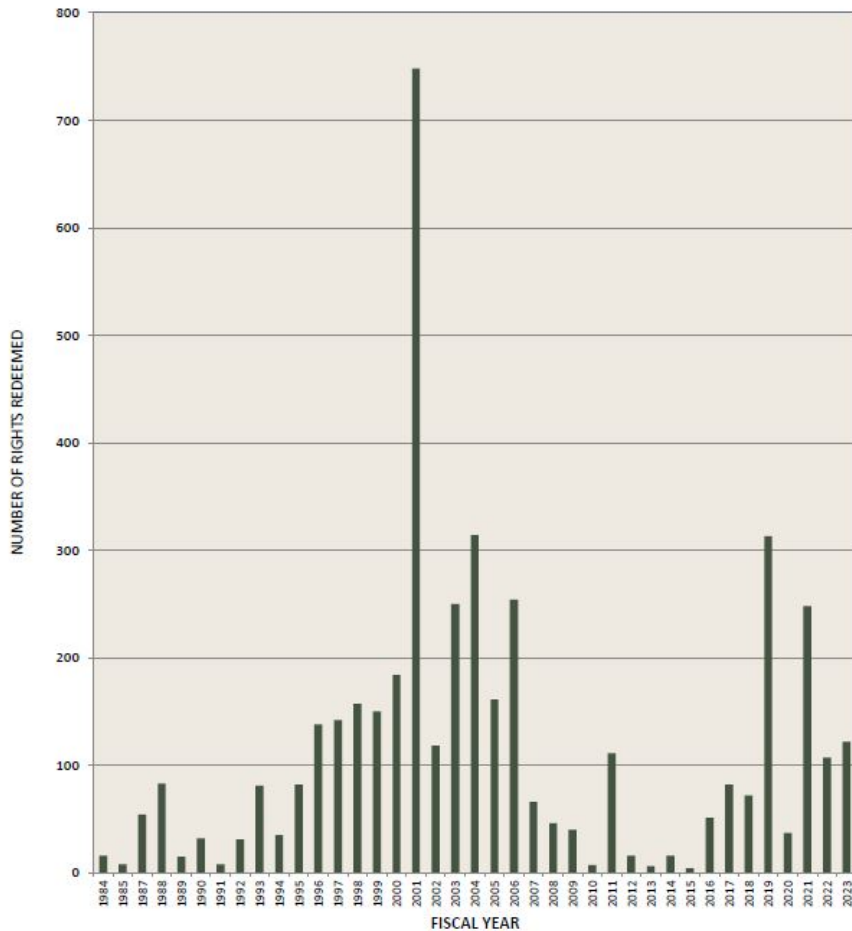
# FY23 Sales Prices

- The average sales price of a right decreased in FY23
  - FY22: \$20,862
  - FY23: \$17,182
- Still high, relative to previous years



# FY23 Redemptions

FIGURE 7  
PINELANDS DEVELOPMENT CREDIT PROGRAM  
RIGHTS REDEEMED THROUGH FISCAL YEAR 2023



TOTAL RIGHTS REDEEMED TO DATE: 4,405

1) One transferable development right equals one-quarter Pinelands Development Credit (PDC).  
2) Rights redeemed at the Pinelands Development Credit Bank.

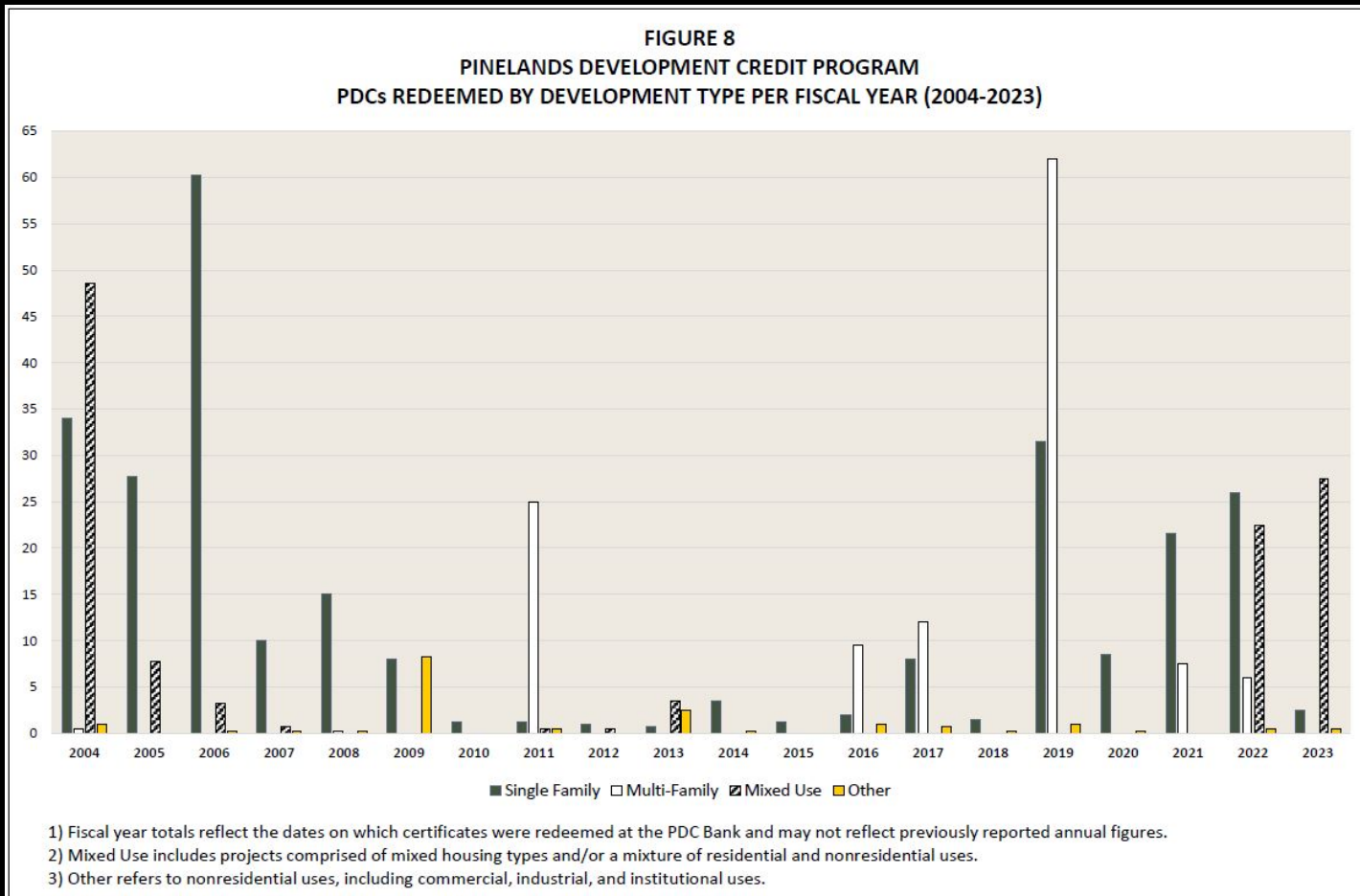
- FY 23:
  - 30.50 PDCs (122 rights) redeemed
  - 9 municipalities
  - 13 applications
    - 2 - density bonus
    - 2 - mandatory %
    - 1 - use variance
    - 2 - undersized lot
    - 5 - waiver
    - 1 - nonresidential use

# PDC Redemptions

- To date, 4,616 rights have been redeemed or required for approved projects
  - 2,502 (54%) Residential density bonus
  - 761 (16%) Mandatory minimum % of units
  - 553 (12%) Use variances
  - 283 (6%) Undersized lots
  - 229 (5%) Waivers of Strict Compliance
  - 27 (0.6%) Non-Residential uses
  - 253 (5.5%) Other

# Development Types

- Since 2004, nearly half of all PDC redemption has occurred in association with single family residential development
- Use of PDCs in multi-family residential projects (townhomes, apartments) has increased in recent years, including FY23



# PDC Supply and Demand Estimates

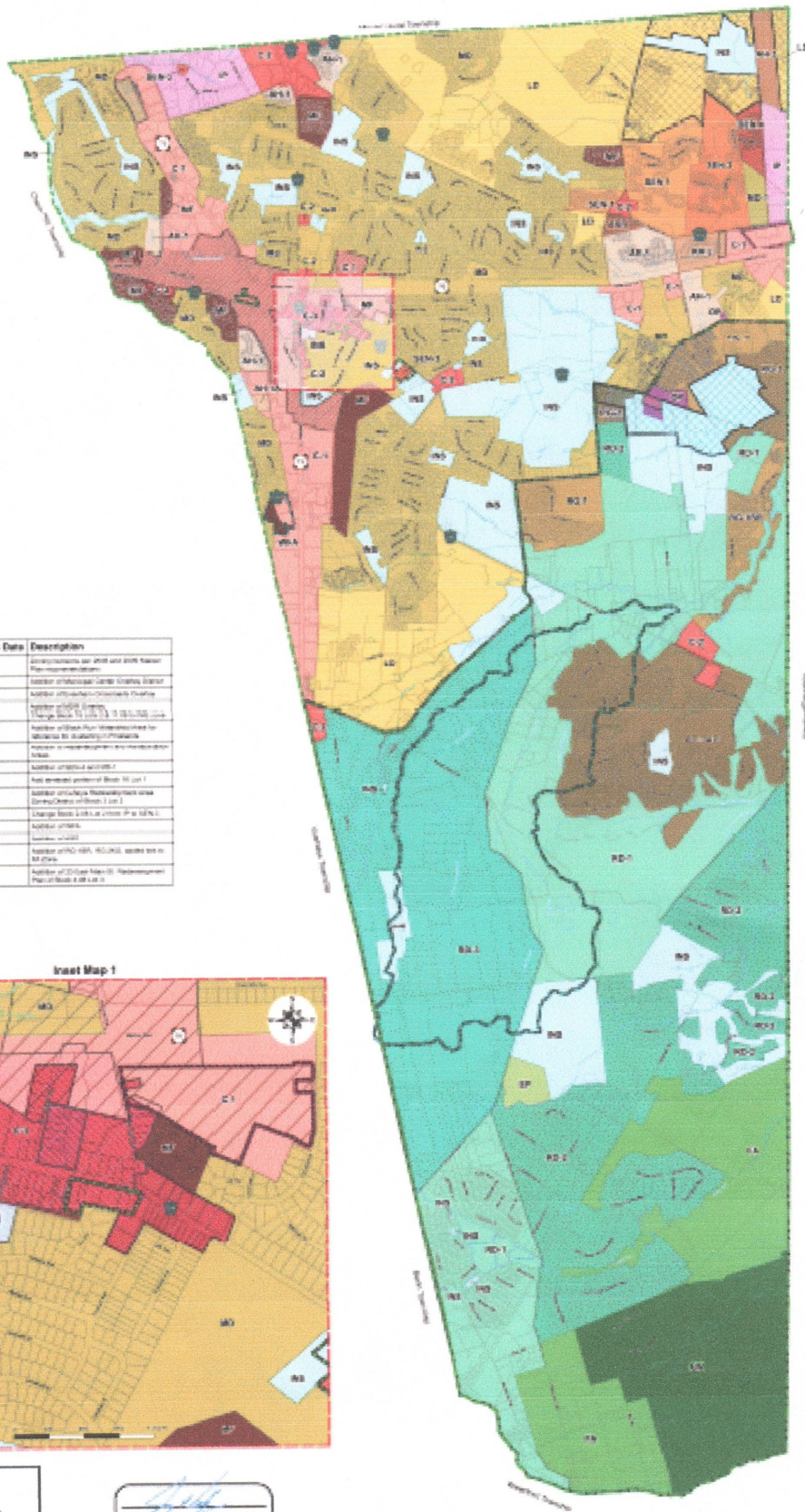
	Supply		Demand	
	PDCs	Rights	PDCs	Rights
1981	7,500	30,000	17,500	70,000
1991	5,625	22,500	11,550	46,200
2002	4,500	18,000	9,750	39,000
2023	2,300	9,200	2,700	10,800

# PDC Supply and Demand

- Original CMP goal: Opportunities for use of PDCs in RGAs should be twice the number of PDCs that could be allocated to sending area properties. Reflects largely optional nature of bonus residential density envisioned by the original CMP.
  - Ideal ratio of Supply to Demand = 1:2
- Updated goal: Opportunities for the use of PDCs in RGAs should be larger than the number of PDCs that could be allocated to sending area properties; however, a 2 to 1 ratio is no longer necessary, given the increasing number of ordinances and redevelopment plans that contain mandatory PDC requirements.
  - 2023 ratio of Supply to Demand = 1:1.2

# PDC Supply and Demand

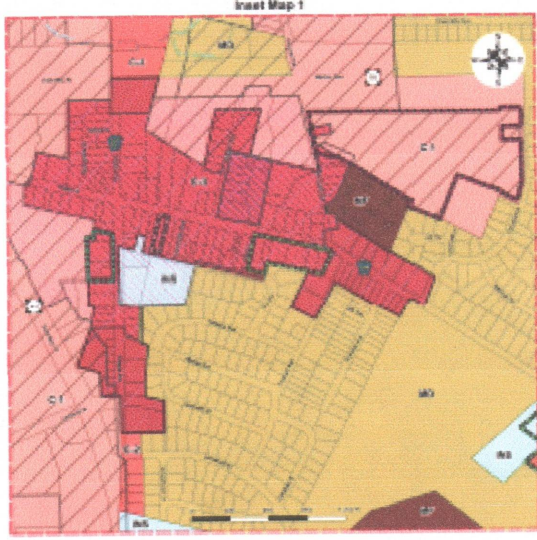
- Factors affecting PDC supply and demand
  - State land acquisition and farmland preservation
  - Management area boundary changes
  - Development in sending areas
  - Low density development in receiving areas
  - High bonus density thresholds
  - Adoption of mandatory PDC requirements
  - Housing market
  - Redevelopment plans and affordable housing obligations
  - Expanded opportunities for PDC use in nonresidential developments
  - Education and outreach



**Legend**

- Water Features:**
  - Water
  - Stream
  - Wetland
- Other Features:**
  - Highway
  - Power Line
  - Public Property
  - Private Property
  - Public Property (Unimproved)
  - Public Property (Improved)
  - Public Property (Unimproved) - Single Lot
  - Public Property (Improved) - Single Lot
  - Public Property (Unimproved) - Multiple Lots
  - Public Property (Improved) - Multiple Lots
  - Public Property (Unimproved) - Single Lot - Water
  - Public Property (Improved) - Single Lot - Water
  - Public Property (Unimproved) - Multiple Lots - Water
  - Public Property (Improved) - Multiple Lots - Water
- Other:**
  - Public Property (Unimproved) - Single Lot
  - Public Property (Improved) - Single Lot
  - Public Property (Unimproved) - Multiple Lots
  - Public Property (Improved) - Multiple Lots
  - Public Property (Unimproved) - Single Lot - Water
  - Public Property (Improved) - Single Lot - Water
  - Public Property (Unimproved) - Multiple Lots - Water
  - Public Property (Improved) - Multiple Lots - Water

Ordinance No.	Adoption Date	Description
01-0001	01/01/01	Establishment of 1998 and 2001 Master Plan Recommendations
01-0002	02/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0003	03/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0004	04/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0005	05/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0006	06/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0007	07/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0008	08/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0009	09/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0010	10/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0011	11/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0012	12/01/01	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0013	01/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0014	02/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0015	03/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0016	04/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0017	05/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0018	06/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0019	07/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0020	08/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0021	09/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0022	10/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0023	11/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations
01-0024	12/01/02	Adoption of the 1998 and 2001 Master Plan Recommendations



**NOTICE**

1. This map is intended to provide information only and does not constitute a contract. The actual zoning code is contained in the zoning ordinance. The zoning ordinance will prevail in the event of any conflict.

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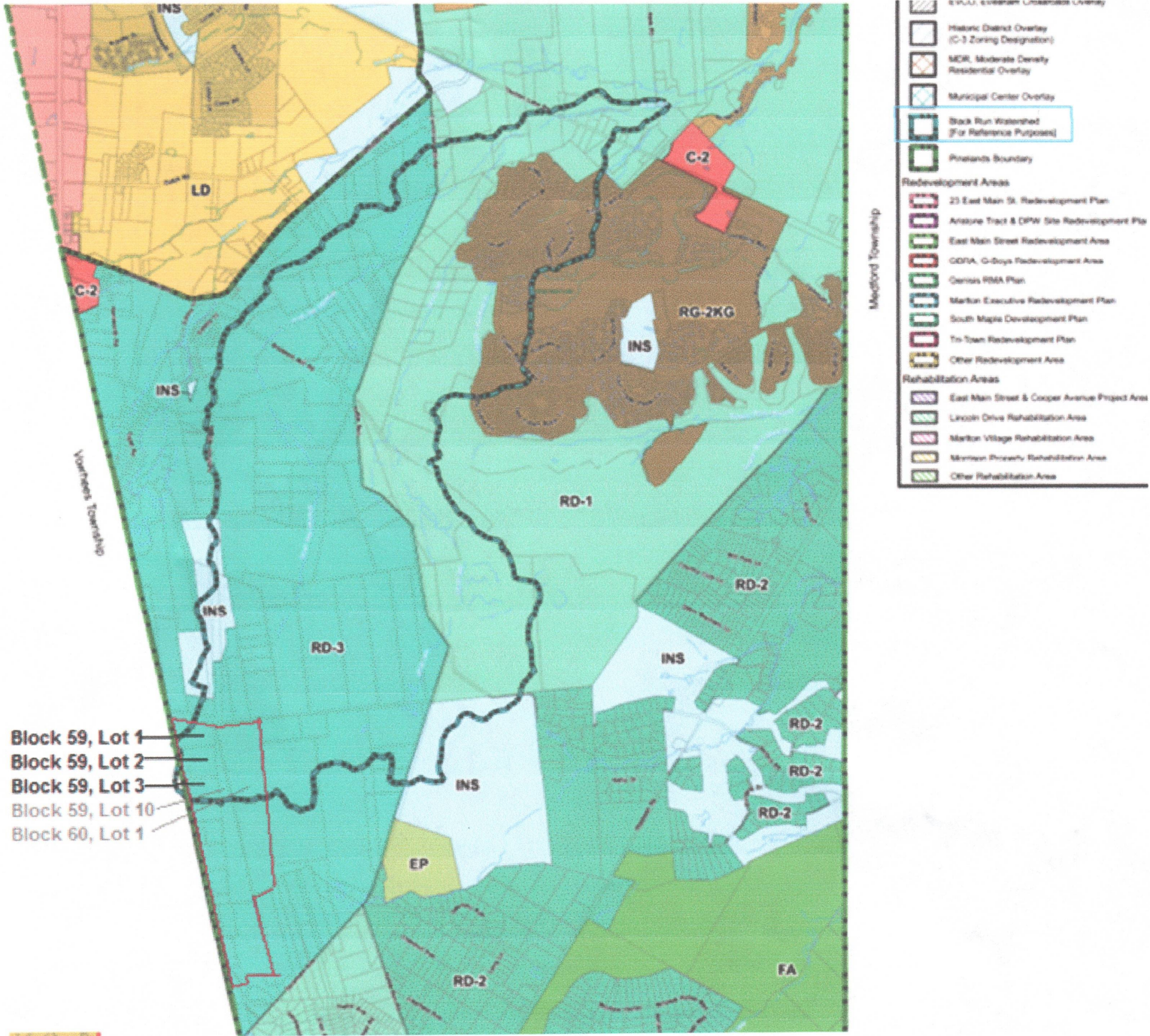
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**Zoning Map**  
**Eastham Township**  
 Vermont  
 Date of Map: 2023  
 Date of Issue: 1/2024  
**RVE ENGINEERING & SURVEYING**  
 100 South Main Street, Suite 100  
 Eastham, Vermont 05746  
 Phone: (802) 893-1111  
 Website: www.rve-engineering.com

**JOSEPH M. PETRONICO, P.P.**  
 PROFESSIONAL PLANNER No. 00000000



Black Run Watershed with proposed cluster area that is in the watershed



Taken from Evesham Township Zoning map

<https://ecode360.com/attachment/EV0481/EV0481-160%20Zoning%20Map%20eCode%20Only.pdf>

Added to this map:

- Black Run Proposal Potential RDA Receiving Area in **RED**
- Land areas mentioned as part of the cluster area within the Black Run Watershed are noted by Block & Lot numbers



# ***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-23-\_\_\_\_\_**

**TITLE:** **Approving** With Conditions Applications for **Public Development** (Application Numbers 1981-0390.003, 1997-0045.014 & 2023-0043.001)

**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:

**1981-0390.003**

<b>Applicant:</b>	<b>Ocean County Vocational Technical School</b>
Municipality:	Jackson Township
Management Area:	Pinelands Rural Development Area
Date of Report:	October 19, 2023
Proposed Development:	Construction of a 20,138 square foot school building;

**1997-0045.014**

<b>Applicant:</b>	<b>Lenape Regional High School District</b>
Municipality:	Tabernacle Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 16, 2023
Proposed Development:	Construction of six tennis courts at the Seneca High School; and

**2023-0043.001**

<b>Applicant:</b>	<b>Town of Hammonton</b>
Municipality:	Town of Hammonton
Management Area:	Pinelands Town
Date of Report:	October 16, 2023
Proposed Development:	Installation of 6,780 linear feet of 14-inch potable water main within the Twelfth Street, Chew Road, First Road and Second Road rights-of-way.

**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 1981-0390.003, 1997-0045.014 & 2023-0043.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

**Record of Commission Votes**

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta					Lettman					Wallner				
Avery					Lohbauer					Matos				
Christy					Mauriello									
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  
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](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Kara L. Huber, Business Administrator & Board Secretary (via email)  
Lenape Regional High School District  
93 Willow Grove Road  
Shamong NJ 08088

Re: Application # 1997-0045.014  
Block 401, Lot 12.05  
Tabernacle Township

Dear Ms. Huber:

The Commission staff has completed its review of this application for the construction of six tennis courts at the Seneca High 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 November 9, 2023 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,

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

Enc: Appeal Procedure

c: Secretary, Tabernacle Township Planning Board (via email)  
Tabernacle Township Construction Code Official (via email)  
Tabernacle Township Environmental Commission (via email)  
Secretary, Burlington County Planning Board (via email)  
Joseph Gray, PE (via email)



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

**PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Kara L. Huber, Business Administrator & Board Secretary (via email)  
 Lenape Regional High School District  
 93 Willow Grove Road  
 Shamong NJ 08088

Application No.: 1997-0045.014  
 Block 401, Lot 12.05  
 Tabernacle Township

This application proposes the construction of six tennis courts on the above referenced 38.92 acre parcel in Tabernacle Township. The Seneca High School is located on the parcel.

The Commission previously approved the construction of the Seneca High School, including the construction of six tennis courts. The applicant proposes to remove the existing tennis courts and construct six new tennis courts in a different location. The applicant has indicated that the area of the existing tennis courts will be revegetated.

**STANDARDS**

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

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

The proposed development is located in a Pinelands Regional Growth Area. Institutional uses, including accessory athletic facilities, 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 parcel. The proposed tennis courts will be located at least 300 feet from wetlands.

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

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

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

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. The existing tennis courts have an impervious surface area of 48,378 square feet. The proposed tennis courts will have an impervious surface area of 46,029 square feet. The proposed development will result in a net decrease in impervious surfaces of 2,349 square feet. There will be no increase in the volume of stormwater run-off from the project area after development than occurred prior to the proposed development.

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

A cultural resource survey was previously completed on the parcel for the construction of the Seneca High School. That survey confirmed the presence of five potentially significant cultural resource sites on the parcel. All of the resource sites were located within the required buffer to wetlands. The area of the proposed tennis courts contains no evidence of cultural resources. Based upon the previous completion of a cultural resource survey for the construction of the Seneca High School, a cultural resource survey was not required for the current application.

**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 August 23, 2023. Newspaper public notice was completed on August 30, 2023. The application was designated as complete on the Commission's website on September 1, 2023. The Commission's public comment period closed on October 13, 2023. 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 seven sheets, prepared by CME Associates, all sheets dated June 29, 2023.
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](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

**PINELANDS COMMISSION**  
**APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 3, 2023 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.



# State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

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www.nj.gov/pinelands



PHILIP D. MURPHY  
Governor

TAHESHA L. WAY  
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General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Stephen DiDonato, Mayor (via email)  
Town of Hammonton  
100 Central Ave.  
Hammonton NJ 08037

Re: Application # 2023-0043.001  
Twelfth Street, Chew Road, First Road and Second Road rights-of-way  
Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application for the installation of 6,780 linear feet of potable water main within the Twelfth Street, Chew Road, First Road and Second Road rights-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 9, 2023 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,

for Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Town of Hammonton Planning Board (via email)  
Town of Hammonton Construction Code Official (via email)  
Town of Hammonton Environmental Commission (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Marianne Risley (via email)



## 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](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

### **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Stephen DiDonato, Mayor (via email)  
Town of Hammonton  
100 Central Ave.  
Hammonton NJ 08037

Application No.: 2023-0043.001  
Twelfth Street, Chew Road, First Road and Second Road rights-of-way  
Town of Hammonton

This application proposes the installation of 6,780 linear feet of a 14-inch potable water main within the Twelfth Street, Chew Road, First Road and Second Road rights-of-way located in the Town of Hammonton.

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 proposed development is located in the Pinelands Town of Hammonton. The proposed development is a permitted use in a Pinelands Town.

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

The proposed water main will be located under existing paved surfaces.

#### 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 notice. Newspaper public notice was completed on October 3, 2023. The application was designated as complete on the Commission's website on October

3, 2023. The Commission's public comment period closed on October 13, 2023. 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 Adams, Rehmann & Heggan Associates, Inc. and dated as follows:

Sheet 1 - September 2023

Sheets 2-9 - September 28, 2023

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

**CONCLUSION**

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



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LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
Executive Director

### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 3, 2023 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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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 19, 2023

Frank J. Frazee, Business Administrator/Board Secretary (via email)  
Ocean County Vocational Technical School  
137 Bey Lea Road  
Toms River NJ 08753

Re: Application # 1981-0390.003  
Block 18401, Lot 4  
Jackson Township

Dear Mr. Frazee:

The Commission staff has completed its review of this application for the construction of a 20,138 square foot school 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 November 9, 2023 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, Jackson Township Planning Board (via email)  
Jackson Township Construction Code Official (via email)  
Jackson Township Environmental Commission (via email)  
Secretary, Ocean County Planning Board (via email)  
Ocean County Health Department (via email)  
Millis Looney (via email)



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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 19, 2023

Frank J. Frazee, Business Administrator/Board Secretary (via email)  
Ocean County Vocational Technical School  
137 Bey Lea Road  
Toms River NJ 08753

Application No.: 1981-0390.003  
Block 18401, Lot 4  
Jackson Township

This application proposes the construction of a 20,138 square foot school building located on the above referenced 150 acre parcel in Jackson Township. The Ocean County Vocational Technical School and the Manchester Regional Day School are located on the parcel.

The applicant has indicated that the proposed building will contain additional classrooms for the Ocean County Vocational Technical School.

### **STANDARDS**

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

#### **Land Use (N.J.A.C. 7:50-5.26(b)11)**

The proposed development is located in a Pinelands Rural Development Area. Institutional uses, such as schools, are a permitted land use in a Pinelands Rural Development Area.

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

There are wetlands located on the parcel. The CMP requires a buffer of up to 300 feet to wetlands. All development, including clearing and land disturbance, will be located at least 300 feet from wetlands.

The parcel is located within the Toms River Corridor as designated in a 'Regional Natural Resource Protection Plan' prepared by the Toms River Corridor Task Force. The Regional Natural Resource Protection Plan, implemented by Jackson Township's land use ordinance (Section 244-101), provides for special wetlands protection measures. These special measures include a mandatory 300 foot buffer to wetlands and an additional 300 foot buffer to wetlands that are located along the main stem of the Toms River and the Ridgeway Branch of the Toms River. When combined, these requirements result in the

need for development to maintain a 600 foot buffer to wetlands. The proposed development is located within 600 feet of wetlands associated with the main stem of the Ridgeway Branch of the Toms River.

Portions of the proposed development will be located within the additional 300 foot buffer to wetlands required to the main stem of the Ridgeway Branch of the Toms River. The Township land use ordinance (Section 244-101(E)4c) provides a limited number of exceptions from this additional 300 foot buffer to wetlands. One of these exceptions is the expansion of an existing nonresidential building, provided clearing of trees and vegetation does not exceed 20,000 square feet. The proposed development will result in the clearing of 19,340 square feet of trees and vegetation and therefore qualifies for the exception.

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

The proposed development will be located within an existing forested and maintained grassed area. The proposed development will result in the clearing of 19,340 square feet of trees and vegetation. The proposed vegetation 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.

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

The existing and proposed development is and will be serviced by two on-site septic systems. The proposed development will increase the maximum capacity at the Ocean County Vocational School from 269 students and staff to 275 students and staff. The Manchester Regional Day School, also located on the parcel, has a maximum capacity of 74 students and staff. The applicant has demonstrated that the existing and proposed development on the 150 acre parcel will not exceed the CMP two parts per million groundwater quality (septic dilution) standard.

#### 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 two stormwater retention basins.

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

In a Rural Development Area, the CMP designates all public paved roads as scenic corridors. The CMP and the Township land use ordinance require that all buildings be set back at least 200 feet from the center line of a scenic corridor. The CMP and Township land use ordinance further provide that if compliance with the 200 foot setback is constrained by environmental considerations, such as wetlands or providing the required buffer to wetlands, the building shall be set back as close to 200 feet as practical and shall be landscaped to provide screening from any public paved road.

Due to constraints on the proposed development imposed by maintaining the required 300 foot buffer to wetlands and the additional 300 foot buffer to wetlands, the proposed school building will be located 75 feet from the centerline of Toms River Road, a paved public road. There is an existing forested area on

the parcel of varying width, averaging approximately 50 feet wide, located between Toms River Road and the proposed school building. This existing forested area effectively provides landscape screening from Toms River Road and therefore must remain in perpetuity. There is an existing approximately 30 foot wide gap in the existing forested area located between Toms River Road and the proposed school building. A condition has been included in this Report to require planting of trees in that 30 foot wide gap to provide additional screening from the scenic corridor.

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

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

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 12, 2023. Newspaper public notice was completed on April 14, 2023. The application was designated as complete on the Commission's website on October 2, 2023. The Commission's public comment period closed on October 13, 2023. 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 13 sheets, prepared by Colliers Engineering & Design, all sheets dated December 22, 2022 and last revised September 8, 2023.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.
6. The existing forested area located between Toms River Road and the proposed school addition must remain in perpetuity to provide screening from the scenic corridor in accordance with scenic setback standards.
7. To address the existing approximately 30 foot wide gap in the existing forested area located between Toms River Road (scenic corridor) and the proposed school, a minimum of 15 native Pinelands trees shall be planted to provide screening from the scenic corridor. The trees shall be planted a maximum of ten feet apart.

**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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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
Executive Director

### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 6, 2023 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. PC4-23- \_\_\_\_\_

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1989-0089.013)

Commissioner \_\_\_\_\_ moves and Commissioner \_\_\_\_\_ 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:

**1989-0089.013**

<b>Applicant:</b>	<b>Hamilton Township Board of Education</b>
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	October 16, 2023
Proposed Development:	Installation of a 105 foot deep irrigation well at the existing George Hess elementary school.

**WHEREAS**, an irrigation well was installed on the parcel without application to, and approval by, the Commission constituting a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

**WHEREAS**, the applicant proposes to address this violation by completing this application; and

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that Application Number 1989-0089.013 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					Lettman					Wallner				
Avery					Lohbauer					Matos				
Christy					Mauriello									
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



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Governor

TAHESHA L. WAY  
Lt. Governor

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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

October 16, 2023

Carol Bowen (via email)  
Hamilton Township Board of Education  
1876 Dr. Dennis Forman Drive  
Mays Landing NJ 08330

Re: Application # 1989-0089.013  
Block 995, Lot 1.01  
Hamilton Township

Dear Ms. Bowen:

The Commission staff has completed its review of this application for installation of an irrigation well at the existing George Hess 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 November 9, 2023 meeting.

**The irrigation well was installed on the parcel without application to the Commission. The installation of the irrigation well constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address the violation.**

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

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

Sincerely,

for Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure  
c: Secretary, Hamilton Township Planning Board (via email)  
Hamilton Township Construction Code Official (via email)  
Atlantic County Department of Regional Planning and Development (via email)



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General Information: [Info@pinelands.nj.gov](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

## **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Carol Bowen (via email)  
Hamilton Township Board of Education  
1876 Dr. Dennis Forman Drive  
Mays Landing NJ 08330

Application No.: 1989-0089.013  
Block 995, Lot 1.01  
Hamilton Township

This application proposes installation of a 105 foot deep irrigation well at the existing George Hess elementary school located on the above referenced 48.6 acre parcel in Hamilton Township.

The irrigation well was installed on the parcel without application to the Commission. The installation of the irrigation well constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). Completion of this application is intended to address the violation.

### **STANDARDS**

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

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

The above referenced parcel is located in a Pinelands Regional Growth Area. An irrigation well to service the existing school is a permitted accessory 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 irrigation well is located at least 300 feet from wetlands.

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

The proposed irrigation well is located within an existing maintained grass athletic field. The proposed soil disturbance was limited to that which is necessary to accommodate the proposed development.

### Water Management Standards (N.J.A.C. 7:50-6.86)

The proposed irrigation well will utilize the Kirkwood-Cohansey aquifer. The CMP currently requires that a proposed irrigation well of more than 100,000 gallons per day that utilizes the Kirkwood Cohansey aquifer must address possible alternative water supply sources and potential adverse ecological impact.

The proposed irrigation well will be utilized on a seasonal basis. The applicant has indicated that the irrigation well will have a maximum withdrawal of 832,500 gallons per month (equivalent to 26,855 gallons per day) and 5,827,500 gallons per year (equivalent to 15,966 gallons per day).

The proposed irrigation well will not result in a water supply diversion of more than 100,000 gallons per day from the Kirkwood-Cohansey aquifer. Therefore, it is not subject to the current CMP standards for use of the Kirkwood-Cohansey aquifer. The proposed irrigation well is consistent with the CMP water management standards.

### 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 October 3, 2023. The Commission’s public comment period closed on October 13, 2023. 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 sketch submitted on October 3, 2023.
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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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
Executive Director

### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 3, 2023. 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. PC4-23-\_\_\_\_\_**

**TITLE:** **Approving** With Conditions an Application for **Public Development** (Application Number 1988-1286.002)

**Commissioner \_\_\_\_\_ moves and Commissioner \_\_\_\_\_**  
**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:

**1988-1286.002**

<b>Applicant:</b>	<b>Hammonton Board of Education</b>
Municipality:	Town of Hammonton
Management Area:	Pinelands Town
Date of Report:	October 16, 2023
Proposed Development:	Construction of a 10,563 square foot addition to an existing school and 73 parking spaces.

**WHEREAS**, on August 11, 2000 the Commission approved the construction of a 25,050 square foot addition to an existing school and a 42 space parking lot on the parcel;

**WHEREAS**, instead of the construction of the 25,050 square foot addition to the existing school and a 42 space parking lot, the applicant constructed a 35,613 square foot addition to the existing school and a 115 space parking lot on the parcel;

**WHEREAS**, construction of the additional 10,563 square foot addition to the existing school and the 73 additional parking spaces prior to the completion of an application to, and approval by, the Commission constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

**WHEREAS**, the applicant proposes to address this violation by completing this application; and

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED** that Application Number 1988-1286.002 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					Lettman					Wallner				
Avery					Lohbauer					Matos				
Christy					Mauriello									
Holroyd					Meade									
Irick					Pikolycky									

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

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Susan R. Grogan  
Executive Director

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Laura E. Matos  
Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

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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

October 16, 2023

Barbara Prettyman, School Business Administrator (via email)  
Hammonton Board of Education  
566 Old Forks Road  
Hammonton NJ 08037

Re: Application # 1988-1286.002  
Block 2301, Lot 64  
Town of Hammonton

Dear Ms. Prettyman:

The Commission staff has completed its review of this application for the construction of a 10,563 square foot addition to an existing school and 73 parking spaces. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its November 9, 2023 meeting.

**On August 11, 2000, the Commission approved the construction of a 25,050 square foot addition to an existing school and a 42 space parking lot on the parcel. Instead of the Commission approved development, a 35,613 square foot addition and a 115 space parking lot were constructed on the parcel. The construction of the additional 10,563 square foot school addition and 73 additional parking spaces prior to the completion of an application with the Commission constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan.**

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,

for Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Town of Hammonton Planning Board (via email)  
Town of Hammonton Construction Code Official (via email)  
Town of Hammonton Environmental Commission (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Marianne Risley (via email)



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Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

LAURA E. MATOS  
Chair  
SUSAN R. GROGAN  
Executive Director

### **PUBLIC DEVELOPMENT APPLICATION REPORT**

October 16, 2023

Barbara Prettyman, School Business Administrator (via email)  
Hammonton Board of Education  
566 Old Forks Road  
Hammonton NJ 08037

Application No.: 1988-1286.002  
Block 2301, Lot 64  
Town of Hammonton

On August 11, 2000, the Commission approved the construction of a 25,050 square foot addition to an existing school and a 42 space parking lot on the above referenced 28.62 acre parcel in the Town of Hammonton. Instead of the development approved by the Commission, a 35,613 square foot school addition and a 115 space parking lot were constructed on the parcel.

The construction of the additional 10,563 square foot school addition and the 73 additional parking spaces constitutes a violation of the application requirements of the Town of Hammonton land use ordinance and the Pinelands Comprehensive Management Plan (CMP). The completion of this application is intended to address the violation.

### **STANDARDS**

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

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

The parcel is located in the Pinelands Town of Hammonton. The proposed development is a permitted land use in a Pinelands Town.

#### Wetlands Standards (N.J.A.C. 7:50-6.14)

There are wetlands located on the parcel. As part of the application previously approved by the Commission, it was demonstrated that the proposed development would not result in a significant adverse impact on wetlands if all proposed development on the parcel maintained a 175 foot buffer to wetlands. The development proposed in this application will be located at least 175 feet from wetlands.

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

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

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

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant proposes to construct six new small-scale stormwater infiltration basins. In addition, the applicant proposes to increase the volume of stormwater being retained on the parcel by raising the elevation of an outlet structure in an existing stormwater basin on the parcel that was constructed for the development approved by the Commission on August 11, 2000.

Air Quality Standards (N.J.A.C. 7:50-6.94)

The CMP requires that all nonresidential development in a Pinelands Town proposing more than 100 parking spaces must demonstrate consistency with New Jersey Department of Environmental Protection Air Quality ambient air quality standards (N.J.A.C. 7:27 et. seq.) for carbon monoxide at sensitive receptors. In combination, the 42 parking spaces approved by the Commission on August 11, 2000 and the 73 parking spaces proposed in the current application result in a total of 115 parking spaces. The applicant has submitted information demonstrating that the proposed development is consistent with the air quality standards contained in the CMP.

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

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

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required landowners within 200 feet of the above referenced parcel was completed on June 29, 2023. Newspaper public notice was completed on July 6, 2023. The application was designated as complete on the Commission's website on September 18, 2023. The Commission's public comment period closed on October 13, 2023. 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 Adams, Rehmann & Heggan Associates, Inc., all sheets dated June 30, 2023 and last revised August 18, 2023.
2. Disposal of any construction debris or excess fill may only occur at an appropriately

licensed facility.

3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 175 feet from wetlands.

### **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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LAURA E. MATOS  
Chair

SUSAN R. GROGAN  
Executive Director

### **PINELANDS COMMISSION** **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on November 3, 2023 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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LAURA E. MATOS  
 Chair  
 SUSAN R. GROGAN  
 Executive Director

## MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*  
 Planning Specialist

Date: October 30, 2023

Subject: No Substantial Issue Findings

During the past month, the Planning Office reviewed one ordinance amendment that was found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). It included the following:

**Egg Harbor City Ordinance 12-2023** – amends the Tower Site Redevelopment Plan, which was previously found to raise no substantial issue with respect to the CMP. Ordinance 12-2023 expands the affiliated redevelopment area to include Block 11, Lots 1 and 2-15, which is approximately two acres and currently zoned R-3.2C. The ordinance also revises the uses permitted within the redevelopment area to include Media/Motion Picture Studio/Entertainment Studio and all associated uses, as well as research and development for emerging technologies and green technologies. The ordinance also includes building limit controls and provisions relating to Media/Motion Picture Studio/Entertainment Studio. The Tower Site Redevelopment Area and the R-3.2C District are located within a Pinelands Town management area.