



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



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

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

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

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA
 Friday, July 11, 2025- 9:30 a.m.

This meeting will be held in-person and virtually.

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

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

<https://www.youtube.com/watch?v=5N8o5p5ru1E>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 881 4864 8988

1. Call to Order

- Open Public Meetings Act Statement
- Roll Call
- Pledge Allegiance to the Flag
- Election of Vice-Chair
- Committee Assignments

2. Adoption of Minutes

- June 13, 2025

3. Committee Chairs' and Executive Director's Reports

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

A. Permitting Matters

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

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

- Application No. 1981-2232.001 - Manchester Township
Placement of a permeable soil cap on a closed municipal landfill
Manchester Township

Resolution Approving With Conditions (1) Application for Public Development and a Certificate of Appropriateness:

- Application No. 1985-0160.015 - NJ Department of Environmental Protection
Demolition of a former nature center building, 50 years old or older, at Batsto Village
Washington Township

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

- Application No. 2025-0074.001 - Dennis Township
Demolition of an 1,868 square foot multi-family dwelling, 50 years old or older
Dennis Township

Resolution Approving with Conditions (1) Application for a Waiver of Strict Compliance:

- Application No. 1983-6052.002 - Andrey Letushko
Single family dwelling
Monroe Township

B. Planning Matters

- Municipal Master Plans and Ordinances
 - None
- Other Resolutions
 - Issuing an Order to Approve the Stockton University 2020 Facilities Master Plan
- CMP Amendments
 - None

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

A. Public Development Projects

- Application No. 1983-4180.005 – Ocean County
Forestry on 1,434 acres
Lacey Township & Ocean Township
- Application No. 1984-1339.033 – Egg Harbor Township

Construction of a 64 space paved parking lot at Shires Park
Egg Harbor Township

- Application No. 1986-1408.014 – Borough of Woodbine
Resubdivision resulting in three lots and no further development
Borough of Woodbine

B. Waiver of Strict Compliance

- Application No. 1988-0589.001 – Barry
Single family dwelling
Hamilton Township

6. Master Plans and Ordinances Not Requiring Commission Action

- Corbin City 2025 Housing Element and Fair Share Plan
- Egg Harbor City Ordinance 1-2025
- Hammonton Town Ordinance 010-2025
- South Toms River Borough Ordinance 2025-11

7. General Public Comment

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

9. Adjournment

Upcoming Meetings

Fri., July 25, 2025	Policy & Implementation Committee Meeting (9:30 a.m.)
Fri., August 8, 2025	Pinelands Commission Meeting (9:30 a.m.)

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

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

PINELANDS COMMISSION MEETING

MINUTES
June 13, 2025

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=oXYP82IoX6w>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Deborah Buzby-Cope, Jerome H. Irick, Mark Lohbauer, Mark Mauriello, Jonathan Meade, William Pikolycky, Jessica Rittler Sanchez, Ryck Signor, and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Alexis Franklin.

Commissioners Absent

John Holroyd, Theresa Lettman and Douglas Wallner.

Call to Order

Chair Matos called the meeting to order at 9:30 a.m.

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

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

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's May 9, 2025 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Buzby-Cope seconded the motion.

The minutes from the May 9, 2025 Commission meeting were adopted by a vote of 11 to 0.

Executive Director's Report

ED Grogan provided information on the following matters:

- The Personnel and Budget Committee is scheduled to meet on June 24th, at which time staff will review financial and personnel updates, including preliminary Fiscal Year 2026 budget figures. Additionally, an update on the Fenwick Manor rehabilitation project will be provided during the meeting. Currently, a structural engineer and an electrical engineer are in Fenwick Manor inspecting the building to prepare plans for the stabilization.
- The rule proposal that the Commission authorized at its April meeting has been reviewed by the Office of Administrative Law to ensure compliance with the state rulemaking process. Staff responded to questions and agreed to most of the suggested edits. The proposal will be published on June 16th. Notices will be shared with counties, municipalities and interested parties about the proposal and again providing notification of the public hearing scheduled for July 15th. Internal discussions continue in order to determine the best outreach mechanism so that everyone is aware of the rule proposal.
- A large Pinelands Development Credit (PDCs) severance occurred recently, and it permanently protected approximately 3,000 acres in Washington Township's Special Agricultural Production Area and added many PDCs to the market. Photographs of the cranberry farm will be featured in the PDC Bank's 2025 Annual Report, which will be issued in late August.
- The magnolia tree planted in memory of former Commissioner Ed Lloyd bloomed earlier this month. Photographs of the flowers were shared with Ed's family (see attached photos).

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

- Manchester Township is proposing to construct a 170-foot communications tower on a one-acre parcel located in Whiting. The application also proposed a five-car parking lot, two to three concrete pads for equipment and an access driveway since the parcel is located on an unimproved dirt road. There are known threatened and endangered (T&E) animal species in the vicinity of the parcel, necessitating a two-season drift fence survey. The Police Chief wrote to the Commission that this tower is necessary to maintain public safety in the community. Staff recommended the town modify the application to limit the disturbance on the site to what is immediately necessary, which would require less T&E work. The two season drift fence survey could be completed in the future in order to pursue the other development initially proposed. Staff is waiting for an amended site plan.

- Staff recently spoke with the New Jersey Department of Environmental Protection (NJDEP) staff about the property on Magnolia Road in Pemberton Township where the owner dumped large quantities of fill on their parcel for an access driveway. The NJDEP recently conducted a site visit and reported that approximately 6,000 square feet of fill remains on the parcel. The property owner has denied Commission staff access to the site. Staff is in the process of scheduling a joint meeting on the matter that will include the township, the NJDEP and the neighboring property owner, the New Jersey Conservation Foundation.

April Field, Chief Permitting Officer, provided an update on the following applications:

- Staff is reviewing an application for a 650,000 square foot warehouse proposed on a portion of the former Atlantic City Race Course in Hamilton Township. On May 30th, staff sent a letter requesting additional information.
- Staff is reviewing T&E survey studies for a future residential subdivision on a parcel in Evesham Township. Staff will field verify wetlands once the applicant advises that the wetlands flagging is complete. Members of the public have expressed an interest in the future development of this parcel.

Ms. Field said on June 11th, staff organized and held a Zoom webinar for municipal officials and employees. The webinar focused on using the Pinelands Interactive Map, a mapping tool located on the Commission's website. She thanked Paul Leakan for handling the registration and facilitating the webinar.

ED Grogan commended April Field for delivering a flawless webinar, which was the Commission's first time conducting an online-only event.

Commissioner Lohbauer thanked Director Horner for remaining committed to resolving the dumping issue on Magnolia Road. He also thanked Emile DeVito for raising awareness of the matter when the actual dumping occurred.

Commissioner Rittler Sanchez suggested that maybe the Pinelands Municipal Council could hold their meetings via Zoom so members would not have to drive to meetings.

ED Grogan said first the Council must re-establish itself. She said staff has offered to help with circulating agendas and to facilitate remote meetings.

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

- The Commission is currently accepting Pinelands Conservation Fund (PCF) grant applications for land acquisition projects meeting specific criteria. Applications are due by September 19th. The Commission will be sending out multiple reminders to land preservation partners.

- As noted the past few months, Commission staff continued to offer suggestions to the NJDEP as they update their rules for administration of Pinelands Infrastructure Trust Fund (PITF) projects and allowable costs. A meeting is scheduled with Pemberton Township later this month about a previously approved PITF grant and loan associated with a redevelopment project.
- The June 27th Policy and Implementation Committee meeting will include discussion of the following: Stockton University's Master Plan, Dual Use Solar in the Pinelands Area and the Long-Term Economic Monitoring Work Plan.

Stacey Roth, Chief, Legal and Legislative Affairs provided a brief update on the following two litigation matters:

- We are still awaiting news on whether the Appellate Division will hear oral arguments or make a decision on the briefs related to Clayton Sand Company's appeal of the Commission's Water Management rule amendment (Kirkwood-Cohansey).
- The Attorney General's office filed a complaint against Artistic Materials in Superior Court earlier this year. NJDEP joined the litigation. The first Case Management Conference was held at the end of May. Discovery is about to begin.

Brad Lanute, Chief Planner provided an update on the State Plan and affordable housing:

- The cross-acceptance process is proceeding. The Office of Planning Advocacy (OPA) anticipated that all county submissions would be submitted by the end of May. Once OPA finishes reviewing those submissions, negotiations will begin between the State Planning Commission and each county's negotiating committee. Commission staff is scheduled to meet with OPA later this month to discuss the Pinelands Commission's role in the Pinelands National Reserve, specifically the areas located outside the Pinelands Area. The Commission has a Memorandum of Agreement (MOA) with the State Planning Commission that outlines the roles of the two agencies in the Pinelands National Reserve and in particular how State Planning Areas on the policy map are to align with Pinelands Management Areas. OPA expects to adopt an updated plan by the end of the year.
- As the fourth round of affordable housing gets underway, the Commission has begun receiving adopted Fair Share Plans from municipalities. It's anticipated that more plans will be submitted in the coming weeks. Municipalities must adopt their updated Fair Share Plans by the end of the month in order to maintain protection from builder's remedy litigation.

Paul Leakan, Communications Officer said as noted earlier, staff held a two-hour, virtual training session that was attended by 60 people, including municipal Planning and Zoning Board Secretaries, Zoning Officials and Land Use Administrators. We also had several members of the Department of Community Affairs in attendance.

He said that April Field covered a lot of ground while delivering a very informative presentation and demonstration on how to use our online Property Maps to answer frequently asked questions about the land development process in the Pinelands. The presentation has been posted on our website and all attendees were sent a link to the presentation, a link to the recording of the presentation on Zoom and a signed, digital training certificate so that they can obtain one technical hour toward their Planning/Zoning certificates.

He said staff continue to promote the 9th annual Pinelands Summer Short Course, which is set for Kramer Hall in Hammonton on July 18th. Approximately 70 people have registered so far, and we have another month to go.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution approving the following two public development applications: demolition of four structures at the former Burlington County College campus in Pemberton Township and the soil capping of a municipal landfill in Hamilton Township.

Commissioner Lohbauer made a motion Approving With Conditions Applications for Public Development (Application Numbers 1981-2384.016 & 1984-1306.002) (See Resolution # PC4-25-14). Commissioner Irick seconded the motion.

Ernest Deman, Supervising Environmental Specialist, said Burlington County is proposing to demolish eight structures at the former community college site in Pemberton Township. He said only four of the structures require an application due to their age, 50 years or older. The county will recycle the applicable material and everything else will be disposed of at the Burlington County Landfill. The applicant has indicated that all hazardous material, including asbestos, has already been removed. The buildings to be demolished do not have any cultural significance.

He said the second application is for the placement of a soil cap at Hamilton Township's landfill. He said the landfill accepted waste through 1990. He said the Comprehensive Management Plan (CMP) states that if a landfill was operational after January 1981 in a Regional Growth Area, the landfill can be capped with a permeable surface as long as one of four standards required by the CMP can be met. He said if there was leachate plume associated with the landfill, it must be demonstrated that there is no significant ecological risk to nearby wetlands. The applicant provided detailed information about the plume that was reviewed by staff. The information found that the plume will not have a significant ecological risk on nearby wetlands. Additionally, the applicant had to undertake a T&E study for the red-headed woodpecker. During the survey, a red-headed woodpecker was called onto the site and then left. Additional survey work found no occurrence or nests related to the red-headed woodpecker. In order to meet the T&E standards, the applicant is proposing to maintain a 100-foot corridor around the entirety of the landfill property. That corridor contains mature forest and is habitat for the red-headed woodpecker.

Commissioner Lohbauer asked if Commission staff knows why the college is taking down the buildings in Pemberton.

Mr. Deman said there are no pending development applications with the Commission.

ED Grogan added that there are a number of rumors about future development at the site. She said the Commission did approve a redevelopment plan several years ago that allows for mixed use development.

Commissioner Rittler Sanchez said she is a visual person, and it would have been nice to have a diagram to see how close the buildings that are proposed to be demolished are to the stream corridor at the former college. She added that it would have been also helpful to see the proposed 100-foot corridor at the landfill site.

The resolution was adopted by a vote of 11 to 0.

Chair Matos introduced a resolution for a Waiver of Strict Compliance.

Commissioner Mauriello made a motion Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 1983-6352.003) (See Resolution # PC4-25-15). Commissioner Lohbauer seconded the motion.

Director Horner said the Commission previously approved the Waiver of Strict Compliance in 2017 and it has since expired. The applicant is proposing to build a single family dwelling on a parcel that does not meet the one-acre lot size requirement and the five-foot to seasonal high water table standard. The parcel is located in the village of Indian Mills in Shamong Township.

The resolution was adopted by a vote of 11 to 0.

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

No one from the public provided comment.

Ordinances Not Requiring Commission Action

Mr. Lanute said staff reviewed seven ordinances and one master plan amendment last month that were found to raise no substantial issues. He highlighted the four Jackson Township items noted in the memo. He said the master plan amendment and two initial ordinances were adopted in late 2023 in response to a federal consent decree that involved Jackson Township and private legal settlements. He said the Commission was not a party to any of those legal proceedings. Staff only became aware of the ordinances after they were introduced to Council. Since that time, staff have worked closely with the Township to address provisions in Ordinance 30-23 that were inconsistent with CMP standards.

The amendments affected zones located in the Township's Regional Growth Area, Villages, and the Rural Development Area. They focused on permitting certain institutional use, such as houses of worship, primary and secondary schools, and institutions of higher learning as well as accessory uses like dormitories and residences for students and faculty.

Staff were concerned with the intensity of development allowed under the new provisions, ambiguities over bulk and area requirements, and potential negative impacts to the PDC Program.

After multiple meetings and exchanging many drafts, the Township adopted an ordinance in late May addressing all the CMP-related issues. The Township advised staff that the ordinance revisions were reviewed and approved by the Federal Department of Justice prior to adoption.

Other Resolutions

Commissioner Avery made a motion To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2026 at the Same Level of Expenditures as Fiscal Year 2025 until the Adoption of the Fiscal Year 2026 Budgets (See Resolution # PC4-25-16). Commissioner Rittler Sanchez seconded the motion.

ED Grogan explained that this is an annual resolution that allows the Commission to meet its continuing fiscal responsibilities until the Commission adopts a new budget. She noted that the resolution includes the expected budget appropriation to the Commission.

The resolution was adopted by a vote of 11 to 0.

General Public Comment

John Volpa thanked the Commission for hosting the Permanent Land Preservation Summit that focused on accessible trails. He spoke about the importance of sanitary facilities at specific locations in the Pinelands Area to protect the Kirkwood-Cohansey aquifer from e-coli contamination. See attached comments.

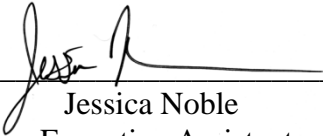
Jason Howell of the Pinelands Preservation Alliance (PPA) suggested the Commission provide additional details about the Clayton Sand Mine litigation for the benefit of members of the public.

Ms. Roth provided additional information on the Clayton matter. She said Clayton Sand Company challenged the Kirkwood-Cohansey rules. The rules include a provision about non-consumptive water use. Clayton felt the provision was vague and initiated litigation. The briefing occurred and the Commission has been waiting since January for a determination from the Appellate Division. If the Court sides with Clayton, the rules would be deemed ultra vires and come back to the Commission. PPA is a friend of the court on this matter.

Adjournment

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Pikolycky seconded the motion. The Commission agreed to adjourn at 10:20 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: June 23, 2025

Pinelands Commission Meeting
Comments by John Volpa
6-13-25

Accessible trails are key to improving public health

John Volpa, Founder of the Black Run Preserve, speaking as a private citizen and resident of Evesham Township. Good morning, commissioners.

Thank you for continuing to move the CMP Headwaters Amendment forward. I look forward to the July 15th public comment event.

I've been traveling and missed your last two meetings, so I'm going to backtrack to April.

Thank you for hosting the Permanent Land Preservation Summit and focusing on accessible trails for everyone. Learning from Mr. Murphy of Green Acres that 78% of New Jerseyans use trails and that trails are the Number One thing New Jerseyans want more of, speaks to the inherent need people feel for Mother Nature's touch.

Previously I spoke about the public health value of open space. Providing more trails for all user groups are the factors that multiply the positive impact on public health. Humans are part of every ecosystem. They want greater access to sustainability constructed trails with infrastructure to support all groups: people with disabilities, hikers, mountain bikers, paddlers, fishers, hunters, birders, and more. Part of that infrastructure must include sanitary facilities at key locations such as Quaker Bridge, First Beach, and Basto Landing.

For many months, E. coli contamination has closed two wells in Wharton State Forest: Batona Campground and the Mullica River Wilderness Campground. Protecting the K-C Aquifer is the Number One reason this body came into existence. Therefore, I respectfully request that installing sanitary facilities in the key locations I listed become a priority. Every year Pinelands Adventures puts thousands of people on the Batsto and Mullica Rivers. Providing access without the proper sanitary infrastructure is courting danger to the aquifer.

I look forward to the plan of action that results from the Summit's breakout sessions and recommendations for constructing more sustainable trails in the Pine Barrens.

Respectfully,
John Volpa



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 14

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1981-2384.016 & 1984-1306.002)

Commissioner Lohbauer moves and Commissioner Irick 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:

1981-2384.016

Applicant:	Burlington County
Municipality:	Pemberton Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	May 19, 2025
Proposed Development:	Demolition of four structures ("buildings"), 50 years old or older, at the former Burlington County College Campus; and

1984-1306.002

Applicant:	Hamilton Township
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	May 22, 2025
Proposed Development:	Soil capping of an existing municipal landfill.

WHEREAS, no request for a hearing before the New Jersey Office of Administrative Law concerning the Executive Director's recommendation has been received for 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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1981-2384.016 & 1984-1306.002 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	X				Lettman			X		Rittler Sanchez	X			
Avery	X				Lohbauer	X				Signor	X			
Buzby-Cope	X				Mauriello	X				Wallner			X	
Holroyd			X		Meade	X				Matos	X			
Irick	X				Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 13, 2025



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



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Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

May 19, 2025

Steven Stypinski
Burlington County (via email)
49 Rancocas Road
Mt. Holly NJ 08060

Re: Application # 1981-2384.016
Block 843, Lot 10
Pemberton Township

Dear Mr. Stypinski:

The Commission staff has completed its review of this application for demolition of four structures ("buildings"), 50 years old or older, at the former Burlington County College Campus. 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 June 13, 2025 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Pemberton Township Planning Board (via email)
Pemberton Township Construction Code Official (via email)
Pemberton Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)
Harry Harper (via email)



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Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2025

Steven Stypinski
Burlington County (via email)
49 Rancocas Road
Mt. Holly NJ 08060

Application No.: 1981-2384.016
Block 843, Lot 10
Pemberton Township

This application proposes demolition of four structures ("buildings"), 50 years old or older, at the former Burlington County College Campus located on the above referenced 166 acre parcel in Pemberton Township.

There are eight buildings currently located on the parcel. The application proposes to demolish all of the existing buildings. Four of the buildings are less than 50 years old. The demolition of a building less than 50 years old does not require the completion of an application with the Commission.

The applicant has indicated that the debris from the proposed demolitions will be recycled to the maximum extent practicable and that all hazardous materials, including asbestos, have previously been removed from the structures.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.26 & 5.28)

The parcel is located in a Pinelands Rural Development Area and a Pinelands Regional Growth Area. The four buildings subject of this application that are proposed for demolition are located in a Pinelands Regional Growth Area. The CMP permits the demolition of structures anywhere in the Pinelands Area.

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

The Commission staff reviewed available information to determine whether any significant cultural resources exist on the parcel. Based upon the lack of potential for significant cultural resources, a

cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to land owners within 200 feet of the above referenced parcel was completed on April 4, 2025. Newspaper public notice was completed on April 9, 2025. The application was designated as complete on the Commission's website on April 28, 2025. The Commission's public comment period closed on May 9, 2025. The Commission received one verbal public comment regarding this application during the May 9, 2025 Commission meeting.

Commenter: The commenter expressed their appreciation that the County was moving forward with the demolition of the buildings located on the parcel.

Staff Response: The Commission staff appreciates the commenter's interest in the Pinelands Area.

CONDITIONS

1. Disposal of any demolition debris may only occur at an appropriately licensed facility.
2. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.

CONCLUSION

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



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PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on June 6, 2025 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

May 22, 2025

Carl Pitale (via email)
Hamilton Township
6101 Thirteenth Street
Mays Landing NJ 08330

Re: Application # 1984-1306.002
Block 994, Lots 57 & 58.12 - 58.15
Hamilton Township

Dear Mr. Pitale:

The Commission staff has completed its review of this application for the soil capping of an existing municipal landfill. 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 June 13, 2025 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, Hamilton Township Planning Board (via email)
Hamilton Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Jeffrey C. Dey (via email)
Art Schenker, Mayor (via email)
Brett Noll, Township Administrator (via email)



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 22, 2025

Carl Pitale (via email)
Hamilton Township
6101 Thirteenth Street
Mays Landing NJ 08330

Application No.: 1984-1306.002
Block 994, Lots 57 & 58.12 - 58.15
Hamilton Township

This application proposes the soil capping of an existing closed municipal landfill located on the above referenced 46.73 acre parcel in Hamilton Township. The parcel is located within the Hamilton Township Business Park in a Pinelands Regional Growth Area.

This application proposes the removal of all forest and shrub vegetation from an approximately 16 acre portion of the 46.73 acre parcel to facilitate the proposed soil capping. The existing landfill will then be graded to final design grades. The soil cap will be comprised of 19 inches of cover fill topped with five inches of topsoil. The soil capped landfill will then be revegetated with native grasses.

Available information indicates that the closed landfill was in operation between 1970 and 1990. The Pinelands Comprehensive Management Plan (CMP) requires that all landfills located in a Pinelands Regional Growth Management Area that ceased operation on or after January 14, 1981 shall be capped with an impermeable material unless it can be clearly demonstrated that one of four CMP conditions are met. If one of those four conditions can be met, the landfill can be subject of an alternative treatment, other than an impermeable cap.

The CMP further requires that a plan for an impermeable landfill cap or for an alternative landfill treatment be submitted to the Commission by May 20, 1997 and that the capping or alternative landfill treatment begin immediately following Commission approval of such a plan. A plan for an impermeable landfill cap or alternative landfill treatment of this landfill was not submitted to the Commission by May 20, 1997. This constitutes a violation of the requirements of the CMP. Completion of this application is intended to resolve the violation.

After soil capping of the closed municipal landfill, it is anticipated that an application will be filed with the Pinelands Commission for a proposed solar energy facility on the soil capped municipal landfill.

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 parcel is located in a Pinelands Regional Growth Management Area. The capping of a closed landfill is permitted in all Pinelands management areas.

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

There are no wetlands located within 300 feet of the above referenced parcel.

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

The proposed development will be located within approximately 16 acres of forest and open sand areas. Portions of the existing landfill have naturally revegetated with young oak and pine trees. The proposed development will result in the clearing of approximately ten acres of forest vegetation. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development associated with the soil capping of the closed landfill.

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

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

A threatened and endangered species survey for Red-headed woodpecker was completed on the above referenced parcel. During the survey, one Red-headed woodpecker responded to a vocalization survey and flew onto the parcel. That individual remained on the parcel for a short period of time before leaving the parcel. The survey did not find any evidence of an active Red-headed woodpecker nest cavity on the parcel. The parcel is located in the 690 acre Hamilton Business Park. There is at least one confirmed Red-headed woodpecker nest cavity in the Business Park. Based on this survey and other recent surveys conducted on nearby parcels in the Business Park, Red-headed woodpeckers are utilizing the area.

The CMP requires that development be designed to avoid irreversible adverse impacts on habitats critical to the survival of any local population of Red-headed woodpecker. Preferred habitat for Red-headed woodpecker is open oak or mixed pine/oak forest that contains dead and dying trees with a sparse understory. The proposed soil capping of the landfill will disturb approximately sixteen acres. Of those sixteen acres, approximately ten acres are comprised of forest vegetation and six acres are open sandy disturbed areas. The majority of the ten acres of forest vegetation is comprised of young oak and pine trees.

To demonstrate that the proposed soil capping will not result in an irreversible adverse impact on habitats that are critical to the survival of the local population of Red-headed woodpecker, the applicant proposes to deed restrict an approximately 5,430 linear foot forested corridor along the perimeter boundary of the parcel. All development, including clearing and land disturbance, will be prohibited in the deed restricted area. The forested corridor is 100 feet in width except for a 428 foot long section

where the limit of the existing landfill is located within 100 feet of the perimeter boundary of the parcel. The deed restricted corridor will be 68 feet in width within that 428 foot long section. The majority of the mature forested vegetation on the parcel will be located within the deed restricted area, including the wooded area where the Red-headed woodpecker was observed.

The proposed development has been designed to avoid irreversible adverse impacts on habitats that are critical to the survival of the local population of Red-headed woodpecker.

Landfill Standards (N.J.A.C. 7:50-6.75)

The CMP requires that all landfills located in a Pinelands Regional Growth Management Area that ceased operation on or after January 14, 1981 be capped with an impermeable material unless it can be clearly demonstrated that one of four CMP specified conditions can be met. If one of those four conditions can be met, the landfill can be subject of an alternative treatment, other than an impermeable cap. One of the four CMP specified conditions that can be met to allow for an alternative landfill treatment is that if a leachate plume associated with the landfill exists, it poses no significant ecological risk to wetlands.

There is a leachate plume associated with this landfill. However, the leachate plume is present only in a deep aquifer zone that does not interact with, or pose a significant risk to, nearby wetlands. The nearest downgradient wetland that is in the path of the leachate plume is located approximately 2,070 feet south of the landfill. To demonstrate that the leachate plume poses no significant ecological risk to wetlands, the applicant evaluated the water quality in both the shallow aquifer zone and the deep aquifer zone downgradient of the landfill and concluded that the plume will not discharge contaminants to the wetlands. The applicant's evaluation included preparation and detailed review of a conceptual site model that depicts and evaluates the landfill and its surrounding environs, a hydrogeologic framework model, groundwater monitoring data, New Jersey Department of Environmental Protection ecological screening criteria and an ecotoxicology report. All of this information was submitted to and reviewed by the Commission. The applicant also submitted a certification by the applicant's New Jersey Licensed Site Remediation Professional representing that the landfill does not pose a significant ecological risk to wetlands and may be closed by using a soil cover.

The application is consistent with the CMP landfill capping 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 CMP stormwater management standards. To meet the stormwater management standards, the application proposes the construction of eleven stormwater infiltration basins.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on April 24, 2025. Newspaper public notice was completed on April 24, 2025. The application was designated as complete on the Commission's website on April 28, 2025. The Commission's public comment period closed on May 9, 2025. 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 23 sheets, prepared by Colliers Engineering & Design, all sheets dated October 9, 2023 and revised to February 25, 2025.
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. Prior to any development, the applicant shall submit a copy of the recorded conservation deed restriction for the proposed forested corridor to the Commission.
6. Any proposed solar energy facility on the 46.73 acre parcel requires completion of a separate application with the Commission and approval of that application in accordance with the regulations contained in the Pinelands Comprehensive Management Plan.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on June 9, 2025 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. PC4-25-15

TITLE: **Approving** With Conditions an Application for a **Waiver of Strict Compliance** (Application Number 1983-6352.003)

Commissioner Mauriello moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

1983-6352.003

Applicant: **Dustin Barry**
Municipality: Shamong Township
Management Area: Pinelands Village
Date of Report: May 22, 2025
Proposed Development: Single family dwelling.

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

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1983-6352.003 for a Waiver of Strict Compliance is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 13, 2025

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

May 22, 2025

Dustin Barry (via email)
2 Coleman Court
Southampton NJ 08088

Re: Application # 1983-6352.003
Block 19.02, Lot 6.19
Shamong Township

Dear Mr. Barry:

The Commission staff has completed its review of the above referenced application for a Waiver of Strict Compliance (“Waiver”). Based upon the facts and conclusions contained in this Report, on behalf of the Commission’s Executive Director, I am recommending that the Pinelands Commission approve the application for a Waiver with conditions at its June 13, 2025 meeting.

FINDINGS OF FACT

This application is for the development of one single family dwelling serviced by an individual on-site septic wastewater treatment system on the above referenced 0.91 acre (39,640 square foot) parcel in Shamong Township. The parcel is located in a Pinelands Village and in Shamong Township’s Village-Residential zoning district. In this zoning district, Shamong Township’s land use ordinance, certified by the Commission, establishes a minimum lot size of 1.0 acre to develop a single family dwelling on an existing lot of record as of November 14, 1997. The parcel subject of this application existed on November 14, 1997.

On August 11, 2017, a Waiver for the development of a single family dwelling on the parcel was approved pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-4.63). The CMP (N.J.A.C. 7:50-4.70(c)) provides that any Commission approval for a Waiver based upon N.J.A.C. 7:50-4.63 shall expire five years after approval unless all necessary construction permits have been issued and other CMP specified requirements are met. Based on the submitted information, the previously approved Waiver has expired.

The CMP (N.J.A.C. 7:50-6.84(a)5vi) requires that an individual on-site septic wastewater treatment system be located in an area on a parcel where the depth to seasonal high water table is at least five feet below the natural ground surface. The Burlington County Soils Survey indicates that there are Woodstown soils on this parcel. These soils have a seasonal high water table of less than five feet below the natural ground surface. The applicant has submitted no information to demonstrate that the proposed

individual on-site septic wastewater treatment system could be located in an area on the parcel where the seasonal high water table is at least five feet below the natural ground surface. Since the available information indicates the seasonal high water table on the entire parcel is less than five feet below the natural ground surface, the applicant is requesting a Waiver from the seasonal high water table standard contained in the CMP (N.J.A.C. 7:50-6.84(a)5vi).

The CMP (N.J.A.C. 7:50-6.84(a)5iv) requires that an individual on-site septic wastewater treatment system meet a two parts per million average nitrogen concentration in the groundwater at the property line of the parcel. As no Commission approved individual on-site septic wastewater treatment system will meet the two parts per million average nitrogen concentration in the groundwater at the property line of the 0.91 acre parcel, the applicant is requesting a Waiver from the groundwater quality standard contained in the CMP (N.J.A.C. 7:50-6.84(a)5iv).

The appropriate resource capability maps and other information available to the Commission staff have been reviewed.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the entire contiguous parcel. The development of a single family dwelling on the parcel will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP. The proposed single family dwelling will not result in a substantial impairment of the resources of the Pinelands Area as required by the CMP (N.J.A.C. 7:50-4.65(b)).

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on groundwater quality be minimized.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Public notice to all property owners within 200 feet of the parcel was completed on April 23, 2025. Newspaper public notice was completed on April 24, 2025. The application was designated as complete on the Commission's website on April 29, 2025. The Commission's public comment period closed on May 9, 2025. No public comment was received by the Commission for this application.

CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

N.J.A.C. 7:50-4.63(a) sets forth five conditions which must be met for an applicant to qualify for an extraordinary hardship pursuant to that subsection.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is a single family dwelling on a parcel within a Pinelands Village which is at least 20,000 square feet, excluding road rights of way, in size and is not serviced by a centralized wastewater treatment system. This application is for a Waiver from the minimum depth to seasonal high water table standard of at least five

feet below the natural ground surface and the groundwater quality standard, both contained in N.J.A.C. 7:50-6. The applicant is proposing to develop a single family dwelling serviced by an individual on-site septic wastewater treatment system on a 0.91 acre (39,640 square foot) parcel. The parcel contains more than 20,000 square feet, excluding road rights of way, and is located in a Pinelands Village. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1v.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous lands. Since the parcel includes all such contiguous land as required by this condition, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the lot is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Shamong Township's master plan and land use ordinance have been certified by the Pinelands Commission. In the Township's Village-Residential zoning district, Shamong Township's certified land use ordinance establishes a minimum lot size of 1.0 acre to develop a single family dwelling on an existing lot of record as of November 14, 1997. The parcel subject of this application existed on November 14, 1997. This application proposes to develop a single family dwelling on a 0.91 acre lot.

On December 19, 2023, the Shamong Township Joint Land Use Board adopted Resolution No. 2023-15 approving a lot size variance for the development of a single family dwelling on the 0.91 acre lot. Based upon the Shamong Township land use ordinance (Section 110-20) and available information, the December 19, 2023 lot size variance expired on December 19, 2024. On April 15, 2025, the Shamong Township Joint Land Use Board adopted Resolution No. 2025-8 reinstating and re-ratifying the variance approved in Resolution 2023-15. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C. 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. The CMP (N.J.A.C. 7:50-4.65(b)) sets forth the circumstances which do not comply with N.J.A.C. 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all five conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

As required by N.J.A.C. 7:50-4.62(b), the proposed dwelling will not result in substantial impairment of the resources of the Pinelands or be inconsistent with the provisions of the Pinelands Protection Act, the Federal Act or the CMP in accordance with the criteria set forth in N.J.A.C. 7:50-4.65.

As required by N.J.A.C. 7:50-4.62(c), and with the conditions recommended below, the proposed dwelling will not involve trespass or create a public or private nuisance by being materially detrimental or injurious to other property or improvements in the area in which the parcel is located, increase the danger of fire or endanger public safety.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist.

The CMP (N.J.A.C. 7:50-4.62(d)1iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits (PDCs) whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. This Waiver provides relief from the minimum depth to the seasonal high water table standard of at least five feet below the natural ground surface and the groundwater quality standard, both standards of N.J.A.C. 7:50-6. The Waiver requires the acquisition and redemption of the 0.25 PDCs. The required 0.25 PDCs was acquired and redeemed on May 19, 2022 for the now expired August 11, 2017 Waiver approval for this parcel.

The CMP (N.J.A.C. 7:50-4.62(d)1ii) also requires the acquisition and redemption of any PDCs that are otherwise required pursuant to N.J.A.C. 7:50-5.27, 5.28 or 5.32. The CMP (N.J.A.C. 7:50-5.27(c)) provides that any local approval in a Pinelands Village which grants relief from density or lot area requirements shall require that PDCs be used for all dwelling units or lots in excess of that otherwise permitted, unless a Waiver for the dwelling unit or lot has been approved by the Commission. Since the applicant qualifies for a Waiver, PDCs are not required for any such local approval.

To meet the requirements of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65, the Pinelands Commission staff has determined that the parcel must be developed in accordance with the following conditions:

1. Except as modified by the below conditions, the proposed development shall adhere to the plot plan prepared by Paulus, Sokolowski, and Sartor, dated July 16, 2024 and last revised May 22, 2025.
2. The septic system must be located in an area where the seasonal high water table is at least two feet below the natural ground surface.
3. The proposed dwelling must utilize an alternate design wastewater system authorized pursuant to the CMP on a 1.0 acre lot and approved for use by the Pinelands Commission and the New Jersey Department of Environmental Protection.
4. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.
5. The proposed septic system shall be located at least 300 feet from wetlands. All other development, except for the proposed driveway, shall be located 250 feet from wetlands.
6. This Waiver shall expire June 13, 2030 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after June 13, 2030 or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.

7. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, a copy of a recorded deed containing all of the above conditions shall be submitted to the Pinelands Commission. The deed shall specify that the conditions are being imposed pursuant to a May 19, 2025 Pinelands Commission Report on an Application for a Waiver of Strict Compliance for Application # 1983-6352.003. The deed shall also state that the conditions are enforceable by the Pinelands Commission, Shamong Township, the Burlington County Health Department and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver from the requirements of N.J.A.C. 7:50-6.84(a)5iv and vi.

Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver of Strict Compliance subject to the above conditions.


APPEAL

The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation 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 June 9, 2025 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received, the Pinelands Commission may either approve the determination of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____



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

- c: Secretary, Shamong Township Planning Board (via email)
 Shamong Township Construction Code Official (via email)
 Secretary, Burlington County Planning Board (via email)
 Burlington County Health Department (via email)



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 16

TITLE: To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2026 at the Same Level of Expenditures as Fiscal Year 2025 until the Adoption of the Fiscal Year 2026 Budgets

Commissioner Avery moves and Commissioner Rittler Sanchez seconds the motion that:

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

WHEREAS, based on the Governor’s proposed budget and subsequent confirmation from the Office of Management and Budget, it is anticipated that the Commission will receive an appropriation of at least \$3,994,000 to support its operations during Fiscal Year 2026; and

WHEREAS, confirmation of the State appropriation is expected in July, after which the Commission will be able to finalize and adopt its Fiscal Year 2026 budgets; and

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

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is authorized to continue to expend funds during Fiscal Year 2026 at the same level of expenditures as Fiscal Year 2025 until the Commission’s adoption of the Fiscal Year 2026 Budgets.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 13, 2025

Susan R. Grogan

Susan R. Grogan
Executive Director

Laura E. Matos

Laura E. Matos
Chair



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- _____

TITLE: **Approving** with Conditions an Application for **Public Development** (Application Number 1981-2232.001)

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:

1981-2232.001

Applicant:	Manchester Township
Municipality:	Manchester Township
Management Area:	Pinelands Preservation Area District
Date of Report:	June 22, 2025
Proposed Development:	Placement of a permeable soil cap on a closed municipal landfill .

WHEREAS, this application proposes the placement of a permeable soil cap on a closed municipal landfill located on a 95 acre parcel; and

WHEREAS, a 2,000 square foot pavilion associated with an existing police shooting range and a salt storage shed were developed on the same parcel without application to, and approval by, the Commission; and

WHEREAS, the development of the 2,000 square foot pavilion and salt storage shed without application to, and approval by, the Commission constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the applicant proposes to address this violation by including the 2,000 square foot pavilion and the salt storage shed in this application; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1981-2232.001 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					Rittler Sanchez				
Avery					Lohbauer					Signor				
Buzby-Cope					Mauriello					Wallner				
Holroyd					Meade					Matos				
Irick					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

June 22, 2025

Carl Block, Administrator (via email)
Manchester Township
1 Colonial Drive
Lakehurst NJ 08753

Re: Application # 1981-2232.001
Block 116, Lot 13
Manchester Township

Dear Mr. Block:

The Commission staff has completed its review of this application for the placement of a permeable soil cap on a closed municipal landfill. 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 July 11, 2025 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
Public Comment (1): 6/9/25 email

c: Secretary, Manchester Township Planning Board (via email)
Manchester Township Construction Code Official (via email)
Manchester Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Dan Bourdeau (via email)
Ross Hull, NJDEP (via email)



State of New Jersey

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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

June 22, 2025

Carl Block, Administrator (via email)
Manchester Township
1 Colonial Drive
Lakehurst NJ 08753

Application No.: 1981-2232.001
Block 116, Lot 13
Manchester Township

This application proposes the placement of a permeable soil cap on a closed municipal landfill. The closed landfill is located on the above referenced 95 acre parcel in Manchester Township. The parcel is located in the Pinelands Preservation Area District. There is an existing municipal police shooting range, a 2,000 square foot pavilion associated with the police shooting range, a salt storage shed, a public recycling area and a composting area located on the parcel.

The 2,000 square foot pavilion associated with the police shooting range and the salt storage shed were developed on the parcel prior to the completion of an application with the Commission in violation of the application requirements of the Manchester Township land use ordinance and the Pinelands Comprehensive Management Plan (CMP). To address these violations, the applicant has included the 2,000 square foot pavilion and the salt storage shed in this application.

After capping of the closed municipal landfill, it is anticipated that an application will be filed with the Pinelands Commission for a proposed solar energy facility on a portion of the soil capped municipal landfill.

This application proposes the removal of all successional forest and shrub vegetation from an approximately 30 acre portion of the 95 acre parcel to facilitate the proposed capping of the landfill with permeable soil. The existing landfill will then be graded to final design grades. The landfill will be covered with two types of permeable soil cap. The portion of the landfill where the solar energy facility is proposed will be covered with 18 inches of fill topped with six inches of topsoil. This portion of the landfill will then be revegetated with native grasses. The portion of the landfill where an existing public recycling area, an existing composting area and proposed salt storage shed will be located will be covered with two feet of fill topped with one foot of coarse aggregate (crushed stone, gravel).

Available information indicates that the closed landfill was in operation between 1958 and 1985. The CMP requires that all landfills located in the Pinelands Preservation Area District that ceased operation on or after September 23, 1980 shall be capped with an impermeable material unless it can be clearly

demonstrated that one of four CMP conditions are met. If one of those four conditions can be met, the landfill can be subject of an alternative treatment, other than an impermeable cap.

On November 2, 1990, the Pinelands Commission approved the placement of an impermeable cap on the existing landfill. The impermeable cap was never installed on the landfill. The CMP requires that a plan for an impermeable landfill cap or for an alternative landfill treatment be submitted to the Commission by May 20, 1997 and that the capping or alternative landfill treatment begin immediately following Commission approval of such a plan. While the plan for an impermeable cap was completed prior to May 20, 1997, the impermeable cap was never installed. This constitutes a violation of the requirements of the CMP. Completion of this application is intended to address that violation.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.22)

The parcel is located in the Pinelands Preservation Area District. The capping of a closed landfill is permitted in the Pinelands Area.

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

There are wetlands located on and within 300 feet of the parcel. The proposed development will be located at least 300 feet from wetlands.

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

The proposed development will be located within successional forest, shrub and grassed areas. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development associated with the soil capping of the closed landfill.

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

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

A threatened and endangered (T&E) species survey was completed on the parcel for Northern pine snake, Timber rattlesnake and Corn snake. The survey included visual encounter investigations, surveys for hibernacula and suitable nesting area and shelter board placement and monitoring.

During an August 23, 2022 visual encounter investigation, a young adult male Northern pine snake was located on the parcel approximately 375 feet east of the limits of the proposed development associated with capping of the landfill. The snake was implanted with a radio transmitter on August 25, 2022 and released at the point of capture on August 27, 2022. On August 29, 2022, the snake left the municipal landfill parcel and entered contiguous lands owned by Joint Base McGuire-Dix-Lakehurst (JBMDL). The location of the snake was tracked through triangulation from public lands and the snake remained on JBMDL for the remainder of the fall 2022 season and entered a hibernacula on JBMDL for the winter

of 2022. It is estimated that the hibernacula is approximately 3,350 feet from the municipal landfill parcel.

Based on the discovery of the Northern pine snake on the parcel, the Commission staff required the applicant to complete additional T&E snake species surveys during the spring and fall of 2023. The 2023 T&E species survey utilized the same survey methods as the 2022 survey. No Northern pine snakes, or other T&E snake species, were located on the parcel during the 2003 survey.

No Timber rattlesnakes or Corn snakes were observed during the 2022 and 2023 (T&E) species surveys.

In January of 2025, the New Jersey Department of Environmental Protection (NJDEP) classified Northern scarlet snake as a threatened species. Northern scarlet snakes are a burrowing species that prefers forested habitat with sandy soils. They are usually found in the ground or under rocks and logs. Both surveys completed for this application reported on all snake species, both common and T&E species, that were observed during the investigations. No Northern scarlet snakes were observed during the 2022 and 2023 surveys.

The CMP requires that development be designed to avoid irreversible adverse impacts on habitats critical to the survival of any local population of Northern pine snake. One Northern pine snake was located on the municipal landfill parcel during the surveys. There are approximately 24 reported Northern pine snake sightings located within a one mile radius of the municipal landfill parcel. Most of those sightings are located on lands of JBMDL that are immediately adjacent to the municipal landfill parcel. To determine if the proposed development has been designed to avoid irreversible adverse impacts on habitats critical to the survival of any local population of T&E species, the Commission staff reviewed the habitat on the municipal landfill parcel and the surrounding areas and the findings of the T&E species surveys. Based upon the tracking data, the majority of the activity range of the one located Northern pine snake was contained within JBMDL during the period that the snake was tracked.

Based on the facts set forth above, it has been demonstrated that the proposed soil capping will not result in an irreversible adverse impact on habitats that are critical to the survival of the local population of Northern pine snake.

Landfill Standards (N.J.A.C. 7:50-6.75)

The CMP requires that all landfills located in the Pinelands Preservation Area District that ceased operation on or after September 23, 1980 be capped with an impermeable material unless it can be clearly demonstrated that one of four CMP specified conditions can be met. If one of those four conditions can be met, the landfill can be subject of an alternative treatment, other than an impermeable cap. One of the four CMP specified conditions that can be met to allow for an alternative landfill treatment is that if a leachate plume associated with the landfill exists, it poses no significant ecological risk to wetlands.

There is a leachate plume associated with this landfill. The nearest wetland that is in the potential path of the leachate plume is located approximately 300 feet south of the landfill. To demonstrate that the leachate plume poses no significant ecological risk to wetlands, the applicant retained two environmental professionals, one a New Jersey Licensed Site Remediation Professional (LSRP) and the other, a Qualified Ecotoxicologist. Both environmental professionals evaluated water quality in groundwater monitoring wells surrounding the landfill. Landfill leachate constituent concentrations

detected in groundwater in the vicinity of the landfill were compared to the Ecological Screening Criteria published by the NJDEP. All landfill leachate constituents that were detected in groundwater surrounding the landfill were determined to be below the protective benchmark levels for surface waters and wetlands and were therefore found to pose no significant ecological risk to wetlands. The applicant's evaluation included preparation and detailed review of a conceptual site model that depicts and evaluates the landfill and its surrounding environs, a hydrogeologic framework model, groundwater monitoring data, NJDEP ecological screening criteria and an ecotoxicology report. All of this information was submitted to and reviewed by the Commission staff. The applicants LSRP also submitted a certification, in part relying on the findings of the Qualified Ecotoxicologist, representing that the landfill does not pose a significant ecological risk to wetlands and may be closed by using a permeable soil cap.

The proposed permeable soil capping of the existing landfill is consistent with the CMP landfill capping 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 CMP stormwater management standards. To meet the stormwater management standards, the application proposes the construction of six stormwater infiltration basins.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on March 17, 2025. Newspaper public notice was completed on May 30, 2025. The application was designated as complete on the Commission's website on June 2, 2025. The Commission's public comment period closed on June 13, 2025. The Commission received a written comment (enclosed) from the Mayor of Manchester Township on June 9, 2025.

Commenter: The commenter expressed their support for the closure of the landfill.

Staff Response: The Commission staff appreciates the commenter's interest in the Pinelands Area.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 13 sheets, prepared by Geosyntec Consultants, all sheets dated March 2025.
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. Any proposed solar energy facility on the parcel requires completion of a separate application with the Commission and approval of that application in accordance with the regulations contained in the CMP.

CONCLUSION

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



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on July 10, 2025 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.



MANCHESTER TOWNSHIP

1 COLONIAL DRIVE • MANCHESTER, NJ 08759 • (732)657-8121

OFFICE OF THE MAYOR

JOSEPH T. HANKINS
MAYOR

Application #: 1981-2232.001

June 9, 2025

To Whom It May Concern,

On behalf of myself and the Manchester Township Council, I am pleased to offer our full support for the closure of the municipally owned landfill and its redevelopment into a solar energy facility through our agreement with Nextgrid.

This project represents a major environmental and economic benefit to our community. As part of the agreement, Nextgrid will fund the complete closure and capping of the landfill—at no cost to our taxpayers—while also securing all necessary environmental and Pinelands Commission approvals. This public-private partnership will transform a dormant site into a source of clean, renewable energy and long-term sustainability, and will be done with the greatest sensitivity to the environment on the site and the surrounding area.

Manchester Township is proud to support this initiative which aligns our goals for responsible land use and environmental progress. We look forward to the successful advancement of this important project.

Sincerely,

Joseph Hankins
Mayor, Manchester Township

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25-_____

TITLE: **Approving** with Conditions an Application for **Public Development and Certificate of Appropriateness** (Application Number 1985-0160.015)

Commissioner _____ **moves and Commissioner** _____ **seconds the motion that:**

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

1985-0160.015

Applicant:	New Jersey Department of Environmental Protection
Municipality:	Washington Township
Management Area:	Pinelands Preservation Area District
Date of Report:	June 19, 2025
Proposed Development:	Demolition of a former nature center building, 50 years old or older, at Batsto Village.

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

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

WHEREAS, the Pinelands Commission hereby determines that the proposed public development and Certificate of Appropriateness both conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 and the standards for approving a Certificate of Appropriateness set forth in N.J.A.C. 7:50-6.156 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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1985-0160.015 for public development and a Certificate of Appropriateness 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					Rittler Sanchez				
Avery					Lohbauer					Signor				
Buzby-Cope					Mauriello					Wallner				
Holroyd					Meade					Matos				
Irick					Pikolycky									

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

June 19, 2025

Vincent Bonica, Jr. (via email)
New Jersey Department of Environmental Protection
31 Batsto Road
Hammonton NJ 08037

Re: Application # 1985-0160.015
Block 8, Lot 1
Washington Township

Dear Mr. Bonica:

The Commission staff has completed its review of this application for the demolition of a former nature center building, 50 years old or older, at Batsto Village in Wharton State Forest. Enclosed is a copy of a Public Development Application Report and Certificate of Appropriateness. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its July 11, 2025 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, Washington Township Planning Board (via email)
Washington Township Construction Code Official (via email)
Secretary, Burlington County Planning Board (via email)
Samuel Loos (via email)
Kate Marcopul, NJDEP (via email)



State of New Jersey

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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 AND CERTIFICATE OF APPROPRIATENESS

June 19, 2025

Vincent Bonica, Jr. (via email)
New Jersey Department of Environmental Protection
31 Batsto Road
Hammonton NJ 08037

Application No.: 1985-0160.015

Location: Block 8, Lot 1
Washington Township

This application proposes the demolition of a former nature center building, 50 years old or older, located on the above referenced 1,962.4 acre parcel in Washington Township. The building is located in Batsto Village in Wharton State Forest. The building is two and one half stories and contains approximately 1,390 square feet.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.22)

The parcel is located in the Pinelands Preservation Area District. The demolition of a building is permitted in the Pinelands Area.

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

The Commission staff has reviewed the submitted information regarding the proposed demolition of the former nature center building at Batsto Village and conducted a site inspection. Based upon that review and site inspection, the Commission staff has determined that the building is a contributing resource to the Batsto Village Historic District. Since the Batsto Village Historic District is listed in both the State and National Registers of Historic Places, the former nature center building is considered a Pinelands Designated cultural resource in accordance with the CMP (N.J.A.C. 7:50-6.154(a)). For this reason, the CMP requires that a Certificate of Appropriateness be issued prior to the demolition of the former nature center building.

A Certificate of Appropriateness identifies the required treatment of the cultural resource from three alternatives:

- preservation in place if possible;
- preservation at another location, if preservation in place is not possible; or
- recordation, if neither preservation in place nor at another location is possible.

As provided for in the CMP (N.J.A.C. 7:50-6.156(c)), the applicant has demonstrated that it is not technically or economically practical or feasible to preserve the building in place or at another location. As neither preservation in place nor preservation at another location is technically or economically practical or feasible, recordation of the resource is the appropriate treatment. Accordingly, this Certificate of Appropriateness requires recordation of the building.

As required by the CMP (N.J.A.C. 7:50-6.156(c)3), the proposed recordation must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. The applicant has submitted certain recordation information. Additional information, including, but not limited to, a comprehensive history of the building, its ownership, and its historic uses within the Batsto Village Historic District remains necessary to complete the required recordation and meet the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. A condition is included in this Report that demolition of the building shall not occur until the required recordation report has been submitted to the Commission and the Commission staff has issued a letter approving the recordation report.

The New Jersey Department of Environmental Protection (NJDEP) Historic Preservation Office issued a letter dated May 27, 2025 indicating that the proposed building demolition application does not meet the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. The proposed building demolition application is scheduled to be reviewed by the New Jersey Historic Sites Council at its July 21, 2025 meeting. At that meeting, the New Jersey Historic Sites Council will consider the application and make a formal recommendation addressing the appropriate treatment of the building to the NJDEP Commissioner.

Any Pinelands Commission determination that recordation is the appropriate treatment of the concerned building does not require or obligate any other reviewing agency, including the NJDEP, to reach the same treatment determination. A condition of this Report requires the applicant to obtain any other necessary permits and approvals prior to the demolition of the building.

PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on June 2, 2025. The Commission's public comment period closed on June 13, 2025. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any debris or excess fill may only occur at an appropriately licensed facility.

2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.
3. Prior to the demolition of the building, a copy of the final recordation report shall be submitted to the Commission and approved in writing by the Commission staff.

CONCLUSION

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



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

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 July 7, 2025 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. PC4-25-_____

TITLE: Approving with Conditions an Application for **Public Development** (Application Number 2025-0074.001)

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:

2025-0074.001

Applicant:	Dennis Township
Municipality:	Dennis Township
Management Area:	Pinelands Village
Date of Report:	June 17, 2025
Proposed Development:	Demolition of an 1,868 square foot multi-family dwelling, 50 years old or older.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 2025-0074.001 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					Rittler Sanchez				
Avery					Lohbauer					Signor				
Buzby-Cope					Mauriello					Wallner				
Holroyd					Meade					Matos				
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
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

June 17, 2025

Jessica Bishop, Township Administrator & CFO (via email)
Dennis Township
P.O. Box 204
Dennisville NJ 08214

Re: Application # 2025-0074.001
Block 24, Lot 1.01
Dennis Township

Dear Ms. Bishop:

The Commission staff has completed its review of this application for the demolition of an 1,868 square foot multi-family dwelling, 50 years old or older, located on the above referenced 0.87 acre parcel in Dennis Township. 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 July 11, 2025 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, Dennis Township Planning Board (via email)
Dennis Township Construction Code Official (via email)
Secretary, Cape May County Planning Board (via email)



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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

June 17, 2025

Jessica Bishop, Township Administrator & CFO (via email)
Dennis Township
P.O. Box 204
Dennisville NJ 08214

Application No.: 2025-0074.001
Block 24, Lot 1.01
Dennis Township

This application proposes demolition of an 1,868 square foot multi-family dwelling, 50 years old or older, located on the above referenced 0.87 acre parcel in Dennis Township. The parcel is owned by Dennis Township. The Township has indicated that the multi-family dwelling is in poor condition.

STANDARDS

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

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

The parcel is located in the Pinelands Village of Belleplaine. The demolition of a building is permitted in all Pinelands Management Areas.

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

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

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on May 30, 2025. The Commission’s public comment period closed on June 13, 2025. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

CONCLUSION

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



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Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on July 7, 2025 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. PC4-25-_____

TITLE: Approving with Conditions an Application for a Waiver of Strict Compliance (Application Number 1983-6052.002)

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

1983-6052.002

Applicant: Andrey Letushko
Municipality: Monroe Township
Management Area: Pinelands Regional Growth Area
Date of Report: June 19, 2025
Proposed Development: Single family dwelling.

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

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1983-6052.002 for a Waiver of Strict Compliance 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					Rittler Sanchez				
Avery					Lohbauer					Signor				
Buzby-Cope					Mauriello					Wallner				
Holroyd					Meade					Matos				
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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Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

June 19, 2025

Andrey Letushko (via email)
P.O. Box 222
Richland NJ 08350

Re: Application # 1983-6052.002
Block 9703, Lots 24 & 25
Monroe Township

Dear Mr. Letushko:

The Commission staff has completed its review of the above referenced application for a Waiver of Strict Compliance (“Waiver”). Based upon the facts and conclusions contained in this Report, on behalf of the Commission’s Executive Director, I am recommending that the Pinelands Commission approve the application for a Waiver with conditions at its July 11, 2025 meeting.

FINDINGS OF FACT

This application is for the development of one single family dwelling serviced by public sanitary sewer on the above referenced 0.72 acre (31,363 square foot) parcel. The parcel is located in a Pinelands Regional Growth Area and in Monroe Township’s RG-MR zoning district. In this zoning district, Monroe Township’s land use ordinance, certified by the Commission, requires a minimum lot size of 27,500 square feet for a single family dwelling when serviced by public sanitary sewer.

The appropriate resource capability maps and other information available to the Commission staff have been reviewed.

The Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-6.14) requires that the development proposed in this application maintain a 300 foot buffer to wetlands unless the applicant demonstrates that a lesser buffer to wetlands will not result in a significant adverse impact on wetlands. A portion of the parcel is wetlands as defined in the CMP (N.J.A.C. 7:50-6.5(a)2). The wetlands continue onto adjacent lands. Any development of the parcel would be located within 300 feet of these wetlands. The applicant has submitted no information to demonstrate that the proposed development will not cause a significant adverse impact on wetlands. Based on the quality and location of the wetlands, the proposed development will cause a significant adverse impact on the wetlands. As there will be a significant adverse impact on wetlands located within 300 feet of the proposed development, the applicant is requesting a Waiver from the buffer to wetlands standard contained in the CMP (N.J.A.C. 7:50-6.14).

The CMP (N.J.A.C. 7:50-4.65(b)6) requires that to qualify for a Waiver to develop a single family dwelling in a Pinelands Regional Growth Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on wetlands. The buffer to wetlands for the proposed dwelling will range in width from approximately 11 feet to approximately 30 feet. No development, including clearing and land disturbance, will be located on wetlands.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the entire contiguous parcel. The development of a single family dwelling on the parcel will not require any lot area or residential density variances pursuant to Monroe Township's certified land use ordinance. The development of a single family dwelling on the parcel will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP. The proposed single family dwelling will not result in a substantial impairment of the resources of the Pinelands Area as required by the CMP (N.J.A.C. 7:50-4.65(b)).

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on wetlands be minimized.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Public notice to all property owners within 200 feet of the parcel was completed on May 27, 2025. Newspaper public notice was completed on May 27, 2025. The application was designated as complete on the Commission's website on June 3, 2025. The Commission's public comment period closed on June 13, 2025.

Two commenters submitted a total of four emails (attached) to the Commission providing public comment on this application.

Commenter One: By emails dated May 24, 2025 and May 30, 2025, the commenter expressed concerns about neighborhood integrity, natural beauty and crucial ecological resources. The commenter is also concerned about alteration of the landscape and disruption of local wildlife habitat, increased traffic, suburbanization, property values and the long term environmental and social impacts of the proposed single family dwelling. The commenter is further concerned due to the possibility of an eagle nest located somewhere in this area.

Staff Response: The Commission staff appreciates the commenter's interest in the Pinelands. A copy of this Waiver Report is being provided to the commenter.

The Commission's Waiver regulations are designed to provide all property owners with at least a minimum beneficial use of their parcels consistent with constitutional requirements. The Waiver regulations (N.J.A.C. 7:50-4.61 through 4.70) require an application to meet a specific series of legal requirements and minimum environmental regulations to qualify for a Waiver to develop a dwelling. A Waiver applies to a specific parcel of land rather than a specific applicant or property owner. The submitted application information demonstrates that the parcel qualifies for a Waiver.

With respect to Bald eagles, the Monroe Township land use ordinance and the CMP provide that no development shall be carried out unless it is designed to avoid irreversible adverse impact on habitats that are critical to the survival of any local population of threatened and endangered (T&E) animal

species as designated by the New Jersey Department of Environmental Protection (NJDEP). On January 6, 2025, the NJDEP removed (delisted) Bald eagles as a T&E species in New Jersey.

Bald eagle nests continue to be protected by the Federal Bald and Golden Eagle Protection Act. That Act prohibits disturbing a Bald eagle nest. After receipt of the public comment, the Commission staff conducted a second site inspection of the parcel on June 19, 2025. No Bald eagle nests were observed on or in the immediate vicinity of the parcel.

Commenter Two: By emails dated May 24, 2025 and June 5, 2025, the commenter requested information on the application and expressed opposition to a dwelling being developed on the parcel and damaging the forest in front of their property. The commenter also expressed concern for Bald eagles that inhabit trees in the area and indicated that Bald eagles are occasionally observed in the trees on the parcel subject of the waiver application. Accompanying the June 5, 2025 email was four videos depicting Bald eagles perched on trees.

Staff Response: The Commission staff appreciates the commenter's interest in the Pinelands. A copy of this Waiver Report is being provided to the commenter. By email dated June 6, 2025, the Commission staff provided the commenter with information regarding the Waiver application. Please refer to the above response to public comment regarding the purpose of a Commission waiver application and the T&E species status of Bald eagle.

CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

N.J.A.C. 7:50-4.63(a) sets forth five conditions which must be met for an applicant to qualify for an extraordinary hardship pursuant to that subsection.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is a single family dwelling on a parcel within a Pinelands Regional Growth Area which will be serviced by a centralized wastewater treatment system (public sanitary sewer). This application is for a Waiver from the buffer to wetlands standard contained in N.J.A.C. 7:50-6. The application proposes to develop a single family dwelling serviced by public sanitary sewer on a 0.72 acre (31,363 square foot) parcel located in a Pinelands Regional Growth Area. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)iv.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous lands. Since the parcel includes all such contiguous land as required by this condition, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Monroe Township's master plan and land use ordinance have been certified by the Pinelands Commission. In the Township's RG-MR zoning district, Monroe Township's certified land use ordinance establishes a minimum lot size of 27,500 square feet to develop a single family dwelling serviced by public sanitary sewer. This application proposes to develop a single family dwelling serviced by public sanitary sewer on a 0.72 acre (31,363 square foot) parcel. No municipal lot area or density variance is required to develop the proposed single family dwelling. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. The CMP (N.J.A.C. 7:50-4.65(b)) sets forth the circumstances which do not comply with N.J.A.C. 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all five conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

As required by N.J.A.C. 7:50-4.62(b), the proposed dwelling will not result in substantial impairment of the resources of the Pinelands or be inconsistent with the provisions of the Pinelands Protection Act, the Federal Act or the CMP in accordance with the criteria set forth in N.J.A.C. 7:50-4.65.

As required by N.J.A.C. 7:50-4.62(c), and with the conditions recommended below, the proposed dwelling will not involve trespass or create a public or private nuisance by being materially detrimental or injurious to other property or improvements in the area in which the parcel is located, increase the danger of fire or endanger public safety.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist.

The CMP (N.J.A.C. 7:50-4.62(d)1iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits (PDCs) whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. This Waiver provides relief from the buffer to wetlands standard of N.J.A.C. 7:50-6. The Waiver requires the acquisition and redemption of 0.25 PDCs. As the application is obtaining a Waiver from the minimum buffer to wetlands standard (N.J.A.C. 7:50-6.14), a condition is included in this Report to require the applicant to acquire and redeem the requisite 0.25 PDCs.

To meet the requirements of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65, the Pinelands Commission staff has determined that the parcel must be developed in accordance with the following conditions:

1. Except as modified by the below conditions, the proposed development shall adhere to the plot plan prepared by Ewing Associates, dated December 5, 2024 and revised April 3, 2025.

2. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.
3. No development, including clearing and land disturbance, shall be located on wetlands.
4. The driveway shall be constructed of crushed stone or other permeable material.
5. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, the Commission must receive a letter from the Pinelands Development Credit Bank indicating that the requisite 0.25 PDCs have been acquired and submitted to the PDC Bank for redemption.
6. Drywells, pervious pavement, small scale infiltration basin(s) or comparable alternative measures designed in accordance with the New Jersey Department of Environmental Protection, Best Management Practice shall be installed to retain and infiltrate stormwater runoff generated from the total roof area of the single family dwelling by a 10-year, 24-hour storm.
7. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, to meet the 27,500 square foot minimum lot size requirement in Monroe Township's RG-MR zoning district, a recorded copy of a deed consolidating Block 9703, Lots 24 and 25 into one lot must be submitted to the Pinelands Commission.
8. This Waiver shall expire July 11, 2030 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after July 11, 2030 or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
9. Prior to issuance of a Pinelands Commission Certificate of Filing, a copy of a recorded deed containing all of the above conditions shall be submitted to the Pinelands Commission. The deed shall specify that the conditions are being imposed pursuant to a June 19, 2025 Pinelands Commission Report on an Application for a Waiver of Strict Compliance for Application # 1983-6052.002. The deed shall also state that the conditions are enforceable by the Pinelands Commission, Monroe Township, the Gloucester County Health Department and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver from the requirements of N.J.A.C. 7:50-6.14.

Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver of Strict Compliance subject to the above conditions.

APPEAL

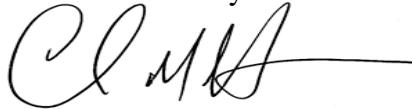
The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted 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 July 7, 2025 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. 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.

If no appeal is received, the Pinelands Commission may either approve the determination of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____



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

Attachments(4): Public Comment Emails

- c: Secretary, Monroe Township Planning Board (via email)
- Monroe Township Construction Code Official (via email)
- Secretary, Gloucester County Planning Board (via email)
- Marc Tredanari (via email)
- Nick Cintron (via email)

From: Marc Tredanari (tredanari1955@gmail.com)
Received: 5/24/2025 12:41:11 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Pinelands: Block 9703 lots 24-25
Attachments: None

Att: Pineland Commissions

Re: Pinelands Application No. 1983-6052.002

Subject: Urgent Request to Stop Proposed Construction of a Single-Family Dwelling in the Pinelands Block 9703 Lots 24-25

I am writing to you as a concerned resident of our cherished Pine Lands community, regarding the proposed construction of a single-family dwelling on the property located at North Shore drive; in Monroe Township.

It has come to my attention that this property is owned by an individual or entity that appears to engage in

buying and selling land primarily for profit. This practice raises serious concerns about the long-term impact

on both our neighborhood's integrity and the natural beauty that defines our environment.

The Pinelands are not just a geographical area; they are a crucial ecological resource and an irreplaceable

part of our community's charm. The introduction of new construction intended for profit maximization undermines the efforts of residents who appreciate and seek to maintain the area's natural aesthetics and ecological balance. This development poses a significant risk of altering the landscape, disrupting local wildlife habitats, and diminishing the serene character of our neighborhood.

Moreover, prioritizing profit over preservation is detrimental not only to the natural beauty of the Pinelands

but also to the quality of life of the residents who cherish this unique environment. The Increased traffic, and

the overall suburbanization of the region can negatively impact property values and the close-knit community atmosphere we have worked hard to cultivate.

I urge the planning department to review this proposal with the utmost care and consideration, prioritizing

the long-term environmental and social impacts over short-term profit. It is essential that we act to protect

our beautiful neighborhood from developments that threaten to disrupt its harmony and ecological significance.

Thank you for your attention to this critical matter. I look forward to your prompt response and hope for a

favorable outcome for our beloved Pine Lands.

Sincerely,

Marc S Tredanari

3483 North Shore drive
Williamstown, NJ 08094

From: Marc Tredanari (tredanari1955@gmail.com)
Received: 5/30/2025 10:57:23 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Re: Pinelands: Block 9703 lots 24-25
Attachments: None

As a concerned homeowner I've added an addendum to my letter below...
In light of these concerns, I strongly urge you to reconsider ongoing and future construction projects in the Pinelands, Block 9703 / lots 24-25; particularly in identified eagle nesting areas. The residents on North shore drive has witnessed 2 eagles nesting somewhere in this area and needs to be looked at before moving forward. It is imperative that we prioritize environmental conservation and adhere to the legal frameworks designed to protect our natural heritage.
Thank you in advance
Marc Tredanari

>
> Att: Pineland Commissions
>
> Re: Pinelands Application No. 1983-6052.002
>
> Subject: Urgent Request to Stop Proposed Construction of a Single-Family Dwelling in the Pinelands
>
> Block 9703 Lots 24-25
>
> I am writing to you as a concerned resident of our cherished Pine Lands community, regarding the proposed construction of a single-family dwelling on the property located at North Shore drive; in Monroe Township.
> It has come to my attention that this property is owned by an individual or entity that appears to engage in buying and selling land primarily for profit. This practice raises serious concerns about the long-term impact on both our neighborhood's integrity and the natural beauty that defines our environment.
> The Pinelands are not just a geographical area; they are a crucial ecological resource and an irreplaceable part of our community's charm. The introduction of new construction intended for profit maximization undermines the efforts of residents who appreciate and seek to maintain the area's natural aesthetics and ecological balance. This development poses a significant risk of altering the landscape, disrupting local wildlife habitats, and diminishing the serene character of our neighborhood.
> Moreover, prioritizing profit over preservation is detrimental not only to the natural beauty of the Pinelands but also to the quality of life of the residents who cherish this unique environment. The Increased

traffic, and the overall suburbanization of the region can negatively impact property values and the closeknit community atmosphere we have worked hard to cultivate.

> I urge the planning department to review this proposal with the utmost care and consideration, prioritizing

the long-term environmental and social impacts over short-term profit. It is essential that we act to protect

our beautiful neighborhood from developments that threaten to disrupt its harmony and ecological significance.

>

> Thank you for your attention to this critical matter. I look forward to your prompt response and hope for a

favorable outcome for our beloved Pine Lands.

>

> Sincerely,

> Marc S Tredanari

> 3483 North Shore drive

> Williamstown, NJ 08094

From: Nick (nicholas.v.cintron@gmail.com)
Received: 5/24/2025 11:16:29 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] App 1983-6052,002
Attachments: None

Hello

Can you please provide more info on this application. I'm against the idea of allowing a building to be permitted and damaging of the forest lot in front of my property. Originally bought my house with the notion that the land was protected Pinelands which would preserve the privacy and scenic views of the street.

From: Nick (nicholas.v.cintron@gmail.com)
Received: 6/5/2025 12:28:59 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Re: Pinelands Application #1983-6052.002, Andrey Letushko
Attachments: Video.mov, Video_1.mov, Video_2.mov, Video_3.mov

Hi. would like to add one thing. Not sure if they are still protected and if any conservation efforts exist. But bald eagles do habit the trees in this area and can be occasionally seen in the trees of the lot in question over looking the two lakes for food. Allowing the area to be cleared out may disrupt their habits and for them to relocate.

Sent from my iPhone

On Jun 5, 2025, at 11:17 AM, appinfo@pinelands.nj.gov wrote:
This email confirms our receipt of your comments regarding an application for a Waiver of Strict Compliance for the construction of a single family dwelling on Block 9703 Lots 24 and 25. Your application comments have been placed in the file. As Monroe Township will also be reviewing the application, you may also wish to submit any comments to Monroe Township.
The application is complete and the final opportunity for public comment will occur at the 6/13/2025 Commission Meeting. Please visit the Commission's website for information regarding attending Commission meetings virtually or in-person.
When the application is complete, the Commission staff will issue a Waiver Report recommending approval or denial of the Waiver. When issued, a copy of that Report will be sent to you.
Within the Report, the Commission staff will respond in writing to public comments that address matters that fall within the Commission's regulatory authority.
The Commissioners will vote on the recommendation contained in the Report at a monthly meeting of the Pinelands Commission.
Thank you for your interest in the Pinelands Area.
Donna DiPalma
Pinelands Commission
PO BOX 359
New Lisbon, NJ 08064
609-894-7300



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25-_____

TITLE: Issuing an Order to Approve the Stockton University 2020 Facilities Master Plan

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, N.J.A.C. 7:50-4.52(e) of the Pinelands Comprehensive Management Plan (CMP) allows any state agency with jurisdiction over land within the Pinelands Area to request Commission approval of a comprehensive plan describing existing and planned land uses, resource management, and development activities; and

WHEREAS, upon Commission approval of a state agency plan, such development activities included in the plan are reviewed in accordance with the CMP, as modified by any specific provisions in the approved plan; and

WHEREAS, Stockton University operates a campus located within the Pinelands Area of Galloway Township, Atlantic County; and

WHEREAS, on July 13, 1990, the Pinelands Commission approved the 1990 Facilities Master Plan of Stockton University through the adoption of Resolution PC4-90-102; and

WHEREAS, Resolution PC4-90-102 specified that any amendments to Stockton University's 1990 Facilities Master Plan must be submitted to the Executive Director for review and approval in accordance with N.J.A.C. 7:50-4.52(e) of the CMP; and

WHEREAS, Resolution PC4-90-102 also authorized the Executive Director to execute a Memorandum of Agreement with the University to establish a cooperative approach for implementation of the 1990 Facilities Master Plan; and

WHEREAS, said Memorandum of Agreement between the Commission and the University was fully executed on July 18, 1990; and

WHEREAS, on September 10, 2010, the Pinelands Commission approved the 2010 Master Plan of Stockton University through the adoption of Resolution PC4-10-48; and

WHEREAS, on November 5, 2010, Stockton University recorded a Deed of Conservation Restriction in the Atlantic County Land Records applicable to areas mapped as restricted areas in the 2010 Master Plan; and

WHEREAS, on November 14, 2014, the Pinelands Commission adopted Resolution PC4-14-37, authorizing the Executive Director to execute a new Memorandum of Agreement with the University to streamline the permitting of activities associated with implementation of the 2010 Master Plan; and

WHEREAS, said Memorandum of Agreement was fully executed on March 13, 2015; and

WHEREAS, on August 31, 2016, the Executive Director notified Stockton University that development activities undertaken by the University in deed-restricted areas were in violation of the terms of the 2015 Memorandum of Agreement; and

WHEREAS, on October 28, 2016, Stockton University notified the Commission that it consented to the indefinite suspension of the 2015 Memorandum of Agreement; and

WHEREAS, on September 23, 2020, the Stockton University Board of Trustees adopted the 2020 Facilities Master Plan and submitted it to the Pinelands Commission for review and approval; and

WHEREAS, the Commission deferred action on the 2020 Plan until the University submitted a framework for resolving its outstanding CMP violations, obtained New Jersey Department of Environmental Protection (NJDEP) approval to amend the Deed of Conservation Restriction (DCR) on the campus, and recorded the amended deed restriction; and

WHEREAS, in November 2022, Stockton submitted proposed revisions to the conservation area boundaries to the Commission, which were reviewed by the Commission's Policy and Implementation Committee on November 30, 2022; and

WHEREAS, on January 5, 2024, the University submitted a letter to the Commission detailing its plan to resolve the remaining violations on its campus; and

WHEREAS, on November 1, 2024, the Executive Director notified the NJDEP that the Commission consented to the amended Deed of Conservation Restriction filed by Stockton University; and

WHEREAS, on December 17, 2024, the NJDEP approved the amended Deed of Conservation Restriction, allowing for the release of approximately 33 acres and the restriction of an additional 35 acres; and

WHEREAS, said amended Deed of Conservation Restriction was recorded in the Atlantic County Land Records on March 24, 2025; and

WHEREAS, a copy of the recorded amended Deed of Conservation Restriction was submitted to the Pinelands Commission on April 10, 2025; and

WHEREAS, a public hearing to receive testimony concerning Stockton University's request for approval of its 2020 Facilities Master Plan was duly advertised and noticed and was conducted remotely on May 28, 2025, at 9:30 a.m., with a live broadcast on the Pinelands Commission's public YouTube channel and an opportunity for the public to call in during the live broadcast; and

WHEREAS, the Executive Director has reviewed Stockton University's 2020 Facilities Master Plan and determined that it meets the requirements of N.J.A.C. 7:50-4.52(e) for approval of state agency plans; and

WHEREAS, the Commission's CMP Policy and Implementation Committee reviewed the 2020 Facilities Master Plan and the Executive Director's Report at its meeting on June 27, 2025, and recommended that the 2020 Facilities Master Plan be approved; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the 2020 Facilities Master Plan and has reviewed the Executive Director's report; and

WHEREAS, the Pinelands Commission accepts the recommendations of the Executive Director; and

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

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued approving the Stockton University 2020 Facilities Master Plan.
2. Nothing herein shall be construed to relieve Stockton University of its obligation to obtain approval from the Pinelands Commission pursuant to N.J.A.C. 7:50-4.51 et seq. for all development activities proposed at its Galloway Township campus, regardless of whether such activities are included in the 2020 Facilities Master Plan.
3. All development on the Stockton University shall be consistent with the Pinelands Comprehensive Management Plan and the terms of the amended Deed of Conservation Restriction, recorded March 24, 2025.
4. Any amendments to the September 2020 Facilities Master Plan shall be submitted to the Commission for review and approval in accordance with N.J.A.C. 7:50-4.52(e).

Record of Commission Votes

AYE				NAY				NP				A/R*			
AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*
Asselta				Lettman				Rittler Sanchez							
Avery				Lohbauer				Signor							
Buzby-Cope				Mauriello				Wallner							
Holroyd				Meade				Matos							
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
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

Report on Stockton University's 2020 Facilities Master Plan

June 18, 2025

Stockton University
Jimmie Leeds Road
P.O. Box 195
Pomona, NJ 08240

Findings of Fact

I. Background

N.J.A.C. 7:50-4.52(e) of the Pinelands Comprehensive Management Plan (CMP) allows any state agency with jurisdiction over land within the Pinelands Area to request Commission approval of a comprehensive plan describing existing and planned land uses, resource management, and development activities. Upon Commission approval, such development activities included in the plan are reviewed in accordance with the CMP, as modified by the specific provisions of the approved state agency plan.

Stockton University's main campus is located in central Galloway Township, Atlantic County, within the Pinelands Area. Pinelands municipalities adjacent to Galloway Township include Port Republic City and Egg Harbor City, as well as the Townships of Hamilton, Egg Harbor, and Mullica in Atlantic County, and Washington and Bass River Townships in Burlington County.

The main campus consists of approximately 1,609 contiguous acres. It is bounded to the north and west by Pomona Road (County Route 575), to the southwest and south by Duerer Street and Jimmie Leeds Road (County Route 561), and to the east by the Garden State Parkway. Additional University-owned lands near the main campus bring Stockton's total land holdings in Galloway Township to approximately 1,835 acres. Of this total, approximately 996 acres are located within a Regional Growth Area in the Township's Government Institutional (GI) District, while the remaining 839 acres are located within a Rural Development Area in the Residential (R-5) and Resort Commercial Rural (RCR) zones (See Exhibit 1).

Stockton University's First Facilities Master Plan (1990 Plan)

Beginning in the late 1980s, Stockton University engaged both Galloway Township and the Pinelands Commission regarding the need to expand campus facilities in response to projected student enrollment

growth. At that time, the entire campus was designated as a Rural Development Area under the CMP's original Land Capability Map, limiting development despite the presence of sewer infrastructure.

In April 1990, the Commission certified two Galloway Township ordinances that redesignated approximately 500 acres, primarily developed and sewer, from Rural Development Area to Regional Growth Area. This zoning change was intended to accommodate the expansion of campus facilities as anticipated in the forthcoming Facilities Master Plan. No offsetting zoning changes were required as part of the conformance process.

In June 1990, Stockton adopted its first Facilities Master Plan, which the Commission approved the following month. The approval required that any amendments to the plan be submitted to the Executive Director for review and approval in accordance with N.J.A.C. 7:50-4.52(e). It also authorized the Executive Director to enter into a Memorandum of Agreement (MOA) with the University to facilitate implementation of the 1990 Plan and to promote the permanent protection of 1,060 acres of University lands outside the Regional Growth Area as described in the Plan. The MOA was executed in July 1990. While the 1990 Plan designated certain lands for permanent protection, a Deed of Conservation Restriction (DCR) was never recorded.

In October 2001, the Commission certified a Township ordinance that redesignated approximately 46 acres from Rural Development Area to Regional Growth Area to reflect existing campus development, including dormitories and parking areas.

Stockton University's Second Facilities Master Plan (2010 Plan)

In December 2009, Stockton adopted an updated Facilities Master Plan to support further expansion in response to projected enrollment growth. The 2010 Plan expanded the University's designated development area by approximately 450 acres, including 151 acres of vacant, developable land. To offset this expansion, Stockton proposed permanent protection of approximately 1,257 acres, including 170 acres of previously unprotected, vacant developable land. The Commission approved the 2010 Plan in September 2010. As a condition of the approval, Stockton was **required** to record a Deed of Conservation Restriction (DCR) on the lands designated for conservation in the plan, which was subsequently recorded in November 2010.

In August 2010, the Commission certified another Galloway Township rezoning of the Stockton Campus that redesignated approximately 450 acres from Rural Development Area to Regional Growth Area. This rezoning aligned with the proposed campus expansion contained in the approved 2010 Facilities Master Plan. No offsetting zoning changes were required as part of the conformance process.

In November 2014, the Commission authorized the Executive Director to execute a new MOA with Stockton to streamline permitting for development associated with the 2010 Plan. The MOA was executed in May 2015.

Post-Suspension of the 2015 MOA

In 2016, the University undertook infrastructure improvements within deed-restricted areas, violating both the DCR and the 2015 MOA. In August 2016, Commission staff formally notified the University of the violations. In October 2016, the University consented to the indefinite suspension of the 2015 MOA, while it worked to resolve existing violations, investigate suspected mapping errors related to the 2010 Plan, and continue development of its 2020 Facilities Master Plan.

Since that time, no MOA has been in effect between the University and the Commission. Consequently, all proposed development at the Galloway campus has required application review and approval under the Commission's standard public development review process (N.J.A.C. 7:50-4.51 et seq.). During this period, as many as twelve development applications were pending before the Commission. Until early 2024, all were deemed incomplete, in accordance with N.J.A.C. 7:50-4.2(c)1ii, due to unresolved violations.

Stockton subsequently identified mapping errors included in the 2010 Plan, which were incorporated in the DCR. As a result, the DCR failed to clearly depict or recognize existing infrastructure, utilities, and internal paths, creating ambiguity regarding their status under the deed restriction and preventing their improvement. These issues demonstrated the clear need for an amended DCR with updated mapping to clearly delineate conservation areas, accommodate reasonable and necessary infrastructure improvements, and offset any areas released from the DCR with newly deed restricted lands.

In September 2020, the Stockton University Board of Trustees adopted a new Facilities Master Plan and submitted it to the Commission for review. The Commission deferred action until the University submitted a framework for resolving its outstanding CMP violations, obtained New Jersey Department of Environmental Protection (NJDEP) approval to amend the DCR, and recorded the amended deed restriction.

In November 2022, Stockton submitted revised DCR mapping to the Commission. Survey work revealed that earlier estimates of the preserved area were inaccurate. In 2010, Stockton estimated that the DCR would preserve 1,257 acres; however, recent surveys determined the actual preserved area to be 1,220 acres. Of the 37-acre discrepancy, 28 acres included lands not truly preserved, as they were excluded under the original DCR for soil stockpiling, recycling and composting activities as well as potential Garden State Parkway improvements. The remaining 9 acres were attributed to low-precision mapping. Based on the same recent survey data, the amended DCR would preserve 1,222 acres, a net increase of 2 acres. The revised mapping was reviewed by the Commission's Policy and Implementation Committee on November 30, 2022, and no objections were raised.

In June 2023, Stockton submitted a formal request to NJDEP to amend the DCR based on this mapping. In January 2024, the University submitted a letter to the Commission detailing its plan to resolve the remaining violations. These actions enabled the Commission to process several pending development applications. Since then, five public development applications have been approved by the Commission, one was withdrawn, and six remain under review.

In December 2024, NJDEP approved the amended DCR, releasing approximately 33 acres from the restriction and adding 35 acres of previously unrestricted, undeveloped land. The amended deed was recorded with Atlantic County on March 24, 2025 and submitted to the Commission on April 10, 2025 (see Exhibit 2 and 3).

With the amended DCR recorded and a framework in place to address remaining violations, the Commission is now able to proceed with its review of Stockton University's 2020 Facilities Master Plan.

II. State Agency Plan Documents

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

- * Stockton University 2020 Facilities Master Plan, adopted by the Stockton University Board of Trustees on September 23, 2020.

This document has been reviewed to determine whether it conforms to the standards for approval of State agency comprehensive plans as set forth in N.J.A.C. 7:50-4.52(e) of the Pinelands Comprehensive Management Plan. The findings from this review are presented below. The lettering used corresponds to the standards identified in N.J.A.C. 7:50-4.52(e).

i. Natural Resource Inventory

The 2020 Facilities Master Plan incorporates the existing inventories and analyses that informed the prior 1990 and 2010 master plans. The 1990 Plan included analyses of wetlands, existing land uses, and sewer infrastructure. The 2010 Plan expanded upon this by incorporating assessments of habitat for threatened and endangered species. These studies informed the character, location, and magnitude of proposed development in the earlier plans and continue to serve that function in the current plan, as described in Section ii below. The inventory also informed the delineation of ecologically sensitive areas appropriate for preservation, which are now deed restricted.

Therefore, this standard for approval is met.

ii. Character, Location and Magnitude of Development

The 2020 Facilities Master Plan identifies eight primary development areas on the campus. While the 2010 Plan identified ten development areas, the total acreage designated for development remains unchanged.

Four development areas are proposed for new construction on previously disturbed and/or developed lands: Core Campus Development; North Athletic Campus (NAC); Stockton Residential Phase 1; and Plant Operations & Public Safety Facility Expansion. The Core Campus and NAC include high-priority projects with budget estimates and renderings provided in the Plan's Appendix. Budgetary estimates for these proposed structures, as well as renderings, are featured in the 2020 Plan's Appendix.

Three development areas are proposed for new construction in currently undeveloped uplands: Health & Wellness/Jimmie Leeds Road Commercial/Residential/Retail; West Campus Administrative Complex; and Mixed Use Retail/Commercial/Residential. Some layouts are unchanged from the 2010 Plan, and University representatives have acknowledged that the final plans may differ significantly before formal applications are submitted to the Commission.

The remaining development area, Space Management/Academic Spine, Arts & Sciences Building & West Quad Building, pertains solely to maintenance and continued use of existing structures. No new land development is anticipated.

All proposed development in the 2020 Facilities Master Plan is limited to upland developable areas, outside of required wetlands buffers and the lands included in the amended Deed of Conservation Restriction (DCR). No future memorandum of agreement is anticipated.

Accordingly, any development application must receive Pinelands Commission approval and comply with both the CMP's minimum environmental standards and the amended DCR.

The development areas in the 2020 Plan were delineated based on mapping available at the time of its preparation. Following the Plan's adoption, the deed restriction boundaries were revised to provide additional protection in certain areas, offsetting newly designated exclusion zones. As a result, approximately 12 acres of the "Health & Wellness/Jimmie Leeds Road Commercial/Residential/Retail" area are now within the amended DCR and no longer available for development. The University is aware of these changes and their implications.

The 2020 Plan also includes information for university facilities at other locations, such as Atlantic City, Woodbine, Manahawkin and Hammonton. These are not subject to this review.

Therefore, this standard for approval is met.

iii. Conformance with N.J.A.C. 7:50-5 and -6

The land uses and intensities proposed in the 2020 Plan are consistent with those permitted in the certified Galloway Township Master Plan and Land Development Ordinance. Development is targeted to the Regional Growth Area, where institutional uses are permitted, and sewer infrastructure exists. The Plan adheres to CMP minimum environmental standards, including wetlands and buffer requirements. Most of these environmentally constrained areas are included in the amended DCR. Prior wetlands delineations and threatened and endangered species surveys will continue to inform Commission review of future development those portions of the campus not subject to the amended DCR.

Therefore, this standard for approval is met.

iv. Standards for Capital Facilities Siting

Since its founding in 1969, Stockton University has grown rapidly. The 1990 Plan anticipated a maximum of 5,000 full-time equivalent (FTE) students at build-out. The 2010 Plan updated this to 6,500 FTEs by 2022 and 7,500 FTEs by 2030. As of Fall 2021, actual undergraduate enrollment had reached 8,392. To help manage growth, the University has established satellite locations in Hammonton, Port Republic, Stafford, and Woodbine, and in 2018, it opened the Stockton Atlantic City campus.

The 2020 Plan's Appendix details eight capital projects on the Galloway campus, including: a three-phase Sports Center expansion; a 1,200-space parking garage; an academic building; a new Campus Center wing; a field house; and an athletic pavilion.

All structures are proposed within previously disturbed uplands that lie outside deed-restricted areas, are served by existing infrastructure, and are accessible via established circulation routes. Therefore, ecological impacts are expected to be minimal. These and all other development activities will be subject to Commission review and approval.

Therefore, this standard for approval is met.

v. Resource Management Practices

The 2020 Plan acknowledges the lands permanently preserved under the 2010 DCR. These areas were identified based on a comprehensive natural resource inventory and are to remain in a natural, scenic, and open condition. Uses that impair conservation values or conflict with the CMP are prohibited.

The DCR permits limited resource management practices, such as forestry in accordance with an approved Forestry Stewardship Plan and fish and wildlife management. The University's prior forestry plan expired in 2023; therefore, a new stewardship plan will need to be prepared and approved. While the boundaries of the DCR have been modified, the scope of permitted activities within the restricted areas has not changed.

Therefore, this standard for approval is met.

vi. Compatibility with Surrounding Land Uses and Municipal and County Plans

Stockton University has operated its Galloway Township campus since 1971. The Atlantic County Master Plan recognizes Stockton as a central and growing institution, contributing to the region through expansion, partnerships, and satellite campuses.

The University continues to collaborate with the County on transportation improvements and with Galloway Township to ensure consistency with local planning. Unlike the 1990 and 2010 Plans, which required significant zoning changes, the 2020 Plan can be implemented without amendments to the Township's land development regulations. Development is largely confined to areas already designated for such uses.

Therefore, this standard for approval is met.

vii. General Conformance requirements

The 2020 Facilities Master Plan complies with all of the relevant standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for approval is met.

Public Hearing

A public hearing to receive testimony concerning Stockton University's application for certification of the 2020 Facilities Master Plan was duly advertised, noticed, and held on May 28, 2025 at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcast live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call in during the public hearing to provide testimony. Oral testimony was provided by the following individual:

Heidi Yeh, Pinelands Preservation Alliance, asked three questions, paraphrased below:

- Does the 2020 Facilities Master Plan represent a change to the 2012 Memorandum of Agreement (MOA)?

- Is the land that was set aside for preservation in 2012 being affected by the new master plan?
- If so, does the 2020 Plan preserve land on a 1:1 basis (in terms of area) relative to what is no longer preserved, and is the newly proposed preserved habitat of comparable quality?

Written comments on the Stockton University 2020 Facilities Master Plan were accepted through May 30, 2025 and were submitted by the following individuals:

Fred Akers, Great Egg Harbor Watershed Association (see Exhibit 4)

Heidi Yeh, Pinelands Preservation Alliance (see Exhibit 5)

Executive Director's Response

Comments received during the public hearing sought clarification on whether the 2020 Facilities Master Plan affects the prior Memorandum of Agreement (MOA) or the previously preserved lands on campus. While the history is complex, it is important to clarify that the 2020 Plan does not amend or supersede the 2015 MOA. That MOA was approved by the Commission in November 2014 and executed in March 2015 to facilitate development proposed in the 2010 Facilities Master Plan. However, following unauthorized development within deed-restricted areas, the MOA was suspended. Since then, no MOA has been in effect. All subsequent campus development has required formal application and public development approval by the Pinelands Commission, in accordance with the minimum environmental standards of the CMP. No new MOA is anticipated in connection with the 2020 Plan.

As outlined in Section I above, an amended Deed of Conservation Restriction (DCR) was approved by the New Jersey Department of Environmental Protection (NJDEP) and recorded in March 2025. The amended DCR, developed after the completion of the 2020 Facilities Master Plan, revised the boundaries of the preserved area. The 2020 Plan itself did not alter previously preserved lands on campus. However, revisions to the DCR were necessary to remove developed lands containing existing infrastructure, utilities, and internal paths, as well as limited areas where planned infrastructure improvements were anticipated. In total, 33 acres were released from the original DCR, while 35 acres of previously unrestricted, undeveloped lands were added – a net increase of two acres. The lands removed were largely developed, while those added were undeveloped and contiguous with other preserved lands and therefore of higher habitat quality.

One commenter raised a question about a maple sugaring project currently being conducted on the University campus. Although no application for that project has been submitted to the Commission, it appears to be located on lands subject to the amended deed restriction. According to the amended DCR, educational and academic programs may be permitted, provided those activities do not result in the erection of permanent or structures or clearing in excess of 1,500 square feet. The maple sugaring operation may fall under this exemption; however, no information has been submitted and no determination has been made as to the consistency of the maple sugaring project with the deed restriction or the CMP. Commission staff will communicate with the University about this matter upon resolution of other outstanding violations.

Conclusion

Based on the Findings of Fact cited above, the Executive Director has concluded that Stockton University's 2020 Facilities Master Plan complies with the Comprehensive Management Plan standards for certification for state agency plans. Accordingly, the Executive Director recommends that the Commission issue an order to approve the 2020 Facilities Master Plan of Stockton University.

SRG/DBL/KLE/CGA

Attachments

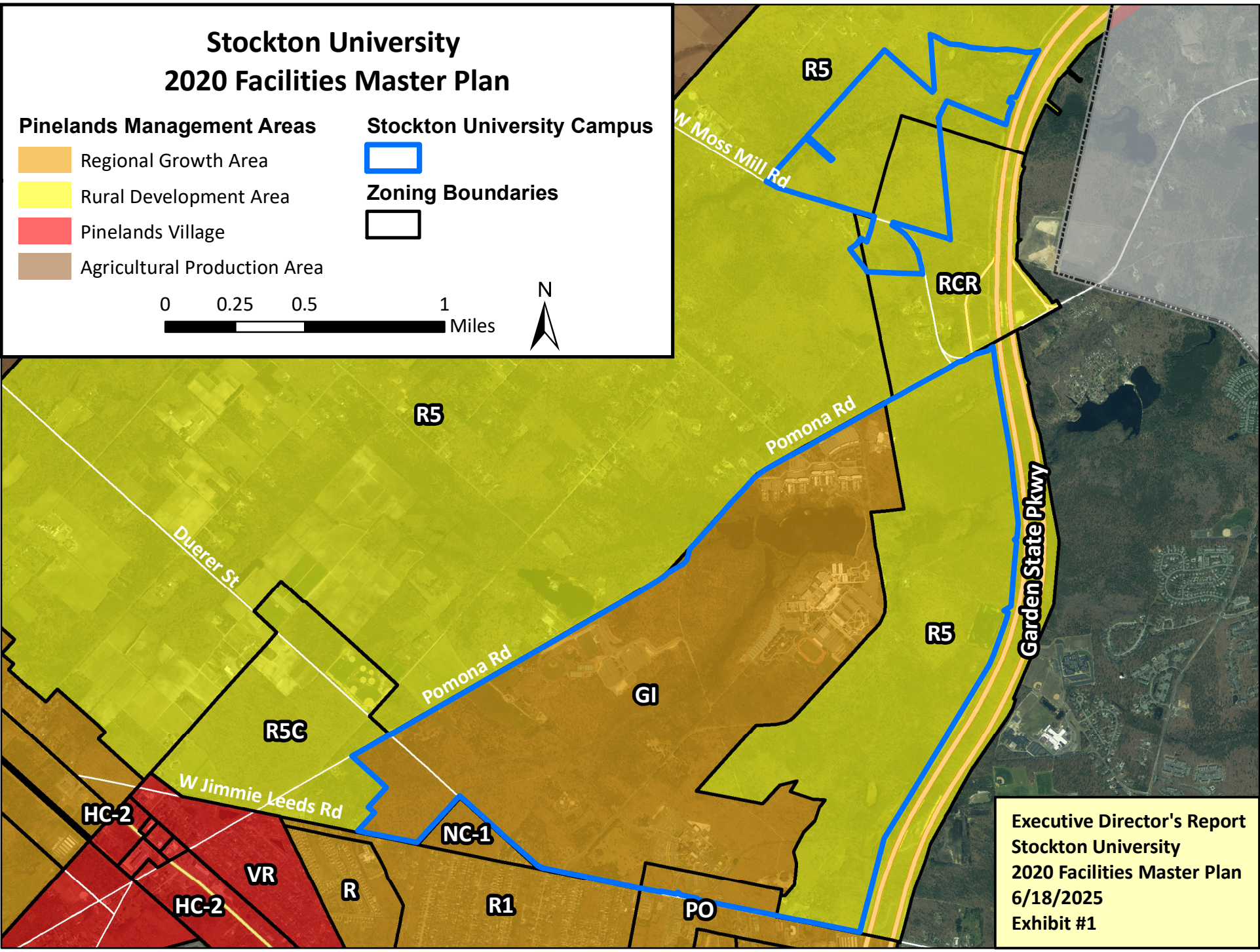
Stockton University 2020 Facilities Master Plan

Pinelands Management Areas

- Regional Growth Area
- Rural Development Area
- Pinelands Village
- Agricultural Production Area

Stockton University Campus

- Stockton University Campus
- Zoning Boundaries



Executive Director's Report
Stockton University
2020 Facilities Master Plan
6/18/2025
Exhibit #1

Stockton University 2020 Facilities Master Plan

Pinelands Management Areas

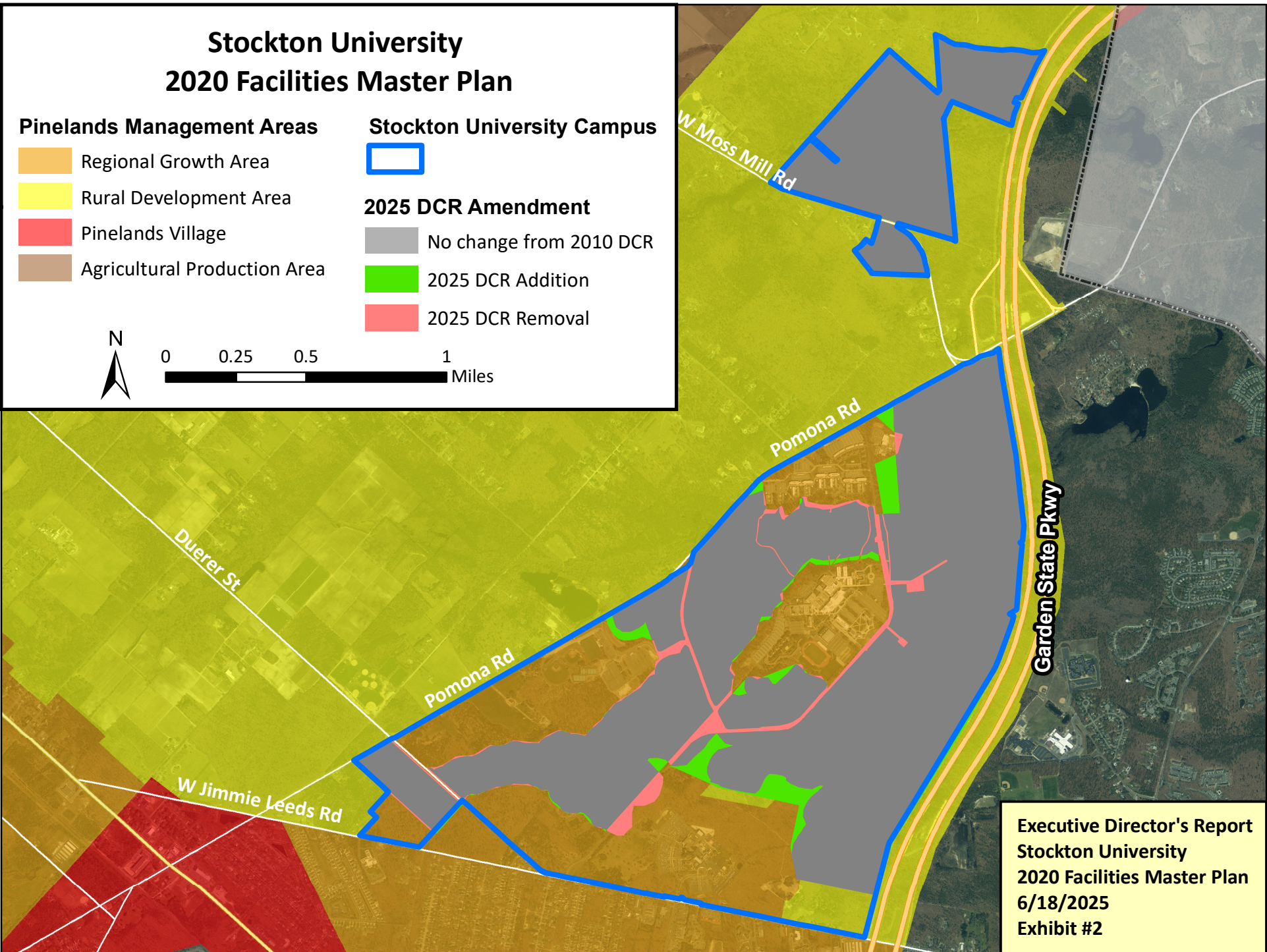
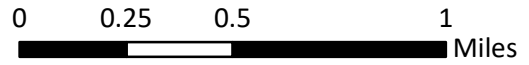
- Regional Growth Area
- Rural Development Area
- Pinelands Village
- Agricultural Production Area

Stockton University Campus



2025 DCR Amendment

- No change from 2010 DCR
- 2025 DCR Addition
- 2025 DCR Removal



Executive Director's Report
Stockton University
2020 Facilities Master Plan
6/18/2025
Exhibit #2



INST # 2025010509
 RECORDED 03/24/2025 VOL 15720
 RCPT # 1796077 RECD BY SM (31 PGS)
 JOSEPH J. GIRALDO, COUNTY CLERK
 ATLANTIC COUNTY, NJ



**Atlantic County
 Document Summary Sheet**

ATLANTIC COUNTY CLERK 5901 MAIN ST MAYS LANDING, NJ 08330	Return Name and Address Stockton University 101 Vera King Farris Drive Galloway NJ 08205
---	--

Official Use Only

Submitting Company	
Document Date (mm/dd/yyyy)	
Document Type	DCR
No. of Pages of the Original Signed Document (Including the cover sheet)	31
Consideration Amount (If applicable)	

First Party (Grantor or Mortgagor or Assignor) (Enter up to five names)	Name(s)	(Last Name, First Name Middle Initial, Suffix) (or Company Name as written)	Address (Optional)
	Stockton University		

Second Party (Grantee or Mortgagee or Assignee) (Enter up to five names)	Name(s)	(Last Name, First Name Middle Initial, Suffix) (or Company Name as written)	Address (Optional)
	The State of New Jersey, Department of Environmental Protection		

Parcel Information	Municipality	Block	Lot	Qualifier	Property Address
(Enter up to three entries)	Galloway Twp. <input checked="" type="checkbox"/>	645	3, 5, 6		
	Galloway Twp. <input checked="" type="checkbox"/>	663.01	55.27		
	Galloway Twp. <input checked="" type="checkbox"/>	875.04	1.01 - 1.08		

Reference Information	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date
(Enter up to three entries)	Deed	13217	1217	2010065939	11/05/2010

DO NOT REMOVE THIS PAGE

DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF ATLANTIC COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.

SCANNED IN CONDITION AS
 PRESENTED FOR RECORDING

**FIRST AMENDMENT TO
DEED OF CONSERVATION RESTRICTION**

BETWEEN

STOCKTON UNIVERSITY (formerly known as The Richard Stockton College of New Jersey), a New Jersey State institution of higher education, organized pursuant to N.J.S.A. 18A:64-1 et seq.

whose mailing address is
101 Vera King Farris Road
Galloway, New Jersey 08205

and

**THE STATE OF NEW JERSEY,
DEPARTMENT OF ENVIRONMENTAL PROTECTION,
a principal Department in the Executive Branch of the State of New Jersey**

whose mailing address is
401 East State Street
Trenton, New Jersey 08625

Dated: *December 17*, 2024

Record and return to:

New Jersey Department of Environmental Protection
Office of Transactions and Public Land Administration
401 East State Street, 7th Floor
Mail Code 401-7
P.O. Box 420
Trenton, New Jersey 08625-0420

FIRST AMENDMENT TO
DEED OF CONSERVATION RESTRICTION

This First Amendment to Deed of Conservation Restriction ("First Amendment") is made and entered into this 17th day of December, 2024, between Stockton University (formerly known as The Richard Stockton College of New Jersey), a New Jersey State institution of higher education organized pursuant to N.J.S.A. 18A:64-1 et seq., whose mailing address is 101 Vera King Farris Drive, Galloway, New Jersey 08205 ("Stockton") and the State of New Jersey, Department of Environmental Protection ("NJDEP"), having its principal office located at 401 East State Street, Trenton, New Jersey 08625.

WHEREAS, Stockton is the owner of certain real property known and designed for tax purposes as Block 645, Lots 3, 5 and 6; Block 663.01, Lot 55.27; Block 681.01, Lot 10; and Block 875.04, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07 and 1.08 on Sheets 16 and 18 of the Tax Map of the Township of Galloway, County of Atlantic, State of New Jersey (collectively, the "Property"); and

WHEREAS, on April 29, 2010, the New Jersey Pinelands Commission ("Pinelands Commission") received an adopted copy of the "April 2010 Master Plan of the Richard Stockton College of New Jersey" ("2010 Master Plan"), which, among other things, proposed the permanent protection from development of approximately 1,257 acres of the Property; and

WHEREAS, on August 30, 2010, the Executive Director of the Pinelands Commission issued a "Report on the April 2010 Master Plan of the Richard Stockton College of New Jersey" ("Executive Director's Report") which concluded that the 2010 Master Plan complied with the Comprehensive Management Plan standards for approval of state agency comprehensive plans set forth in N.J.A.C. 7:50-4.52, and recommended that the Pinelands Commission issue an order to approve the 2010 Master Plan; and

WHEREAS, on September 10, 2010, the Pinelands Commission adopted a Resolution approving the 2010 Master Plan; and

WHEREAS, on October 7, 2010, as a condition of the Pinelands Commission's approval of the 2010 Master Plan, Stockton granted to the NJDEP a Deed of Conservation Restriction ("DCR") on approximately 1,257 acres of the Property (the "Restricted Area"); and

WHEREAS, the DCR was recorded on November 5, 2010 in the Atlantic County Clerk's Office in Deed Book 13217, Page 1217 as Instrument 2010065939; and

WHEREAS, the Executive Director's Report was attached to and incorporated into the DCR as Exhibit B; and

WHEREAS, Exhibit C of the Executive Director's Report depicts the Restricted Area (the "2010 Map"); and

WHEREAS, as set forth in more detail in the attached Certificate Granting Partial Release of Conservation Restrictions (Exhibit A to this First Amendment), the Pinelands Commission and Stockton have now reached a mutual agreement that the DCR should be amended to substitute a new map (the "2024 Map") for the 2010 Map, and the NJDEP Commissioner has concurred with that decision; and

WHEREAS, the 2024 Map alters the Restricted Area by removing the conservation restrictions from 33.001 acres of the Restricted Area and imposing conservation restrictions on 35.345 acres of the Property not originally restricted; and

WHEREAS, the purpose of this First Amendment to the DCR is to implement the changes to the boundaries of the Restricted Area as depicted on the 2024 Map.

NOW, THEREFORE, and in consideration of the mutual covenants and agreements herein contained, Stockton and the NJDEP do hereby covenant, stipulate, and agree as follows:

1. **RECITALS.** The recitals set forth above are true and correct and are incorporated herein by reference.
2. **EXHIBITS.** The attached Exhibit B of this First Amendment is substituted for Exhibit B in the October 7, 2010 Deed of Conservation Restriction.
3. **PARTIAL RELEASE.** As set forth in more detail in the November 14, 2024 Certificate of the Commissioner of the Department of Environmental Protection Granting Partial Release of Conservation Restrictions, which Certificate is attached hereto and incorporated into this First Amendment as Exhibit A of the First Amendment, the conservation restrictions imposed on the Property under the October 7, 2010 DCR are amended and released only to the extent necessary to conform with the changes to the Restricted Area as depicted on the 2024 Map.
4. **PINELANDS COMMISSION CONSENT.** Consistent with Paragraph 8 of the DCR, and as attested by the November 1, 2024 letter from the Executive Director of the Pinelands Commission attached hereto and incorporated into this First Amendment as Exhibit C of the First Amendment, the Pinelands Commission has received thirty (30) days' written notice of, and has consented to, this First Amendment.

5. **EFFECTIVE DATE.** As specified in Paragraph 8 of the DCR, this First Amendment shall not be effective until it is duly recorded with the Office of the Recorder of Deeds for Atlantic County, New Jersey.

6. **REMAINDER OF CONSERVATION RESTRICTION IN FULL FORCE AND EFFECT.** The October 7, 2010 Deed of Conservation Restriction shall be and remain in full force and effect except as the same is specifically modified by this First Amendment. All covenants, terms, obligations, and conditions of the October 7, 2010 Deed of Conservation Restriction not expressly amended by this First Amendment are hereby ratified and confirmed.

EXECUTION SIGNATURES. This First Amendment to Deed of Conservation Restriction is signed and attested to by Stockton's and the NJDEP's proper and authorized officers, directors, or representatives as of the date written at the top of the first page.

STOCKTON UNIVERSITY

BY: Rhianon Lepree
Rhianon Lepree
Director of Facilities Administration
and Real Estate

STATE OF NEW JERSEY

SS:

COUNTY OF ATLANTIC

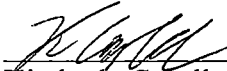
BE IT REMEMBERED, that on the 20 day of NOVEMBER, 2024, before me personally appeared Rhianon Lepree, who I am satisfied is the Director of Facilities Administration and Real Estate for Stockton University, and that she acknowledged that she signed this instrument in her capacity as the duly delegated representative of Stockton University, and as the act and deed of Stockton University.

SIGNED AND SWORN TO BEFORE
ME ON NOVEMBER 20, 2024

Brian Kowalski
Notary Public of the State of New Jersey
-or- Attorney at Law

Brian Kowalski

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: 
Kimberly Cahall, Chief Advisor
Legal and Regulatory Affairs

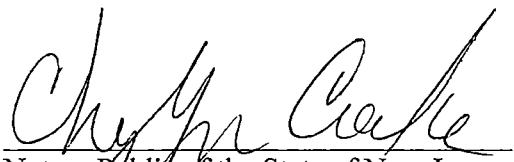
STATE OF NEW JERSEY

SS:

COUNTY OF MERCER

BE IT REMEMBERED, that on the 17th day of December, 2024, before me personally appeared Kimberly Cahall, who I am satisfied is the Chief Advisor, Legal and Regulatory Affairs, for the Department of Environmental Protection of the State of New Jersey, and that she acknowledged that she signed this instrument in her capacity as the duly delegated representative of the Commissioner of Environmental Protection, and as the act and deed of the State of New Jersey.

SIGNED AND SWORN TO BEFORE
ME ON December 17, 2024


Notary Public of the State of New Jersey
-or- Attorney at Law

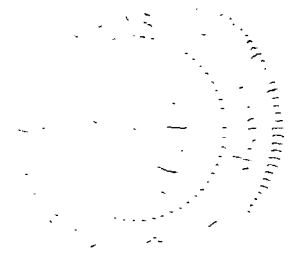


Exhibit A

**CERTIFICATE OF THE COMMISSIONER OF THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GRANTING PARTIAL RELEASE OF CONSERVATION RESTRICTION**

On behalf of Commissioner Shawn M. LaTourette, the New Jersey Department of Environmental Protection (Department) executes the following Certificate granting a partial release of conservation restrictions (Partial Release) in accordance with the New Jersey Conservation Restriction and Historic Preservation Restriction Act (the Act), N.J.S.A. 13:8B-1 et seq.

WHEREAS, on April 29, 2010, the New Jersey Pinelands Commission (Pinelands Commission) received an adopted copy of the “April 2010 Master Plan of the Richard Stockton College of New Jersey” (2010 Master Plan), which, among other things, proposed the permanent protection from development of approximately 1,257 acres of real property on and proximate to the Richard Stockton College campus; and

WHEREAS, on August 30, 2010, the Executive Director of the Pinelands Commission issued a “Report on the April 2010 Master Plan of the Richard Stockton College of New Jersey” (Executive Director’s Report) which concluded that the 2010 Master Plan complied with Comprehensive Management Plan standards for approval of state agency comprehensive plans as set forth in N.J.A.C. 7:50-4.52, and recommended that the Pinelands Commission issue an order to approve the 2010 Master Plan; and

WHEREAS, on September 10, 2010, the Pinelands Commission adopted a Resolution approving the 2010 Master Plan; and

WHEREAS, on October 7, 2010, as a condition of the Pinelands Commission’s approval of the 2010 Master Plan, Stockton University (formerly known as The Richard

Stockton College of New Jersey) (Stockton) granted to the State of New Jersey, Department of Environmental Protection (Department) a Deed of Conservation Restriction (DCR) on approximately 1,257 acres of real property identified in Exhibit C of the Executive Director's Report (the Restricted Area); and

WHEREAS, in May 2015 the Pinelands Commission and Stockton entered into a Memorandum of Agreement to facilitate implementation of the 2010 Master Plan; and

WHEREAS, in or about 2017, as a result of development activities that occurred within Vera King Farris Drive, it became clear that the boundaries of the Restricted Area depicted on Exhibit C were not sufficiently defined and, consequently, resulted in development activities occurring in the Restricted Area in violation of the terms of the Memorandum of Agreement; and

WHEREAS, as the Commission's and Stockton's facilities staff began to research the base maps that were used for the creation of Exhibit C, it also became clear that the exhibit lacked the level of accuracy required to determine the precise boundaries of the deed restricted lands at the Galloway campus; and

WHEREAS, the DCR also does not exclude existing utility locations, other infrastructure and internal pathways from the Restricted Area; and

WHEREAS, the Commission and representatives for Stockton worked together to develop a baseline, field verified ArcGIS baseline map (2024 Map), attached hereto as **Exhibit A**, to accurately delineate the boundaries of the Restricted Area; and

WHEREAS, on June 27, 2023 Stockton submitted a request to the Department to amend the DCR to incorporate the 2024 Map, and to release a portion of the Restricted Area

from the DCR for utility, infrastructure and pathway exclusions pursuant to a First Amendment to Deed of Conservation Restriction (Amendment and Partial Release); and

WHEREAS, the 2024 Map serves as the foundation for Stockton's request for the Amendment and Partial Release; and

WHEREAS, Stockton is proposing to release from the DCR 33.001 acres of land, identified as "Utility Infrastructure Excluded Lands" on the 2024 Map (the Partial Release Area); and

WHEREAS, as compensation for the Amendment and Partial Release, Stockton is proposing to restrict under the DCR an additional 35.345 acres of land as identified in the 2024 Map (Deed Restricted Compensation Land); and

WHEREAS, the Pinelands Commission has determined that an amendment to the DCR is appropriate to accurately depict the boundaries of the Restricted Area, and to identify the Partial Release Area and the Deed Restricted Compensation Land; and

WHEREAS, the Pinelands Commission and Stockton have requested that the Department, as the holder of the DCR, agree to amend the DCR to release the Partial Release Area and to restrict the Deed Restricted Compensation Land, all as set forth in the 2024 Map; and

WHEREAS, on June 3, 2024, in accordance with N.J.S.A. 13:8B-5, the Department, as the holder of the DCR, conducted a public hearing on the proposed Partial Release and the proposed restriction of the Deed Restricted Compensation Land; and

WHEREAS, there were no public comments received before, during or after the June 3, 2024 public hearing; and

WHEREAS, under N.J.S.A. 13:8B-6, in determining whether the Partial Release should be approved, the Commissioner of Environmental Protection (Commissioner) must consider the public interest in preserving these lands in their natural state, and any State, regional or local program in furtherance thereof, as well as any State, regional or local comprehensive land use or development plan affecting such property; and

WHEREAS, the Commissioner has reviewed Stockton's submission and determined that the public interest in preserving the lands in their natural state will not be negatively impacted because the Pinelands Commission has determined that there will no net loss of Restricted Area as a result of the Amendment and Partial Release; and

WHEREAS, the Commissioner has also considered that Stockton (as Grantor) and the Department (as Grantee), as a condition to this Partial Release, have agreed to execute an Amended Deed of Conservation Restriction that will preserve a greater area of land as restricted Areas in their natural, scenic, open and existing state; and

WHEREAS, the Commissioner accepts the determination of the Pinelands Commission to approve the proposed amendment of the Restricted Area as demonstrating consistency of the proposed Partial Release with the CMP, and any State, regional or open space preservation, local comprehensive land use or development plans affecting the Restricted Area; and

WHEREAS, the Commissioner has also considered the lack of public comment on the proposed Partial Release during the June 3, 2024 public hearing and post-hearing written public comment period; and

NOW, THEREFORE, the Commissioner finds that the request for the Partial Release from the DCR and the addition of the Deed Restricted Compensation Land to the Restricted Area under the DCR is appropriate under the Act and hereby approves of the release of those certain Restrictions described herein, subject to the following conditions:

1. The purposes of this Certificate are to provide evidence of compliance with the public hearing requirements in N.J.S.A. 13:8B-5, and the Commissioner's approval, as required under N.J.S.A. 13:8B-6, of the partial release of the DCR as requested by Stockton and more fully described herein.
2. This Certificate is contingent upon the execution of the above-referenced Amendment to the Deed of Conservation restriction, consistent with the findings in this Certificate, in a form acceptable to the Department. This Certificate shall be incorporated into the Amendment as an exhibit to the Amendment.
3. Within thirty (30) days of the execution of the Amendment to the Deed of Conservation Restriction, Stockton shall record the Amendment, incorporating this Certificate, with the Atlantic County Clerk.
4. Within thirty (30) days of recording, Stockton shall provide the Department with a copy of the recorded Amendment to the Deed of Conservation Restriction (incorporating this Certificate).
5. This Certificate and the approval described herein shall be void and of no effect unless and until Stockton satisfies the conditions set forth above to the Department's satisfaction.

6. Pursuant to Administrative Order 2024-02 dated February 25, 2024, the Commissioner has delegated to Paul Stofa, Esq., Chief Advisor, Legal and Regulatory Affairs, the authority to approve the release of conservation restrictions acquired pursuant to the New Jersey Conservation Restriction and Historic Preservation Restriction Act, N.J.S.A. 13:8B-1 et seq., and to execute certificates of the Commissioner of the Department evidencing such approval.



Paul Stofa, Esq., Chief Advisor
Legal and Regulatory Affairs
New Jersey Department of Environmental Protection

11/14/24

Date

ACKNOWLEDGEMENT OF SIGNATURE

State of New Jersey

County of Mercer

On this day of 2024, before me, the undersigned, Paul Stofa, Chief Advisor, Legal and Regulatory Affairs, of the New Jersey Department of Environmental Protection, personally appeared, who, I am satisfied, is the person who signed the foregoing instrument, and he did acknowledge under oath that he signed and delivered the same in his capacity as such official, that he was authorized to execute the same on behalf of the New Jersey Department of Environmental Protection, and that the foregoing instrument is the voluntary act and deed of the New Jersey Department of Environmental Protection, made by virtue of proper authority.

Signature of Notary/Seal

Sworn to and subscribed before me this day of ,

Attorney-at-Law , Esq.

DEP File #CRR 1110002

Page 7 of 8

Exhibit **B**

2024 Map

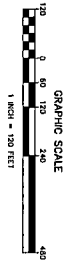


SEE DRAWING NO. C0103

SEE DRAWING NO. C0103

LEGEND

- PROPERTY BOUNDARY LINE
- PERMANENT EASEMENT LIMIT LINE
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DATE	DESCRIPTION	BY	CHECKED
02/24/2023	3 - ISSUED FOR PERMITS	RAVIA J. FLEMING, P.E.	
02/24/2023	4 - REVIEW FOR REVIEW COMMENTS	RAVIA J. FLEMING, P.E.	
02/24/2023	2 - REVIEW FOR REVIEW COMMENTS	RAVIA J. FLEMING, P.E.	
02/24/2023	1 - INITIAL SUBMISSION	RAVIA J. FLEMING, P.E.	

STOCKTON UNIVERSITY

DETAILED PINELANDS EXHIBIT

STOCKTON UNIVERSITY

RAVIA J. FLEMING, P.E.

02/24/2023

MARATHON

ENGINEERING & SURVEYING SERVICES

1000 SOUTH HAVEN DRIVE, SUITE 100

02/24/2023

Exhibit C



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

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



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

November 1, 2024

VIA EMAIL ONLY

Judeth Piccinni Yeany, Esq.
Senior Regulatory Officer
New Jersey Department of Environmental Protection
Office of Transactions and Public Land Administration
401 East State Street, 7th Floor
Mail Code 401-7
P.O. Box 420
Trenton, New Jersey 08625-0420

Re: First Amendment to the 2010 Deed of Conservation Restriction

Dear Ms. Yeany:

The Pinelands Commission consents to the amendment to the 2010 Deed of Conservation Restriction (DCR) filed by Stockton University (Stockton). The purpose of this First Amendment of the DCR is to replace the existing color-coded exhibit depicting the Restricted Area located on Stockton's Galloway Township Campus with a new map (2024 map) that better defines the boundaries of the Restricted Area. Stockton, working with the Commission staff, developed the 2024 map using ArcGIS that more accurately depicts the boundaries of the restricted lands on the campus. Additionally, the 2024 map appropriately removes existing utility locations, other infrastructure and internal paths that were previously included in the Restricted Area under the color-coded exhibit. Stockton submitted a request to the New Jersey Department of Environmental Protection on June 27, 2023 to amend the DCR to incorporate the 2024 map. The Commission consents to this First Amendment to the DCR to replace the color-coded exhibit with the 2024 map and believes that this new map will ensure that future development at Stockton's Galloway campus occurs outside of the Restricted Area.

Thank you for your assistance with this matter.

Sincerely,

Susan R. Grogan, P.P., AICP
Executive Director

c: Brian Kowalski, Esq., Stockton University



**The Great Egg Harbor Watershed Association
River Council**

Fred Akers – Operations Mgr.
P.O. Box 109
Newtonville, NJ 08346
609-335-3744
fred.akers13@gmail.com

Executive Director's Report
Stockton University
2020 Facilities Master Plan
6/18/2025
Exhibit #4

June 2, 2025

NJ Pinelands Commission

15 Springfield Rd,

Pemberton, NJ 08068

Re: Stockton University's 2020 Facilities Master Plan

Dear Director Grogan and Chief Planner Lanute:

Thank you for the opportunity to comment on the Stockton University's 2020 Facilities Master Plan.

The evolution of the development at the Stockton Galloway Campus is a good example of the flexibility of the Pinelands Commission (PC) to accommodate public development. The PC is often criticized for its too strict compliance with the CMP, but the history of permitted development in the Galloway Township area around Stockton's Galloway Campus is an example of compromise.

Going back to the 1990 Stockton Master Plan and the subsequent 1990 and 1995 Stockton/Pinelands MOAs, the Stockton Galloway Campus was defined as 1,560 acres, of which 500 acres were to be developed, and 1,060 acres were to be permanently protected. However, this was not the final Galloway Campus build-out that some envisioned at that time. And back then, deed restrictions were not required.

Then around 2008 the PC completed the Ecological Integrity Assessment, which paved the way for the expansion of sewer service to the Galloway Campus through the conversion of Pinelands Rural Development Area to Pinelands Regional Growth Area. Map 1 illustrates those Management Area changes.

20 years after the 1990 Stockton Master Plan, the 2010 Stockton Master Plan took student enrollment, and the Galloway Campus build-out to a new level. This caused the PC to renegotiate the 1990 compromises, and a new MOA with Stockton was published in 2015. But this time there were deed restrictions to permanently protect the sensitive lands.

www.gehwa.org – The Official Website of the Great Egg Harbor Watershed Assoc.

Paul Ludgate
Vice President
Dick Colby
Treasurer
Lynn Maun
Secretary
Brooke Fisher
Administrator

TRUSTEES
Steve Eisenhauer
Pat Sprigman
Clark Sprigman
Clay Emerson
Carol Jones
Bill Stuempfig

RIVER COUNCIL

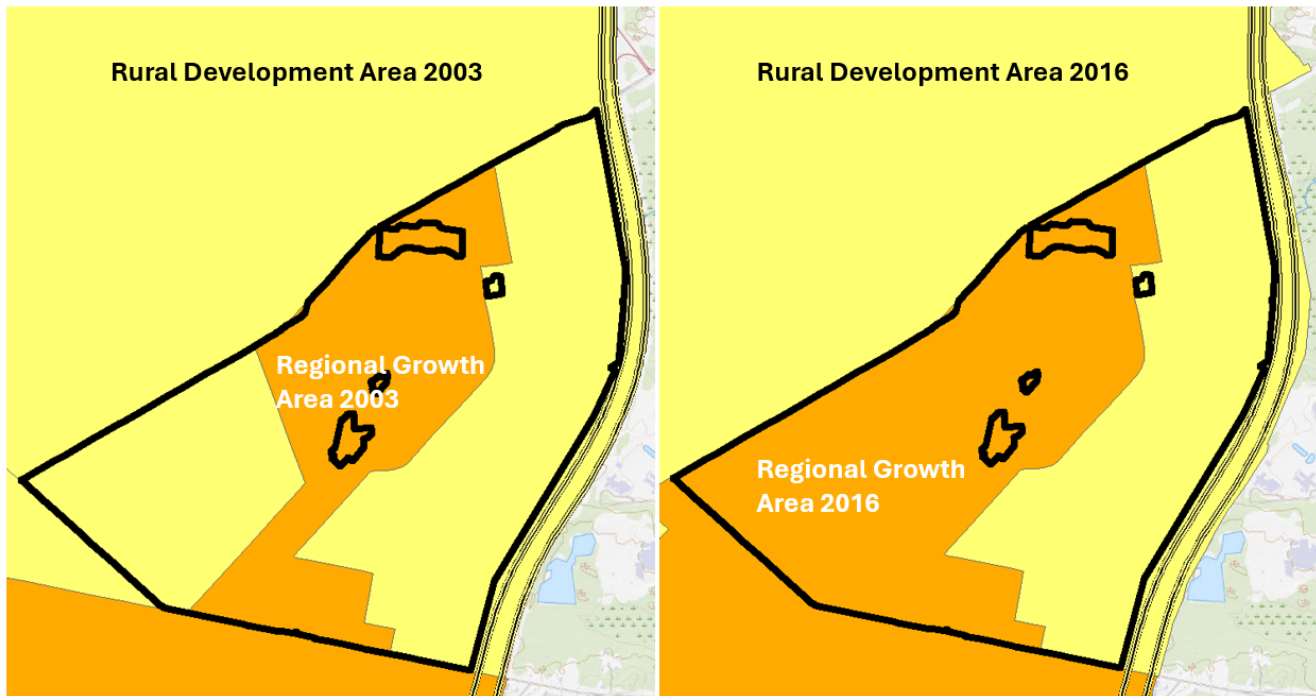
Chair:
Gregory Gregory
Somers Point
Vice Chair:
Richard Coe
Monroe Twp.

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Dick Colby
GEHWA

Pinelands Management Area Changes from 2003 to 2016 at the Galloway Stockton Campus.

Map 1: These changes by the Pinelands Commission allowed more sewer development in Galloway Township



However, it was discovered that there were many developments that Stockton had built without the benefit of permits since 1990, which ultimately became recognized by the PC as violations that had to be remedied. Some of these were more easily remedied than others.

The PC determined that Stockton University had violated the MOA by engaging in unauthorized development within the deed-restricted area. The University subsequently consented to suspend the 2015 MOA in 2017, and a long process was started to modify the deed-restricted areas and mitigate those violations.

In December 2024, the DEP approved an amendment to the 2010 deed restriction, and the amended deed was recorded with Atlantic County on March 24, 2025. According to the PC, all the projects proposed in the 2020 Facilities Master Plan are outside of the amended deed restricted area.

One small area of concern we have is whether or not the agricultural use of maple trees in the Galloway Campus forest is being conducted in the deed restricted area, and if so, is it permitted?

We hope that all of Stockton's development violations on the Galloway Campus have been resolved, and that no new violations will be created. We also appreciate the PC's oversight of the Stockton University's 2020 Facilities Master Plan, and of Pinelands Protection overall.

Respectfully,

Fred Akers, Operations Manager
Great Egg Harbor Watershed Association



PINELANDS
PRESERVATION
ALLIANCE

Bishop Farmstead
17 Pemberton Rd
Southampton NJ 08088
609-858-8860

June 2, 2025

NJ Pinelands Commission
15 Springfield Rd,
Pemberton, NJ 08068

Re: Stockton University's 2020 Facilities Master Plan

Dear Director Grogan and Chief Planner Lanute,

The 2020 Stockton University Facilities Master Plan presents an important opportunity to reflect on the University's long-term vision for growth while ensuring continued environmental responsibility. While there have been efforts to reconcile past inconsistencies and improve land use planning, several key concerns remain regarding the clarity, implementation, and implications of the plan.

We appreciate the Pinelands Commission's thorough oversight and dedication to upholding the protections established in the 2010 deed restriction. Your careful attention to detail throughout the review process—particularly in identifying unauthorized development, pausing review of the 2020 Master Plan, and requiring accurate conservation mapping—demonstrates a strong commitment to environmental stewardship and accountability. These changes mark important progress in clearly defining conservation areas and ensuring they receive the proper protection.

As the Commission reviews the 2020 Master Plan, several questions remain. While the updated deed restriction clarifies which areas are now legally protected, the plan itself lacks sufficient detail regarding the rationale for some proposed expansions, particularly in light of past encroachments and the unique ecological characteristics of the Galloway Campus, which includes extensive wetlands and habitat buffers. These features have historically limited development, and the preservation of these natural resources remains vital. Many of these protections reflect compliance with existing laws rather than new environmental initiatives. A clearer articulation of how the University's planning efforts go beyond regulatory obligations would strengthen public trust in Stockton's commitment to sustainability.

One notable project included in the 2020 Plan is the proposed Coastal Resilience Center, a \$40 million facility intended to address climate adaptation and research. While this is a commendable objective, the proposed location—an area that could potentially be restored as tidal marshland—raises questions about the balance between development and ecological restoration in vulnerable coastal zones.

Retrofitting an existing structure within Atlantic City to withstand the growing impacts of ocean encroachment, rather than constructing a new building. This would not only embody the principles of sustainability and adaptation but also avoid further environmental degradation of a sensitive coastal zone that would provide greater ecological benefit if restored.

While Stockton University has taken steps to address prior issues and refine its land use framework, the 2020 Facilities Master Plan would benefit from additional transparency, clearer alignment with conservation priorities, and a demonstrated commitment to sustainable development practices. As the Pinelands Commission considers the plan, we respectfully urge continued scrutiny to ensure that past agreements are honored and that future growth reflects a genuine dedication to environmental stewardship and climate resilience.

Thank you for your attention to these important matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Yeh". The signature is fluid and cursive, written in a professional style.

Heidi Yeh, Ph.D.

Policy Director



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 THE PINELANDS COMMISSION
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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: June 30, 2025

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed three ordinances and one Housing Element & Fair Share Plan that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

Corbin City 2025 Housing Element and Fair Share Plan –the 2025 amendments include updated data and analysis on the City’s current and projected demographic, housing stock, and employment characteristics, as well as updated information on the completed and proposed mechanisms to address the City’s affordable housing obligation. The Plan indicates a rehabilitation need of zero units and a fourth-round prospective need of six units. Given the City’s lack of adequate sewer capacity and infrastructure, its fourth-round prospective need is being deferred through a durational adjustment. There are no proposed affordable housing sites located within the Pinelands Area portion of the City.

Egg Harbor City Ordinance 1-2025 – amends the Redevelopment Plan for the 801 Philadelphia Avenue Rehabilitation Area, which was previously found to raise no substantial issue with respect to CMP standards. The ordinance conditionally permits Class 1 (cultivation) and Class 2 (manufacturing) cannabis facilities within the 11.5-acre rehabilitation area. Medical marijuana production remains a conditionally permitted use, and the existing conditional use standards now apply to both medical and adult use cannabis facilities, with additional amendments regarding security and odor mitigation. The 801 Philadelphia Avenue Rehabilitation Area is located within a Pinelands Town.

Hammonton Town Ordinance 010-2025 – amends Chapter 175, Land Use Development, of the Code of Hammonton Town in response to two separate state-agency rule adoptions. The ordinance revises stormwater management regulations in response to the New Jersey Department of Environmental Protection (NJDEP) amendments to the statewide stormwater management regulations at N.J.A.C. 7:8, adopted July 17, 2023. The CMP incorporates various provisions within N.J.A.C. 7:8 by cross-reference. The ordinance also revises water management regulations in response to amendments to the CMP, adopted December 4, 2023.

South Toms River Borough Ordinance 2025-11 – amends the Dover Road Redevelopment Plan, which was previously certified by the Commission, and supersedes Ordinances 21-9 and 2025-04, which were previously submitted to the Commission. The 21-acre redevelopment area is located within the Borough’s Regional Growth Area. The redevelopment plan is amended to permit hotels and motels, which the underlying zoning permits, as well as electronic and/or digital billboards. The amendment also allows for the development of 30 affordable housing units in addition to the 17 dwelling units per acre already permitted under the certified plan. The amendment further clarifies that the Redeveloper has redeemed 22.5 Pinelands Development Credits (PDCs) for the approved 360 market-rate units and reiterates that no additional PDCs are required for the development of the 30 additional affordable units. The previously certified redevelopment plan exempted units made affordable from PDC requirements. Finally, the amended plan includes new standards for electronic and digital signs, incorporating requirements consistent with the CMP off-site signage standards at N.J.A.C. 7:50-6.108(b).