



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 11

TITLE: Approving With Conditions an Application for Public Development and Certificate of Appropriateness (Application Number 1997-0257.016)

Commissioner Barr moves and Commissioner Pikolycky 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:

1997-0257.016

Applicant: NJ Turnpike Authority

Municipality: Bass River Township

Management Area: Pinelands Preservation Area District/ Parkway Overlay District

Date of Report: March 22, 2018

Proposed Development: Demolition of three existing toll booths, the construction of two express toll lanes and a 342 square foot Information Technology Systems building at the New Gretna Toll Plaza within the Garden State Parkway right-of-way.

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

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

WHEREAS, the Pinelands Commission hereby determines that the proposed public development 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 and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1997-0257.016 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*
Ashmun			X		Howell			X		Prickett	X			
Avery	X				Jannarone	X		X		Quinn	X			
Barr	X				Lloyd	X				Rohan Green			X	
Chila	X				Lohbauer	X				Earlen	X			
Galletta	X				Pikolycky	X								

*A = Abstained / R = Refused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Executive Director

Date: April 13, 2018

Sean W. Earlen
Chairman



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

Sheila Y. Oliver
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

March 22, 2018

Robert Fischer, PE
NJ Turnpike Authority
P.O. Box 5042
Woodbridge, NJ 07095

Re: Application # 1997-0257.016
Garden State Parkway
New Gretna Toll Plaza
Bass River Township

Dear Mr. Fischer:

The Commission staff has completed its review of this application for the construction of two express toll lanes and accessory structures within the Garden State Parkway right-of-way. 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 April 13, 2018 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Bass River Township Planning Board (via email)
Bass River Township Construction Code Official (via email)
Secretary, Burlington County Planning Board (via email)
James Mellett, PE





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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT
 AND CERTIFICATE OF APPROPRIATENESS**

March 22, 2018

Robert Fischer, PE
 NJ Turnpike Authority
 P.O. Box 5042
 Woodbridge, NJ 07095

Application No.: 1997-0257.016
 Garden State Parkway
 New Gretna Toll Plaza
 Bass River Township

This application proposes the demolition of three existing toll booths that are 50 years old or older, the construction of two express toll lanes and a 342 square foot Information Technology Systems (ITS) building at the New Gretna Toll Plaza within the Garden State Parkway right-of-way.

The applicant proposes to demolish an existing 221 square foot ITS building that is less than 50 years old. The demolition of a structure less than 50 years old does not require an application to the Commission.

The application also proposes the installation of four overhead warning and safety signs over the north bound lanes of the Parkway. The overhead signs, alerting north bound motorist to the approaching Toll Plaza, will be installed at the Toll Plaza and one-half mile, one mile and two miles before the Toll Plaza.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.35)

The proposed development will be located within the existing Garden State Parkway right-of-way. The Garden State Parkway right-of-way is designated in the CMP as the Parkway Overlay District. As accessory facilities to the operation of the parkway, the proposed express toll lanes, ITS building and overhead signs are permitted land uses in the Parkway Overlay District.

Wetlands Standards (N.J.A.C. 7:50-6.13)

There are wetlands located within 300 feet of the proposed development. The proposed development will be located in the required buffer to wetlands.

The CMP permits roads (linear improvements) and accessory improvements to roads, such as toll plazas and signs, in the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the required buffer to wetlands. The applicant has represented that the proposed development is necessary to improve the safety of the existing roadway. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetlands.

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

The proposed development will be located within maintained grassed and paved areas. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize disturbed areas, the applicant proposes to utilize grass species which meet that recommendation.

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

The proposed development will result in a reduction of 610 square feet of paved (impervious) road surface. The applicant has demonstrated that there will be no increase in the volume and rate of stormwater runoff from the project after the development than occurred prior to the proposed development.

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

The New Jersey State Historic Preservation Office (SHPO) previously determined that the Garden State Parkway is eligible for listing on the National Register of Historic Places. In consideration of the SHPO prior determination of eligibility, the Commission staff previously concluded that the Garden State Parkway Historic District is a significant historic resource and is, therefore, eligible for Pinelands Designation in accordance with the provisions of N.J.A.C. 7:50-6.154.

The CMP (N.J.A.C. 7:50-6.156), requires that a Certificate of Appropriateness be issued by the Commission that identifies the required treatment of significant historic resources from among three alternatives:

- preservation of the resource in place, if possible;
- preservation of the resource at another location, if preservation in place is not possible; or
- recordation.

The Commission staff has determined that recordation is the appropriate treatment to be required for the proposed demolition of the existing toll booths. Accordingly, this Certificate of Appropriateness requires recordation of the toll booths in accordance with the CMP (N.J.A.C. 7:50-6.156(c)). As required by the CMP (N.J.A.C. 7:50-6.156(c)3.), the proposed treatment must conform to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on December 23, 2017. The application was designated as complete on the Commission's website on February 5, 2018. The Commission's public comment period closed on March 9, 2018. 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 99 sheets, prepared by Gannett Fleming, Inc., all sheets dated November 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Prior to the demolition of any toll booths, a copy of the recordation report shall be provided to the Commission staff.

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.



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 April 9, 2018. The appeal must include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-18- 12

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1981-0586.008 & 2006-0440.002)

Commissioner Galletta moves and Commissioner Lohbauer 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:

1981-0586.008

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Regional Growth Area
Date of Report: March 23, 2018
Proposed Development: Construction of a pedestrian walkway and improvements to the Ogden Street right-of-way.; and

2006-0440.002

Applicant: Pemberton Township
Municipality: Pemberton Township
Management Area: Pinelands Forest Area
Date of Report: March 22, 2018
Proposed Development: Reconstruction of a 7,366 square foot fire and rescue building.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1981-0586.008 & 2006-0440.002 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*
Ashmun				X	Howell				X	Prickett				R
Avery	X				Jannarone		X			Quinn	X			
Barr	X				Lloyd				A	Rohan Green				X
Chila	X				Lohbauer	X				Earlen	X			
Galletta	X				Pikolycky	X								

*A = Abstain / R = Recused

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Executive Director

Date: April 13, 2018

Sean W. Earlen
Chairman



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Philip D. Murphy
 Governor

Sheila Y. Oliver
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

March 23, 2018

David Patriarca, Mayor
 Pemberton Township
 500 Pemberton-Browns Mills Road
 Pemberton, NJ 08068


Re: Application # 1981-0586.008
 Ong's Run Road, Dover Place, Erie Street, Evergreen Boulevard & Ogden Street
 Block 267, Lot 1; Block 268, Lot 1 & Block 530, Lot 11.13
 Pemberton Township

Dear Mayor Patriarca:

The Commission staff has completed its review of this application for construction of a pedestrian walkway and road improvements to the Ogden Street right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its April 13, 2018 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- John Helbig, P.P., AICP



Charles & Sarah Paul
John & Sharon Hobert
Leah Hackley



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

March 23, 2018

David Patriarca, Mayor
Pemberton Township
500 Pemberton-Browns Mills Road
Pemberton, NJ 08068

Application No.: 1981-0586.008
Ong's Run Road, Dover Place, Erie Street, Evergreen Boulevard & Ogden Street
Block 267, Lot 1; Block 268, Lot 1 & Block 530, Lot 11.13
Pemberton Township

This application proposes construction of a 970 foot long, ten foot wide, paved pedestrian walkway within the Ong's Run Road, Dover Place and Erie Street rights-of-way and on the above referenced parcels. The proposed pedestrian path includes a 125 foot long, ten foot wide, wooden bridge.

A 115 foot long portion of Ong's Run Road will be paved to a width of 20 feet to accommodate the proposed pedestrian path and provide motor vehicle access to existing dwellings.

The application also proposes to construct a 440 foot long, 10 foot wide, gravel road within the Ogden Street right-of-way. The proposed road improvement will provide motor vehicle access to existing dwellings.

STANDARDS

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

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

The proposed development will be located within a Pinelands Regional Growth Area. The proposed development is a permitted land use in a Pinelands Regional Growth Area.

Wetlands Protection Standard (N.J.A.C. 7:50-6.13)

There are wetlands located within 300 feet of the proposed development. The proposed development will be located in wetlands and the required buffer to wetlands. The proposed development will disturb approximately 1,032 square feet of wetlands.

The CMP permits pedestrian walkways and roads (linear improvements) in wetlands and the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in wetlands and the required buffer to wetlands or that will result in a less significant adverse impact to the wetlands and the required buffer to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the wetlands and the required buffer to wetlands. The applicant has represented that the proposed development is necessary to improve pedestrian safety. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the wetlands.

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

The proposed development will be located over existing gravel and grassed areas, and within existing forested land. The proposed development will disturb approximately 0.23 acres of forested land. All soil disturbance and clearing is limited to that which is necessary to accommodate the proposed development.

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

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet these standards, the application proposes to construct three stormwater infiltration facilities.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to all land owners within 200 feet of the above referenced parcel was completed on August 29, 2017. Newspaper public notice was completed on August 30, 2017. The application was designated as complete on the Commission's website on February 27, 2018. The Commission's public comment period closed on March 9, 2018. The Commission received three written public comments (attached) regarding this application.

Public Comment One: The commenter expressed concern that the proposed development would disrupt the environment, wildlife living in the area and existing homeowners.

Staff Response: The Pinelands Commission appreciates the commenter's interest and concern for the Pinelands. The development, proposed by the Township, is a permitted land use in a Pinelands Regional Growth Management Area. In review of the application, the Commission staff determined that the proposed development met all environmental standards of the CMP, including the protection of threatened and endangered plant and animal species. The commenter may wish to discuss their concerns with an appropriate Township official.

Public Comment Two: The commenter expressed concern that the proposed development would disrupt the environment and wildlife living in the area. The commenter was also concerned that the proposed development and the associated traffic would disrupt existing homeowners.

Staff Response: The Pinelands Commission appreciates the commenter's interest and concern for the Pinelands. The development, proposed by the Township, is a permitted land use in a Pinelands Regional Growth Management Area. In review of the application, the Commission staff determined that the proposed development met all environmental standards of the CMP, including the protection of threatened and endangered plant and animal species. The CMP does not regulate traffic impacts. The commenter may wish to discuss their concerns with an appropriate Township official.

Public Comment Three: The commenter expressed concern that the proposed development would impact tree frogs breeding in an existing stormwater infiltration basin at the Pemberton Community Library.

Staff Response: The Pinelands Commission appreciates the commenter's interest and concern for the Pinelands. The Commission staff reviewed the pictures of the tree frogs submitted with the public comment and determined that the tree frogs depicted in the submitted pictures are not Pine Barrens treefrogs (threatened species) or Cope's Gray treefrogs (endangered species), but rather Northern Gray treefrogs. Northern Gray treefrogs are not a Pinelands threatened or endangered species.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 14 sheets, prepared by Adams, Rehmann & Heggan Associates and dated as follows:
 - Sheet 1 - January 2018; revised to February 22, 2018
 - Sheets 2 & 9 - August 2017; revised to January 12, 2018
 - Sheets 3 & 5-7 - August 2017; revised to February 22, 2018
 - Sheets 4 & 14 - August 2017; revised to February 6, 2018
 - Sheets 8 & 10-13 - August 2017
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Prior to the construction of any portion of the proposed development which will result in

the disturbance of any wetland area, a Freshwater Wetland Permit shall be obtained pursuant to the New Jersey Freshwater Wetlands Protection Act.

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.



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

State of New Jersey

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Chairman

Nancy Wittenberg
Executive Director

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

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 April 10, 2018. The appeal must include the following information:

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

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

Sept. 18, 2017

New Jersey Pinelands Commission,

I have serious concerns about the bridge & sidewalk project.

The land which is proposed to be destroyed is natural pinelands. The beauty of the woods, pine trees, cones, berries, holly, cactus & flowering mountain laurel is the home of much wildlife which is now at risk.

There are 4 houses on Ogden St. and 3 of them changed owners 1 time which was due to death. All homeowners enjoy the natural beauty of the pines, stream and wildlife in which you want to put a bridge and sidewalk.

The bridge and sidewalk will destroy the natural beauty of the pinelands and disrupt the home to the wildlife along with the resident's lives. There will be liter, cigarette butts, & trash thrown into the stream which feeds Mirror Lake and the surrounding property/properties. People will be destroying property surrounding the sidewalk and bridge which is both pinelands and private.

This project will take away the natural beauty of the pinelands & privacy in which I was raised & the reason I have remained a township resident at this location along with my neighbor/s. My children & grandchildren have also been raised with the beauty of the pinelands, I look forward to great grandchildren who will be able to do the same as I have for 64 years.

I object to this project and feel certain that the township would be able to come up with a better solution which would work for everyone.

Please preserve and protect this section of Pinelands, thank you.

Leah Hackley, 35 Ogden St. Browns Mills

609-320-4627

APP # 19810586.008

Doc Type 100

SEP 26 2017

49 Ogden Street

Scanned _____

Browns Mills, NJ 08015

✓

September 19, 2017

To whom It May Concern:

I am writing you concerning case No 19810586.008

I don't approve of this application for the following reason.

It will ruin the area for the wildlife that roams her the deer, turkey and other creatures.

Also It will make the area hazardous to the people in the area.

The environment will be disturbed and there will be a disruption the older homes in their area and their land.

By that I mean the traffic

Sincerely yours.

Charles E Paul

Sarah Paul

From: Joel Mott

To: ApplInfo

Date: 9/14/2017 3:04 PM

Subject: Fwd: General Information Submissions or Questions

>>> Sharon Hobert <sahobert@gmail.com> 9/13/2017 8:25 PM >>>

Below is the result of your feedback form. It was submitted by Sharon Hobert (sahobert@gmail.com) on Wednesday, September 13, 2017 at 20:25:08

email: sahobert@gmail.com

subject: General Information Submissions or Questions

Name: Sharon Hobert

Mailing Address: PO Box 20, 2 Dover Place, Browns Mills, NJ 08016

Phone Number: 609-304-4707

Message: Dear Sirs, we would like to bring to your attention that the proposed pedestrian pathway (ARH#32-04025) may impact a tree frog breeding ground. For the last ten plus years we have had a number of tree frogs around our home. We live adjacent to the Pemberton Twp Library and hence our home fronts on the retention pond (breeding area) and proposed pathway. It is our understanding that in order to build the path, a retaining wall will need to be built inside the berm wall of the pond and filled for the ten foot walkway, which no doubt would have a serious impact on these little creatures. Thank you for your consideration and please do not hesitate to make contact if necessary. Sharon and John Hobert

Submit: Submit





State of New Jersey

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

March 22, 2018

David Patriarca, Mayor
Pemberton Township
500 Pemberton-Browns Mills Road
Pemberton, NJ 08068

Re: Application # 2006-0440.002
Block 732, Lot 10
Pemberton Township

Dear Mayor Patriarca:

The Commission staff has completed its review of this application for reconstruction of a 7,366 square foot fire and rescue building. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its April 13, 2018 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

- Enc: Appeal Procedure
- 11/30/17 Public Comment
- 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)
- Burlington County Health Department (via email)
- John Helbig, PP, AICP (via email)
- Oscar James and Benita Avery (via email)





Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

March 22, 2018

David Patriarca, Mayor
Pemberton Township
500 Pemberton-Browns Mills Road
Pemberton, NJ 08068

Application No.: 2006-0440.002
Block 732, Lot 10
Pemberton Township

This application proposes reconstruction of a 7,366 square foot fire and rescue building located on the above referenced 3.5 acre parcel in Pemberton Township.

Based upon Township concerns with structural integrity, an existing 8,127 square foot fire and rescue building located on the parcel was demolished in 2017. That fire and rescue building was constructed in 1971. The demolition of a structure less than 50 years old does not require the completion of an application with the Commission.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.2)

The parcel is located within a Pinelands Forest Area. The CMP permits the reconstruction and continuation of a use that pre-existed the January 14, 1981 effective date of the Commission's regulations.

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

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

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

meets that recommendation.

Water Quality Standard (N.J.A.C. 7:50-6.84(a)4ii)

The applicant indicated that the proposed fire and rescue building will be serviced by an existing onsite septic system that serviced the previously existing fire and rescue building. The applicant has demonstrated that the proposed development will be consistent with the groundwater quality (septic dilution) standard of the Pemberton Township land use ordinance and the CMP.

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

The proposed development will result in a reduction of 1,700 square feet of impervious surfaces. The applicant has demonstrated that there will be no increase in the volume and rate of stormwater runoff from the parcel after development than occurred prior to the proposed development.

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 November 27, 2017. Newspaper public notice was completed on December 1, 2017. The application was designated as complete on the Commission's website on February 8, 2018. The Commission's public comment period closed on March 9, 2018. The Commission received one written public comment (attached) regarding this application.

Comment: The commenter requested a copy of the Executive Director's findings on this application.

Staff Response: The commenter is copied on this Public Development Application Report containing the Executive Director's findings.

CONDITIONS

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

Sheet 1 – November 2017
Sheets 2-4 – November 2017; revised to January 26, 2018
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Philip D. Murphy
Governor

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APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission office no later than 5:00 PM on April 9, 2018 and must include the following information:

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

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

APP # 20060440.002
Doc Type 100

November 30, 2017

NOV 30 2017

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The Pinelands Commission
PO Box 359
New Lisbon, New Jersey 08064

TO WHOM IT MAY CONCERN:

I would like to be provided a copy of the Executive Director's Findings and Conclusion on the reconstruction of the Presidential Lakes Fire and Rescue Facility.

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