



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 23

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1983-5250.013 & 1990-1177.007)

Commissioner Barr moves and Commissioner Lohbauer 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 applications for Public Development be approved with conditions:

1983-5250.013

Applicant: Atlantic Cape Community College
Municipality: Hamilton Township
Management Area: Pinelands Regional Growth Area
Date of Report: July 20, 2016
Proposed Development: Construction of an 11,350 square foot student center building; and

1990-1177.007

Applicant: Borough of Medford Lakes
Municipality: Borough of Medford Lakes
Management Area: Pinelands Regional Growth Area
Date of Report: July 19, 2016
Proposed Development: Placement of a 1,248 square foot modular office 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 1983-5250.013 & 1990-1177.007 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				DiBello	X				McGlinchey	X			
Avery	X				Galletta			X		Prickett	X			
Barr	X				Jannarone			X		Quinn	X			
Brown			X		Lloyd			X		Rohan Green			X	
Chila			X		Lohbauer	X				Earlen	X			

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 12, 2016

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Sean W. Earlen
Sean W. Earlen
Chairman



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

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www.nj.gov/pinelands



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

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

July 20, 2016

Russel Waugh
Atlantic Cape Community College
5100 Black Horse Pike
Mays Landing, NJ 08330

Re: Application # 1983-5250.013
Block 996, Lot 26
Hamilton Township

Dear Mr. Waugh:

The Commission staff has completed its review of this application for construction of an 11,350 square foot student center building at Atlantic Cape Community College. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 12, 2016 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)
Kevin Dixon





Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 20, 2016

Russel Waugh
Atlantic Cape Community College
5100 Black Horse Pike
Mays Landing, NJ 08330

Application No.: 1983-5250.013

Location: Block 996, Lot 26
Hamilton Township

This application proposes construction of an 11,350 square foot student center building at Atlantic Cape Community College located on the above referenced 312.7 acre parcel in Hamilton Township. The proposed building will be served by public sanitary sewer.

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(a))

The proposed development is located in a Pinelands Regional Growth Area. The proposed student center building is a permitted land use in a Pinelands Regional Growth Area.

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

There are wetlands located on the above referenced parcel. As required by the CMP, all 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 a maintained lawn area of the existing campus. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of

droughty, nutrient poor conditions. After development, the applicant proposes to re-establish maintained lawn areas.

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, this application proposes to construct a stormwater infiltration basin and an underground stormwater infiltration trench.

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 7, 2016. Newspaper public notice was completed on April 7, 2016. The application was designated as complete on the Commission's website on June 27, 2016. The Commission's public comment period closed on July 8, 2016. The Commission received one verbal public comment regarding this application.

Public Comment: The commenter expressed support for the proposed development and thanked the Commission and its staff for their support and guidance through the application process.

Staff Response: The Commission staff appreciates the comments.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 13 sheets, prepared by T&M Associates and dated as follows:
 Sheets 1, 2, 4, 5 & 7A - January 27, 2016; revised to February 25, 2016
 Sheets 3, 6, 9, 10 & 12 - January 27, 2016
 Sheets 7, 8 & 11 - January 27, 2016; revised to April 18, 2016
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
4. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

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General Information: Info@njpines.state.nj.us
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 within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

July 19, 2016

Julie Horner-Keizer, Manager
Borough of Medford Lakes
1 Cabin Circle
Medford Lakes, NJ 08055

Re: Application # 1990-1177.007
Block 30058, Lot 1
Borough of Medford Lakes

Dear Ms. Horner-Keizer:

The Commission staff has completed its review of this application for placement of a 1,248 square foot modular office 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 August 12, 2016 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

c: Secretary, Borough of Medford Lakes Planning Board (via email)
Borough of Medford Lakes Construction Code Official (via email)
Borough of Medford Lakes Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)
Dante Guzzi, PE, CME (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 19, 2016

Julie Horner-Keizer, Manager
Borough of Medford Lakes
1 Cabin Circle
Medford Lakes, NJ 08055

Application No.: 1990-1177.007

Location: Block 30058, Lot 1
Borough of Medford Lakes

This application proposes placement of a 1,248 square foot modular office building on the above referenced 2.61 acre parcel in the Borough of Medford Lakes. The proposed development will be serviced by public sanitary sewer. The Borough of Medford Lakes wastewater treatment plant is located on the parcel.

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(a))

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

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

There are wetlands located within 300 feet of the proposed development. All proposed development will maintain a 50 foot buffer to wetlands. There is existing development, including buildings, located closer to the wetlands than the proposed development. As required by the CMP, the Commission staff has determined that the proposed development will not result in a significant adverse impact on the wetlands.

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

The proposed development will be located within an existing grassed and stoned area. The proposed

clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant does not propose any revegetation.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on June 16, 2016. The Commission’s public comment period closed on July 8, 2016. 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 one sheet, prepared by Dante Guzzi Engineering Associates, dated October 7, 2015 and revised to June 6, 2016
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. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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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 within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 24

TITLE: Approving With Conditions an Application for Public Development (Application Number 1986-0495.008)

Commissioner McGlinchey moves and Commissioner Lohbauer 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:

1986-0495.008
Applicant: Southampton Township
Municipality: Southampton Township
Management Area: Pinelands Agricultural Production Area
 Pinelands Village
Date of Report: July 25, 2016
Proposed Development: Construction of a 6,000 square foot public works building and a 2,000 square foot salt storage shed.

WHEREAS, a recreational soccer complex was established on the parcel without application to, and approval by, the Commission and constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

WHEREAS, the applicant proposes to address this violation by removing the soccer complex and associated improvements by December 31, 2017; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1986-0495.008 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*
Ashmun	X				DiBello	X				McGlinchey	X			
Avery	X				Galletta			X		Prickett	X			
Barr	X				Jannarone			X		Quinn	X			
Brown			X		Lloyd			X		Rohan Green			X	
Chila			X		Lohbauer	X				Earlen	X			

* A = Abstained/ R = Reposed

Adopted at a meeting of the Pinelands Commission

Date: August 12, 2016

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

July 25, 2016

Kathy Hoffman, Administrator
 Southampton Township
 5 Retreat Road
 Southampton, NJ 08088

Re: Application # 1986-0495.008
 Block 1502, Lot 1.01
 Southampton Township

Dear Ms. Hoffman:

The Commission staff has completed its review of this application for construction of a 6,000 square foot public works building and a 2,000 square foot salt storage shed. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 12, 2016 meeting.

A recreational soccer complex was developed on the parcel without completion of an application to the Pinelands Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. To address that violation, the applicant proposes to remove the soccer complex and the associated improvements by December 31, 2017.

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.





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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 25, 2016

Kathy Hoffman, Administrator
 Southampton Township
 5 Retreat Road
 Southampton, NJ 08088

Application No.: 1986-0495.008

Location: Block 1502, Lot 1.01
 Southampton Township

This application proposes construction of a 6,000 square foot public works building and a 2,000 square foot salt storage shed located on the above referenced 49.83 acre parcel in Southampton Township. The Southampton Township municipal complex is located on the parcel. The existing municipal complex consists of a municipal building, public works yard, including a public works garage, and recreational facilities.

A recreational soccer complex was developed on the parcel without application to the Commission. This constitutes a violation of the application requirements of the Southampton Township land use ordinance and the Pinelands Comprehensive Management Plan (CMP). To address that violation, the applicant proposes to remove the recreational soccer complex and associated improvements by December 31, 2017.

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. 7:50-5.24(b)12)

The parcel is located partially within the Pinelands Village of Vincentown (17.61 acres) and partially within a Pinelands Agricultural Production Area (32.22 acres). The proposed development will be located entirely within the Pinelands Agricultural Production Area portion of the parcel. The existing Township public works yard is located within the Pinelands Agricultural Production Area portion of the parcel. The proposed development will replace the existing public works yard and is a permitted land use in an Agricultural Production Area as accessory to the existing Township municipal complex.

Wetlands Standards (N.J.A.C. 7:50-6.6 & 6.14)

There are wetlands located on the parcel. There is existing development, including buildings and site improvements, located immediately adjacent to these wetlands. The proposed development will be located no closer to wetlands than the existing development. The Commission staff has determined that the proposed development will not result in a significant adverse impact on the wetlands.

The existing recreational soccer complex was established in wetlands and the required buffer to wetlands. The area where the recreational soccer complex was established was a maintained grass field. The applicant proposes to remove the recreational soccer complex and associated improvements.

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

The proposed development will be located within an existing disturbed and crushed stone area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant does not propose any revegetation associated with the proposed development.

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

The existing municipal building, which is located in the Pinelands Village portion of the parcel, is served by public sanitary sewer. The existing public works yard is serviced by an on-site waste water disposal system.

The applicant proposes to replace the existing onsite waste water disposal system servicing the public works yard. The CMP (N.J.A.C. 7:50-4.1(a)10) provides that the repair or replacement of an existing onsite waste water disposal system does not require application to the Commission.

The proposed public works complex will be serviced by the replacement onsite waste water disposal system. The applicant has demonstrated that the proposed development will be consistent with the CMP groundwater quality (septic dilution) standard.

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

The existing Township public works yard is located on the parcel. The proposed development will result in a reduction in the area of impervious surface on the parcel. Based upon this reduction, there will be no increase in volume and rate of stormwater runoff after development than occurred prior to the proposed development. The proposed development is consistent with the stormwater management standards of the Township land use ordinance and the CMP.

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 June 3, 2016. Newspaper public notice was completed on June 8, 2016. The application was designated as complete on the Commission's website on June 28,

2016. The Commission's public comment period closed on July 8, 2016. 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 prepared by Environmental Resolutions, dated January 25, 2016 and last revised June 7, 2016.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
4. The existing recreational soccer complex and associated improvements shall be removed by December 31, 2017.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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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 within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 25

TITLE: Approving With Conditions an Application for Public Development (Application Number 2015-0066.001)

Commissioner Lohbauer moves and Commissioner Barr 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:

2015-0066.001

Applicant: Camden County
Municipality: Winslow Township
Management Area: Pinelands Forest Area
Date of Report: July 22, 2016
Proposed Development: Installation of 3,920 square feet of scour countermeasures (rip-rap) along the banks of the Great Egg Harbor River.

WHEREAS, two gravel spillway areas and gabions associated with an existing dam occurred on the parcel without application to, and approval by, the Commission and constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP); and

WHEREAS, to address this violation, Camden County will complete an application for the two gravel spillway areas and gabions within 90 days of the date of Commission action on Application No. 2015-0066.001; and.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 2015-0066.001 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	AR*		AYE	NAY	NP	AR*		AYE	NAY	NP	AR*
Ashmun	X				DiBello	X				McGlinchey	X			
Avery	X				Galletta					Prickett	X			
Barr	X				Jannarone					Quinn	X			
Brown			X		Lloyd					Rohan Green			X	
Chila			X		Lohbauer	X				Earlen	X			

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 13, 2016

Nancy Wittenberg
Executive Director

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



Chris Christie
Governor

Kim Guadagno
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

July 22, 2016

Kevin Becica, PE
Camden County
2311 Egg Harbor Road
Lindenwold, NJ 08021

Re: Application # 2015-0066.001
Sicklerville Road Bridge
(C.R. 536 over Great Egg Harbor River)
Block 4201, Lot 1
Block 4307, Lot 1
Block 5302, Lots 1 & 2.01
Winslow Township

Dear Ms. Becica:

The Commission staff has completed its review of this application for installation of scour countermeasures (rip-rap) along the banks of the Great Egg Harbor River under the Sicklerville Road bridge. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 12, 2016 meeting.

Two gravel spillway areas and gabions associated with an existing dam were developed on the parcel prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. To resolve the violation, the applicant proposes to complete an application for that development within 90 days of the date of Commission action on App. No. 2015-0066.001.

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



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

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)
David N. Murray, P.E.



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Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 20, 2016

Kevin Becica, PE
Camden County
2311 Egg Harbor Road
Lindenwold, NJ 08021

Application No.: 2015-0066.001

Location: Sicklerville Road Bridge
(C.R. 536 over Great Egg Harbor River)
Block 4201, Lot 1
Block 4307, Lot 1
Block 5302, Lots 1 & 2.01
Winslow Township

This application proposes installation of 3,920 square feet of scour countermeasures (rip-rap) along the banks of the Great Egg Harbor River under the Sicklerville Road Bridge. The proposed development is located within the Sicklerville Road right-of-way and on the above referenced 266.21 acre parcel in Winslow Township.

Two gravel spillway areas and gabions associated with an existing dam were developed on the above referenced parcel prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). To resolve the violation, the applicant proposes to complete an application for the two gravel spillway areas and gabions associated with the existing dam within 90 days of Commission action on App. No. 2015-0066.001.

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. 7:50-5.2(b))

The proposed development is located in a Pinelands Forest Management Area. The proposed installation of scour countermeasures (rip-rap) to protect a bridge is a permitted use.

Wetlands Standards (N.J.A.C. 7:50-6.6 & 6.13)

There are wetlands located within the project area. The CMP prohibits most development in wetlands and requires a buffer to wetlands of up to 300 feet. The proposed scour countermeasures (rip-rap) will disturb 0.082 acres of wetlands.

The CMP permits linear improvements, such as roads and associated bridges, in wetlands and the required buffer to wetlands provided the applicant demonstrates that certain conditions are met. The applicant has demonstrated that there is no feasible alternative for the proposed development that does not involve development in wetlands and required buffers to wetlands or that will result in a less significant adverse impact to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions recommended below, all practical measures are being taken to mitigate the impact on wetlands and the required buffer to wetlands. The applicant has indicated that the proposed bridge scour countermeasures (rip-rap) are necessary for bridge integrity. 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 open waters and existing grass 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 a seed mixture which meets that recommendation.

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

The applicant submitted an unsolicited survey for Swamp pink. The survey found that the project area does not contain any local population of Swamp pink. An assessment performed by the applicant determined that the project area did not contain suitable habitat for any other CMP designated threatened or endangered plant species.

Based upon the proposed limits of disturbance, the location of existing development and a review of available information, the Commission staff determined that a survey for the presence of threatened or endangered animal species was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on January 23, 2016. The application was designated as complete on the Commission's website on June 23, 2016. The Commission's public comment period closed on July 8, 2016. The Commission received one verbal public comment regarding this application.

Public Comment: The commenter indicated that the County was applying to the Commission for placement of 77 square feet of rip-rap and 88 square feet of riparian repair. The commenter emphasized the need for the County to protect its bridges from undermining and expressed support for the proposed bridge scour countermeasures.

Staff Response: The Commission staff recommends approval of the proposed development.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 13 sheets, prepared by HNTB Corporation and dated as follows:

Sheets 2 & 4-13 - May 2015
Sheets 1 & 3 - May 2015; revised May 2016
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.
6. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.
7. The applicant must complete an application for development of the gravel spillway areas and gabions within 90 days of the date of Commission action on App. No. 2015-0066.001.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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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 within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 20

TITLE: Denying an Application for a Waiver of Strict Compliance (Application Number 1981-0704.001)

Commissioner Prickett moves and Commissioner Avery 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 denied:

1981-0704.001
Applicant: Giuseppe Scanga
Municipality: Mullica Township
Management Area: Pinelands Village
Date of Report: August 8, 2016
Proposed Development: Single family dwelling.

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 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 does not conform 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 and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1981-0704.001 for a Waiver of Strict Compliance is hereby denied.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				DiBello	X				McGlinchey	X			
Avery	X				Galletta			X		Prickett	X			
Barr	X				Jannarone			X		Quinn	X			
Brown			X		Lloyd			X		Rohan Green			X	
Chila			X		Lohbauer	X				Earlen	X			

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 12, 2016

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

**REPORT ON AN APPLICATION FOR A
 WAIVER OF STRICT COMPLIANCE**
 (Corrected Copy: Page 1, Replace Last Sentence of Para.3)

August 8, 2016

Giuseppe Scanga
 428 Buffalo Avenue
 Egg Harbor City, NJ 08215

Re: Application # 1981-0704.001
 Block 5903, Lot 4
 Mullica Township

Dear Mr. Scanga:

The Commission staff has completed its review of this application for a Waiver of Strict Compliance ("Waiver") proposing development of one single family dwelling on the above referenced parcel. 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 deny the application at its August 12, 2016 meeting.

You have expressed an interest in the New Jersey Department of Environmental Protection (NJDEP) acquiring the parcel under the Pinelands Commission's Limited Practical Use Program (LPU). One of the requirements to qualify for the LPU Program is a Pinelands Commission denial of a Waiver application.

FINDINGS OF FACT

This application is for the development of one single family dwelling, served by an onsite septic system, on the above referenced 2.55 acre parcel in Mullica Township. The parcel is located in Mullica Township's Sweetwater Village (SV) zoning district within a Pinelands Village Management Area. The applicant could meet the requirements of the Mullica Township land use ordinance (Section 144-132) that allows the development of a dwelling on one acre in the SV zoning district.

The parcel has been site inspected by a member of the Commission's staff. In addition, the appropriate resource capability maps and data available to the staff have been reviewed.

The Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-6.84 (a)4iv.) requires that, if development is proposed to be served by an onsite septic system, the proposed onsite wastewater



disposal field must be located in an area where the depth to seasonal high water table is at least 5 feet below the natural ground surface. The Atlantic County Soils Survey indicates that the majority of the soils on this parcel have a seasonal high water table of less than 2 feet below the natural ground surface. The applicant has submitted no information to demonstrate that the septic system could be located in an area where the seasonal high water table is at least 5 feet below the natural ground surface. The applicant is requesting a Waiver from the seasonal high water table requirement for an onsite wastewater disposal field contained in the CMP (N.J.A.C. 7:50- 6.84(a)4iv.).

The CMP (N.J.A.C. 7:50-6.6) prohibits most development in wetlands. The CMP (N.J.A.C. 7:50-6.14) also prohibits most development within 300 feet of wetlands unless it is demonstrated that the proposed development will not result in a significant adverse impact on wetlands. Available information indicates that the parcel is comprised almost entirely of a hardwood swamp which is a wetland as defined in the CMP (N.J.A.C. 7:50-6.5(a)2). These wetlands do not meet the CMP definition of an "impaired wetland" (N.J.A.C. 7:50-2.11). The applicant has not demonstrated that no development would be located on wetlands. The applicant has submitted no information to demonstrate that proposed development within 300 feet of wetlands would not cause a significant adverse impact on the 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, the applicant is requesting a Waiver from the wetlands and wetlands buffer requirements contained in the CMP (N.J.A.C. 7:50-6.6 and N.J.A.C. 7:50-6.14.).

The CMP (N.J.A.C. 7:50-6.27) prohibits development unless it is designed to avoid irreversible adverse impacts on the survival of any local population of plants designated by the NJDEP as endangered plant species and those plants designated in the CMP as threatened or endangered (T&E). The CMP (N.J.A.C. 7:50-6.33) also prohibits development unless it is designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local population of those T&E animal species designated by the NJDEP. There are known populations of T&E plants and known habitats that are critical to the survival of local populations of T&E animal species, both in the vicinity of the parcel subject of this application. The applicant has submitted no information to demonstrate that the proposed development could be designed to avoid irreversible adverse impacts on the survival of any local population of plants designated by the NJDEP as endangered plant species and those T&E plants designated in the CMP. The applicant has submitted no information to demonstrate that the proposed development could be designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local population of those T&E animal species designated by the NJDEP. As the applicant has not demonstrated there will not be a significant adverse impact on T&E species, the applicant is requesting a Waiver from the CMP T&E species protection standards (N.J.A.C. 7:50-6.27 and N.J.A.C. 7:50-6.33).

To qualify for a Waiver, the 2.55 acre parcel subject of this application must include all contiguous land in common ownership on or after January 14, 1981(N.J.A.C. 7:50-4.63(a)&(b)).

By letter dated March 24, 1982, the Commission staff denied a Waiver application to develop one single family dwelling on 5.0 acre original Block 1189, Lot 577 in Mullica Township. The owner of original Block 1189, Lot 577 (5.0 acres) was Francis Sutter. Original Block 1189, Lot 577 (5.0 acres) included the 2.55 acres subject of the current Waiver application.

Subsequent to the March 24, 1982 Waiver denial letter, the Township reassigned tax map block and lot numbers for original 5.0 acre Block 1189, Lot 577 in apparent recognition that the original 5.0 acre parcel was bifurcated by the Pleasant Mills-Weekstown Road right-of-way. The Township tax map currently identifies original 5.0 acre Block 1189, Lot 577 as Block 5903, Lot 4 (2.55 acres) and Block

5904, Lot 1 (1.52 acres). The remaining acreage from original 5.0 acre Block 1189, Lot 577 is contained within the Pleasant Mills-Weekstown Road right-of-way.

Based upon available information, Block 5903, Lot 4 (2.55 acres) was sold by Francis Sutter to the current Waiver applicant, Giuseppe Scanga, in 1988. Block 5904, Lot 1 (1.52 acres) was sold by Francis Sutter to Alan and Beverly MacFarland in 1991.

The CMP definition of "contiguous lands" includes lands divided by a public road right-of-way, unless the public road is paved. Pleasant Mills-Weekstown Road is a paved public road that divides Block 5903, Lot 4 from Block 5904, Lot 1. Although Block 5903, Lot 4 and Block 5904, Lot 1 were in common ownership on or after January 14, 1981, they are not defined as contiguous by the CMP.

PUBLIC NOTICE

The applicant has provided the requisite public notice. Public notice to all property owners within 200 feet of the parcel was completed on April 27, 2016. Newspaper public notice was completed on May 4, 2016. The application was designated as complete on the Commission's website on June 13, 2016. The Commission's public comment period closed on July 8, 2016. No public comment regarding this application was submitted to the Commission.

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. N.J.A.C. 7:50-4.62(a) requires that for a Waiver to be approved based on extraordinary hardship, an 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 a Waiver based on 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 the CMP (N.J.A.C. 7:50-6) for certain specified types of development. A single family dwelling on a parcel within a Regional Growth Area, Pinelands Town or Pinelands Village which is at least 20,000 square feet, excluding road rights of way, in size and will not be served by a centralized wastewater treatment system is one of the specified categories of development. As the parcel contains 2.55 acres in a Pinelands Village that will not be served by a centralized wastewater treatment system, the application meets the condition set forth in N.J.A.C. 7:50-4.63 (a)1(v).

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. As concluded above, since the parcel includes all contiguous lands, the application meets the condition 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 would be the sole principal use on the parcel, the application meets the condition 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 ordinances have been certified by the Pinelands Commission. Mullica Township's master plan and land use ordinances have been certified by the Pinelands Commission. The certified ordinances do not require a municipal lot area or density variance. The application meets the condition 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 substantial impairment of the resources of the Pinelands Area. N.J.A.C. 7:50-4.65(b) provides that the following circumstances will result in substantial impairment of the resources of the Pinelands Area and do not comply with N.J.A.C. 7:50-4.65(a):

- | | |
|------------------------|---|
| N.J.A.C. 7:50-4.65(b)5 | The development of a single family dwelling and associated improvements in wetlands unless that wetland is an impaired wetland; |
| N.J.A.C. 7:50-4.65(b)7 | Any development which will violate the threatened and endangered species protection requirements contained in N.J.A.C. 7:50-6.27 and 6.33; and |
| N.J.A.C. 7:50-4.65(b)8 | Any development which will require the location of an onsite wastewater disposal field in an area where the seasonal high water table is within 2 feet of the natural ground surface. |

The proposed development is not permitted in wetlands. The wetlands on the parcel do not meet the CMP definition of an "impaired wetland." The applicant has not demonstrated that proposed development will not be located on wetlands as required by N.J.A.C. 7:50-4.65(b)5. As a result, the applicant has not demonstrated that the proposed development will not violate the criteria contained in N.J.A.C. 7:50-4.65(b)5.

The applicant has not demonstrated that the proposed development could be designed to avoid irreversible adverse impacts on the survival of any local population of plants designated by the NJDEP as endangered plant species and those plants designated in the CMP as T&E. The applicant has not demonstrated that the proposed development could be designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local population of those T&E animal species designated by the NJDEP. As a result, the applicant has not demonstrated that the proposed development will not violate the criteria contained in N.J.A.C. 7:50-4.65(b)7.

The applicant has not demonstrated that a proposed onsite wastewater disposal field will not be located in an area where the seasonal high water table is within 2 feet of the natural ground surface. As a result, the applicant has not demonstrated that the proposed development will not violate the criteria contained in N.J.A.C. 7:50-4.65(b)8.

The application does not meet the condition set forth in N.J.A.C. 7:50-4.63(a)5.

As the application does not meet all five conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant does not qualify for a Waiver pursuant to that subsection.

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

The first condition is that the parcel includes all contiguous lands in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous lands. As concluded above, the concerned parcel includes all contiguous lands that were in common ownership on or after January 14, 1981. The application meets the condition contained in N.J.A.C. 7:50-4.63(b)1.

The second condition is that the parcel includes all contiguous land with no substantial improvements which is available for purchase at fair market value, including lands which are contiguous as a result of the acquisition of other contiguous lands. There is vacant land bordering the concerned parcel. The applicant has not demonstrated that the vacant land is not available for purchase at fair market value. The application does not meet the condition set forth in N.J.A.C. 7:50-4.63(b)2.

The third condition is that the parcel, including all contiguous lands which are available pursuant to N.J.A.C. 7:50-4.63(b)1 and 2, may not have a beneficial use considering five factors.

The first factor to be considered is the value of any existing development or use of the overall parcel, including any allocation of Pinelands Development Credits (PDCs). The overall parcel is vacant and no use has been established on the parcel. PDCs are not allocated to lands in a Pinelands Village Management Area.

The second factor to be considered is the value of any use or development of the parcel that is authorized by the provisions of the CMP. The applicant has submitted no information to address the value of any use or development of the parcel that is authorized by the provisions of the CMP.

The third factor to be considered is the ability of the property owner to sell the parcel to the owner of a contiguous parcel, any governmental agency or to a nonprofit conservation group for its fair market value. The applicant has submitted no information to demonstrate that the parcel cannot be sold for its fair market value to any other governmental agency or to a nonprofit conservation group for its fair market value.

The fourth factor is the ability of the property owner to either buy noncontiguous land or to sell the concerned parcel to a noncontiguous property owner under a residential density transfer provision contained in a certified municipal land use ordinance or pursuant to the CMP (N.J.A.C. 7:50-5.30). Mullica Township's certified land use ordinance does not permit residential density transfer in the Township's SV zoning district.

The fifth factor to be considered is whether any inability to have a beneficial use relates to or arises out of the characteristics of the concerned parcel and results from unique circumstances peculiar to the parcel which are not the result of any personal situation of the applicant and are not the result of any action or inactions by the application or any predecessor in title. The minimum depth to seasonal high water table for an onsite wastewater disposal field, T&E species protection requirements and wetland protection requirements apply to all other vacant parcels in the area. Any hardship which does exist is a result of the applicant's personal circumstances and their actions and inactions.

Based on these five factors, the application does not meet the condition set forth in N.J.A.C. 7:50-4.63(b)3.

The fourth 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). As concluded above, the applicant has not demonstrated that a single family dwelling can be developed on the concerned parcel without violating N.J.A.C. 7:50-4.65(b)5, 7 and 8. As a result, the applicant does not meet the condition contained in N.J.A.C. 7:50-4.63(b)4.

As the applicant does not meet all the conditions for demonstrating extraordinary hardship contained in N.J.A.C. 7:50-4.63(b), the applicant does not qualify for a Waiver pursuant to that subsection.

As N.J.A.C. 7:50-4.63(a) and (b) are the exclusive means of establishing extraordinary hardship, the applicant does not qualify for a Waiver.

As a result, it is recommended that the Pinelands Commission **DENY** the requested Waiver of Strict Compliance.

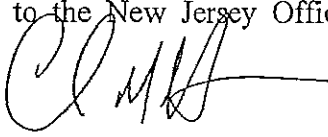
APPEAL

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 within eighteen days of the date of this Report and must 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, Mullica Township Planning Board (via email)
Mullica Township Construction Code Official (via email)
Mullica Township Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Atlantic County Division of Public Health (via email)
Betsy Piner



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 21

TITLE: To Adopt the Pinelands Commission's Fiscal Year 2017 Budgets for the Operating Fund, the Kirkwood Cohansey Aquifer Assessment Study Fund and the Pinelands Conservation Fund

Commissioner Avesy moves and Commissioner Lothbauer
seconds the motion that:

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

WHEREAS, the State of New Jersey has appropriated \$2,649,000 to support the Commission's operations during Fiscal Year 2017; and

WHEREAS, the Department of the Treasury informed the Commission that \$687,000 of budgeted health benefits and pension costs will be covered through the State's interdepartmental accounts in FY 2017; and

WHEREAS, the Commission anticipates that additional funding sources of \$935,270 will be available to further support the Commission's operations; and

WHEREAS, the FY 2017 Operating Budget anticipates a \$370,442 draw from the Commission's unreserved, undesignated fund balance; and

WHEREAS, the Commission is adopting an Operating Budget for FY 2017 totaling \$4,641,712; and

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

WHEREAS, the Kirkwood Cohansey Aquifer Assessment Study Fund budget for FY 2017 recommends expenditures of \$153,116, which will be drawn from the Fund Balance for this project; and

WHEREAS, a financial plan for the Pinelands Conservation Fund (PCF), which designated four programs (Land Acquisition, Conservation Planning and Research, Community Planning and Design and Education and Outreach) within the Fund, was approved by the Commission in April 2005, and revised in August 2009, and revised again in August 2014; and

WHEREAS, during FY 2017, the budget for the Land Acquisition program totals \$638,987; and

WHEREAS, the FY 2017 budget for the Conservation Planning and Research program totals \$591,962; and

WHEREAS, the FY 2017 budget for the Community Planning and Design program totals \$110,980; and

WHEREAS, the FY 2017 budget for the Education and Outreach program totals \$474,863; and

WHEREAS, the total budget for the Pinelands Conservation Fund during FY 2017 totals \$1,816,792; and

WHEREAS, copies of the Operating Budget, the Kirkwood Cohansey Aquifer Assessment Study Fund Budget and the Pinelands Conservation Fund Budget, dated July 21, 2016, were provided to the Personnel and Budget Committee for review, and those Committee members present at the Committee's August 2, 2016 meeting recommended Commission approval of the 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 action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that the Pinelands Commission hereby adopts the attached Fiscal Year 2017 Budgets for the Operating Fund totaling \$4,641,712; the Kirkwood Cohansey Aquifer Assessment Study Fund totaling \$153,116; and the Pinelands Conservation Fund totaling \$1,816,792.

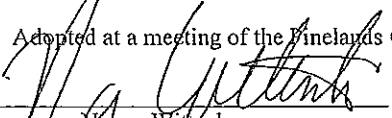
Record of Commission Votes

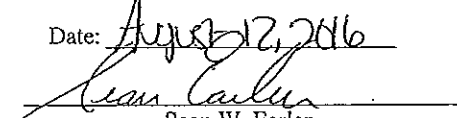
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*				
Ashmun	X			DiBello	X			McGlinchey		X		
Avery	X			Galletta			X	Prickett	X			
Barr	X			Jannarone			X	Quinn	X			
Brown			X	Lloyd			X	Rohan Green			X	
Chila			X	Lohbauer	X			Earlen	X			

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: August 12, 2016


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman

**PINELANDS COMMISSION
OPERATING BUDGET REVENUES
GENERAL FUND
FISCAL YEAR 2017**

Revenue Source	FY2014 Audited	FY2015 Budget	FY2016 Budget	FY2017 Anticipated	Notes
State Appropriation	2,469,000	2,469,000	2,499,000	2,649,000	1
State Supplemental Funding (Fringe Benefits)	687,000	687,000	687,000	687,000	2
Miscellaneous Income	709	500	300	300	
Interest Income	1,732	1,500	1,500	2,000	3
MTMUA Hydrologic Monitoring	4,150	16,500	0	0	
CCMUA Hydrologic Monitoring	6,310	16,500	17,952	16,500	4
EPA Buffer Grant	5,513	41,500	0	0	
NPS - Long Term Environmental Monitoring	111,502	178,820	181,277	118,000	5
NPS - Long Term Economic Monitoring	92,198	105,280	106,723	37,000	5
Stockton College MOA	0	0	20,000	20,000	6
Vehicle Auction Proceeds	0	2,000	2,000	0	
Wetlands Permitting	2,640	3,000	200	200	7
Pinelands Application Fees	253,042	253,000	425,000	500,000	8
Utility Companies ROW Program	59,200	59,200	59,200	59,200	9
TOTAL REVENUE	3,692,996	3,833,800	4,000,152	4,089,200	
Microfilm Reserve Anticipated	3,700	13,650	3,650	3,650	10
Computer Reserve Anticipated	14,300	21,600	21,600	18,420	11
Vehicle Reserve Anticipated	20,000	0	0	0	
Fenwick Manor Painting Reserve Anticipated	0	0	40,000	80,000	12
Administrative Assessment (PnlDs. Conserv. Fund)	80,000	80,000	80,000	80,000	13
Undesignated Fund Balance Anticipated	0	366,482	496,310	370,442	14
TOTAL OTHER INCREASES	118,000	481,732	641,560	552,512	
TOTAL REVENUE AND OTHER INCREASES	3,810,996	4,315,532	4,641,712	4,641,712	

**PINELANDS COMMISSION
OPERATING BUDGET EXPENDITURES
GENERAL FUND
FISCAL YEAR 2017**

Expenditure Account	FY2014 Audited	FY2015 Budget	FY2016 Budget	FY2017 Anticipated	Notes
PERSONNEL					
Salaries & Wages	2,368,743	2,452,800	2,473,705	2,540,554	15
Fringe Benefits	1,139,035	1,353,650	1,539,755	1,448,268	16,37
TOTAL PERSONNEL	3,507,778	3,806,450	4,013,459	3,988,822	
SUPPLIES					
Printing & Office Supplies	18,090	26,982	15,500	19,505	17
Vehicular Supplies	7,023	6,000	7,200	6,250	18
Household Supplies	6,727	4,200	6,000	7,800	19
Fuel & Utilities	38,931	39,000	41,100	42,150	20
Other Supplies	2,972	5,500	5,461	4,430	21
TOTAL SUPPLIES	73,744	81,682	75,261	80,135	
SERVICES					
Travel	-7,552	5,900	8,000	8,610	22
Telephone	22,800	21,400	22,000	22,305	23
Postage	5,851	6,400	7,000	7,000	24
Insurance	38,883	40,800	43,900	45,800	25,37
Information Processing	32,719	63,400	69,500	94,780	26
Household Services	1,827	2,000	2,150	2,250	27
Professional Services	88,595	129,500	235,000	284,465	28,37
Other Services	14,118	17,900	21,679	23,075	29
TOTAL SERVICES	197,241	287,300	409,229	488,285	
MAINTENANCE & RENT					
Maintenance - Buildings & Grounds	10,417	50,000	57,300	34,000	30
Maintenance - Equipment	4,304	17,000	25,500	15,100	31
Maintenance - Vehicular	5,715	3,350	6,000	5,750	32
Rent - Other	6,150	5,150	7,400	7,400	33
TOTAL MAINTENANCE & RENT	26,586	75,500	96,200	62,250	
IMPROVEMENTS & ACQUISITIONS					
Improvements - Buildings & Grounds	8,900	11,600	0	0	
Acquisitions - Vehicles	26,477	27,000	0	0	
Acquisitions - Equipment	1,719	4,400	3,563	3,800	34
Acquisitions - Information Processing Equipment	17,955	21,600	44,000	18,420	35
TOTAL IMPROVEMENTS & ACQUISITIONS	55,051	64,600	47,563	22,220	
TOTAL EXPENDITURES	3,860,401	4,315,532	4,641,712	4,641,712	36

**PINELANDS COMMISSION
OPERATING BUDGET
FISCAL YEAR 2017 NOTES
July 21, 2016**

1. The Governor's budget includes a FY 2017 State Appropriation to the Commission in the amount of \$2,649,000. This amount is an increase from the FY2016 Appropriation.
2. State Supplemental Funding (Fringe Benefits) totaling \$687,000 helps to offset the Commission's health and pension costs. Since FY 2004, the Department of the Treasury has agreed to help the Commission finance its escalating health benefits premiums through an Interdepartmental Account. Beginning in FY 2009, the amount of assistance was calculated using projected health and pension costs not funded through other sources. Using this calculation, the Commission requested \$838,218 in FY 2012, \$837,927 in FY 2013, \$844,809 in FY 2014 and \$840,455 in FY 2015 but was only approved to receive \$687,000. In FY 2016, only \$687,000 was received and this amount will remain consistent for FY 2017.
3. Interest Income is earned in the Commissions checking account and the cash management fund designated for general use. Interest income for the Kirkwood Cohansey Aquifer Study and the Pinelands Conservation Fund is reflected in the budgets for those programs. Interest rates have fluctuated in recent years and have greatly affected interest income over several years and will continue to do so in FY 2017.
4. Monitoring for the Camden County MUA hydrologic projects will continue into FY 2017. Anticipated revenue is calculated using the amount to be paid to the USGS for this monitoring.
5. The Commission is entering its 23rd year of the Environmental and Economic Long Term Monitoring programs. This anticipated revenue from the National Park Service is based upon that program's projected expenses during the fiscal year, which are reimbursed in full.
6. In November 2014, the Commission authorized the execution of a Memorandum of Agreement with Richard Stockton College (now University) to establish an alternative permitting process MOA. In accordance with Paragraph III.A.10., Stockton University is obligated to reimburse the Commission for staff costs associated with the development of the MOA and application fees for the review of any development projects conducted under the terms of the MOA.
7. The anticipated revenue from the NJDEP Wetlands Permitting program that the Commission helps to administer reflects the estimated permit fees to be received and is authorized through language in the Appropriations Act.
8. Application Fees of \$500,000 are anticipated to be received during FY 2017. This important component of the Commission's Operating Budget fluctuates tremendously from month to month. This funding source will be closely monitored throughout the fiscal year.

9. In October 2009, the Commission adopted the New Jersey Pinelands Electric Transmission Right-of-Way Maintenance Plan that authorizes the Utility Companies to maintain electric transmission rights-of-way without applying to the Commission. According to the Memorandum of Agreement, the companies pay an annual fee to cover the Commission's inspection and monitoring expenses.

10. The \$3,650 anticipated revenue from the Microfilm Reserve equals the amount being recommended in the expenditure accounts for items relating to permanent record storage, including microfilming and document imaging. The remaining balance in the Microfilm Reserve account will be held in reserve to sustain the future costs of the long term records management project.

11. The FY 2017 anticipated revenue from the Computer Reserve estimated at \$18,420 for Replacement Computers and Monitors, Replacement Laser Printer and a Web Security Gateway Server – Information Processing Equipment account.

12. The Fenwick Manor Painting Reserve has been established to earmark funds for the future painting of Fenwick Manor. Funds will be added annually until the project is complete. The current total consists of \$40,000 from FY15 and \$40,000 from FY16. The Commission will also seek grant possibilities as an additional source of funding.

13. In April 2005, the Commission adopted a financial plan for the Pinelands Conservation Fund. Included in the plan is an annual assessment of \$20,000 from each of the four programs (see Pinelands Conservation Fund budget note #5). This \$80,000 administrative assessment will finance costs associated with cash management activities, accounting services, procurement services and centralized support services.

14. The projected amount needed from the Undesignated Fund Balance to balance the FY2017 budget deficit is \$370,442. Traditionally, the actual amount drawn from the fund balance at the fiscal year end is lower than anticipated. The amount in the Commission's fund balance is sufficient to cover the \$370,442 while leaving enough money to fund unforeseen expenses, emergencies and a similar budget deficit in the next few years.

15. The Commission's authorized staffing level is 66 full time equivalent positions (FTEs). Since FY 2007, unfilled vacancies have steadily increased to a total of 23 unfilled full time equivalent positions, or more than 35% of the authorized staffing level. The FY 2017 salaries and wages budgets (Operating, Kirkwood Cohansey Study and Pinelands Conservation Fund) finance only 42 of the 66 authorized full time equivalent positions.

16. The fringe benefits budget includes expenditures for the employer's share of Social Security (\$175,000), Medicare (\$45,000), disability insurance (\$2,000), flexible savings accounts (\$1,000) and miscellaneous administrative charges (\$600). The employer liability of pension related funds is estimated at \$365,000. The Commission's escalating health benefit premiums for active and retired employees are estimated at \$1,195,000 with a \$150,000 reduction for coinsurance payments from

staff members. Also included is \$12,244 for dental insurance premiums and \$675 for participation in the Employee Advisory Service. Lastly, \$200,194 of the total fringe benefits budget is projected to be funded by the Kirkwood Cohansey Study (\$17,066) and the Pinelands Conservation Fund (\$183,128) as shown in those budgets.

Upon Commission approval of the FY 2017 Operating Budget, the Executive Director will be authorized to pay the employer share of Social Security and Medicare at an amount not to exceed the budgeted funding of \$220,000.

17. The printing and office supplies budget includes expenditures for printing; office, computer, mailing, copying, and meeting supplies; office and computer equipment with an item cost of less than \$1,000; reference materials; scientific report printing/publication; and service awards. Grant-related expenses account for \$4,400 of this budget.

18. The majority of the vehicular supplies budget covers gasoline for Commission vehicles. Other costs budgeted in this account include replacement tires, supplies used for routine vehicular maintenance and other miscellaneous supplies such as keys, mats, scrapers and first aid kits. In FY 2010, the Commission's fleet was reduced from seven to five vehicles. However, high gasoline prices have offset some of the savings of a smaller fleet.

19. The household supplies budget provides for the purchase of materials to perform minor buildings and grounds maintenance, cleaning supplies, household paper products, basic kitchen supplies, household equipment costing less than \$1,000 and other operating supplies.

20. The fuel and utilities budget covers expenditures for heating fuel, electricity, water and sewer. During the latter part of FY 2016, the Commission was accepted into the State's cooperative purchasing for electricity and heating fuel. The cooperative began in January 2016, so it is too early to determine cost savings.

21. The other supplies budget covers expenditures for supplies and equipment (less than \$1,000) supporting map-making, scientific research, fieldwork, and photographic needs. Grant related expenditures are a significant portion (over 84 %) of this account, totaling \$3,730 for FY2017.

22. The travel budget covers reimbursements to the staff for business mileage on their personal vehicles, tolls and parking, and meal allowances. The majority of the travel budget is used to reimburse Commissioners for business mileage and tolls.

23. The telephone budget includes basic service, toll charges, the service cost of a data circuit, conference calls, and cellular phone service and toll charges. The Commission has saved money by changing methods of placing conference calls.

24. The postage budget finances general postage fees, parcel delivery charges and post office box rental charges. Over the last several years, this account has decreased as more correspondence is sent electronically including public outreach.

25. The insurance budget covers estimated premiums for automobiles, general liability, fire, theft, workers compensation, volunteers and the umbrella liability policy. Through the years, the Commission has realized premium savings by participating in the States Tort Claims Fund and by including the Commission's buildings under the States property insurance.

Upon Commission approval of the FY 2017 Operating Budget, the Executive Director will be authorized to pay the State's insurance broker an amount not to exceed the budgeted funding of \$50,800.00 to cover the Commission's insurance premiums (\$45,800 from the Operating Budget and \$5,000 from the Pinelands Conservation Fund for related Visitor's Center policies).

26. The FY 2017 budget for information processing includes \$28,665 for software maintenance agreements and data purchases, \$4,000 for payroll processing, \$2,000 for database administration services, \$15,000 for a new accounting software and \$1,000 for online legal services and \$1,000 for hardware maintenance and \$34,065 for NJOIT services related to the Interactive Map and Pinelands Site Evaluator. Over \$10,050 of this budget is reimbursable through grants or special revenue.

27. The household services budget covers trash removal, alarm (security and fire) monitoring, and exterminating services.

28. The professional services account covers expenditures for legal fees, technical and consulting services, and other miscellaneous services. Estimated costs include \$75,000 for legal fees associated with DAG services, \$150,000 for labor counsel and \$10,350 for litigation, \$2,000 for the Office of Administrative Law assessment fees. Grant related technical services totaling \$9,215 are budgeted. Also included is \$5,000 for accounting services and \$32,900 for temporary staffing services.

29. Expenditures in the other services budget include annual subscriptions (\$1,450), required memberships (\$1,880), and meeting expenses (\$850); advertising (\$3,560), research related fees (\$400), training (\$11,022), and banking fees (\$1,000).

30. The maintenance buildings and grounds budget for FY 2017 includes a major maintenance project estimated at an amount of \$20,000 to prepare and paint all or part of the exterior of the Fenwick Manor building. The remaining \$14,000 is available for minor maintenance services (plumbing, electrical, HVAC, etc.).

31. The maintenance - equipment budget provides for the inspection, maintenance and repair of certain building systems and other equipment. Included is \$8,600 for the buildings' systems (fire equipment, elevator, security, and access), \$3,000 for office equipment, and \$2,000 for scientific equipment and \$1,500 for maintenance equipment.

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

33. Since FY 2011, several changes in the rent other budgets have occurred. In FY2011 a smaller postage machine was rented saving thousands in acquisition, rental and maintenance expenses. The FY 2017 budget includes \$1,000 for the postage meter, \$6,100 for the lease of (2) black and white copiers, \$100 for excess copy charges, and \$200 for the safe deposit box.

34. The acquisitions - equipment budget contains \$3,800 for scientific equipment supporting the long term environmental monitoring program funded by the National Park Service.

35. The acquisitions - information processing equipment budget includes the replacement of five computers (\$11,000), four replacement monitors (\$1,900), Web Security Gateway (\$3,020) and a replacement Laser Printer (\$2,500).

36. The total estimated Operating Budget expenditures for FY 2017 equal \$4,641,712. During the fiscal year, certain unforeseen and/or emergency expenditures may become necessary. The Personnel and Budget Committee has discussed this issue and recommends that the Executive Director be authorized to exceed the budget of an expenditure category (personnel, supplies, services, maintenance/rent, improvements/acquisitions) by no more than 10% provided that funds are available in other expenditure categories to ensure that the total Operating Budget is not exceeded and provided further that the combined salary budgets for the Operating Fund, Kirkwood-Cohansey Study and the Pinelands Conservation Fund do not exceed \$2,975,759.

37. Several expenditure account budgets include funding for various services and benefits that are reimbursed to the State of New Jersey and are over the Executive Director's authorized contracting limit of \$40,000. These consist of employee health benefits; the employer liability assessed by the Division of Pensions and the Commission's attorney (DAG) fees.

Upon Commission approval of the FY 2017 Operating Budget, the Executive Director will be authorized to pay the State of New Jersey for the aforementioned items in an amount not to exceed the budgeted funding.

**PINELANDS COMMISSION
KIRKWOOD COHANSEY AQUIFER ASSESSMENT STUDY
FISCAL YEAR 2017 BUDGET**

	FY2014 Audited	FY2015 Budget	FY2016 Budget	FY2017 Anticipated	Notes
REVENUE PROJECTIONS					
Interest Income	181	150	150	300	1
Total Revenue	181	150	150	300	
K/C Study Fund Balance Anticipated	41,718	239,600	225,815	152,816	2
Total Revenue/Reserve Anticipated	41,899	239,750	225,965	153,116	

Expenditure Account	FY2014 Audited	FY2015 Budget	FY2016 Budget	FY2017 Anticipated	Notes
PERSONNEL					
Salaries & Wages	27,454	25,000	31,490	37,100	3
Fringe Benefits	13,947	12,750	17,475	17,066	4
TOTAL PERSONNEL	41,401	37,750	48,965	54,166	
SUPPLIES					
Printing & Office Supplies	-	1,500	1,500	500	5
Vehicular Supplies	-	-	-	-	
TOTAL SUPPLIES	-	1,500	1,500	500	
SERVICES					
Travel	48	50	50	50	
Telephone	-	-	-	-	
Information Processing	450	450	450	400	
Professional Services	-	200,000	175,000	98,000	6
Other Services	-	-	-	-	
TOTAL SERVICES	498	200,500	175,500	98,450	
Total Expenditures	41,899	239,750	225,965	153,116	

PINELANDS COMMISSION
KIRKWOOD COHANSEY AQUIFER ASSESSMENT FUND
FISCAL YEAR 2017 BUDGET NOTES
July 21, 2016

1. The funds provided from the Water Supply Fund to prepare the Kirkwood Cohansey Aquifer Assessment and Report are kept in a separate cash account. The interest income estimated at \$300 stays within the program and is available to help fund the project. This amount is an increase from the last few years due to interest rates slowly rising. The cumulative interest earnings are accounted for as Fund Balance.
2. It is likely that any remaining Fund Balance existing at the end of the fiscal year will be used to support the Commission's development of water supply policies and/or regulations.
3. The FY 2017 salaries and wages budget finances salary expenses of employees who spend time working on this project and are estimated at \$37,100.
4. The fringe benefits budget represents the chargeable benefits calculated using the OMB issued "Employee Benefit" reimbursement rates for FY 2015. (Rates for FY16 have been made available in Circular Letter 16-14-OMB).
5. The printing and office supplies budget of \$500 represents the estimated cost to print and publish the final report.
6. The professional services budget of \$98,000 represents the continued work of USGS needed in preparation of the final report and associated Programming Services.

**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2017 BUDGET**

Revenue Source	FY2014 Audited	FY2015 Budget	FY2016 Budget	FY2017 Anticipated	Notes
EPA Grant - Intermittent Ponds	124,745	84,000	84,000	0	1
EPA Grant - Natural and Created Wetlands	121,417	83,000	83,000	0	2
Interest Income - Land Acquisition	770	700	650	1,500	3
Interest Income - Conservation Planning & Research	2,757	2,700	2,300	4,000	3
Interest Income - Community Planning & Design	2,170	2,100	1,200	1,500	3
Interest Income - Education & Outreach	0	0	440	1,000	3
Total Revenue	251,859	172,500	171,590	8,000	
Cancellation of Prior Year Encumbrances	0	0	0	0	
Reserves for Pinelands Conservation Activities	1,165,419	1,461,673	1,840,204	1,808,792	4
Total Revenue/Other Sources Anticipated	1,417,278	1,634,173	2,011,794	1,816,792	

Expenditure Account	FY2014 Audited	FY2015 Budget	FY2016 Budget	FY2017 Anticipated	Notes
<u>Land Acquisition</u>					
Salaries & Wages	43,780	45,000	84,029	12,320	
Fringe Benefits	22,249	23,000	42,380	5,667	
Information Processing	931	816	1,600	1,000	
Professional Services	32,258	25,000	25,000	0	
Land Acquisition	544,138	797,598	750,000	600,000	
Administrative Assessment	20,000	20,000	20,000	20,000	5
Total Land Acquisition Expenditures	663,355	911,414	923,009	638,987	6

<u>Conservation Planning and Research</u>					
Salaries & Wages	316,605	213,000	222,629	284,785	
Fringe Benefits	160,803	108,630	113,704	131,001	
Printing & Office Supplies	257	300	100	700	
Household Supplies (clothing)	837	730	1,300	1,100	
Other Supplies	4,259	4,259	1,844	1,526	
Travel	10,982	350	9,000	7,150	
Information Processing	4,969	16,000	5,700	7,000	
Technical Services	0	61,600	70,000	136,600	
Professional Services	0		100,000	0	
Other Services	180	2,250	2,000	2,100	
Acquisitions - Equipment					
Acquisitions - Information Processing Equipment					
Administrative Assessment	20,000	20,000	20,000	20,000	5
Total Conservation Planning/Research Expenditures	518,891	427,119	546,277	591,962	7

<u>Community Planning and Design</u>					
Salaries & Wages	93,871	111,000	62,217	61,000	
Fringe Benefits	47,693	56,610	31,910	28,060	
Printing & Office Supplies	458	50	150	100	
Other Supplies	0				
Travel	50	100	100	50	
Postage	0	250	250	250	
Information Processing	1,751		2,570	1,370	
Other Services	509	150	150	150	
State Aid and Grants	70,701	26,250			
Administrative Assessment	20,000	20,000	20,000	20,000	5
Total Community Planning/Design Expenditures	235,032	214,410	117,347	110,980	8

<u>Education and Outreach</u>					
Salaries & Wages	0	23,000	34,749	40,000	
Fringe Benefits	0	11,730	17,791	18,400	
Printing & Office Supplies	0	1,000			
Other Supplies	0	0	2,500	1,500	
Information Processing	0	25,000			
Other Services	0	500	350,121	394,963	
Administrative Assessment	0	20,000	20,000	20,000	5
Total Education and Outreach	0	81,230	425,161	474,863	9

Total Expenditures	1,417,278	1,634,173	2,011,794	1,816,792	
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**PINELANDS COMMISSION
PINELANDS CONSERVATION FUND
FISCAL YEAR 2017 BUDGET NOTES
July 21, 2016**

1. In November 2011, the Commission accepted a multi-year grant from the U.S. Environmental Protection Agency to conduct a study titled "Assessing the Ecological Integrity of Intermittent Ponds and Their Vulnerability to Land-use Impacts". Revenue was based upon grant-related expenditures and is reimbursed at the 75% level. All funds will be disbursed at the end of FY 2016.
2. In November 2012, the Commission accepted a multi-year grant from the U.S. Environmental Protection Agency to conduct a study titled "Comparing the Functional Equivalency of Natural and Created Wetlands". Revenue is based upon grant-related expenditures and is reimbursed at the 75% level. All funds will be disbursed at the end of FY 2016.
3. The funds provided from Atlantic City Electric (formerly Conectiv) and other related revenue sources are kept in four separate cash accounts, one for each program of the Fund. The FY 2017 estimated interest income totals \$8,000 and is comprised of interest income from the four cash accounts. All interest income stays within the particular program and is available to help fund the various projects.
4. The difference between the revenues and expenditures for the year, estimated at \$1,808,792 is financed from the Reserves for Pinelands Conservation Activities. Each of the four programs (Land Acquisition, Conservation Planning and Research, and Community Planning and Design, Education and Outreach) has its own reserve account.
5. The financial plan that designated the three original programs within the Fund (Land Acquisition, Conservation Planning & Research and Community Planning & Design) was approved by the Commission in April 2005 and includes a \$20,000 annual assessment from each program to cover administrative expenses as described in Operating Budget note #13. The Commission amended the PCF policies in 2014 to include a fourth program, Education & Outreach, from which a \$20,000 annual administrative assessment is also drawn.
6. The Land Acquisition program budget for FY 2017 totals \$638,987. Personnel costs (salaries/wages and fringe benefits) are estimated at \$17,987 in support of the land acquisition and permanent land protections initiative. Land acquisitions could total up to \$600,000. Software maintenance supporting the land acquisition program is anticipated to be \$1,000. Rounding out the budget is the \$20,000 administrative assessment mentioned above.
7. The Conservation Planning and Research program budget for FY 2017 totals \$591,962. Personnel costs (salaries/wages and fringe benefits) are estimated at \$415,786 to support the following initiatives and special projects: implementation of the rapid landfill assessment, implementation of the

comprehensive Hammonton wastewater management/water supply plan, implementation of the alternate septic system pilot program / septic system management, the roadside plants management project, management of threatened and endangered species data, rulemaking for Black Run watershed, maintenance of the permanent land protection database and the two EPA research projects on intermittent ponds and natural / created wetlands. Also included in this year's budget is \$136,600 for technical services from the USGS associated with the natural / created wetlands study, Kirkwood Cohansey Study and miscellaneous expenses (software, mileage, reference books, training, and scientific supplies and equipment) supporting the conservation planning and research program equal \$19,576. Rounding out the budget is the \$20,000 administrative assessment mentioned above.

8. The Community Planning and Design program budget for FY 2017 totals \$110,980. Personnel costs (salaries/wages and fringe benefits) are estimated at \$89,060 to support the following initiatives and special projects: implementation of the clustering ordinances, the Pinelands Development Credit and density rules, and administrative responsibilities supporting the Pinelands Development Credit Bank. Miscellaneous expenses (software, postage, printing, meeting expenses and legal advertisements) supporting the program equal \$1,920. Rounding out the budget is the \$20,000 administrative assessment mentioned above.

9. The Education and Outreach program budget for FY 2017 totals \$474,863. Personnel costs (salaries/wages and fringe benefits) are estimated at \$58,400 to support the installation and fabrication of exhibits in the Richard J. Sullivan Center and the opening/operation of the Visitors Center. The cost of the Exhibit Center is estimated at \$389,849. Miscellaneous expenses (printing, permits and other services) supporting the program equal \$6,614. Rounding out the budget is the \$20,000 administrative assessment mentioned above.