



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 44

TITLE: Expressing the Commission's appreciation to William J. Brown for his service as a member of the Commission between March 1982 and October 2017

Commissioner Lloyd moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, William J. Brown served as Cape May County's representative on the Pinelands Commission from March 1982 until October 2017; and

WHEREAS, Mr. Brown's tenure on the Commission is the second longest in the agency's history; and

WHEREAS, Mr. Brown logged more than 75,000 miles traveling to and from Commission meetings and while serving on the agency's Personnel and Budget Committee, Public and Governmental Programs Committee, Intergovernmental Committee, By-Laws Committee and Work Plan Committee; and

WHEREAS, during his tenure, the Commission certified the master plans and land use ordinances of all 53 municipalities and seven counties in the Pinelands. It also adopted 43 amendments to the Pinelands Comprehensive Management Plan and completed four in-depth reviews of the Plan; and

WHEREAS, Mr. Brown is a longtime, licensed insurance agent, and he provided important advice regarding the Commission's insurance policies; and

WHEREAS, Mr. Brown served as a Petty Officer in the U.S. Navy during World War II and he retired from 25 years of service as an engineer at the Woodbine Developmental Center; and

WHEREAS, Mr. Brown exemplified the spirit of volunteerism in his community for more than 50 years. He is a former Mayor of Upper Township. He served on the Township's Planning Board, and he is a former member and past President of the Cape May County Board of Taxation; and

WHEREAS, the members of the Commission want to recognize Mr. Brown's significant contributions and express their appreciation for the service that he performed.

NOW, THEREFORE BE IT RESOLVED that the members of the Pinelands Commission, assembled at the Richard J. Sullivan Center for Environmental Policy and Education on this 12th day of December, 2017, do hereby express our appreciation to our colleague and friend, William J. Brown, for his commitment to the Pinelands and for his service as a member of the Commission between March 1982 and October 2017.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: December 12, 2017
Sean W. Earlen
Sean W. Earlen
Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 45

TITLE: Approving With Conditions an Application for Public Development (Application Number 1989-1126.007)

Commissioner Galletta 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:

1989-1126.007

Applicant:	Ocean County Engineering Department
Municipality:	Jackson Township
Management Area:	Pinelands Village
Date of Report:	November 15, 2017
Proposed Development:	Construction of a 194.5 foot high wireless communication tower and associated 3,600 square foot equipment compound.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1989-1126.007 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				Jannarone			X		Quinn			X	
Avery	X				Lloyd	X				Rohan Green			X	
Barr	X				Lohbauer	X				Earlen	X			
Chila	X				McGlinchey			X						
Galletta	X				Prickett	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 12, 2017

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

November 15, 2017

John N. Ernst, P.E.
Ocean County Engineering Department
P.O. Box 2191
Toms River, NJ 08754

Re: Application # 1989-1126.007
Block 16701, Lot 7
Jackson Township

Dear Mr. Ernst:

The Commission staff has completed its review of this application for construction of a 194.5 foot high wireless communication tower and associated 3,600 square foot equipment compound. 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 December 8, 2017 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Jackson Township Planning Board (via email)
- Jackson Township Construction Code Official (via email)
- Jackson Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Robin Kuri (via email)
- Brad Lanute (via email)





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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 15, 2017

John N. Ernst, P.E.
Ocean County Engineering Department
P.O. Box 2191
Toms River, NJ 08754

Application No.: 1989-1126.007
Block 16701, Lot 7
Jackson Township

This application proposes construction of a 194.5 foot high wireless communication tower and an associated 3,600 square foot equipment compound on the above referenced 2.07 acre parcel in Jackson Township. The proposed tower will be utilized for public safety communications. An Ocean County road maintenance garage 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:

Height Limitations (N.J.A.C. 7:50-5.4)

The CMP height limitation standard requires that no structure in a Pinelands Village, including wireless communication towers, shall exceed a height of 35 feet unless a comprehensive plan for siting such towers in the Pinelands Area has been certified (approved) by the Pinelands Commission. The proposed 194.5 foot high tower will be located in the 3 mile search area associated with Site #42 as identified in the Commission certified "Comprehensive Public Safety Tower Plan for Pinelands." As required by the height limitation standard of the CMP, the applicant has demonstrated that the proposed tower minimizes visual impacts.

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

The proposed development is located in the Pinelands Village of Vanhiseville. The proposed development is a permitted land use in a Pinelands Village.

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

The proposed development will be located within an existing storage yard. 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.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on October 24, 2017. The Commission’s public comment period closed on November 3, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 13 sheets, prepared by Advantage Engineers, all sheets dated July 11, 2017.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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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 no later than 5:00 PM on December 4, 2017 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 46

TITLE: Approving With Conditions an Application for Public Development (Application Number 2017-0167.001)

Commissioner Avery 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:

2017-0167.001
Applicant: Winslow Township
Municipality: Winslow Township
Management Area: Pinelands Regional Growth Area
Date of Report: November 15, 2017
Proposed Development: Demolition of a single family dwelling, 50 years old or older.

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 2017-0167.001 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

 Nancy Wittenberg
 Executive Director

Date: December 12, 2017

 Sean W. Earlen
 Chairman



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

November 15, 2017

John Iannaco, Construction Office
Winslow Township
125 South Route 73
Braddock, NJ 08037

Re: Application # 2017-0167.001
Block 4506, Lot 14
Winslow Township

Dear Mr. Iannaco:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older. 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 December 8, 2017 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, 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)





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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

PUBLIC DEVELOPMENT APPLICATION REPORT

November 15, 2017

John Iannaco, Construction Office
 Winslow Township
 125 South Route 73
 Braddock, NJ 08037

Application No.: 2017-0167.001
 Block 4506, Lot 14
 Winslow Township

This application proposes demolition of a single family dwelling, 50 years old or older, located on the above referenced 1.25 acre parcel in Winslow Township. The Township owns the parcel.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. The demolition of a dwelling is permitted in the Pinelands Area.

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

The evidence of cultural activity on the parcel, including the existing dwelling, lacks any potential for designation as a historic resource. Based upon this determination, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on October 18, 2017. The Commission’s public comment period closed on November 3, 2017. No public comment was submitted to the Commission regarding this application.

CONDITIONS

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

CONCLUSION

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



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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 and received at the Commission office no later than 5:00 PM on December 4, 2017 and include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 47

TITLE: Approving With Conditions Pinelands Development Application Number 1981-0479.011

Commissioner Lohmeyer moves and Commissioner Chila seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Executive Director's recommendation Report, which recommends that the following application to replace 110 existing, 100-foot-tall electric transmission line lattice towers with new steel monopoles 105-to 125-feet in height, depending on the location, be approved with conditions:

1981-0479.011

Applicant: Atlantic City Electric Company
Municipality: Buena Vista Township
Egg Harbor Township
City of Estell Manor
Hamilton Township
Weymouth Township

Management Area: Pinelands Agricultural Production Area
Pinelands Forest Area
Pinelands Regional Growth Area
Pinelands Rural Development Area

Date of Report: November 17, 2017

Proposed Development: Replacement of 110 existing lattice towers with 110 monopoles.

WHEREAS, in accordance with Pinelands Resolution No. PC4-17-34, the Pinelands Commission provided an opportunity for the public to present oral comments at its meeting on November 3, 2017 and accepted written comment until the close of business on that same date; and

WHEREAS, no comments were submitted by the public, either verbally or in writing, concerning this application; and

WHEREAS, the Pinelands Commission has had the opportunity to review the application file and the Executive Director's Recommendation Report, dated November 17, 2017; and

WHEREAS, the Pinelands Commission hereby finds that there is ample evidence in the record demonstrating that the proposed development with the conditions recommended by the Executive Director conforms to the minimum standards of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Pinelands Commission hereby finds that the proposed development with the conditions recommended by the Executive Director is consistent with the intent and objectives of the Pinelands Protection Act, N.J.S.A. 13:18A-1 et seq., and the Pinelands Comprehensive Management Plan, N.J. A.C. 7:50; 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 the Pinelands Commission Adopts the recommendation of the Executive Director, including the conditions contained within the Executive Director's Recommendation Report dated November 17, 2017; and

BE IT FURTHER RESOLVED that the Pinelands Commission hereby determines that the development proposed in the Pinelands Development Application No. 1981-0479.011 is consistent with the minimum standards of the Pinelands Comprehensive Management Plan.

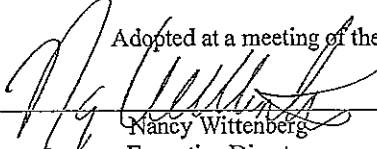
Record of Commission Votes

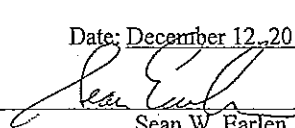
AYE NAY NP AR*				AYE NAY NP AR*				AYE NAY NP AR*					
Ashmun	<input checked="" type="checkbox"/>				Jannarone			<input checked="" type="checkbox"/>		Quinn			<input checked="" type="checkbox"/>
Avery	<input checked="" type="checkbox"/>				Lloyd	<input checked="" type="checkbox"/>				Rohan Green			<input checked="" type="checkbox"/>
Barr	<input checked="" type="checkbox"/>				Lohbauer	<input checked="" type="checkbox"/>				Earlen	<input checked="" type="checkbox"/>		
Chila	<input checked="" type="checkbox"/>				McGlinchey			<input checked="" type="checkbox"/>					
Galletta	<input checked="" type="checkbox"/>				Prickett	<input checked="" type="checkbox"/>							

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 12, 2017


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman



State of New Jersey

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

November 17, 2017

Ms. Christine Melillo
Atlantic City Electric
5100 Harding Highway
Mays Landing, New Jersey 08330

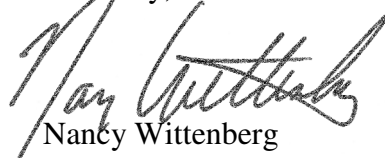
Re: Application # 1981-0479.011
Upper Pittsgrove to Lewis Transmission Right-Of-Way
Buena Vista Township
Egg Harbor Township
City of Estell Manor
Hamilton Township
Weymouth Township

Dear Ms. Melillo:

The Commission staff has completed its review of this application proposing the replacement of 110 existing electric transmission line lattice towers with new steel monopoles within an existing electric transmission right-of-way. Enclosed is a copy of an Executive Director's Recommendation Report. I am recommending that the Pinelands Commission approve the application with conditions at its December 8, 2017 meeting.

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

Sincerely,


Nancy Wittenberg
Executive Director

Enclosure





State of New Jersey

THE PINELANDS COMMISSION

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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

EXECUTIVE DIRECTOR'S RECOMMENDATION REPORT

November 17, 2017

Ms. Christine Melillo
Atlantic City Electric
5100 Harding Highway
Mays Landing, New Jersey 08330

Application No.: 1981-0479.011

Location: Upper Pittsgrove to Lewis Transmission Right-Of-Way
Buena Vista Township
Egg Harbor Township
City of Estell Manor
Hamilton Township
Weymouth Township

This application proposes the replacement of 110 existing 100 foot tall electric transmission line lattice towers with new steel monopoles 105 to 125 feet in height, depending on the location. Atlantic City Electric (ACE) is also proposing the replacement of a double-circuited 138 kilovolt (kV) transmission line with a 238 kV transmission line (hereinafter the "proposed electric transmission tower replacement project".) The entire project crosses four counties and ten municipalities in southern New Jersey.

Approximately 19 miles of the overall approximately 40 mile proposed electric transmission tower replacement project will occur in the Pinelands Area. All of the work will occur within an existing electric transmission right-of-way. The right-of-way, which is 200 feet wide, is currently cleared to a width of 100 feet. The proposed electric transmission tower replacement project will be located within four Pinelands Management Areas: a Rural Development Area (3.9 miles); a Forest Area (7.1 miles); an Agricultural Production Area (2.3 miles); and a Regional Growth Area (5.7 miles).

BACKGROUND

ACE is an electric service public utility, regulated by the Board of Public Utilities (BPU) pursuant to N.J.S.A. 48:2-23, that supplies electricity to over 545,000 customers in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem Counties. On February 18, 2016, ACE submitted



a Pinelands Development Application to the Pinelands Commission for the proposed electric transmission tower replacement project.

Because ACE is a private entity, Commission staff review normally would have proceeded in accordance with the regulatory process specified in the Pinelands Comprehensive Management Plan (CMP) for private development. Specifically, once the application was deemed complete in accordance with N.J.A.C. 7:50-4.2(c), staff would have issued a Certificate of Filing (COF) pursuant to N.J.A.C. 7:50-4.34. Although not an approval, the COF authorizes a local permitting agency (municipality or county) to begin its review of the proposed development. In addition, once the local permitting agency issues its approval for the private development, that approval must be submitted to the Commission's Executive Director for a determination as to whether it raises a substantial issue with respect to its conformance with the CMP. Only if the Executive Director finds that the local approval raises a substantial issue, does the application go before the full Commission for a vote, following the development of the record before the Executive Director or the OAL. N.J.A.C. 7:50-4.37 & 4.42.¹

However, in this instance, ACE petitioned the BPU pursuant to the New Jersey Municipal Land Use Law at N.J.S.A 40:55D-19 to preempt municipal review of its proposed electric transmission tower replacement project. As a result, the application was reviewed by Commission staff under the coordinated state agency permitting provisions of the CMP at N.J.A.C. 7:50-4.81 through 4.85, which required the issuance of a COF to accompany the applicant's submission to the BPU.

On November 22, 2016, the Commission staff issued a COF for the application pursuant to N.J.A.C. 7:50-4.34 and 4.82. Commission staff reviewed the proposed electric transmission tower replacement project for compliance with all applicable CMP standards, specifically permitted land uses, wetlands, threatened or endangered plants and wildlife, and cultural resources. The staff made an initial determination that the proposed electric transmission tower replacement project was consistent with all of these standards

By letter dated June 21, 2017, the Executive Director transmitted a copy of the COF to the BPU. In that letter, the Executive Director requested that BPU provide the Commission with copies of documents issued and filed with BPU as part of its N.J.S.A. 40:55D-19 petition proceedings, including copies of the petition; notice of any hearing, public meetings or other formal proceedings pertaining to that petition; copies of any written reports or comments that the BPU received that raised issues concerning the standards of the CMP and copies of any Orders issued by the BPU concerning the petition. BPU subsequently submitted its record to the Commission staff, including all public comments and documents submitted as part of its public and evidentiary hearings.

On June 30, 2017, the BPU issued an Order Adopting Initial Decision approving, among other things, ACE's petition for preemption of municipal review in accordance with N.J.S.A. 40:55D-19 for the totality of the tower replacement project, including the portion to be constructed within the Pinelands Area. Consequently, and in light of the Appellate Division's decision in an unrelated matter, Matter of Petition of South Jersey Gas Co., 447 N.J. Super. 459, 478 (App. Div. 2016), the Commission at its October 13, 2017 meeting passed Resolution PC4-17-34 which articulates the process by which the

¹ If the Executive Director determines the local approval does not raise issue of CMP conformance, the approval may go into effect. However, if further review ("call-up") is necessary, an adjudicatory hearing is conducted by either the Executive Director or the Office of Administrative Law, followed by a vote of the Commission. Conversely, with regard to public development applications, which typically do not include a corresponding local permitting approval, the determination of CMP compliance is made by vote of the Commission.

Commission would review the proposed tower replacement project in order to render a final decision as to its compliance with the standards of the CMP.

On October 13, 2017, the Commission posted notice on its website and sent its officially designated newspapers notice of the public's opportunity to provide oral comment regarding the ACE application at the Commission's regularly scheduled meeting on November 3, 2017 and through submission of written comments until the close of business on November 3, 2017.

The Commission received no public comments on the application either at the November 3, 2017 meeting or in writing.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.28(a), 7:50-5.26(b)10 and 7:50-5.29(a))

As indicated in the Commission's November 22, 2016 COF, the portion of the project to be constructed within the Pinelands Area consists of the replacement of 110 lattice towers with 110 monopoles within an existing electric transmission line right-of-way located in Buena Vista, Egg Harbor, Hamilton and Weymouth Townships and the City of Estell Manor.

The proposed electric transmission tower replacement project will be located in a Rural Development Area (3.9 miles), a Forest Area (7.1 miles), an Agricultural Production Area (2.3 miles), and a Regional Growth Area (5.7 miles). The CMP defines electric transmission utilities as "public service infrastructure" at N.J.A.C. 7:50-2.11. Public service infrastructure is a permitted use² in a Regional Growth Area (N.J.A.C. 7:50- 5.28(a)) and a Rural Development Area (N.J.A.C. 7:50-5.26(b)10).

The continuation and expansion of existing public service infrastructure is also a permitted use in an Agricultural Production Area and Forest Area provided the development meets certain conditions contained in N.J.A.C. 7:50-5.2. These conditions stipulate that the use was not abandoned or terminated subsequent to January 14, 1981, that the expansion or alteration of the use is in accordance with the minimum standards of N.J.A.C. 7:50-6, and that the area of expansion does not exceed 50 percent of the floor area, the area of the use or the capacity of the use, whichever is applicable, in existence on January 14, 1981. Commission staff has determined that the proposed development meets these conditions and therefore is a permitted use in the Agricultural Production Area and Forest Area.

Wetlands Protection Standards (N.J.A.C. 7:50-6.7 & 6.13)

The CMP prohibits most development in wetlands and requires a 300 foot buffer to wetlands unless it is demonstrated that a lesser buffer will not result in a significant adverse impact to the wetland. ACE's proposed electric transmission tower replacement project is to be constructed entirely within an existing electric transmission right-of-way.

² A permitted use is a land use authorized by the CMP in a particular Pinelands management area pursuant to Subchapter 5, Minimum Standards for Land Uses and Intensities.

Portions of the existing right-of-way are located in and within 300 feet of wetlands. The proposed development will result in the permanent disturbance of approximately 218 square feet (0.05 acres) of wetlands.

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

The information submitted as part of ACE's Pinelands Development Application, which was verified by the Commission staff, demonstrates compliance with the five conditions of N.J.A.C. 7:50-6.13. Specifically, based upon the staff's review, there is no feasible alternative route for the proposed existing electric transmission line that does not involve development in wetlands or another feasible route which results in an impact to less than 218 square feet of wetlands. The proposed development will increase the reliability and resiliency of the overall electricity distribution system, the need for which cannot be met by existing facilities or modifications thereof. The improved reliability represents a need which overrides the importance of protecting 218 square feet of wetlands. Development of the project will include all practical measures, including matting and the use of silt fence, to avoid earth disturbance in the wetland and minimal cutting of trees, to mitigate any adverse impact on the wetland. The permanent disturbance of the 218 square feet of wetland will not result in the resources of the Pinelands being substantially impaired.

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

The proposed electric transmission tower replacement project will be located entirely within an existing electric transmission line right-of-way. A total of nine trees will be removed to accommodate the proposed activity, three of which are in wetlands. In accordance with N.J.A.C. 7:50-6.23(a), 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 (N.J.A.C. 7:50-6.26) recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. N.J.A.C. 7:50-6.26 lists grass species that meet this standard. To stabilize the disturbed areas associated with the transmission line pole replacement, the applicant should utilize a seed mixture which meets that recommendation.

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

The applicant completed a habitat suitability assessment and accompanying surveys for Pinelands designated threatened and endangered (T&E) animal species, and surveys for Pinelands designated T&E plant species. Suitable habitat for the local populations of two T&E animal species, Barred owl and Pine Barrens tree frog, was identified in portions of the wetlands located in the vicinity of the project. To avoid irreversible adverse impacts on habitats that are critical to the survival of known local populations of Barred owls and Pine Barrens tree frogs, the applicant proposes to prohibit development in and within 300 feet of those wetlands where critical habitat for these populations has been identified for the period

between March 1 and August 31. Critical habitat for known populations of Northern pine snakes was identified in the vicinity of, but not within, the existing right-of-way. To avoid impacts to individual Northern pine snakes during construction, the applicant proposes to utilize qualified professionals to monitor the development activities between April 1 and October 31. The proposed development activities therefore have been designed to ensure that there will be no irreversible adverse impacts on habitats that are critical to the survival of any local populations of T&E animal species designated by the Department of Environmental Protection pursuant to N.J.S.A. 23:2A-1 *et seq.*

With regard to T&E plant species, the survey identified local populations of numerous threatened and endangered plant species within the existing right-of-way. The development and all activities necessary to accommodate the development, including access drives and work areas, have been designed so that the proposed project will not result in irreversible adverse impact on the survival of these local populations of these T&E plant species.

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

A cultural resource survey was completed for the application. The survey identified significant cultural resources below the ground surface in seven areas within the right-of-way. Construction matting is proposed to be installed in six of those areas to avoid potential impacts to these significant cultural resources. Impacts to the seventh area will be unavoidable and will be disturbed due to the placement of one of the monopoles. In accordance with the provisions of the CMP (N.J.A.C. 7:50-6.156(a)2), the submitted cultural resource survey accomplished the recordation of the significant cultural resource in the seventh area. The proposed development is consistent with the CMP cultural resource standards.

PUBLIC COMMENT

As noted above, the Commission provided an opportunity for the public to provide comment in person at its regularly scheduled meeting on November 3, 2017, and through the submission of written comments until the end of business the same day. Notice of these public comment opportunities was provided on the Commission's website and sent to the Asbury Park Press, Press of Atlantic City, Burlington County Times and Cherry Hill Courier Post on October 13, 2017, announcing the opening of the public comment period. No member of the public spoke concerning the application at the November 3, 2017 Commission meeting, and no written comments were received.

EXECUTIVE DIRECTOR'S RECOMMENDATION

The Executive Director concludes that the proposed ACE electric transmission tower replacement project, Application No 1981-0479.011, conforms to the standards of the CMP. The Executive Director therefore recommends that the Pinelands Commission **APPROVE** it subject to the following conditions:

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the following plans:

Site Plan, consisting of 37 sheets, prepared by Paulus, Sokolowski and Sartor, LLC and dated as follows:

Sheets 1-37, dated 3/4/2016, last revised 10/12/2016

Site Plan, consisting of 13 sheets, prepared by Gannett Fleming Inc. and dated as follows:
Sheets 1-13, dated 6/30/2016

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 found at N.J.A.C. 7:50-6.21 et. seq. 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 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.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and said measures shall be maintained in place until all development has been completed and the area has been stabilized.
6. To maintain consistency with the CMP cultural resource standards, the applicant shall install matting and fencing in the six areas identified in the applicant's Executive Summary and Phase III Archaeological Mitigation report, dated October 27, 2016, as containing significant cultural resources. The applicant shall submit to the Commission photo-documentation of pre-construction, in-progress and end of project conditions for the six locations.
7. To avoid irreversible adverse impacts on habitats that are critical to the survival of known local populations of Barred owls and Pine Barrens tree frogs, development in wetlands and the required 300 foot buffer to those wetlands that have been identified as critical habitat for these local populations is prohibited between March 1 and August 31 of any given year.
8. Prior to any development, the applicant shall obtain any other necessary permits and approvals.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 48

TITLE: Issuing an Order to Certify Ordinance 1971-2017, Amending Chapter 233 (Land Management) of the Code of Galloway Township

Commissioner Galletta moves and Commissioner Barr seconds the motion that:

WHEREAS, on March 6, 1987, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of the Township of Galloway; and

WHEREAS, Resolution #PC4-87-19 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-87-19 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

WHEREAS, on October 10, 2017, Galloway Township adopted Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Township's Code; and

WHEREAS, Ordinance 1971-2017 establishes electronic message center signs as permitted uses in the Township's zoning districts within the Pinelands Regional Growth Area, Pinelands Town, and Pinelands Village Management Areas, including standards for controlling illumination levels, message duration, and message transition; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 1971-2017 on October 12, 2017; and

WHEREAS, by letter dated October 17, 2017, the Executive Director notified the Township that Ordinance 1971-2017 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 1971-2017 was duly advertised, noticed and held on November 1, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the Executive Director has found that Ordinance 1971-2017 is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Code of Galloway Township, is in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee has reviewed the Executive Director's report and has recommended that Ordinance 1971-2017 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 1971-2017 and has reviewed the Executive Director's report; and

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

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

NOW, THEREFORE BE IT RESOLVED that

1. An Order is hereby issued to certify that the Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Code of Galloway Township, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Galloway Township's certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

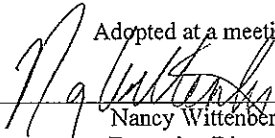
Record of Commission Votes

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

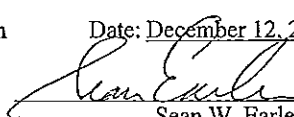
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 12, 2017



 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

**REPORT ON GALLOWAY TOWNSHIP ORDINANCE 1971-2017, AMENDING CHAPTER
233 (LAND MANAGEMENT) OF THE CODE OF GALLOWAY TOWNSHIP**

November 17, 2017

Galloway Township
300 E. Jimmie Leeds Road
Galloway, NJ 08205

FINDINGS OF FACT

I. Background

The Township of Galloway is located in the southeastern portion of the Pinelands Area, in Atlantic County. Pinelands municipalities that abut Galloway Township include Port Republic Township and Galloway Township, and the Townships of Hamilton, Egg Harbor, and Mullica in Atlantic County, as well as Washington and Bass River Townships in Burlington County.

On March 6, 1987, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Galloway Township.

On October 10, 2017, Galloway Township adopted Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Code of Galloway Township. Ordinance 1971-2017 adopts regulations controlling electronic message center (EMC) signs. In particular, it establishes such signs as permitted uses in the zoning districts located within the Pinelands Regional Growth Area, Pinelands Town, and Pinelands Village Management Areas of the Township, and provides additional standards for controlling illumination levels, message duration, and message transition. The Pinelands Commission received a certified copy of Ordinance 1971-2017 on October 12, 2017.

By letter dated October 17, 2017, the Executive Director notified the Township that Ordinance 1971-2017 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

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

- * Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Code of Galloway Township, introduced on September 12, 2017 and adopted on October 10, 2017.

This ordinance has been reviewed to determine whether it conforms to the standards for certification of municipal master plans and land use ordinances as set out in N.J.A.C. 7:50-3.39 of the Pinelands Comprehensive Management Plan. The findings from this review are presented below. The numbers used to designate the respective items correspond to the numbers used to identify the standards in N.J.A.C. 7:50-3.39.

1. Natural Resource Inventory

Not applicable.

2. Required Provisions of Land Use Ordinance Relating to Development Standards

Ordinance 1971-2017 amends Chapter 233 (Land Management) Section 233-10 (Sign Regulations) of the Code of Galloway Township. In particular, it establishes regulations permitting and controlling for electronic message center (EMC) signs. These types of signs are electronically-activated, changeable-copy signs whose variable message and/or graphic presentation can be electronically programmed by a computer from a remote location and is typically illuminated by LED lights.

Ordinance 1971-2017 permits EMC signs to be used for a limited range of on-site identification sign categories including those for: institutional uses and public facilities; permitted professional offices; businesses; shopping centers; and industrial parks. In the Pinelands Area, Ordinance 1971-2017 permits EMC signs only within zoning districts that are within the Pinelands Regional Growth Area, Pinelands Town, and Pinelands Village Management Areas. Galloway Township includes two discrete Regional Growth Areas, portions of the Pinelands Town of Egg Harbor City and the entirety of the Pinelands Villages of Cologne-Germania and Pomona (see Exhibit 1).

Ordinance 1971-2017 establishes additional standards requiring that all such signs: incorporate automatic dimming controls; retain a minimum message display time of 8 seconds; shall not exceed a maximum luminance level of 750 cd/m² between sunset and sunrise; shall not use continuous scrolling and/or traveling, flashing, blinking, twinkling, spinning, rotating, and similar moving effects; and shall turn off or display a blank screen when malfunctioning; and where residential uses are located within 200 feet of the property, the sign shall dimmed and remain steady from 11:00 pm through 6:00 am.

The amendments made by Ordinance 1971-2017 must be evaluated in terms of their consistency with the CMP's scenic management program (N.J.A.C. 7:50-6, Part X), which contains standards for signs. The scenic management standards of the CMP include a general prohibition on signs that are designed to attract attention by physical or lighting change (N.J.A.C. 7:50-6.107(a)). Additionally, N.J.A.C. 7:50-6.107(e) requires that to the maximum extent practical, the character and composition of construction materials for all signs shall be harmonious with the scenic values of the Pinelands.

This ordinance presents a potential conflict with the 7:50-6.107(a) because, by design, EMC signs allow for the contents of a sign to change at relatively frequent intervals through the use of LED technology. It is noteworthy that the CMP does not provide any standards for sign lighting (e.g., internal or external lighting). Thus, it is not the use of the LED technology (internal illumination) by EMC signs that raises an issue with the CMP, but the fact that EMC signs involve the changing of one static image to another, or even the use of video, to attract attention. However, it is important to note that this particular standard of the CMP was written in 1980 at a time when such LED technology was not common, but is now in pervasive use.

Ordinance 1971-2017 incorporates numerous standards to control the location, size and appearance of EMC signs as outlined above. Given that these types of signs are permitted only in the Pinelands Regionals Growth Area, Pinelands Town, and Pinelands Village Management Areas of Galloway Township, where the CMP permits and encourages all types of residential and commercial development, these standards sufficiently address concerns with scenic management.

The amendments adopted by Ordinance 1971-2017 are consistent with the land use and development standards of the CMP. Therefore, this standard for certification is met.

3. Requirement for Certificate of Filing and Content of Development Applications

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

Not applicable.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Code of Galloway Township, is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan.

This standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

Ordinance 1971-2017, amending Chapter 233 (Land Management) of the Code of Galloway Township, is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act.

This standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

Not applicable.

PUBLIC HEARING

A public hearing to receive testimony concerning Galloway Township's application for certification of Ordinance 1971-2017 was duly advertised, noticed and held on November 1, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Mr. Lanute conducted the hearing, at which no testimony was received.

Written comments were accepted through November 3, 2017; however, no comments were received.

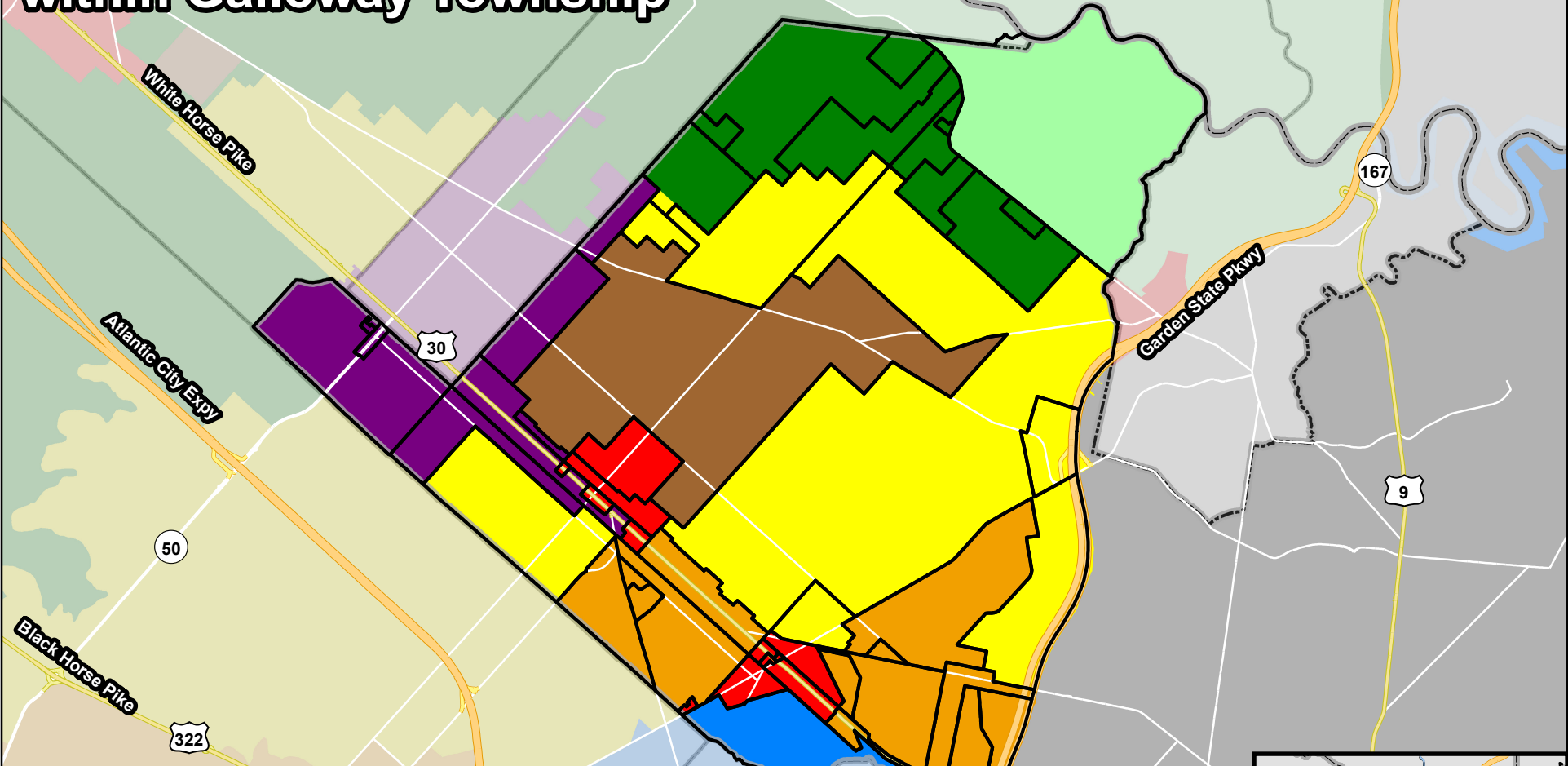
CONCLUSION

Based on the Findings of Fact cited above, the Executive Director has concluded that Ordinance 1971-2017 complies with the Comprehensive Management Plan's standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 1971-2017 of Galloway Township.









SRG/DBL/CGA
Attachment


Pinelands Management Areas within Galloway Township

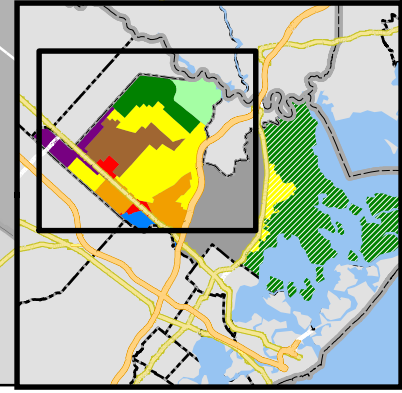
Executive Director's Report
Galloway Ordinance 1971-2017
Exhibit 1
11/17/2017



Pinelands Management Areas

 Preservation Area	 Regional Growth Area
 Forest Area	 Pinelands Town
 Agricultural Production Area	 Pinelands Village
 Rural Development Area	 Federal or Military Facility

0  5 Miles





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 49

TITLE: To Revise and Adopt Amendments to the Comprehensive Management Plan in Accordance with the Administrative Procedure Act (Application Fees; Escrows; Application Procedures; Landfills; Water Quality; Signs; Alternate Design Wastewater Treatment Systems Pilot Program)

Commissioner Avery moves and Commissioner Galietta seconds the motion that:

WHEREAS, on July 14, 2017, the Pinelands Commission authorized the publication of proposed amendments to the Comprehensive Management Plan through adoption of Resolution PC4-17-22; and

WHEREAS, the proposed amendments were published in the September 18, 2017 issue of the New Jersey Register at 49 N.J.R. 3075(a); and

WHEREAS, the Pinelands Commission held a public hearing to elicit public comment on the proposed amendments on October 4, 2017; and

WHEREAS, the Pinelands Commission also solicited written comment on the proposed amendments through November 17, 2017; and

WHEREAS, the Pinelands Commission received both oral and written comments on the proposed amendments; and

WHEREAS, the Pinelands Commission has reviewed all public comments received; and

WHEREAS, based upon further review of the proposed amendments and public comments, the Commission has determined that the proposed amendments to N.J.A.C. 7:50-4.1(a)17, which relate to prescribed burning and the clearing and maintaining of fire breaks, should not be adopted at this time; and

WHEREAS, the Commission has further determined that the proposed definition of "interested party" at N.J.A.C. 7:50-2.11 should not be adopted at this time; and

WHEREAS, the Commission has also determined that minor technical changes to the amendments at N.J.A.C. 7:50-6.108(a)4 and 5 are necessary to correct publication errors made by the Office of Administrative Law; and

WHEREAS, the Pinelands Commission desires to revise and adopt the proposed amendments in accordance with the December 12, 2017 Notice of Adoption; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission in adopting the Comprehensive Management Plan or amendments thereto shall have force or effect until thirty (30) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that

1. The Pinelands Commission hereby revises the proposed Comprehensive Management Plan amendments, as published in the September 18, 2017 New Jersey Register, in accordance with the attached December 12, 2017 Notice of Adoption.

2. The Pinelands Commission hereby adopts the proposed Comprehensive Management Plan amendments, as published in the September 18, 2017 New Jersey Register, and in accordance with the attached December 12, 2017 Notice of Adoption.
3. The Executive Director shall forward the amendments and minutes of this action to the Governor of the State of New Jersey, and shall also forward these amendments to the United States Secretary of the Interior for review in accordance with Section 502 of the National Parks and Recreation Act of 1978.
4. The amendments shall take effect as provided in the Pinelands Protection Act and upon publication in the New Jersey Register.

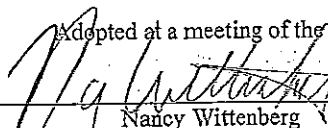
Record of Commission Votes

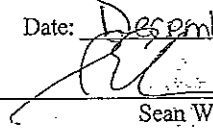
	AYE	NAY	NP	AR*		AYE	NAY	NP	AR*		AYE	NAY	NP	AR*
Ashmun	X				Jannarone				X	Quinn				X
Avery	X				Lloyd	X				Rohan Green				X
Barr	X				Lohbauer	X				Earlen	X			
Chila	X				McGlinchey				X					
Galletta	X				Prickett	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 12, 2017


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman

December 12, 2017

PINELANDS COMMISSION

Pinelands Comprehensive Management Plan

Fees; Escrows; Definitions; Standards for Certification; Application

Requirements and Procedures; Landfills; Water Quality; Signs; Petitions for

Amendment; Pilot Program for Alternate Design Wastewater Treatment

Systems

Adopted Amendments: N.J.A.C. 7:50-1.6, 1.7, 2.11, 3.24, 3.39, 4.1, 4.3, 4.15, 4.18, 4.19, 4.20, 4.22, 4.23, 4.25, 4.26, 4.35, 4.37, 4.38, 4.40, 4.41, 4.53, 4.54, 4.56, 4.66, 4.67, 4.74, 4.91, 6.75, 6.84, 6.85, 6.106, 7.3, 7.5, 10.21, 10.22 and 10.23

Adopted Repeals and New Rules: N.J.A.C. 7:50-6.107, 6.108 and 6.109

Proposed: September 18, 2017 at 49 N.J.R. 3075(a)

Adopted: December 12, 2017 by the New Jersey Pinelands Commission, Nancy Wittenberg, Executive Director

Filed: December __, 2017, **with non-substantial changes** not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3) and **with amendments at N.J.A.C. 7:50-2.11, 4.1(a)17, 4.19(b), 4.25(b), 4.37(b), 4.55, 4.68, 4.73(d), 4.79, 4.91(a) and (b), 6.64(a)2v and 9.7 not adopted.**

Authorized by: New Jersey Pinelands Commission

Authority: N.J.S.A. 13:18A-6j.

Effective Date: ____, 2018

Expiration Date: Exempt.

The New Jersey Pinelands Commission (Commission) is adopting new rules and amendments to Subchapters 1, General Provisions; 2, Interpretations and Definitions; 3, Certification of County, Municipal and Federal Installation Plans; 4, Development Review; 5, Minimum Standards for Land Uses and Intensities; 6, Management Programs and Minimum Standards; 9, Acquisition of Properties with Limited Practical Use; and 10, Pilot Programs, of the Pinelands Comprehensive Management Plan (CMP). The amendments and new rules were proposed on September 18, 2017 at 49 N.J.R. 3075(a). The adopted amendments and new rules relate to fees, escrows, application requirements and procedures, public notice and mailing requirements, water quality standards, landfill closure, signs and the Pilot Program for Alternate Design Wastewater Treatment Systems. They codify current Commission practice, clarify existing standards and requirements, increase the efficiency of the Commission and its staff, eliminate unnecessary application requirements, simplify procedures for the Commission, Pinelands municipalities and applicants, clarify the circumstances under which installation of an impermeable cap is not necessary for existing Pinelands landfills, allow for the use of advanced treatment technologies as a means of facilitating expansion of certain existing nonresidential uses, update and revise CMP sign standards and recognize the successful participation of one alternate design wastewater treatment technology in a long-standing pilot program.

In association with publication of the proposed amendments and new rules in the September 18, 2017 issue of the New Jersey Register, the Pinelands Commission transmitted the proposal to each Pinelands municipality and county,

as well as to other interested parties, for review and comment. Additionally, the Pinelands Commission:

- Sent notice of the public hearing to all persons and organizations that subscribe to the Commission's public hearing registry;
- Sent notice of the public hearing and provided a copy of the rule proposal to all Pinelands counties and municipalities, the health departments of all seven Pinelands counties, the alternate design wastewater treatment system vendors for technologies approved in the Pinelands Area and other interested parties;
- Placed advertisements of the public hearing in the four official newspapers of the Commission, as well as on the Commission's own web page;
- Submitted the proposed amendments and new rules to the Pinelands Municipal Council pursuant to N.J.S.A. 13:18A-7f;
- Distributed the proposed amendments and new rules to the news media maintaining a press office in the State House Complex; and
- Published a copy of the proposed amendments and new rules on its web page at www.nj.gov/pinelands.

Summary of Hearing Officer Recommendations and Agency Response:

A formal public hearing was held before the Commission staff on October 4, 2017. One person attended the hearing and provided oral testimony on the rule proposal.

The public hearing was recorded on magnetic tape which is on file at the Commission's office at 15 Springfield Road, New Lisbon, New Jersey. The

record of this rulemaking is available for inspection in accordance with applicable law by contacting:

Betsy Piner

Pinelands Commission

P.O. Box 359

New Lisbon, NJ 08064

In addition to the oral testimony, the Commission received 669 written comments on the proposed amendments and new rules.

The hearing officer's recommendations are in accordance with the public comment and agency responses below.

Summary of Public Comments and Agency Responses:

The Commission accepted oral comments on the September 18, 2017 proposal at the above-discussed October 4, 2017 public hearing and written comments by regular mail, facsimile or e-mail through November 17, 2017.

The following individuals and organizations submitted comments:

1. Jean Q. Public
2. Mayor Chuck Chiarello, Buena Vista Township
3. Connie Herman
4. Roger Bynum
5. Laura Nesbitt
6. Charlotte Tomaszewski
7. Patricia Haines

8. Marko Capoferri
9. Kathy Antenar
10. Nancy Klein
11. Robert Bennett
12. Cheryl Baysal
13. Jeri Mower
14. Kevin Sparkman
15. Maria Scotto diCarlo
16. Norah English
17. Melissa Tomlinson
18. Michael McFadden
19. Kate Pourshariati
20. Cathy Patsco
21. Alina Taylor
22. Clayton Gashlin
23. Georgina Shanley
24. Greg Gates
25. Lisa Kruczek
26. Bill Brash, President, Board of Trustees, New Jersey Fire Safety Council
27. John Comella
28. Carroll Arkema
29. Holly McDonald
30. Chuck Graver

31. Hillary Persky
32. Patricia Mathis
33. Tom Harris
34. Frank DiDonato
35. David Steinberg
36. Paul Purcell
37. James Adams
38. Amy Hansen
39. Melissa Kendall
40. Joseph McConnell
41. Steven Fenster
42. April Redmond, Trustee, Tavistock Homeowners Association
43. Anthony DeStasio
44. Judith Kuhmichel, Chairperson, Country Walk of Lake Ridge Firewise Program
45. Horace Somes
46. William Edwards
47. Anne Carroll
48. Stephen Marshall
49. Barbara Milloy
50. Janet Fair
51. Moira Flynn, chairperson, Community Safety Committee, Four Seasons at Mirage, Barnegat

52. Denise Mackey
53. Manchester Township Council
54. Mayor Kenneth Palmer, Manchester Township
55. Kathleen Agolio
56. Edward & Elizabeth Lynch
57. Patrick Lenaghan
58. Betty Musetto
59. Horizons at Barnegat Firewise Committee
60. Diane Schlagel, President, Firewise Board of Brighton at Barnegat
61. P. Mondelli
62. Jay E. Mounier
63. Edward Walz, President, Board of Directors, Cedar Glen Lakes, Inc.
64. Barbara Trought
65. Robert R. Williams, Certified Forester, Pine Creek Forestry, LLC
66. Gordon Gross, Emergency Management Coordinator, Office of
Emergency Management, Maurice River Township
67. Mayor Dudley Lewis, Washington Township
68. Atul Bhankharia
69. Aaron Cela
70. Monty Tilles
71. Linda Mikes
72. Joan Walters
73. Dawn Boughal

74. Anita Rosinola
75. Julia Cranmer
76. Joann Eckstut
77. Jo Ann McGreevy
78. Robert Candelmo
79. Charles O'Donnell
80. Jazmene Smith
81. Caroline Binder
82. Ann Michalowski
83. Anita Kasbarian
84. Graham Ellis
85. Dennis Huyler
86. Bettina Hempel
87. Peter Lenshoek
88. Janis Todd
89. Gina Stagliano
90. Bonner Doemling
91. David Lawrence
92. Kathi Cooley
93. Marjorie Royle
94. Cheri Dzubak
95. Harriet Jernquist
96. Carol Lindsey

97. Izabela Lambert
98. Chris Hazynski
99. Irene Pendze
100. John Swanson
101. Jay Powell
102. Jeff Barton
103. Cori Bishop
104. Theresa Sapigo
105. Petr Khlyabich
106. Timothy Beitel
107. Susan Terris
108. Christopher D'Amato
109. Marilyn Weschselblatt
110. Nancy Feldman
111. Ronald Sverdlove
112. Aurelle Sprout
113. B. Fleitman
114. Nancy Keating
115. Arthur Anderson
116. Mary Loielo
117. James Merlo
118. Hennessy Hennessy
119. Joseph Attamante

120. Dale Smith
121. Robert Rader
122. Arlene Aughey
123. Dorothy Jackson
124. Jay Hendra
125. Jane Dineen
126. Jeffrey Rattner
127. Jeanne Out
128. Tara Cruser-Moss
129. Ae Petrilla
130. Jenny Ludmer
131. Chris Scholl
132. Barbara Darwin
133. Guy Harris
134. Louis Dallara
135. Rozina Barker
136. JosephPorter
137. Justin Kaluza
138. Tabernacle Township Committee
139. William Hague
140. Shawn Cutts, President, American Cranberry Growers Association
141. John Drew
142. Sam Mufalli

143. Alice Golin
144. Donald Cramer
145. Helene Matthews
146. Ibn-Umar Abbasparker
147. James Shea
148. Joseph Braun
149. Marian Reiff
150. William Frantz
151. Charles Davis
152. Clive Smith
153. Jean Publee
154. James Tomczyk
155. Mike Simonet
156. Leonard Berkowitz
157. Katherine Smith, Dr. Ryan Rebozo and Dr. Emile DeVito, Pinelands
Preservation Alliance
158. Don Vonderschmidt
159. Warren Tuttle, Sr.
160. David Vanek
161. Judith Arik-McGrail and Timothy McGrail
162. Heather John
163. Margaret Wianecki
164. Esterina Bodarky

165. Ruth Boroshok
166. Gina Megay
167. Lascinda Goetschius
168. Jutta Von Sivers
169. Steve Gross
170. James Angley
171. Sandy Pelland
172. Tom Murray
173. Elaine Goodman
174. Sharon Sauro
175. Marion Chayes
176. Kathy Hart
177. Terry Edlefsen
178. Lisa Blume
179. Aaron Kirtz
180. Matthew Garvin
181. Rhoda Lewis
182. Brian de Castro
183. Stewart and Barbara Carr
184. Kelly Riley
185. Candace Bassat
186. Olga Vannucci
187. Christopher Carlin

188. Keating, C
189. Sherry Gordon
190. Richard Anscher
191. John Wheeler
192. David Fritsche
193. Peter Burval
194. Paul Lerman
195. Richard Kelly
196. Brian Schranz
197. Robert Barrett
198. Carol Joseph
199. Glenn and Meg Turner
200. Paul Riley
201. Patricia Munn
202. Bruce Gordon
203. Rui Moreira
204. David Snope
205. Glenn Novak
206. Robert McPherson
207. Stephanie Eckert
208. Leora Broche
209. Richard Riggs
210. Gregory Rosmaita

211. Susan Tull
212. David Kaplan
213. Robert Szuter
214. Mark Canright
215. Michael Dawson
216. Lee Johnson
217. Carmen Dinescu
218. Stan Hershey
219. Karen Hauck
220. Wayne Strelecki
221. Kelley Nelson
222. Donna Pfeffer
223. Debra Johnson
224. Daniel Kurz
225. Frances Benson
226. Jeffrey Howell
227. Marie Street
228. MaryAnn Muscavage
229. Joseph Basralian
230. James Golden
231. Susan Chenelle
232. Mariusz Dziewulski
233. Carl Ford

234. Zorina Weber
235. Merelyn Dollins
236. Joseph Pylka
237. Sherry Taylor
238. Peter Ingerman
239. Margaret Bordak
240. Joseph Brigandi
241. Iris Block
242. Christine Balint
243. Alan Harwick
244. Diane Geary
245. Corey Schade
246. George Chernetz
247. Joyce Milinowicz
248. Kenneth Grosso
249. David Briede
250. Brooke Harris
251. Gail Andrews
252. Diane Bynum
253. Christina Perella
254. Karen Abel
255. Julie von Uffel
256. Julian Madison

257. Pete Mooney
258. M Sidey
259. Eleanor Liggio
260. Eugene Gorrin
261. Kerry Heck
262. John Bruce
263. Julie Aronson
264. Jackie Garwin
265. Maureen Levier
266. Helen Hamilton
267. Gregory Gates
268. Rosemary Topar
269. Joseph Matar
270. Walter Tulys
271. Tom Beatini
272. Renee Simone-Wiley
273. Gertrude Glazer
274. Dorian Charles
275. Donald White
276. Glenn Welsh
277. Bonnie Bayardi
278. Jean Kuhn
279. Ismael Rodriguez

280. Gairda Jensen
281. Jann Jasper
282. M March
283. H Cunningham
284. James Macaluso
285. Walt Anen
286. Sue Vanleeuwen
287. Shawn Liddick
288. Paul Lucas
289. Sandra Gordon
290. Kevin Kimmel
291. Michele Richards
292. Elsie Polsenski
293. Barbara Nyce
294. Charles Avatar
295. Betsy Hays Gatti
296. Ken Burkhardt
297. John Schreiber
298. Kate Gibbons
299. Margaret Yelenik
300. George Hurst
301. Steven Villani
302. Michael DiGiore

303. Linda Franklin Dreker
304. Stephen Piotrowski
305. Susan Covert
306. Miriam MacGillis
307. David Caccia
308. Matty Giuliano
309. Carl Casella
310. Ginger Mc Rae
311. Joseph Fysz
312. William Roller
313. Jay Steele
314. Matthew Di Clemente
315. Jason Bladzinski
316. Donna O'Leary
317. Margaret Mitchell
318. Felicia Lewis
319. Karen McGuinness
320. Kathleen Maher
321. Denise Summer
322. Lynn Mignola
323. Francie Goldstein
324. Patricia Martinelli
325. Gilda Dibenedetto

326. Nicholas Homyak
327. Sally Warner
328. Matthew Franck
329. MaryJo Kenny
330. William Diviney
331. Robert Veralli
332. Myron Rosenberg
333. Bruce Revesz
334. David Fisher
335. Wayne Jablonski
336. Beth Toussaint
337. Charissa Murray
338. Ann Tung
339. Lynnette Krueger
340. Leslie Lanphear
341. Eileen Corbett
342. Penny Bannister
343. Susan Hamann
344. Susan Godoy
345. Stephen V. Lee, III, President, Lee Brothers, Inc.
346. Jennifer Parisi
347. Tracey Tronolone
348. Jarrett Cloud

349. Dianne Swensen
350. Andrea Hall
351. Jack Spector
352. Rich McFeeters
353. David Schatanoff
354. Marcia Aronoff
355. Jill Arbuckle
356. Michael Gallaway
357. Robert Garcia
358. Betsy Barrett
359. Teresa Brown
360. Paul Petto
361. Lynn Roberts
362. Greg Krawczyk
363. Marco Palladino
364. Richard Reeves
365. Nancy Newcomer
366. Ruth H Varney
367. Louis Ginsburg
368. Lawrence Hoffman
369. Patricia Soteropoulos
370. Lisa Quartararo
371. Virginia & George Breza

- 372. Nancy Yarnall
- 373. Donna Nina
- 374. Kathi Lombardi
- 375. Carol Kuehn
- 376. John Bradford
- 377. Mark van Rossen
- 378. Martin Judd
- 379. Helen Schafer
- 380. Debra Miller
- 381. John Muits
- 382. Catherine Kuzma
- 383. Robert Smith
- 384. Thomas Koven
- 385. Patricia Castine
- 386. Roger Johnson
- 387. Elizabeth Bates
- 388. Jacob Johnson
- 389. Melanie Murphy
- 390. Leland Montgomery
- 391. Deborah Martin
- 392. Fran Ransom
- 393. Raphael Wolfson
- 394. Marta Garcia

- 395. Pamela Shuman
- 396. Patricia Nardone
- 397. Florence Wohl
- 398. Suzanne Hutter
- 399. Daniel Weinberger
- 400. Donald Widmyer
- 401. William Welkowitz
- 402. Gibson Reynolds
- 403. George Gallagher
- 404. Bonnie Hall
- 405. Colleen Loughran
- 406. Jim Van Arsdale
- 407. Janine Nichols
- 408. Tracy Foster
- 409. Thomas Bauer
- 410. Jeanette Gallagher
- 411. Marylis Saltzmann
- 412. Damian Velez
- 413. Jonathan Rosenblatt
- 414. Chris Stock
- 415. Patrica Guthrie
- 416. Robert Keller
- 417. Janice Dlugosz

418. Stuart Way
419. Meredith Kates
420. Nicole Scott-Harris
421. Jacob Pease
422. Linda McKillip
423. Harry Hudson
424. Jerry Rivers
425. Sharyn Magee
426. James Hemm
427. Marvin Feil
428. Barbara Spector
429. Sandra Garcia
430. C. Ortiz
431. Thomas Cahill
432. Jo Legg
433. Adam Gross
434. Phyllis Fast
435. Kenneth Maskell
436. Thomas Gillen
437. Amy Steinberg
438. Heidi Hess
439. Erica Johanson
440. Jason Ksepka

441. Lynn Gale
442. Pete Dershimer
443. Elizabeth Guimes
444. Naomi Lonergan
445. Jessica Anderson
446. Victoria Mack
447. Gennaro F. DeLucia
448. Deborah Bianco
449. Jeanne Rothwarf
450. Richard Puglisi
451. Mitzi Deitch
452. Kathy Pippen
453. John Teevan
454. MJ Cittadino
455. Mekala Ravishankar
456. Justin Powell
457. Brian Moscatello
458. Debbie Smith
459. George Bourlotos
460. John Pasqua
461. Pat Foltz
462. Deirdre Evangelista
463. Phillip Desousa

464. John Rech
465. Takako Ishii-Kiefer
466. Darvin Schild
467. Wayne Goldsboro
468. Joann Ramos
469. Jack Schwartz
470. Daniel D'Auria
471. Scott Bruinooge
472. Kathleen Metzger
473. Lara Richards
474. Paul Bartholomew
475. Kathy Aprile
476. Lorraine Brabham
477. David Herbert
478. Rhoda Ondov
479. Patrick Mulligan
480. Jennifer Bulava
481. Heather Bollwark
482. Linda Mack
483. Margaret Woo
484. John Bryans
485. Jacqueline Eliopoulos
486. Jim Miller

487. Kris Smalley
488. Denise Lytle
489. Frank Ferguson
490. Dolores Danks
491. Roland Patterson
492. Sean Derman
493. Curt Baker
494. Marya Parral
495. Ruth Coop
496. Judith Bennis
497. Maureen Neville
498. Kevin Bolembach
499. David Hubbard
500. Marie Keegan
501. Brian Reynolds
502. Cathy Cappiello
503. Sean Ebersole
504. Gregory Miller
505. Janice Buchalski
506. William J Bolen
507. Joan Maccari
508. Timothy Rolle
509. Michael Shakarjian

510. Susan Clark
511. Nicholas Bertram
512. Bryan Mitchell
513. Richard Watson
514. Robert Kwiecinski
515. Jim Kerner
516. Peter Green
517. Christine Mueller
518. Nichole Diamond
519. Jean Parsons
520. John D'Agostino
521. Heidi West
522. Natalie Weiss
523. Morgan Clark
524. Meredith DiMeola
525. Susan Shapiro
526. Teresa Petersen
527. Ashley Farreny
528. Charles Mcghee Hassrick
529. Dan Tollinchi
530. G Derner
531. Katharine Larocca
532. Catharine Flaherty

533. Christopher F. Vota
534. Felice Schlesinger
535. Joshua Noreuil
536. Murugan Elu
537. Meg Sleeper
538. Janice Ewertsen
539. Robert Carnevale
540. Lyle Finocchiaro
541. Mihaela Dinu
542. Edward Brigante
543. Karen Snow
544. Karen Pepe
545. Grace Ramus
546. Lauren Morse
547. Carol Meyer
548. Susan Warner
549. Adam Copestick
550. Linda Elsenhans
551. Mike Albar
552. Natalie Szuter
553. Benito Leon
554. Ann Plaisted
555. Brenda Carmichael

556. Andrea Bonette
557. Keith Megay
558. Kyle Bracken
559. Robert Hartman
560. Anu Hansen
561. Peter McCarthy
562. Arlene Griscom
563. Richard Boornazian, Assistant Commissioner, Natural and Historic
Resources, New Jersey Department of Environmental Protection
564. L. Helaudais
565. Susan Samtak
566. Jane Flanagan
567. Marjorie Woodward
568. Al Chazin
569. Len Wassum
570. Bernadette Tourtual
571. Maureen Crowley
572. Doris Jackson
573. Patricia Daly
574. Karen Taylor-Ogren
575. Lauren Beglin
576. Shiela Mitchell

- 577. Elizabeth George-Cheniara, Esq., Vice President of Regulatory and Legal Affairs, New Jersey Builders Association
- 578. Gerald Reisner
- 579. Rita Sheehan
- 580. Stuart and Fran Brooks
- 581. Mary Hamilton
- 582. Susan Holland
- 583. Theodore Chase
- 584. Rosemary Doherty
- 585. Judith Navetta
- 586. Gerald and Ann Williams
- 587. Shawn Sori
- 588. James Rowley
- 589. Dan Vitelli
- 590. Alexander Hall
- 591. Bruce Smith
- 592. Loretta Aja
- 593. Jean Strickholm
- 594. David Approvato
- 595. Katherine Yvinskas
- 596. Alice Edgerton
- 597. Mercedes Dotter
- 598. Peggy Barbella

599. Mary Ann Cernak
600. Belinda Caraballo
601. Bill Simmons
602. Rita Thompson
603. Melissa Glick
604. Frank A. Brincka
605. Township of Ocean
606. Bethany Sattur
607. John Rossi
608. Jan Lilly
609. Kim Sellon
610. Dawn Canna
611. Ruby Weeks
612. Patricia Guida
613. Kathleen Huffman
614. Dionne Polk
615. Karen Kent
616. Andrew Levin
617. Marie Leithauser
618. Hyun Chul Kim
619. Jennifer Jacoppo
620. Carol Paszamant
621. Galen Preble, Trustee and Treasurer, Whiting Village at Crestwood

- 622. Elizabeth Brown
- 623. Krista Florin
- 624. Tom Conklin
- 625. Ellen Hochberger
- 626. Reshma Mongia
- 627. South Jersey Quail Project
- 628. D. Janszky
- 629. Brian Murray
- 630. George Schaefer
- 631. Tracy Carcione
- 632. Ian Whelan
- 633. Albert McComas, Board President, Country Walk of Lake Ridge
- 634. Amy Price
- 635. Mike Anderson
- 636. Cindy Kerekes
- 637. Donna Yavorsky
- 638. Hugh Carola
- 639. Rich Paterson
- 640. Chris Arney
- 641. Senator Christopher J. Connors
- 642. Douglas Cramer, Cramer & Son
- 643. Mark Villinger, Supervising Planner, Ocean County Planning Board

644. William J. Cutts, Cutts Brothers, LLC and Wading River Cranberries,
LLC
645. Peter J. Furey, Executive Director, New Jersey Farm Bureau
646. Dawn Gabriel
647. Claire Whitcomb
648. Ellen Bleidorn
649. Lauren Gonnella
650. Patty Wysong
651. Kate Schumacher
652. Athenia Ibragimov
653. Robert Deems
654. Gary Gentert
655. Anthony Ivankovic
656. David J Pustizzi Sr
657. Linda Williams
658. Lance Lacroff
659. Robert Graver
660. Joan detyna
661. Tatiana Durbak
662. Susan Farro
663. Linda O'Donnell
664. Dawn Zelinski
665. Marie Curtis

- 666. Jen Perlaki
- 667. Margaret M. Burns
- 668. Jerry Balabanian
- 669. Dave Maynard

The Commission's detailed response to the comments is set forth below. The numbers in parentheses after each comment correspond to the list of commenters above.

Application fees (N.J.A.C. 7:50-1.6)

1. COMMENT: One commenter suggested that the Commission immediately increase its development application fees by 1,000 percent, as a means of reducing the amount of development occurring in the Pinelands. (1)

RESPONSE: The proposed amendments to N.J.A.C. 7:50-1.6 increase most application fees by 25 percent. The Commission believes this is an appropriate increase, given application fee revenue and the costs incurred by the Commission to review and act on development applications.

2. COMMENT: One commenter stated that off-road vehicle events, for which an application fee is required, should be prohibited in the Pinelands due to their impacts on wildlife. (1)

RESPONSE: The proposed amendments to N.J.A.C. 7:50-1.6(c)1 increase application fees for off-road vehicle events from \$5.00 to \$6.25 per mile of the route proposed. The question of whether or not such events should be allowed in the Pinelands Area is not the subject of the current rulemaking effort.

3. COMMENT: One commenter stated that all solar energy facilities should be located on the roofs of building, rather than on the ground, so that land may be retained in its natural state. (1)

RESPONSE: The proposed amendments to N.J.A.C. 7:50-1.6(c)9 merely adopt specific fees for development applications involving solar energy facilities. The location of such facilities and the standards that apply to their development are not the subject of this rulemaking effort.

4. COMMENT: One commenter expressed support for the application fee amendments but raised concerns with any requirement for fees related to pre-application conferences, particularly as they might involve applications for general development plan approval in accordance with N.J.A.C. 7:50-1.6(l). (577)

RESPONSE: The Commission appreciates the support of the commenter. The Comprehensive Management Plan has never required fees for pre-application conferences, which are meetings between property owners, potential applicants and Commission staff to discuss possible development projects. The amendments do not impose fees for pre-application conferences, regardless of the type of development or application being proposed.

Definitions (N.J.A.C. 7:50-2.11)

5. COMMENT: One commenter supported the change in definition from “interested person” to “interested party”. (577)

RESPONSE: The Commission appreciates the expression of support.

6. COMMENT: Numerous commenters objected to the change in definition from “interested person” to “interested party” at N.J.A.C. 7:50-2.11, stating that use of the amended definition will limit the rights of Pinelands homeowners and business owners. These commenters submit that the current definition in the CMP allows individuals to intervene if their properties or activities would be genuinely impacted by a Commission action, and should therefore remain unchanged. The commenters state that the proposed new definition fails to describe who is actually considered an interested party. The commenters assert that the amendments contradict the Commission’s mandate to encourage maximum public participation, particularly as it is expressed in Section 502 of the National Parks and Recreation Act of 1978, Pub.L. 95-625 (16 U.S.C.§471i(f)) (3-18, 20-25, 27-41, 47-50, 52, 57, 58, 61, 64, 68-137, 139, 141-344, 346-562, 564-576, 578, 579, 581-604, 606-620, 622-626, 628-632, 634-640, 646-669)

RESPONSE: The proposed amendments to the definition of “interested person” at N.J.A.C. 7:50-2.11 and to the procedures at N.J.A.C. 7:50-4.19(b), 4.25(b), 4.37(b), 4.55, 4.68, 4.73(d), 4.79, 4.91(a) and (b), 6.64(a)2v and 9.7, were the Commission’s much-delayed response to the 1993 amendments to the Administrative Procedure Act, which curtailed third party adjudicatory hearing rights and withdrew the authority of State agencies to confer a right to an adjudicatory hearing to third parties by rule or regulation. The Commission has

determined that further analysis of a potential federal issue is advisable and is therefore not adopting any changes to the definition of “interested person” at this time. Likewise, the term “interested party” will not be changed in the procedural requirements set forth at N.J.A.C. 7:50-4.19(b), 4.25(b), 4.37(b), 4.55, 4.68, 4.73(d), 4.79, 4.91(a) and (b), 6.64(a)2v and 9.7.

Application exemptions (N.J.A.C. 7:50-4.1)

7. COMMENT: A number of organizations and individuals objected to the proposed amendments to the exemption for prescribed burning and the creation and maintenance of fire breaks at N.J.A.C. 7:50-4.1(a)17. These commenters cited a number of reasons for their objections, including concerns with air pollution, public safety, application fees, administrative procedures and increased workload for the Commission staff. Specific objections were raised to the proposed six-foot threshold at which clearing for a new fire break would require application to the Commission, with many commenters suggesting that the threshold should be increased to anywhere from 10 to 200 feet. A number of commenters warned that the imposition of application fees and procedures could lead to decreased prescribed burning in the Pinelands, as well as decreased maintenance and fewer fire breaks, which in turn will create public safety issues. Many of the commenters encouraged the Commission to abandon the proposed amendment completely while others asked that the Commission delay adoption of the amendment until such time as consultation with appropriate agencies (such as

the New Jersey Forest Fire Service) has occurred. (26, 42-46, 51, 53-56, 59, 60, 62, 63, 65-67, 138, 140, 157, 345, 563, 580, 605, 621, 627, 633, 641-645)

RESPONSE: The volume of comments received on this application exemption clearly indicate that prescribed burning and the creation of fire breaks in the Pinelands Area are of significant concern. It is also clear from the public comments that these practices are far more widespread than the Commission was previously aware, particularly on privately-owned properties and in association with agricultural uses. The Commission recognizes the importance of affording adequate time and effort to address this issue and is therefore making no changes to N.J.A.C. 7:50-4.1(a)17 at this time. Instead, the Commission will engage all stakeholders to discuss the issue and assist in developing an amended application exemption to be incorporated in a future rule proposal.

Public hearings (N.J.A.C. 7:50-4.3)

8. COMMENT: One commenter stated that the Commission needs to continue to hold public hearings, so that all can voice their concerns and take an interest in protecting nature and the future. (19)

RESPONSE: The amendments do not in any way curtail the public hearing requirements of the CMP. Rather, they merely require the Commission to post hearing notices on its website, in addition to publication in the newspaper and distribution to various individuals and governmental agencies, and shift the responsibility for notice of certain hearings from applicants to the Commission.

Any matter for which the CMP required a public hearing prior to the adoption of these amendments will continue to require a hearing.

Notice and report requirements (N.J.A.C. 7:50- 4.19, 4.20, 4.22, 4.23, 4.25, 4.26, 4.37, 4.40 and 4.41)

9. COMMENT: Numerous commenters objected to the elimination of the requirements at 7:50-4.19(b) and (c), 4.20(a), 4.22(b), 4.23, 4.25(c), 4.26(a), 4.37(b) and (c), 4.40(b) and 4.41 that call for the Commission to provide notices to individuals who participate in the local (municipal) approval process for a development project in the Pinelands Area. These commenters stated that they can more easily voice their concerns to their municipal officials than to the Commission. The commenters stated that they do not have time to monitor the activities of the Commission, largely because the Commission meets during the day and the agency's headquarters are "difficult to get to". They suggested that notifying individuals who participated in the local approval process is reasonable and helpful to the Commission. The commenters submitted that elimination of these notice requirements will discourage public participation. (3-18, 20-25, 27-41, 47-50, 52, 57, 58, 61, 64, 68-137, 139, 141-344, 346-562, 564-576, 578, 579, 581-604, 606-620, 622-626, 628-632, 634-640, 646-669)

RESPONSE: The amendments revise the provisions set forth at N.J.A.C. 7:50-4.18(d)7 and 4.35(d)7 that local approval agencies must meet when providing notice to the Commission of certain approvals. Approval agencies will no longer be required to include in such notices the names and mailing addresses

of the individuals who testified or otherwise participated at a municipal planning, zoning or land use board meeting where an application for development in the Pinelands Area was heard.

The amendments make similar revisions to the notice requirements at 7:50-4.19(b) and (c), 4.20(a), 4.22(b), 4.23, 4.25(c), 4.26(a), 4.37(b) and (c), 4.40(b) and 4.41, which the Commission must follow when the Executive Director reviews a local approval and makes a determination as to its consistency with the CMP. The Commission will no longer be required to mail notices of such determinations to the individuals identified by the municipality as having actively participated at a local board meeting. The Commission will, however, continue to provide notice to individuals who have submitted information to the Commission on a particular development application and to those individuals who have requested a copy of the Executive Director's determination. In addition, the Commission will continue to provide notice to all individuals, organizations and agencies that have registered pursuant to N.J.A.C. 7:50-4.3(b)2i(2) to receive notice of all public hearings and determinations by the Executive Director on development applications.

The Commission disagrees that the amendments will curtail or otherwise negatively affect public participation. The amendments merely eliminate an inefficient and ineffective notice provision, one that may have made sense when the CMP was adopted in 1980 but is no longer necessary given today's technology. Ample opportunities remain for individuals concerned with development projects in the Pinelands Area to register their concerns directly with

the Commission and receive notification of the Executive Director's determinations. Attendance or testimony at a Commission meeting is not required; rather, an email or phone call to the Commission will suffice.

The Commission also maintains a website that contains status reports on all active applications for development in the Pinelands Area. Reports on active public development applications and requests for waivers of strict compliance are updated daily. An updated status report on all development applications with recent activity is posted every week. These status reports are available to the public 24 hours a day, seven days a week. In a matter of minutes, anyone who is concerned with a particular application can identify its status and simply call or email the Commission for more detailed information and/or request to receive notice of future Commission actions on that application.

Water Quality (N.J.A.C. 7:50-6.84)

10. COMMENT: One commenter supported the amendments at N.J.A.C. 7:50-6.84(a)5iii that allow use of advanced wastewater treatment systems for the expansion and improvement of certain existing businesses in the Pinelands Area.

(2)

RESPONSE: The Commission appreciates the support of the commenter and hopes the amendment will be of benefit to existing businesses in the more rural portions of the Pinelands Area.

Septic management (N.J.A.C. 7:50-6.85)

11. COMMENT: One commenter supported the amendments at N.J.A.C. 7:50-6.85 that refer to and rely on the Department of Environmental Protection's septic management requirements. (577)

RESPONSE: The Commission appreciates the support of the commenter.

Alternate Design Treatment Systems Pilot Program (N.J.A.C. 7:50-6.84 and 10.21-20.23)

12. COMMENT: One commenter supported the amendments at N.J.A.C. 7:50-10.21-23 that release the FAST wastewater treatment system from the Alternate Design Treatment Systems Pilot Program in recognition of the system's success in meeting CMP water quality standards for residential development. (577)

RESPONSE: The Commission appreciates the support of the commenter.

Miscellaneous

13. COMMENT: One commenter stated that affordable housing should be provided outside the Pinelands, in other portions of the State. (1)

RESPONSE: The opinion of the commenter is noted; however, none of the proposed amendments or new rules relate to the provision of affordable housing.

14. COMMENT: One commenter complained about the actions of certain Federal representatives and officials with respect to the Paris Climate Change

agreement and the future of the planet. The commenter stated that such officials and the Commission should say no to all pipelines. (407)

RESPONSE: The opinion of the commenter is noted; however, none of the proposed amendments or new rules relate to these matters.

Summary of Agency-Initiated Changes:

The Commission is correcting errors made by the Office of Administrative Law in the publication of the proposed amendments. Specifically, references to “Pinelands villages” in N.J.A.C. 7:50-6.108(a)4iii and “Pinelands towns” in N.J.A.C. 7:50-6.108(a)4ii and iii and 5 are being replaced with “Pinelands Villages” and “Pinelands Towns”. This correction, which merely replaces lower case letters with upper case letters, will make clear that the rules refer to specific Pinelands management areas, as established and delineated in N.J.A.C. 7:50-5, rather than entire municipalities, towns or villages.

Federal Standards Analysis

Section 502 of the National Parks and Recreation Act of 1978 (16 U.S.C. §471i) called upon the State of New Jersey to develop a comprehensive management plan for the Pinelands National Reserve. The original plan adopted in 1980 was subject to the approval of the United States Secretary of the Interior, as are all amendments to the plan.

The Federal Pinelands legislation sets forth rigorous goals that the plan must meet, including the protection, preservation and enhancement of the land and water resources of the Pinelands. The adopted amendments are designed to

meet those goals by providing an opportunity for water quality improvements through the use of advanced waste water treatment systems. The other amendments and new rules may be categorized as clarifications or largely procedural in nature.

There are no other Federal requirements that apply to the subject matter of these amendments.

Full text of the adoption follows (additions to proposal indicated in boldface with asterisks ***thus***; deletions from proposal indicated in brackets with asterisks ***[thus]***):

7:50-2.11 Definitions

When used in this Plan, the following terms shall have the meanings ascribed to them.

...

“Interested ***person* *[party]***” means any ***persons whose right to use, acquire or enjoy property is or may be affected by any action taken under this Plan, or whose right to use, acquire or enjoy property under this Plan or under any other law of this State or of the United States has been denied, violated or infringed upon by an action or failure to act under this Plan***

[person or entity who has either submitted an application for development to the Pinelands Commission or who has a particularized property interest sufficient to require a hearing on constitutional or statutory grounds].

...

7:50-4.1 Applicability

- (a) For the purposes of this subchapter only, the following shall not be considered development except for development of any historic resource designated by the Pinelands Commission pursuant to N.J.A.C. 7:50-6.154:

1.-16. (No change from proposal.)

17. *[To control and reduce the threat of wildfire:

i.]* Prescribed burning *[*;]* and

[ii. Linear] ***the*** clearing ***and maintaining*** of ***fire breaks*** *[vegetation, including subsequent maintenance of that cleared area and vegetation, provided the linear clearing does not exceed six feet in width]*;

18.-23. (No change.)

(b)-(d) (No change.)

7:50-4.19 Commission review following preliminary approval

(a) (No change.)

(b) Notice of decision and hearing: Within 30 days following receipt of a notice of preliminary approval containing all the information specified in N.J.A.C. 7:50-4.18(d), the Executive Director shall give notice of his or her determination by mail to the applicant, the local permitting agency that granted such preliminary approval, all persons who have individually submitted information concerning the application, all persons who have requested a copy of said decision, and any person, organization, or agency

that has registered under N.J.A.C. 7:50-4.3(b)2i(2). If the Executive Director determines that the preliminary approval should be reviewed by the Commission, the notice shall indicate that the applicant, the local permitting agency, or any interested ***person*** ***[party]*** may, within 21 days of mailing of such notice, request that a hearing be held before an Administrative Law Judge pursuant to the procedures established by N.J.A.C. 7:50-4.91 for the purpose of reviewing such preliminary approval.

(c) (No change from proposal).

(d)-(e) (No change.)

7:50-4.25 Commission review following local denial

(a) (No change.)

(b) Notice of decision and hearing: Within 30 days following receipt of a notice of a denial containing all the information specified in N.J.A.C. 7:50-4.18(e) the Executive Director shall give notice of his or her determination by mail to the applicant, the local permitting agency that denied the applicant, all persons who have individually submitted information concerning the application, all persons who have requested a copy of said decision, and any person, organization or agency which has registered under N.J.A.C. 7:50-4.3(b)2i(2). If the Executive Director determines that the denial should be reviewed by the Commission, the notice shall be sent by mail to the applicant and the local agency that

granted the approval. The notice shall indicate that the applicant, the local permitting agency, or any interested ***person*** ***[party]*** may, within 21 days of mailing of such notice, request that a hearing be held before an Administrative Law Judge pursuant to the procedures established by N.J.A.C. 7:50-4.91 for the purpose of reviewing the denial.

- (c) (No change from proposal).

7:50-4.37 Commission review following preliminary approval

- (a) (No change.)
- (b) Notice of decision and hearing: Within 30 days following receipt of a notice of preliminary approval containing all the information specified in N.J.A.C. 7:50-4.35(d), the Executive Director shall give notice of his or her determination by mail to the applicant, the local permitting agency that granted such preliminary approval, all persons who have individually submitted information concerning the application, all persons who have requested a copy of said decision, and any person, organization, or agency that has registered under N.J.A.C. 7:50-4.3(b)2i(2). If the Executive Director determines that the preliminary approval should be reviewed by the Commission, the notice shall indicate that either the applicant, the local permitting agency or any interested ***person*** ***[party]*** may, within 21 days of mailing of such notice, request that a hearing be held before an Administrative Law Judge pursuant to the procedures established by

N.J.A.C. 7:50-4.91 for the purpose of reviewing such preliminary approval.

(c) (No change from proposal).

(d)-(e) (No change.)

7:50-4.55 Rights of appeal

Any interested ***person*** ***[party]*** who is aggrieved by any determination made by the Executive Director pursuant to this Part may within 15 days appeal the Executive Director's determination to the Commission as provided by N.J.A.C. 7:50-4.91. Additional information not included in the Executive Director's determination may only be presented to the Pinelands Commission by requesting a hearing pursuant to N.J.A.C. 7:50-4.91.

7:50-4.68 Rights of appeal

Any interested ***person*** ***[party]*** who is aggrieved by any determination made by the Executive Director pursuant to this Part may within 15 days appeal the Executive Director's determination to the Commission as provided by N.J.A.C. 7:50-4.91. Additional information not included in the Executive Director's determination may be presented to the Pinelands Commission only by requesting a hearing pursuant to N.J.A.C. 7:50-4.91. If the appeal is based on an allegation that the parcel does not have a beneficial use even considering the allocation of Pinelands Development Credits pursuant to N.J.A.C. 7:50-4.62(c)2, the applicant must include specific documentation concerning the economic value

of each of the permitted uses of the parcel once the Pinelands Development Credits are transferred and documentation of the value necessary to give the parcel a beneficial use as part of the appeal process. If the applicant demonstrates that the allocation of the Pinelands Development Credits based on fair market value along with the other permitted uses of the parcel does not result in the parcel having a beneficial use, the allocation of Pinelands Development Credits shall be increased to the number necessary to provide the parcel with a beneficial use.

7:50-4.73 Request for interpretation

(a)-(c) (No change.)

(d) The notice in (b) and (c) above shall state:

1.-5. (No change.)

6. That any person who provides comments or requests a copy of the Executive Director's findings and conclusion shall be provided a copy of said findings and conclusion and that any interested ***person*** ***[party]*** who is aggrieved by said determination is entitled to a hearing by appealing the determination.

(e)-(g) (No change.)

7:50-4.79 Appeal

Any interested ***person*** ***[party]*** who is aggrieved by any clarification or interpretation given by the Executive Director pursuant to this Part may within

15 days appeal the Executive Director's clarification or interpretation to the Commission as provided in N.J.A.C. 7:50-4.91.

7:50-4.91 Appeal

(a) Notice: Any ***person*** ***[interested party]*** who has a right to appeal any determination made by the Executive Director to the Commission shall, within 15 days of the date the decision is deemed rendered in accordance with N.J.A.C. 7:50-4.3(e)3, perfect such right by giving notice by mail of his or her intent to appeal to the Commission. Such notice shall include:

1.-5. (No change.)

(b) Any ***person*** ***[interested party]*** who has a right to request a hearing conducted by the Office of Administrative Law concerning a local approval that the Executive Director has determined should be reviewed by the Pinelands Commission shall, within 15 days of the date the Executive Director's determination is deemed rendered in accordance with N.J.A.C. 7:50-4.3(e)3, perfect such right by giving notice by mail of his or her intent to request a hearing to the Commission. Such notice shall include the information specified in (a)1 through 5 above.

(c)-(e) (No change.)

7:50-6.64 Time limit and scope of resource extraction permits

(a) No permit authorizing resource extraction shall be issued for any period exceeding two years unless a program extending the duration of such

permits has been established and certified by the Commission pursuant to N.J.A.C. 7:50-3.39. Such a program may allow permits authorizing resource extraction to be issued for periods exceeding two years, provided that:

1. (No change.)
2. Every such permit shall be issued subject to the following conditions to ensure conformance with the approved permit:
 - i.-iv. (No change.)
 - v. Any interested ***person*** ***[party]*** who is aggrieved by any determination of the Executive Director pursuant to (a)2iii or iv above may, within 15 days, appeal the Executive Director's determination to the Pinelands Commission as provided in N.J.A.C. 7:50-4.91(a). The Executive Director shall thereafter conduct a hearing pursuant to N.J.A.C. 7:50-4.3, unless the applicant requests a hearing before an Administrative Law Judge in which case the matter shall be referred to the Office of Administrative Law pursuant to N.J.A.C. 7:50-4.91(b), and submit a hearing report to the Pinelands Commission for a final determination;

vi.-vii. (No change.)

(b)-(c) (No change.)

7:50-9.7 Rights of appeal

Any interested **person** **[party]** who is aggrieved by any determination made by the Executive Director pursuant to this subchapter may, within 15 days, appeal the Executive Director's determination to the Commission as provided by N.J.A.C. 7:50-4.91. Additional information not included in the Executive Director's determination may be presented to the Pinelands Commission only by requesting a hearing pursuant to N.J.A.C. 7:50-4.91.

7:50-6.108 Off-site signs

(a) Off-site signs are permitted only as follows:

- 1.-3. (No change.)
4. Off-site signs lawfully in existence as of January 14, 1981, shall be permitted in:
 - i. Regional Growth Areas;
 - ii. Pinelands **[t]**T*owns**; and
 - iii. Certified municipal non-residential zones in Rural Development Areas and Pinelands **[v]**V*illages** in existence as of December 5, 1994 if the sign is located within 1,000 feet of a Regional Growth Area or Pinelands **[t]**T*own** and is located on a United States highway.
5. New off-site signs may be permitted by certified municipalities in Regional Growth Areas and Pinelands **[t]**T*owns**, provided

that the applicant can demonstrate that, for each new sign, a non-conforming off-site sign pursuant to (b) below has been removed.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 50

TITLE: Resolution Authorizing the Executive Director to Enter into an Amendment to an Existing Memorandum of Understanding Among the Pinelands Commission, Winslow Township, and the Camden County Municipal Utilities Authority Regarding the Winslow Township Wastewater Treatment Plant and Its Infiltration/Percolation Facility

Commissioner Lohbauer moves and Commissioner Galletta seconds the motion that:

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

WHEREAS, Section 6 of the Pinelands Protection Act authorizes the Commission "to enter into any and all agreements or contracts, execute any and all instruments, and do and perform any and all acts or endorsement of actions to be taken just outside of the Commission's jurisdiction that are nevertheless of import to the Pinelands area; and

WHEREAS, the Commission authorized the original Memorandum of Understanding (MOU) among the parties by Resolution PC4-09-69; and

WHEREAS, the MOU was fully executed on February 1, 2010; and

WHEREAS, the MOU provided endorsement of the Camden County Municipal Utilities Authority amendment to the Tri-County Water Quality Management Plan (WQMP); and

WHEREAS, the WQMP amendment allowed the Camden County Municipal Utilities Authority to decommission the Winslow Township wastewater treatment plant and infiltration lagoons at Sicklerville and replace that treatment facility with sewer connections to the Camden County Municipal Utilities Authority Delaware No. 1 water pollution control facility in the City of Camden on the Delaware River; and

WHEREAS, implementation of the WQMP amendment resulted in an interbasin transfer of water from the Great Egg Harbor River basin to the Delaware basin; and

WHEREAS, implementation of the WQMP amendment also resulted in the loss of recharge through the infiltration lagoons at the Winslow Township wastewater treatment plant to the Kirkwood Cohansey aquifer potentially affecting stream flows in the Great Egg Harbor River headwaters; and

WHEREAS, the CMP limits the inter-basin transfer of water between watersheds to the maximum extent practical; and

WHEREAS, the CMP provides that increases in water supply diversions from the Kirkwood Cohansey aquifer may be permitted only if it is demonstrated that said increases will not result in any adverse ecological impact on the Pinelands Area; and

WHEREAS, the original MOU established offsetting measures to address potential adverse ecological impacts due to the implementation of the WQMP amendment; and

WHEREAS, the offsetting measures included effluent flow monitoring and establishment of two continuous stream monitoring sites in the Great Egg Harbor River watershed by the Camden County Municipal Utilities Authority; and

WHEREAS, the offsetting measures included purchase of not less than 1.5 MGD of water from New Jersey American Water Company, purchase of additional non-Kirkwood Cohansey water for all new

development, as well as water use monitoring and a requirement for stream flow analysis by Winslow Township; and

WHEREAS, Winslow Township also instituted water conservation ordinances and has demonstrated success in reducing water use since instituting those ordinances and the offsetting measures in the year 2008; and

WHEREAS, Winslow Township has requested an amendment to the MOU to provide credit for water conservation and to allow the Township to withdraw a volume of water from the Kirkwood Cohansey aquifer that will not exceed the volume withdrawn in 2008, thereby delaying the purchase of additional non-Kirkwood Cohansey water; and

WHEREAS, the Commission wishes to recognize the successful conservation efforts of the Township but also to clarify the diversion limits of water that may be withdrawn from the Kirkwood Cohansey aquifer from Township wells and to restructure stream flow monitoring conditions; and

WHEREAS, the parties have developed a First Amendment of the MOU; and

WHEREAS, the New Jersey Water Supply Plan 2017-2022 has been issued and its recommendation of using no more than 25% of the Low Flow Margin to protect against adverse ecological impacts is considered in the cap on Kirkwood Cohansey withdrawals for the purposes of the First Amendment of the MOU; and

WHEREAS, the Policy and Implementation Committee has reviewed the proposed First Amendment of the MOU attached hereto and dated November 13, 2017 and recommends it for approval; and

WHEREAS, the Commission finds that the First Amendment of the MOU is authorized under Section 6 of the Pinelands Protection Act as referenced above, 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 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 agrees to enter into the First Amendment to the Memorandum of Understanding with Winslow Township and the Camden County Municipal Utilities Authority Regarding the Winslow Township Wastewater Treatment Plant and Its Infiltration/Percolation Facility dated November 13, 2017 attached, and hereby authorizes the Executive Director to execute the agreement.

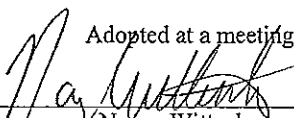
Record of Commission Votes

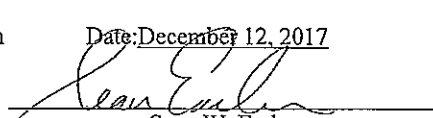
AYE NAY NP A/R*				AYE NAY NP A/R*				AYE NAY NP A/R*			
Ashmun	X			Jannarone			X	Quinn			X
Avery	X			Lloyd	X		X	Rohan			X
Barr	X			Lohbauer	X			Earlen	X		
Chila	X			McGlinchey			X				
Galletta	X			Prickett	X						

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 12, 2017


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman

FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BY AND AMONGST THE TOWNSHIP OF WINSLOW, THE CAMDEN COUNTY MUNICIPAL UTILITIES AUTHORITY AND THE NEW JERSEY PINELANDS COMMISSION

This First Amendment to the Memorandum of Understanding dated November 23, 2009 (hereinafter the 2009 MOU) is made as of this _____ day of _____ in the year of 2017, by and amongst

The **Township of Winslow** (hereinafter, “Winslow”), a municipal corporation of the State of New Jersey;

The **Camden County Municipal Utilities Authority** (hereinafter, “CCMUA”), a municipal authority of the State of New Jersey; and

The **New Jersey Pinelands Commission** (hereinafter, “Pinelands Commission”), an independent political subdivision of the State of New Jersey, in but not of the Department of Environmental Protection.

WHEREAS, through its execution of the 2009 MOU, the Pinelands Commission endorsed the CCMUA’s proposal to decommission the Winslow Township Wastewater Treatment Plant (WTWTP) and its appurtenant Infiltration and Percolation Facility (I/P Facility) which had served to recharge treated wastewater to the Kirkwood Cohansey (K/C) Aquifer; and

WHEREAS, decommissioning the WTWTP and redirecting the wastewater to the CCMUA’s Water Pollution Control Facility (WPCF) enabled the New Jersey Department of Environmental Protection (NJDEP) to lift a moratorium on new sewer connections in the Sicklerville section of Winslow Township, thereby facilitating the potential for new development and increased water demand in Winslow Township; and

WHEREAS, with the execution of the 2009 MOU, the Parties agreed to an inter-basin transfer of water from the Great Egg Harbor River Basin through Winslow Township’s public water supply system to the Delaware River Basin via the CCMUA’s WPCF; and

WHEREAS, the Pinelands Comprehensive Management Plan at N.J.A.C. 7:50-6.86(a) provides that to the maximum extent practical the inter-basin transfer of water between watersheds should be avoided; and

WHEREAS, the Pinelands Comprehensive Management Plan at N.J.A.C. 7:50-6.86(e) provides that increases in water-supply diversions from the K/C Aquifer may be permitted only if it is demonstrated that said increases will not result in any adverse ecological impact on the Pinelands Area; and

WHEREAS, conveying wastewater from the Sicklerville section of Winslow Township to the CCMUA’s WPCF has the potential to reduce low-flows of the headwaters of the Great Egg Harbor River Basin; and

WHEREAS, a reduction in base-flows or low-flows of the headwaters of the Great Egg Harbor River Basin will potentially have an adverse ecological impact on the Pinelands Area; and

WHEREAS, without an offsetting, non-K/C Aquifer source of water, as development within Winslow increases, concomitant increases to its water-supply diversions from the K/C Aquifer will also occur; and

WHEREAS, appropriate offsetting measures were outlined in the 2009 MOU and are continued in this amended MOU to address potential adverse ecological impacts on the Pinelands Area that may occur as a result of a reduction in base flows or low flows of the headwaters of the Great Egg Harbor River Basin; and

WHEREAS, these offsetting measures are aimed at maintaining base-flows and low-flows in the streams within the Great Egg Harbor River Basin; and

WHEREAS, Winslow currently purchases not less than 1.5 MGD of water through annual contracts with the New Jersey American Water (hereinafter, "NJAW"); and

WHEREAS, offsetting measures implemented by Winslow Township pursuant to the 2009 MOU, that Winslow will continue to implement included (1.) the purchase of at least 1.5 MGD from non-K/C water sources(s) and (2.) managing/sequencing the use of its wells in accordance with a USGS-conducted Aquifer Study in order to minimize impacts to stream flow in the Great Egg Harbor River Basin; and

WHEREAS, paragraphs A.7 through A.8 of this First Amendment to the MOU require Winslow Township to remedy any potential adverse ecological impacts caused by the diversion of more than the annual or monthly maximums outlined in paragraphs A.3 to A.5 not later than April 1 of the calendar year following such exceedance(s); and

WHEREAS, without offsetting measures, a reduction in base-flows or low-flows of the headwaters of the Great Egg Harbor River Basin will potentially have an adverse ecological impact on the Pinelands Area; and

WHEREAS, Winslow Township has petitioned the Pinelands Commission to consider amending the 2009 MOU to credit Winslow Township for having accomplished significant reductions in K/C water usage through a variety of voluntary actions; and

WHEREAS, Winslow Township has demonstrated that it has achieved significant reductions in water diversions from the K/C Aquifer as a result of: (1) the 2008 adoption of a Water Conservation Program Ordinance, (2) the requirement for Water Pressure Reducing Valves on all new water connections, (3) the 2014 enhancement of a Water Conservation Program which incorporates water use rate restructuring to further discourage excessive water use, and (4) ongoing efforts to remediate losses from the K/C Aquifer due to ground water inflow and infiltration into sanitary sewer lines; and

WHEREAS, Winslow Township has implemented a Supervisory Control and Data Acquisition (SCADA) system to manage/sequence its potable water supply wells in a manner that is consistent with the USGS Aquifer Study; and

WHEREAS, Winslow has renewed its contract to purchase a minimum of 1.5 MGD from NJ American Water through the year 2047 (30 years); and

WHEREAS, the total K/C water use for Winslow from both the Great Egg Harbor River and Mullica River watersheds, as a result of the actions delineated above, has decreased from the base K/C Aquifer well withdrawal of 475.5 Million Gallons Yearly (MGY) in the year 2008, down to approximately 213.97 MGY, in 2016; and

WHEREAS, Winslow has requested that it be allowed to continue to withdraw up to 515.018 MGY from its K/C Aquifer wells which includes the water allocations previously granted to the “grandfathered” developments delineated in Paragraph A.5 below; and

WHEREAS, although the Pinelands Commission recognizes the water conservation efforts successfully undertaken by Winslow, it also must ensure that annual water diversions from the K/C Aquifer will not continuously increase due to increased development that may result from lifting of the sewer connection moratorium, and

WHEREAS, conveying wastewater from the WTWTP to the CCMUA’s Delaware No. 1 WPCF obviated the discharge of any wastewater into the WTWTP’s I/P Facility and thereby, eliminated a potential source of pollutant loading within the Great Egg Harbor River Basin and potentially improved its water quality; and

WHEREAS, if Winslow exceeds the well withdrawals provided for in this First Amendment of the 2009 MOU, then Winslow will be required to purchase additional water from a non-K/C Aquifer supplier of water in amounts sufficient to ensure that it will not divert more than 475.5 MGY plus the volume associated with development any of the grandfathered projects listed below from K/C water sources in either the Great Egg Harbor or Mullica watersheds; and

NOW, THEREFORE, Winslow, the CCMUA, and the Pinelands Commission hereby agree to amend the 2009 MOU as follows:

A. To Alleviate Impacts on Average Streamflow in the Great Egg Harbor River and Mullica River Basins

1. Winslow shall continue to purchase a minimum of 1.5 MGD of water exclusively for use within the Great Egg Harbor River Basin-portion of the Township through annual contracts with NJAW, or obtain said water amount from another non-K/C Aquifer water source, for as long as (1) Winslow’s wastewater is conveyed to the CCMUA’s Delaware No. 1 Water Pollution Control Facility, or anywhere else outside of the Great Egg Harbor Basin; and (2) Winslow’s treated wastewater is not recharged into the K/C Aquifer.
2. In addition to the water purchased pursuant to paragraph A.1, Winslow shall purchase additional water amounts from a non-K/C Aquifer water source in accordance with the terms of paragraph A.8 below, for as long as (1) Winslow’s wastewater is conveyed to the CCMUA’s Delaware No. 1 Water Pollution Control Facility, or anywhere else outside of the Great Egg Harbor Basin; and (2) Winslow’s treated wastewater is not recharged into the K/C Aquifer.
3. Winslow shall not increase its K/C well withdrawals above the Base K/C Well Withdrawal, which is 475.5 MGY, plus that volume associated with the specific

development projects set forth in paragraph A.5 below, which shall be considered a “grandfathered” allocated volume.

4. Winslow shall not increase its K/C well withdrawals above a monthly maximum of 85.67 million gallons MG in any month;
5. Winslow shall be allowed to exceed the Base K/C withdrawal of 475.5 MGY upon development of any of the projects listed below and then only by the volume noted as “Grandfathered”. The total additional volume, if all five developments were to proceed, shall not exceed 39.518 MGY. This dedicated, grandfathered volume is not transferrable to any other projects.

NJDEP Permit Number*	Project Description	Grandfathered Number of Units	Daily Demand (@ 270 gal per unit)	permit Before MOA date	Grand-fathered (MGD)
WCP040002	Braddock Preserves	54	14580	Yes	0.01458
WCP040003	LDM Services Phase 1&2	20	5400	Yes	0.0054
WCP050002	Wiltons Corner Th-4	27	7290	Yes	0.00729
WCP060002	Cedar Brook	274	108,230	Yes	0.10823
WCP080001	Oak Leaf Estates	26	7020	Yes	0.00702
	Sum	401	108,270		0.10827

6. Winslow shall provide to the Pinelands Commission, no later than April 1 of each year, an annual report detailing the actual water usage related to the above tabulated “grandfathered” projects for the time period between March 1 of the preceding year to February 28 of the reporting year. Winslow’s obligation to provide annual water usage reports, which went into effect upon execution of the 2009 MOU, shall continue in effect beyond execution of this First Amendment to the 2009 MOU.
7. Winslow shall provide to the Pinelands Commission, no later than April 1 of each year, a copy of its contract with NJAW or any other non-K/C Aquifer water source for the annual purchase of potable water or confirm that such contract remains in place. Winslow’s obligation to provide copies of such annual water purchase contracts, which went into effect upon execution of the 2009 MOU, shall continue beyond execution of this First Amendment to the 2009 MOU.
8. In addition to the water obtained pursuant to paragraph A.1 of this amended MOU, Winslow shall purchase or obtain additional water amounts from a non-K/C Aquifer water source once it has exceeded the Base K/C Well Withdrawal of 475.5 MGY. The Township may only exceed the Base K/C Well Withdrawal by the amount of the grandfathered allocation, set forth in paragraph A.5, for any of the grandfathered developments that may be constructed. Winslow shall also offset any monthly use above the monthly maximum use noted in paragraph A.4 by obtaining an equivalent volume of non-K/C water for the total volume of the monthly exceedances by April 1 in the

calendar year following exceedance of the monthly maximum. Such offset will be required only for the year following the exceedance. If the monthly maximum is exceeded in successive years, the Township will continue to obtain non-K/C water equal to the yearly exceedance of the monthly maximum. volume in each year. the monthly maximum equivalent volume shall be reviewed annually and may or may not become a permanent source of water in addition to the 1.5 MGD purchased from NJAW.

B. Well Use Impact Alleviation and Optimal Management

1. The State Water Supply Plan shows that the upper reaches of the Great Egg Harbor River basin are stressed. To mitigate the stress on this basin, the parties to this First Amendment to the 2009 MOU will initiate a collaborative effort with neighboring municipalities, the New Jersey Department of Environmental Protection, and the New Jersey Department of Agriculture to delineate specific methods and actions aimed at reducing water use in the Great Egg Harbor basin.
2. Winslow shall continue to use its SCADA system to manage/sequence the use of its K/C Aquifer wells in a manner that is consistent with this Memorandum of Understanding, and thereby minimize the impacts of the use of its K/C Aquifer wells on stream base-flow, low-flow and related water table elevations in the headwaters of the Great Egg Harbor River Basin for so long as Winslow's wastewater is conveyed to the CCMUA's Delaware No. 1 WPCF, or anywhere else outside of the Great Egg Harbor River Basin, and for so long as Winslow's treated wastewater is not recharged into the K/C Aquifer.
3. At no time shall Winslow, as it manages and sequences the use of its K/C Aquifer wells, increase the amount of its withdrawals from the Mullica River basin to the Great Egg Harbor basin or elsewhere in excess of 246.375 MGY (675,000 gallons per day.) This volume is prescribed in the Memorandum of Agreement between the Camden County Municipal Utility Authority and the Pinelands Commission, dated February 8, 1991.
4. Should the limits set forth in paragraphs A.3 through A.5 be exceeded, Winslow shall obtain water, no later than April 1 in the year following such exceedance, in an equivalent volume from a non-K/C water source. When the annual K/C volume is exceeded, Winslow shall obtain the equivalent volume from a non-K/C source and that volume will be purchased continuously going forward in addition to the 1.5 MGD purchased from NJAW.

C. Definition and Duration of Adverse Ecological Impact

1. This First Amendment to the 2009 MOU prevents additional adverse ecological impacts, as defined by the year of peak use (2007) cited in the report entitled "New Jersey Water Supply Plan 2017-2022" issued by the New Jersey Department of Environmental Protection in October 2017, by restricting withdrawals for all Winslow's K/C aquifer wells to a volume below the peak use in 2007.

D. Manage Growth Impacts to Wastewater Discharges

1. Wastewater Flows Not Exceeding 2.9 MGD: The CCMUA has constructed two parallel sanitary sewer lines which connect the Sicklerville section of Winslow to the CCMUA's regional sewerage collection system and allow for the conveyance of wastewater from such section to the Delaware No. 1 Water Pollution Control Facility. One of the two sewer lines, known as the Phase I line, has been designed to accommodate up to 2.9 MGD of wastewater flow. Only the Phase I line shall be permitted to handle wastewater, so long as the ninety-day average wastewater flow in the Phase I line does not exceed eighty percent of 2.9 (i.e., 2.32 MGD).
2. Wastewater Flows Exceeding 2.9 MGD but not exceeding 3.5 MGD: The other of the two sewer lines, known as the Phase II line, has been designed to accommodate an additional 600,000 gallons per day of wastewater flow. When the ninety-day average wastewater flow of the Phase I line has reached eighty percent of its 2.9 MGD-capacity (i.e., 2.32 MGD) the CCMUA may activate the Phase II line if, and only if, Winslow's K/C well-management practices are not causing exceedance of the annual cap or the monthly maximum described in paragraphs A.3 and A.4.
3. Wastewater Flows Exceeding 3.5 MGD (Wastewater Flows in Excess of Winslow's Anticipated Build-out): Winslow agrees that it will not seek to permit additional development to occur that would increase wastewater flow in excess of 3.5 MGD unless, at that time, Winslow Township is in compliance with the annual cap and the monthly maximum described in paragraphs A.3 and A.4. Winslow agrees that it shall obtain the CCMUA's approval prior to conveying additional wastewater flow in excess of 3.5 MGD.

E. Activation of Wastewater Facilities

1. The Phase II line, and any subsequent lines, shall only be activated if all of the conditions regarding their activation, set forth in Paragraph D above, of this First Amendment to the 2009 MOU regarding their activation are satisfied;
2. CCMUA shall condition all future amendments to the Camden County Wastewater Management Plan upon Winslow's continuing compliance with the terms of the 2009 MOU and this First Amendment to the 2009 MOU.

F. Plan Compliance/Remedies for Default

1. Should the CCMUA or Winslow fail for any reason to fulfill its obligations under the 2009 MOU or this First Amendment to the 2009 MOU, CCMUA shall not permit any additional sewer connections within the Sicklerville section of Winslow.
2. The Pinelands Commission may, by way of illustration and in no way limiting the remedies available to it at law or equity:
 - a. Seek specific performance of the defaulting party's obligations in any appropriate proceeding in law or equity in any Court or administrative tribunal having jurisdiction; and

- b. Comment negatively on all future Water Allocation Permit applications; Wastewater Management Plan amendments; and, Water Quality Management Plan amendments concerning the Winslow Township, until such time as CCMUA and/or Winslow shall resume compliance with the terms of the 2009 MOU or this First Amendment to the 2009 MOU
 - c. Call-up for review any development approval in portion of Winslow Township located within the Pinelands Area that will connect to the wastewater collection system or to the water supply distribution system.
 - d. Request the Department of Environmental Protection to issue a moratorium on new sewer or water supply connections for any new development in Winslow Township, until such time as CCMUA and/or Winslow shall resume compliance with the terms of the 2009 MOU or this First Amendment to the 2009 MOU.
3. In the event CCMUA or the Pinelands Commission intends to take any action to remedy a default, such party shall provide all parties to this First Amendment to the 2009 MOU, ten (10) calendar days written notice of its intent to take such action and a detailed plan, including milestones, of how such breach will be remedied.
 4. The forbearance of any party to this First Amendment of the 2009 MOU to enforce any of its terms or to exercise their rights hereunder in the event of any breach by one of the parties for any period of time shall in no event be deemed a waiver or estoppel of the right thereafter to enforce the same or exercise a right hereunder.

G. Effective Date & Duration

1. In accordance with N.J.S.A. 13:18A-5(h), shall take effect following the conclusion of the Governor's review period or approval of the Pinelands Commission's minutes authorizing entry of this First Amendment to the 2009 MOU and then upon approval and signature by the authorized representative of all parties; the date of execution of the last signatory shall constitute the effective date of this First Amendment to the 2009 MOU and shall be written above.
2. This First Amendment to the 2009 MOU shall remain in effect unless amended by the written consent of all parties.
3. This First Amendment to the 2009 MOU may only be terminated with the consent of the Pinelands Commission. In order to obtain such consent, the party wishing to terminate shall: (1) provide ten (10) calendar days written notice and (2) confirmation that Winslow secured a non-K/C aquifer source of water for the totality of its volume being conveyed to CCMUA's WPCF through the Phase I and II sewer lines constructed as a result of the 2009 MOU.

IN WITNESS WHEREOF, the parties have caused their duly authorized representative to execute this First Amendment to the 2009 Memorandum of Understanding on and as of the day and year first written above. This Memorandum of Understanding shall be executed in at least three original copies of which one is to be delivered to the Township of Winslow; one of which

is to be delivered to the Camden County Municipal Utilities Authority; and, one of which is to be delivered to the New Jersey Pinelands Commission.

Township of Winslow

Witnessed:

By: _____

By: _____

Name: **Hon. Barry M. Wright**

Name: _____

Title: **Mayor**

Title: _____

Date: _____

Date: _____

Camden County Municipal Utilities Authority

Witnessed:

By: _____

By: _____

Name: **Michael G. Brennan**

Name: _____

Title: Chair

Title: _____

Date: _____

Date: _____

New Jersey Pinelands Commission

Witnessed:

By: _____

By: _____

Name: **Nancy Wittenberg**

Name: _____

Title: **Executive Director**

Title: _____

Date: _____

Date: _____



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-17- 51

TITLE: Setting Pinelands Commission meeting dates for 2018

Commissioner Avery moves and Commissioner Barr seconds the motion that:

WHEREAS, the Open Public Meetings Act requires that the Pinelands Commission establish an annual schedule of regular meetings prior to January 10th of each year; and

WHEREAS, the Pinelands Commission will use the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education in New Lisbon, Pemberton Township, as the regular site for its meetings; and

WHEREAS, the Pinelands Commission may need to find an alternate, temporary meeting location within the Pinelands Area for its meetings throughout the year; and

WHEREAS, any meeting that will be scheduled at a location other than the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised in accordance with the requirements of the Open Public Meetings Act; 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 shall conduct its meetings on the following dates in 2018 beginning at the specified time at the Pinelands Commission's Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, New Jersey, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

- Friday, January 12, 2018 (9:30 a.m.)
Friday, February 9, 2018 (9:30 a.m.)
Friday, March 9, 2018 (9:30 a.m.)
Friday, April 13, 2018 (9:30 a.m.)
Friday, May 11, 2018 (9:30 a.m.)
Friday, June 8, 2018 (9:30 a.m.)
Friday, July 13, 2018 (9:30 a.m.)
Friday, August 10, 2018 (9:30 a.m.)
Friday, September 14, 2018 (9:30 a.m.)
Friday, October 12, 2018 (9:30 a.m.)
Friday, November 9, 2018 (9:30 a.m.)
Friday, December 14, 2018 (9:30 a.m.)

BE IT FURTHER RESOLVED that the Executive Director is directed to publish notice of this schedule in the Commission's official newspapers, file copies of the schedule with the Secretary of State of the State of New Jersey and Pinelands county and municipal clerks, post a copy of the notice in the Commission's offices and to post the annual schedule on the Commission's web page (www.nj.gov/pinelands).

Record of Commission Votes

Table with 4 columns (AYE, NAY, NP, A/R) and 4 rows of names (Ashmun, Avery, Barr, Chila, Galletta, Jannarone, Lloyd, Lohbauer, McGlinchey, Prickett, Quinn, Rohan Green, Earlen).

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Executive Director

Date: December 12, 2017
Sean W. Earlen
Chairman