



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23- 43

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1985-0204.011)

Commissioner Lohbauer moves and Commissioner Asselta 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:

1985-0204.011

Applicant:	Greater Egg Harbor Regional High School District
Municipality:	Hamilton Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	November 17, 2023
Proposed Development:	Construction of two parking areas and concrete walkways at the Oakcrest High School.

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 1985-0204.011 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 8, 2023

Susan R. Grogan
Executive Director

Alan W. Avery Jr.
Vice Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

November 17, 2023

Thomas P. Grossi, School Business Administrator (via email)
Greater Egg Harbor Regional High School District
1824 Dr. Dennis Forman Drive
Mays Landing NJ 08330

Re: Application # 1985-0204.011
Block 1027, Lot 1.01
Hamilton Township

Dear Mr. Grossi:

The Commission staff has completed its review of this application for construction of two parking areas and concrete walkways at the Oakcrest High School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its December 8, 2023 meeting.

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

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

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

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



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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 17, 2023

Thomas P. Grossi, School Business Administrator (via email)
Greater Egg Harbor Regional High School District
1824 Dr. Dennis Forman Drive
Mays Landing NJ 08330

Application No.: 1985-0204.011
Block 1027, Lot 1.01
Hamilton Township

This application proposes construction of two parking areas and concrete walkways at the Oakcrest High School located on the above referenced 78.84 acre parcel in Hamilton Township.

This application proposes two eight-space Americans with Disabilities Act parking areas to provide public access to existing athletic fields on the parcel. The application also proposes 2,391 linear feet of concrete walkways to provide access to the athletic fields and the school. The proposed walkways range between six and eight feet in width. The application further proposes a 1,180 square foot concrete apron around an existing concession stand and a 200 square foot storage building.

STANDARDS

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

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

The proposed development is located in a Pinelands Regional Growth Area. Institutional uses, including schools and accessory facilities to schools, are a permitted land use in a Pinelands Regional Growth Area.

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

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

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

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

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

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing three stormwater retention basins and an underground stormwater infiltration system.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on March 11, 2023. Notice to required land owners within 200 feet of the above referenced parcel was completed on August 16, 2023. The application was designated as complete on the Commission's website on October 25, 2023. The Commission's public comment period closed on November 9, 2023. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 11 sheets, prepared by French & Parrello Associates, all sheets dated February 23, 2023 and last revised October 5, 2023.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



State of New Jersey

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Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

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

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23-44

TITLE: **Approving** With Conditions an Application for a **Waiver of Strict Compliance** (Application Number 1989-0139.003)

Commissioner Asselta moves and Commissioner Lohbauer seconds the motion that:

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

1989-0139.003

Applicant:	Denise Knights
Municipality:	Monroe Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	November 17, 2023
Proposed Development:	Single family dwelling.

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

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

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 if the conditions recommended by the Executive Director are imposed; and

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1989-0139.003 for a Waiver of Strict Compliance is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 8, 2023

Susan R. Grogan
Executive Director

Alan W. Avery Jr.
Vice Chair



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Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

November 17, 2023

Denise Knights (via email)
213 Fleming Pike
Hammonton NJ 08037

Re: Application # 1989-0139.003
Block 9801, Lot 30
Monroe Township

Dear Ms. Knights:

The Commission staff has completed its review of the above referenced application for a Waiver of Strict Compliance (“Waiver”) based upon an extraordinary hardship. The Waiver application proposes the development of one single family dwelling on the above referenced 45.46 acre parcel. Based upon the facts and conclusions contained in this Report, on behalf of the Commission’s Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its December 8, 2023 meeting.

FINDINGS OF FACT

The application is for the development of one single family dwelling serviced by an on-site septic system on the above referenced 45.46 acre parcel. The parcel is located partially in a Pinelands Rural Development Area (45.27 acres) and partially in a Pinelands Regional Growth Area (0.19 acres). The Pinelands Rural Development Area portion of the parcel is located in Monroe Township’s Rural Development - Agricultural (RD-A) zoning district. The Pinelands Regional Growth Area portion of the parcel is located in Monroe Township’s Regional Growth - Moderate Residential (RG-MR) zoning district. The proposed single family dwelling will be located within the Pinelands Rural Development Area and the Township’s RD-A zoning district portion of the parcel. In the RD-A zoning district, the Commission certified (approved) Monroe Township land use ordinance establishes a minimum lot size of 8 acres to develop a single family dwelling.

An application for a Waiver based upon extraordinary hardship for the development of one single family dwelling on Block 9801, Lot 30 was approved by the Pinelands Commission on November 3, 2017 (App. No. 1989-0139.003). A development application for the proposed dwelling was subsequently completed with the Commission and a Certificate of Filing, denoting completion of that development application, was issued on January 18, 2018.

The Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-4.70(c)) provides that any Waiver based upon an extraordinary hardship (N.J.A.C. 7:50-4.63) shall expire five years after the Waiver is approved by the Commission unless all necessary construction permits have been issued and other CMP specified requirements are met. Based on the submitted information, all necessary construction permits were not received for the proposed development and the Waiver approval expired on November 3, 2022.

The parcel has been inspected by a member of the Commission staff. The appropriate resource capability maps and other information available to the Commission staff have been reviewed.

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

The CMP (N.J.A.C. 7:50-4.65(b)6) requires that for an applicant to qualify for a Waiver to develop a single family dwelling in a Pinelands Rural Development Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on or within 50 feet of wetlands. The applicant has demonstrated that no development, including clearing and land disturbance, will be located on or within 170 feet of wetlands.

Information available to the Commission staff indicates the potential presence of threatened and endangered (T&E) animal species or habitat critical to their survival and populations of T&E plant species on and in the vicinity of the parcel. The applicant proposes to locate all development on the 45.46 acre parcel within a proposed 0.46 acre development envelope fronting on an existing road. The applicant proposes to impose a deed restriction on the remaining 45 acres of the parcel to prohibit any further development, including clearing or land disturbance, unless a T&E species survey is undertaken demonstrating consistency with the T&E animal and plant species protection standards of the Monroe Township land use ordinance and the CMP. With the conditions recommended below, the applicant has demonstrated that the proposed development is designed to avoid irreversible adverse impacts on habitat that is critical to the survival of any local population of T&E animal species or to any local population of T&E plant species in accordance with N.J.A.C. 7:50-6.27 and 6.33. The requisite T&E species deed restriction was filed with Gloucester County on December 19, 2017 in response to the now expired November 3, 2017 Waiver approval for this parcel.

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

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

PUBLIC COMMENT

The applicant has provided the requisite public notices. Public notice to all property owners within 200 feet of the parcel was completed on September 8, 2023. Newspaper public notice was completed on September 25, 2023. The application was designated as complete on the Commission's website on October 30, 2023. The Commission's public comment period closed on November 9, 2023. One written public comment (enclosed) was received by the Pinelands Commission on September 17, 2023 regarding this application.

Written Public Comment: By email dated September 17, 2023, the commenter expressed support of the Waiver application and that a single family dwelling is a basic right for any land or property owner that should trump environmental standards.

Commission Response: For the reasons specified in this Report, the Commission staff is recommending approval of this Waiver application for the development of a single family dwelling.

CONCLUSION

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

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

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is a single family dwelling on a parcel within a Pinelands Rural Development Area that complies with the density and lot area standards set forth in N.J.A.C. 7:50-5.26(a) and (c). This application is for a Waiver from the buffer to wetlands standard contained in N.J.A.C. 7:50-6. The proposed single family dwelling on the 45.27 acre portion of the parcel located in a Pinelands Rural Development Area meets the residential density and lot area standards established in this portion of the Rural Development Area as set forth in Monroe Township's certified land use ordinances. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1vii.

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

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

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Monroe Township's master plan and land use ordinance have been certified by the Pinelands Commission. In the Township's RD-A zoning district, Monroe Township's certified land use ordinance establishes a minimum lot size of 8 acres to develop a single family dwelling. This application proposes to develop a single family dwelling on a 45.27 acre portion of the parcel located in a Pinelands Rural Development Area. No municipal lot area or density variance is required to develop the proposed single family dwelling. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

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

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

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

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

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

The CMP (N.J.A.C. 7:50-4.62(d)1iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits (PDCs) whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. As the applicant is obtaining a Waiver from the minimum buffer to wetlands standard of N.J.A.C. 7:50-6.14, the applicant is required to acquire and redeem 0.25 PDCs. The requisite 0.25 PDC was acquired and redeemed on March 20, 2019 for the now expired November 3, 2017 Waiver approval for this parcel.

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

1. Except as modified by the below conditions, the proposed development shall adhere to the plot plan prepared by Datz Engineering & Land Surveying, dated April 26, 2015 and last revised April 22, 2017.
2. The septic system shall be located in an area where the seasonal high water table is at least 5 feet below the natural ground surface and in the area shown on the above referenced plan.
3. Appropriate measures shall be taken prior to construction to preclude sedimentation from entering wetlands.
4. The driveway shall be constructed of crushed stone or other permeable material.
5. The septic system shall be located at least 270 feet from all wetlands. All other development, including clearing and land disturbance, shall be located at least 170 feet from all wetlands. No development, including clearing and land disturbance, shall occur except as shown on the above referenced plan.
6. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.
7. Amendments to the Commission's stormwater regulations, effective January 18, 2022, require that the single family dwelling proposed in this Waiver application demonstrates consistency with stormwater management standards. Prior to Commission issuance of a letter advising that any municipal or county approvals or permits can take effect, a stormwater management plan and calculations, prepared by an appropriately licensed professional, must be submitted to the Commission which include Items 1-6 of the enclosed Minor Residential Stormwater Checklist demonstrating that the proposed single family dwelling meets the stormwater management standards of the Monroe Township land use ordinance and the CMP (N.J.A.C. 7:50-6.84(a)6).
8. This Waiver shall expire December 8, 2028 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after December 8, 2028, or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
9. Prior to Commission issuance of a letter advising that any county or municipal permit or approval may take effect, a copy of a recorded deed containing all of the above conditions of this November 17, 2023 Report on an Application for a Waiver of Strict Compliance shall be submitted to the Pinelands Commission. The deed shall specify that the conditions imposed by the November 17, 2023 Report on an Application for a Waiver of Strict Compliance supersede the conditions imposed by the Waiver of Strict Compliance approved by the Pinelands Commission on November 3, 2017. The deed shall also specify that the conditions are being imposed pursuant to a Waiver of Strict Compliance referring to the application number. The deed shall state that the conditions are enforceable by the Pinelands Commission, Monroe Township, the Gloucester County Health Department, and any other party of interest.

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

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

APPEAL

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

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

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

Recommended for Approval by: _____



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

enc: September 17, 2023 Public Comment
[Minor Residential Stormwater Checklist](#)
 (Above checklist may be found at [nj.gov/pinelands/appli/tools/.](http://nj.gov/pinelands/appli/tools/))

c: Secretary, Monroe Township Planning Board (via email)
 Monroe Township Construction Code Official (via email)
 Monroe Township Environmental Commission (via email)
 Secretary, Gloucester County Planning Board (via email)
 Gloucester County Health Department (via email)
 Robert J. Smith, Esq. (via email)
 Andrey Letushko (via email)

From: Andrey Therealtor (letcoldwell@yahoo.com)
Received: 9/17/2023 8:03:12 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Pinelands Application No. 1989-0139.003
Attachments: None

Hello,

In regards to the above application please note the file that I am in full support of the Waiver requested and Wetland protection standards Waiver of Strict Compliance should be granted to the applicant.

A place to dwell or a Single Family Dwelling is a basic right for any land or property owner and should trump any environmental standards.

Thank you for your review.

Andrey Letushko
Coldwell Banker Excel Realty

1100 East Landis Avenue,
Vineland NJ 08360
856-696-1111, Office
609-364-1643, Cell

Invest in Real Estate and take ownership of your future!



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23- 45

TITLE: Scheduling Regular Pinelands Commission Meeting Dates for 2024

Commissioner Pikolycky moves and Commissioner Lohbauer 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, any meeting to be held 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, the public can attend all regular Commission meetings in person or livestream the meetings through the Commission’s YouTube channel. Public comment can be provided in person or by dialing the phone number and entering the code displayed on the meeting agenda and the YouTube screen during each meeting. An agenda will be posted on the Commission’s website at www.nj.gov/pinelands/ in advance of each meeting; 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 2024, beginning at the specified time, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

Friday, January 12, 2024 (9:30 a.m.)
Friday, February 9, 2024 (9:30 a.m.)
Friday, March 8, 2024 (9:30 a.m.)
Friday, April 12, 2024 (9:30 a.m.)
Friday, May 10, 2024 (9:30 a.m.)
Friday, June 14, 2024 (9:30 a.m.)

Friday, July 12, 2024 (9:30 a.m.)
Friday, August 9, 2024 (9:30 a.m.)
Friday, September 13, 2024 (9:30 a.m.)
Friday, October 11, 2024 (9:30 a.m.)
Friday, November 8, 2024 (9:30 a.m.)
Friday, December 13, 2024 (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 post the annual schedule on the Commission's website (www.nj.gov/pinelands).

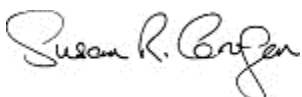
Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 8, 2023



Susan R. Grogan
Executive Director



Alan W. Avery Jr.
Vice Chair