



## New Jersey Pinelands Commission **PRESS RELEASE**

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### **Commission Approves Heritage Minerals Settlement** *Agreement will protect nearly 6,500 acres*

Southampton, NJ – At its monthly meeting today, the Pinelands Commission authorized its Executive Director, John Stokes, to sign a three-party settlement agreement to resolve a federal lawsuit over development of nearly 7,200 acres in Ocean County. The other parties to the agreement are the developer, Hovsons, Inc., Homeland Corporation, and the New Jersey Department of Environmental Protection (DEP).

“This is an important step in bringing a long-running legal dispute to a reasonable conclusion,” said Stokes. “Given the complex nature of this litigation, this settlement agreement, although not perfect in every respect, provides the framework for some very positive outcomes.”

A lawsuit was filed by Hovsons in the US District Court of New Jersey in 2000 following the developer’s unsuccessful attempts over an 11-year period to develop the 7,175-acre Heritage Minerals property located in Manchester Township, Berkeley Township and Lakehurst Borough.

Under the development agreement, the entire 3,088-acre Pinelands Area portion of the property will be permanently protected. Some 3,025 acres in the Pinelands National Reserve, the area where development activities are regulated by the DEP under the Coastal Area Facility Review Act (CAFRA), will also be preserved. In addition, the developer has agreed to preserve 362 off-site Pinelands Area acres, comprising the last remaining unprotected parcel in the ecologically critical Berkeley Triangle in Berkeley Township.

The conceptual development plan allows clustered development of up to 2,450 housing units on 995 acres, which are part of a previously disturbed mining area. Commercial space and community recreational facilities may also be constructed, but may not include a golf course. Buffer Areas within the development area, including lakeside buffers, will also be permanently protected. The plan sets additional conditions regarding wastewater and stormwater management, impervious coverage and remediation of the mining site which contains elevated levels of naturally occurring radionuclides.

In addition, Special habitat enhancement and conservation measures are required to protect three threatened and endangered species: Grasshopper Sparrow; Sickle-leaved Golden Aster; and Northern Pine Snake. This includes the construction of wildlife passage culverts beneath roadways.

As a result of comments received at a public hearing in December 2003, the terms of the settlement require that market rate housing units shall be age-restricted to minimize the impact on local schools. In addition, the development is subject to municipal approval, and detailed plans will be reviewed to ensure consistency with CAFRA and Pinelands development and environmental standards.

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