



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

## State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Sean W. Earlen  
Chairman

Nancy Wittenberg  
Executive Director

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

## MEMORANDUM

To: CMP Policy & Implementation Committee

From: Susan R. Grogan   
Chief Planner

Date: April 19, 2017

Subject: April 28, 2017 Committee meeting

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Enclosed please find the agenda for the Committee's upcoming meeting on April 28, 2017. We have also enclosed the following items:

- \* The minutes from the Committee's March 24, 2017 meeting; and
- \* A draft resolution and report on Barnegat Township Ordinance 2017-05

/CS15

cc: All Commissioners (agenda only)



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### **CMP POLICY & IMPLEMENTATION COMMITTEE MEETING**

Richard J. Sullivan Center  
Terrence D. Moore Room  
15 C Springfield Road  
New Lisbon, New Jersey

April 28, 2017

9:30 a.m.

#### **Agenda**

1. Call to Order
2. Pledge Allegiance to the Flag
3. Adoption of minutes from the March 24, 2017 CMP Policy & Implementation Committee meeting
4. **Executive Director's Reports**  
  
Barnegat Township Ordinance 2017-05, adopting the Shoreline Sand & Gravel and Compass Point Redevelopment Plan
5. Presentation on a research proposal
6. Review of local communications facilities regulations and approved comprehensive plans for the Pinelands Area
7. Public Comment on Agenda Items

## **CMP POLICY & IMPLEMENTATION COMMITTEE MEETING**

Richard J. Sullivan Center  
Terrence D. Moore Room  
15 C Springfield Road  
New Lisbon, New Jersey  
March 24, 2017 - 9:30 a.m.

### **MINUTES**

**MEMBERS IN ATTENDANCE:** Sean Earlen (Chairman), Paul E. Galletta, Ed McGlinchey, and Richard Prickett

**MEMBERS PARTICIPATING BY CONFERENCE CALL:** Candace Ashmun, Robert Barr and Ed Lloyd

**OTHER COMMISSIONER PRESENT:** Mark Lohbauer (*As a non-member of this Committee, Commissioner Lohbauer did not vote on any matter today.*)

**STAFF PRESENT:** Executive Director Nancy Wittenberg, Stacey P. Roth, Larry L. Liggett, Susan R. Grogan, Brad Lanute, Robyn A. Jeney, Paul D. Leakan and Betsy Piner. Also present (by telephone) was Lisa LeBoeuf with the Governor's Authorities Unit

#### **1. Call to Order**

Chairman Earlen called the meeting of the Comprehensive Management Plan (CMP) Policy and Implementation (P&I) Committee to order at 9:32 a.m.

#### **2. Pledge Allegiance to the Flag**

All present pledged allegiance to the Flag and remained standing for a moment of silence in memory of Commissioner Frank Hays, Department of Interior designee, who passed away on March 3, 2017.

Noting the presence of eight Commissioners, Ms. Roth read the Open Public Meetings Act statement and reminded all present that the Committee is an advisory board to the full Commission and no formal action would be taken by the Committee today.

#### **3. Adoption of minutes from the October 25, 2016 CMP Policy & Implementation Committee meeting**

Commissioner Prickett moved the adoption of the October 25, 2016 meeting minutes. Commissioner Barr seconded the motion. The minutes were adopted with all Committee members present voting in the affirmative.

#### **4. Executive Director's Reports**

**Egg Harbor City Ordinance 2-2017, amending Chapter 170 (Land Use and Development) of the City's Code by adopting revised standards for signs, including changeable copy and electronic message center signs**

Mr. Lanute said Egg Harbor City Ordinance 2-2017 regulates on-site, changeable copy and electronic message center (EMC) signs in three zoning districts, all of which are in the Pinelands Town (PT) management area. The ordinance contains provisions controlling illumination levels, message transition and message duration. Electronic billboards are not allowed. He said this is similar to ordinances certified by the Commission for Egg Harbor, Buena Vista and Monroe townships.

Mr. Lanute projected a map on the SmartBoard indicating where these signs are permitted (*Attached to these minutes*).

In response to Chairman Earlen's question as to how this ordinance is different from those certified for the other municipalities, Ms. Grogan said that it is a matter of the management areas in which these EMC signs are permitted. For Egg Harbor City it is PT; for Egg Harbor Township it is the Regional Growth Area (RGA); for Buena Vista Township it is PT and Pinelands Village.

In response to Commissioner Galletta's questions, Mr. Lanute said these are Light Emitting Diode (LED) lights. No public comments were received

Commissioner Prickett moved the recommendation to the Commission for the certification of Egg Harbor City Ordinance 2-2017. Commissioner McGlinchey seconded the motion and all voted in favor.

**Waterford Township's 2015 Housing Element and Fair Share Plan and Ordinances 2015-17, 2016-25, 2017-6 and 2017-7, amending Chapter 176 (Land Use, Development and Zoning) and adopting a revised Redevelopment Plan for the Haines Boulevard Redevelopment Area**

Ms. Grogan said Waterford Township has submitted a number of ordinances along with a revised Redevelopment Plan for the Haines Boulevard Redevelopment Area. She reminded the Committee that some years ago the Township had adopted a different iteration of this Plan in that it permitted only nonresidential development. She said Waterford had had little success in attracting a redeveloper for that earlier version of the Plan. She said currently the parcel contains some scattered development as well as the large parking lot that had been built in conjunction with the multiplex movie theater that has since been razed. The current Redevelopment Plan encourages mixed use development and provides an opportunity for the municipality to meet its affordable housing obligation. From a series of maps (*Attachments to the meeting packet or available from the Commission's April 7, 2017 meeting packet at <http://www.nj.gov/pinelands/home/meetings/documents/040717%20Meeting%20Packet.pdf>*), Ms. Grogan described the various development areas and highlighted various portions, including the Atco train station where higher density residential development would be

encouraged and the area along the White Horse Pike where commercial development would be appropriate. She said the Township's vision is for 800 residential units, including some 240 affordable units, which is enough to meet its affordable housing obligation. Staff believes with no wetlands, wetland buffers or threatened and endangered species issues on the site, this level of development is appropriate. The Township is requiring PDCs for 30% of the market rate units.

Ms. Grogan said there is a concern with water supply as Waterford is held to a strict agreement regarding water withdrawal from the Kirkwood-Cohansey aquifer. She said when the allocation reaches a level equivalent to 70% of maximum development, the Township must obtain an alternative water supply before additional development may proceed. She said Waterford is working on securing such an alternate source and will be tracking and reporting development and associated water use to the Commission.

Mr. Liggett said the New Jersey American Water company has supply lines nearby but he was not sure if they were adequate to serve this project.

Ms. Grogan said the redevelopment area consists of multiple lots and 19 different landowners. This is unusual in that most redevelopment plans involve either municipally owned property or a single landowner. She said the concept plan included in the Plan represents Waterford's vision for the area and is not a site plan. She said the property owners themselves may have different ideas.

In response to questions from Commissioner Prickett, Ms. Grogan said the Commission is being asked to approve a zoning plan, not the concept plan. In the future, it can be amended. The Township has been in direct communication with the landowners and will be issuing a Request for Proposals shortly seeking redevelopers.

In response to questions from Commissioner Lohbauer, Ms. Grogan said the area is sewered and the access to the train station serving the line from Atlantic City to Philadelphia renders this an appropriate site for a transit village. She said some years ago the Commission had approved an alternative permitting process for the area following intense Commission staff site inspection. This process enables an applicant to go directly to the local zoning officer to secure permits, and not to the Commission. She said when the Commission had reviewed the previous Redevelopment Plan, it had received the same comments regarding habitat as received currently but with the presence of roads and surrounding development, this is not an area where habitat is a concern. She said staff believes this is an appropriate area for an alternative permitting process and Waterford hopes to use that as a marketing technique to attract developers who might appreciate not having to go to the Commission for Certificates of Filing.

Ms. Grogan said, additionally, Waterford is rezoning two lots of about 20 acres total from the Highway Business Zone to the R4 Zone, a higher density residential zone so this will increase residential development potential in the RGA. She said the 30% PDC obligation will apply throughout the RGA. She said staff was happy to recommend approval of these documents.

Commissioner McGlinchey moved the recommendation to the Commission for the certification of Waterford Township's 2015 Housing Element and Fair Share Plan and Ordinances 2015-17, 2016-25, 2017-6 and 2017-7. Commissioner Galletta seconded the motion and all voted in favor.

## **5. Discussion of off-road vehicle activities at Wharton State Forest**

Ms. Wittenberg provided the Committee with an update on the Commission's activities regarding off-road vehicle (ORV) damage in Wharton State Forest. She said Ms. Jeney has submitted a dataset of disturbed sites to the New Jersey Department of Environmental Protection (NJDEP), which is using the data in a variety of ways to assist park police such as defining appropriate Enduro routes. She said the draft resolution prepared by Commissioner Lloyd (*included in the meeting packet*) references a 1997 United States Geological Survey (USGS) map. However, she said, it appears that there is no such single map encompassing the entirety of Wharton State Forest. Staff has assembled several USGS quad maps from various years, including 1997, to create a single map of Wharton and she identified it on both a PowerPoint presentation and on the easel. Ms. Wittenberg introduced Ms. Terry Schmidt, Senior Management Assistant for the NJ State Parks Service.

Ms. Schmidt provided a handout to Committee members (*Pinelands Pond Protection-Part 1; Attached to these minutes*) and discussed the collaborative effort with a variety of stakeholders to identify sensitive sites and construct wooden barriers to protect four intermittent ponds that had been targets of ORV damage. She credited Ryan Rebozo, Ph.D., with the Pinelands Preservation Alliance (PPA), with proposing the involvement of volunteers with the project. She said Trenton took care of the paperwork that allowed Park staff to work with the volunteers on this construction project. All four barriers were constructed on a single day, February 25, 2017. She said the barriers are designed to create minimal disturbance to the sites and have 3' breaks to allow foot traffic but discourage ATVs from entering these sensitive areas. She said Mr. John Bunnell and NJDEP staff will be monitoring the natural revegetation. She thanked Mr. Charles Horner, Director, Regulatory Programs, for reducing the "red tape" necessary to implement the project. She said following the construction of the barriers, she had met with the DEP Assistant Commissioner and Park Superintendent in the field to review the protection activity. The Division of Parks and Forestry will manage these barriers but there are many other ponds that need to be protected and they will be addressed during future winters. She said there needed to be a compromise among the various park users and she hoped that these barriers will serve that purpose.

In response to Commissioner Galletta's question about the 3' openings, Ms. Schmidt said staff has a measuring bar that serves to gauge the opening so as to preclude ATV access. She said she wasn't particularly concerned about motorcycles as they tend not to move in the mud like the ATVs and oversized vehicles.

Commissioner Prickett said by delineating these areas with fencing, it will be obvious to any intruder that he has trespassed.

Ms. Schmidt said the Park Service is in the midst of a large communications blitz and some want to see more signs. She said she didn't want more signs but perhaps an information kiosk that explains why the pond needs protection and why it is important to the ecosystem; users of the forest need to know these things. She said she was happy with the collaborative effort and that the more people who are involved, the more they will feel they have ownership of protecting the forest.

In response to a question from Chairman Earlen, Ms. Schmidt said the barrier construction is permitted from November 1 through March 1 when everything is dormant but she was considering asking that the higher risk areas be addressed sooner than next season.

In response to a question from Commissioner McGlinchey, Ms. Schmidt said that not every pond receives the same attention and not every pond is accessible. She said that the park Superintendent, the Division of Fish and Wildlife and the scientists will make a decision as to which ponds need the barriers; it is a moving target.

Commissioner Lohbauer thanked Ms. Schmidt for putting this program together. He said the Commission had received a lot of heat but not a lot of light on this issue. He said he thought this was an elegant solution and a wonderful start. He said it was nice to see the volunteer collaborative.

Ms. Wittenberg said there are some 3,000 natural and excavated ponds in Wharton and the data regarding off-road vehicle damage will help prioritize the ponds to be protected. She said staff reports to NJDEP for matters needing investigation and coordinates enduro routes with Wharton staff so there have been a number of things put in place to help protect the forest.

Referencing the 1997 map, commissioner Prickett said he didn't think USGS prepares all the maps all the time.

Mr. Liggett said in the 1990's, USGS switched from hand drawn to electronic maps. These later maps are less detailed. He said it is likely that the last hand drawn maps of this area were done in 1997.

Commissioner Lohbauer asked if the Commission should lobby for a map from the 1980's.

Commissioner McGlinchey said that he used the hand drawn maps. He said the various interest groups all seem to agree with using the maps presented today.

Commissioner Earlen asked how the public would see the map as it needs to be in a portable form, not the large format presented today.

Commissioner McGlinchey said many enduro riders, hunters and others take the maps with them into the forest. He said the NJDEP should be the lead agency on any protection measure; the Commission can offer scientific resources.

Commissioner Lloyd said when he drafted the first resolution, based on a 2014 map, the public objected and said to use the 1997 era maps as the best and most appropriate. The purpose of the resolution is to identify where vehicular traffic is allowed.

A lengthy discussion ensued regarding the draft resolution, the Commission's authority, consulting with NJDEP regarding a map, distinguishing between a road and a trail and how to move forward.

Chairman Earlen said he wanted to make the process as efficient as possible.

Commissioner McGlinchey suggested a subcommittee could handle this issue. Commissioners Prickett and Lohbauer offered to participate and Chairman Earlen said it should be opened up to all Commission members before a decision is made.

#### **6. Pinelands Conservation Fund-Discussion of recommendations for a new round of land acquisition**

Ms. Jeney made a presentation on the Pinelands Conservation Fund (PCF) land acquisition program (*Attachment to these minutes and posted on the Commission's web site at [http://www.nj.gov/pinelands/home/presentations/032417%20p&i\\_presentation%20PCF.pdf](http://www.nj.gov/pinelands/home/presentations/032417%20p&i_presentation%20PCF.pdf)*.)

She reviewed the history of the program, including funding sources, acres preserved and the interest in soliciting for another round of projects using \$500,000 from the FY-2017 budget. She provided a proposed schedule and discussed how projects are prioritized, noting that this new round would have a focus on areas impacted by illegal off-road vehicle use.

Commissioner Ashmun moved to accept the staff recommendation to establish a new round of acquisition using \$500,000 from the Pinelands Conservation Fund. Commissioner Barr seconded the motion and all voted in favor.

Ms. Roth announced that the State Ethics Commission will be distributing financial disclosure statements within the next day or so and that they are due on May 15, 2017.

*(Commissioner Barr announced that he was disconnecting from the Conference Call.)*

#### **7. Public Comment on Agenda Items**

Ms. Lee Yeash, a resident of Lumberton Township, said that as an avid hiker she felt rules were needed in the State forests to control Off-Road Vehicles and that the Commission should do something NOW. She said that the map prepared by Rob Auermuller (*former Superintendent, Wharton State Forest*) should be used.

Mr. John Druding, with Open Trails New Jersey, said he appreciated today's discussion. He said his group supported the activities described by Ms. Schmidt and supported the use of the 1997 maps. He said his primary concerns were the resources for maintenance of the recently installed protective barriers.



Dr. Emile DeVito, with the New Jersey Conservation Foundation, referencing the discussion of Wharton Forest said that designating sensitive areas by designating roads is the only way the forest can be protected.

*(Commissioner Galletta left the meeting at 11:31 a.m.)*

Ms. Arlene Griscom said she was unsure of the term “stakeholder” and hoped that she was considered a stakeholder. She said no more destruction should be allowed and that the Commission was trying to placate everyone. She said the focus should be on protecting the ecosystem.

Mr. Jason Howell, with the Pinelands Preservation Alliance, said he was glad to see the process moving forward. Referencing Ms. Griscom’s comments, he said members of the public are indeed stakeholders and he asked that the Commission not forget them. He offered to help if the Commission has questions about the topographic maps. Referencing the presentation on land acquisition, he said he knows of a blueberry farmer in the middle of Wharton who tries to block access from trespassing vehicles but, due to the location, there are just too many access points. He said he was encouraged to hear that the Commission wants to control this damaging use.

Mr. George Griscom, a resident of Mount Laurel Township, said the Commission’s job is to post a map that law enforcement can use. He said people will go wherever they want but law enforcement needs a map.

Dr. DeVito said that NJCF wanted to acquire a heavily damaged property and was pleased to see that the PCF was giving priority to such lands.

Commissioner Prickett shared some newspaper articles from some 30 years ago regarding dumping in the Pinelands and asked if the Commission no longer has an enforcement unit due to reduced staff.

Ms. Grogan explained that the Commission has never had enforcement authority but previously did have staff members in an Intergovernmental Coordination and Enforcement Office who worked on violations.

Commissioner McGlinchey, a Board member of the Pinelands Development Credit (PDC) Bank, said the Commission has been struggling to enhance the PDC program but has met much resistance. He said at the last Board meeting, there was a constructive discussion and an interest in finding a funding mechanism for the PDC Bank. He said there is money available from the old PDC Special Purchase Program and he asked if perhaps those funds plus some Pinelands Conservation Funds could be used to purchase PDCs and get something started as far as making the Bank more active. He said he felt it would be useful for the Commission to consider a funding mechanism for the Bank and that nothing will happen until the Commission is pro-active on behalf of the Bank.

In response to Ms. Wittenberg's question as to how much money he was seeking for the Bank, he responded, \$1 million.

Ms. Grogan said that would be enough to purchase some of the 1,000 rights on the market today. She said it was an intriguing idea. She said the funds remaining from the old PDC Purchase Program are tied up in an agreement with the Department of Agriculture but, with legislative and regulatory changes, and the release of those funds, the Bank become more active. She said the Bank is currently a processing agency and is not an active player in the market.

Commissioner McGlinchey said he thought supporting the Bank would be a good use of PCF moneys. Also, he said, if the Bank is going to get help from the New Jersey Builders Association (NJBA), it needs to show it can be active.

In response to Commissioner Ashmun's statement that she'd like to speak with Commissioner McGlinchey and share some of the philosophy of PDCs expressed years ago by Commissioner Bud Chavooshian, Commissioner McGlinchey said he would appreciate hearing that history.

Commissioner Prickett praised the staff on the success of the 28<sup>th</sup> Annual Pinelands Short Course that had been conducted at Stockton University on March 11, 2017.

Mr. Leakan said the Commission is going to sponsor the first Summer Short Course on July 27, 2017 in Hammonton. The program is still under development but staff wanted to take advantage of the weather and the season. He said some suggested programs were a walking history tour of Hammonton, an outing at Batsto for a science experience or a blueberry farm tour.

There being no other items of interest, the meeting adjourned at 11:55 a.m. (moved by Commissioner McGlinchey and seconded by Commissioner Prickett.)

Certified as true and correct:



Betsy Piner,  
Principal Planning Assistant

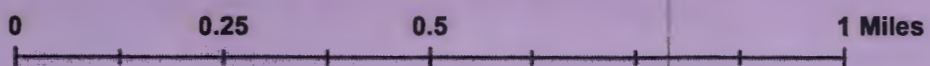
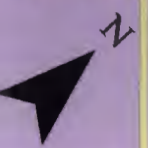
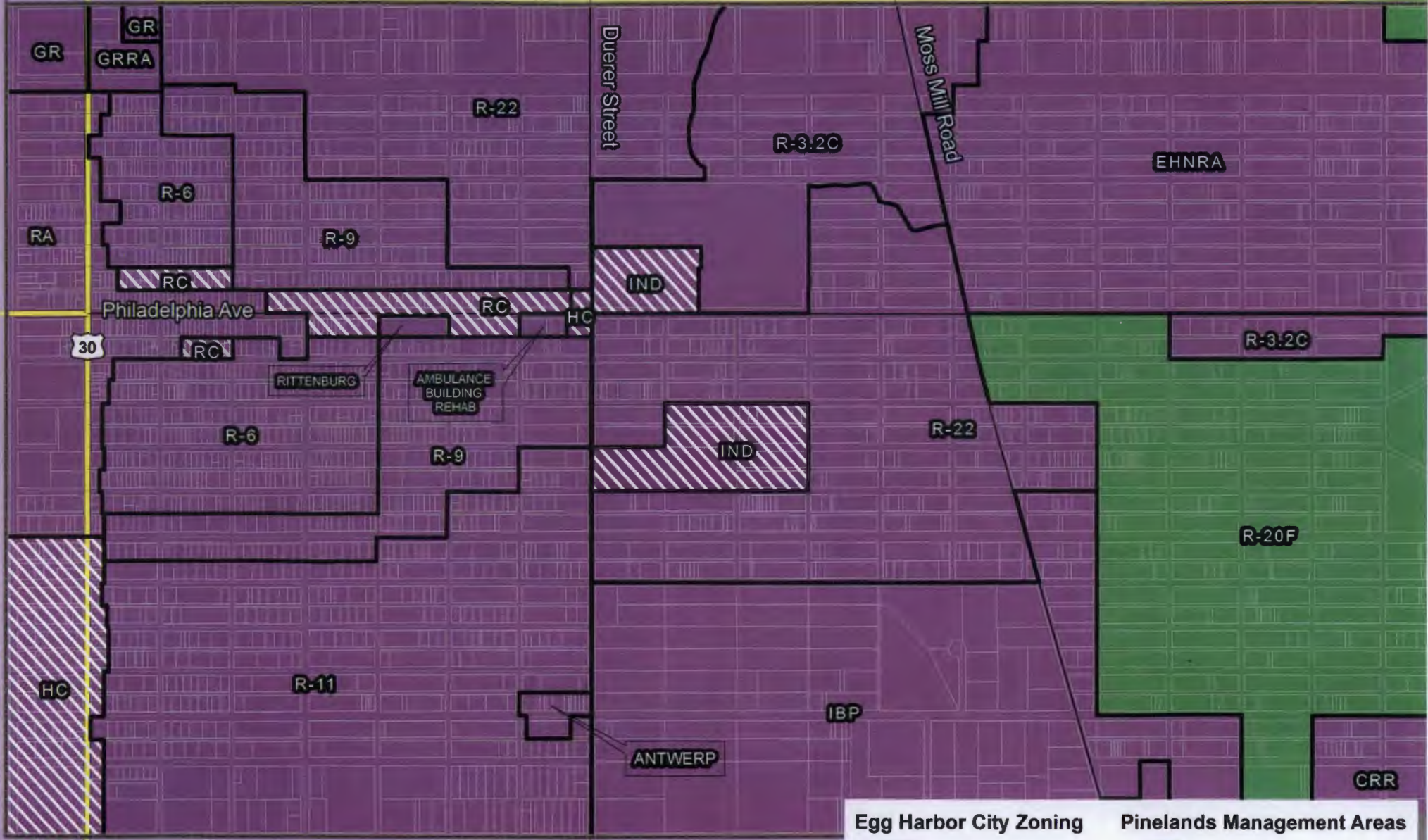
Date: April 12, 2017

# Egg Harbor City

## Zones to Permit EMC Signs

CMP P&I Committee  
 March 24, 2017  
 Attachment A

Executive Director's Report  
 Egg Harbor City  
 Ordinance 2-2017  
 March 24, 2017  
 Exhibit 1



Egg Harbor City Zoning		Pinelands Management Areas	
	Zoning Districts		Forest Area
	Zones to Permit EMC Signs		Pinelands Town

## **Pinelands Pond Protection – Part 1**

### **Objective –**

- Develop a model that provides protection to intermittent/vernal ponds within the pinelands affected by illegal ORV use.
- Utilize in-house agencies and stakeholder volunteers to reduce cost.
- Streamline permitting process.
- Enhance our working relationship between NJDEP and NJ Pinelands Commission Office.

**Project Participants** - State Park Service – State Forestry Service- NJ Forest Fire Service – Office Natural Lands Management – Fish & Wildlife – Stakeholder Volunteers – NJ Pinelands Commission

### **Action –**

- Sept. 2016 –Initial idea proposed to DEP/NHR agencies. Discussion of challenges, limitations, & positive actions needed to achieve goals.
- Nov. 2016 – 2<sup>nd</sup> meeting with additional staff input. Explore feasibility of project.
- Dec. 1 – LMR application for NHR review
- Dec. 2016 – Mtgs with ONLM ecologists & PC Science staff. Joint plan of study and goals.
- Dec. 21 – LMR approval complete & Pinelands Comm. exemption for project received.
- Dec. 2016 – Feb. 2017 – Site visits for documentation of sites, GPS, map development, photographs, data collection.
- Feb. 2017 – Project implementation

### **Project Summary –**

#### **WHO**

- Coordinator: Terry Schmidt, SPS Trenton
- Staff: Willy Davis & Dan Speakman, Wharton SF. Vern Stover, NJ Forest Fire Service
- Volunteers: 15 stakeholder individuals representing 9 organizations

**WHAT** - Install barriers at the entrance to ponds in a manner that will provide protection to the resource and continue to allow the roads to remain open for travel. Five ponds with six access points were chosen for this sample.

**WHERE** – Wharton State Forest

## **WHEN** – Saturday Feb. 25, 2017

The project required the installation of 42 posts and 20 rails to provide protection at 4 ponds within Wharton SF. On the first day, at 8:30 AM, 7 volunteers joined 4 DEP staff to begin installation at two large ponds on the east side of Rt. 206 in Hammonton. I chose volunteers with construction experience, hoping to start on a strong note. Unbelievably we were able to finish within 2 hours. It was the decision of these volunteers to continue forward and finish the project on that day. We moved to the west side of Rt. 206 into Waterford Twp. and completed the remaining ponds by 3:00 PM. Overall the project utilized 44 posts and 17 rails. It was a genuinely enjoyable day and everyone worked well together. We contacted the 8 volunteers who were scheduled for Sunday. Despite not being able to utilize their skills, they did commit to future projects. Although we made use of materials on site at Wharton SF, the estimated cost of this protection project was \$3,600.

## **PLAN MOVING FORWARD:**

**A.** Meet with Asst. Comm. Office, Executive Staff of SPS, Superintendents of Bass River, BTB & Wharton State Forests to discuss a plan outline consisting of:

- During the coming season, ponds/areas that exhibit damage from illegal ORV will be identified and documented by GPS coordinate and sent to Trenton Office where we will maintain a list of ponds per park.
- In mid-September, the Trenton office will submit (through our pre-approved LMR for this project), a LMR for each forest listing the ponds/areas exhibiting damage.
- Expected return of permits by our agencies by mid-October for work to be done during the time frame of November 1 – March 1 as determined by our agency.
- Work to install barriers will be completed by park staff and volunteer stakeholders during our slower time of the season. Trenton office will maintain a “Before” and “After” record of work done by groups. We will also maintain in the data base, key elements of each pond. These will be available to anyone who may conduct future scientific studies in the ponds and shared with both DEP and Pinelands Commission as a tool for monitoring and status updates.
- At the agreement of both agencies the damaged areas will be left to regenerate on their own with studies conducted to monitor the status of the regrowth in several areas conducted by DEP. All data to be shared with both DEP and Pinelands Commission.
- This continues to remain a work in progress.

PINELANDS POND PROTECTION PROJECT - Feb. 25, 2017

Albertson 1 before



Albertson 1 after



Albertson 2 before



Albertson 2 after



Soupbowl before



Soupbowl after



Swamp Pond North before



Swamp Pond North after



Swamp Pond South before



Swamp Pond South after









### PCF Land Acquisition Program

Funding sources:

- **2004 MOA** with NJ Board of Public Utilities for electric transmission line improvements in PAD and FA
- **2006 CMP Amendment** to authorize Cape May Landfill expansion
- **2008 MOA** to authorize Garden State Parkway widening

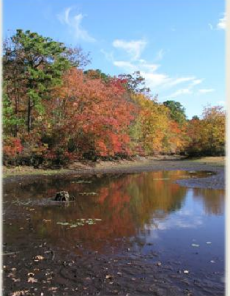
Above: Concretely transmission line through forest area  
Below: Trail on 699 acre Cologne Avenue property  
Photos by Paul Leakan, NJPC

### PCF Land Acquisition Totals, to date

Round	Acreage	Grants Paid	# Projects
1 (2007)	2,426.48	\$2,845,612.00	8
2 (2008)	334.82	\$471,868.00	6
3 (2009)	167.70	\$368,775.00	3
4 (2010A)	290.22	\$350,458.20	5
5 (2010B)	3,437.77	\$3,896,398.20	5
6 (2012)	745.23	\$424,889.44	3
<b>Cape May County</b>	<b>270.47</b>	<b>\$200,000.00</b>	<b>2</b>
<b>GSP</b>	<b>30.17</b>	<b>\$146,958.16</b>	<b>2</b>
7 (2015)	487.31	\$243,500.00	3
<b>Grand Total</b>	<b>8,190.17</b>	<b>\$8,948,459.00</b>	<b>36</b>

### Current PCF Land Acquisition Account

- **\$506,500** remaining in FY2017 budget allocation
- More land remains to be preserved!



Autumn view of the 203 acre Wollman property  
Medford & Shamong townships, Burlington County  
Photo by Paul Leakan, NJPC

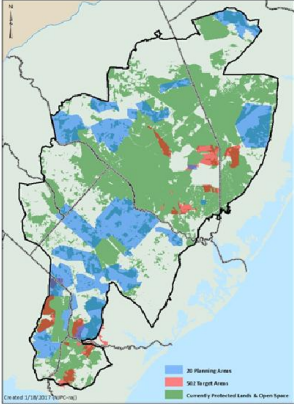
### Proposed 2017 PCF Land Acquisition Program



Fowler's toad on the 75 acre Maple Root River property  
Jackson Township, Ocean County – Photo by Paul Leakan, NJPC

- Dedicate **\$500,000** to new acquisition round
- **Priority allocation areas:**
  - Section 502 Target Areas (**±12,600 acres** remaining unpreserved)
  - 20 Planning Areas (**±118,400 acres** remaining unpreserved)
  - Ocean County Forest Area
  - Must be approved by P&I Committee
- **Contingency projects:**
  - Outside of priority allocation areas
  - Must be approved by full Commission

### Section 502 Target Areas & 20 Planning Areas




- Section 502 of 1978 National Parks and Recreation Act required identification of land acquisition target areas featuring "critical ecological values which are in immediate danger of being adversely affected or destroyed"
- Commission staff analyzed remaining vacant lands and identified **20 planning areas** as being **exceptionally sensitive to development and disturbance**
- Together, these areas form the **priority allocation areas** for the Commission's land acquisition efforts

LEGEND:  
Blue: 20 Planning Areas  
Red: 502 Target Areas  
Green: Contiguously Protected Lands & Open Spaces

### Proposed 2017 PCF Land Acquisition Program

- Allocations up to 33.3% of certified fair market value
- Use same “higher standards of readiness” to ensure feasibility
- Use same deed of conservation restriction language



*Meadowbeauty on the 2,762 acre Lantage Farms property  
Photo by Paul Leakan, NJPC*

### Proposed 2017 PCF Land Acquisition Program

**New area of focus:**


- Address illegal **off-road vehicle impacts** to environmentally significant properties
- Site may be administratively protected from development (i.e. deed restriction) but **not actively managed** for protection from other impacts
- Site must still be **privately owned** and not managed by current land owner
- Future land owner must demonstrate **how impacts will be addressed**



*Sandy pine barrens trail on the 475 acre Zemel property  
Photo by Paul Leakan, NJPC*

### Proposed 2017 PCF Land Acquisition Program


- Grant administration
  - Commission staff
- Application distribution
- Project evaluation matrix
  - Project size
  - Habitat quality
  - Project feasibility
  - **Off-road vehicle damage threat**, etc.
- Site visits
- Grant recommendations
- Follow-up and closure



*The 163 acre Jackson Land LLC property in the Toms River Corridor  
Jackson Township, Ocean County—Photo by Paul Leakan, NJPC*

### Proposed PCF Timing

- **Early April 2017:** Commission announces 2017 PCF grant availability
- **May 31 2017:** 2017 PCF grant applications due
- Staff reviews and evaluates applications
- **July 28 2017:** Staff presents projects recommended for PCF allocations to P&I Committee



*Open field on 859 acre Calhoun-Axman property  
Photo by Paul Leakan, NJPC*

### Committee Authorization?



*Mossy wetland on 412 acre Bear Swamp Headwaters property  
Photo by Paul Leakan, NJPC*

**Does the Committee authorize the initiation of this new round of PCF land acquisition grant funding?**





**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

**NO. PC4-17-\_\_\_\_\_**

**TITLE:** Issuing an Order to Certify Barnegat Township Ordinance 2017-05, Adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area

**Commissioner \_\_\_\_\_ moves and Commissioner \_\_\_\_\_ seconds the motion that:**

**WHEREAS,** on April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Barnegat Township; and

**WHEREAS,** Resolution #PC4-83-29 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and codified 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 #PC4-83-29 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 May 21, 2012, the Barnegat Township Committee adopted a resolution designating the Shoreline Sand and Gravel Area to be an Area in Need of Redevelopment as defined in the Local Redevelopment and Housing Law; and

**WHEREAS,** on March 7, 2017, Barnegat Township adopted Ordinance 2017-05, adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area; and

**WHEREAS,** the Pinelands Commission received a certified copy of Ordinance 2017-05 on March 23, 2017; and

**WHEREAS,** by letter dated March 29, 2017, the Executive Director notified the City that Ordinance 2017-05 would require formal review and approval by the Pinelands Commission; and

**WHEREAS,** a public hearing to receive testimony on Ordinance 2017-05 was duly advertised, noticed and held on April 12, 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 2017-05 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 2017-05, adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area, 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 2017-05 be certified; and

**WHEREAS,** the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2017-05 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 Barnegat Township’s Ordinance 2017-05, adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area, is in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Barnegat 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					Galletta					Prickett				
Avery					Jannarone					Quinn				
Barr					Lloyd					Rohan Green				
Brown					Lohbauer					Earlen				
Chila					McGlinchey									

\* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: \_\_\_\_\_

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Nancy Wittenberg  
Executive Director

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Sean W. Earlen  
Chairman



State of New Jersey  
 THE PINELANDS COMMISSION  
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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

**REPORT ON ORDINANCE 2017-05, ADOPTING A REDEVELOPMENT  
 PLAN FOR THE SHORELINE SAND AND GRAVEL AND  
 COMPASS POINT REDEVELOPMENT AREA**

April 28, 2017

Barnegat Township  
 900 West Bay Avenue  
 Barnegat, NJ 08005

**FINDINGS OF FACT**

I. Background

The Township of Barnegat is located in southern Ocean County, in the eastern portion of the Pinelands Area. Pinelands municipalities that abut Barnegat Township include the Townships of Lacey, Ocean, Stafford and Little Egg Harbor in Ocean County, and the Townships of Bass River and Woodland in Burlington County.

On April 8, 1983, the Pinelands Commission fully certified the Master Plan and codified Land Use Ordinances of Barnegat Township.

On May 21, 2012, the Barnegat Township Committee adopted a resolution designating the Shoreline Sand and Gravel Area (consisting of 94 lots) to be an Area in Need of Redevelopment as defined in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

On March 7, 2017, Barnegat Township adopted Ordinance 2017-05, adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area. This Redevelopment Area encompasses approximately 140 acres of land within the Pinelands Regional Growth Area, with approximately 123 acres in Barnegat's existing RL/AC (Residential Low/Adult Community) zoning district and 17 acres in the existing CN (Neighborhood Commercial) zoning district.

The Pinelands Commission received a certified copy of Ordinance 2017-05 on March 23, 2017. By letter dated March 29, 2017, the Executive Director notified the Township that Ordinance 2017-05 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 2017-05, adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area, introduced on February 7, 2017 and adopted on March, 7, 2017.

This ordinance has been reviewed to determine whether it conforms with 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 2017-05 adopts a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area within Barnegat Township. The Redevelopment Area is situated on the southern side of W. Bay Avenue (County-Route 554) and bounded by Cloverdale Road to the west, Caribbean Avenue to the south, and Nautilus Drive to the east (see Exhibit 1).

The Redevelopment Area includes 94 existing lots that combine for an area of approximately 140 acres of land. The Plan separates the Redevelopment Area into two tracts: the Shoreline Sand and Gravel Tract, which is comprised of properties that contain the Shoreline Sand & Gravel, LLC mining facility; and the Compass Point Tract, which is comprised of 85 existing undeveloped residential lots (see Exhibit 2). The only existing structures within the Redevelopment Area are buildings associated with the mining facility, including one office building, one detached garage, and two sheds.

The Redevelopment Area is located entirely within the Pinelands Regional Growth Area and spans two existing zoning districts: the RL/AC (Residential Low/Adult Community) district and the CN (Neighborhood Commercial) district. The RL/AC district permits the development of planned adult communities, detached single-family units, adult community housing, cluster development, and a variety of institutional and recreational uses. The CN district permits a variety of non-residential uses.

In order to meet its goals, described further below, the Redevelopment Plan supersedes the existing zoning district regulations and establishes two new zoning districts: the Shoreline Sand and Gravel Mixed Use Zoning District and the Compass Point Redevelopment Zoning District. The boundary of each new district corresponds to the two tracts described above. The lots included in each district are further described in Table 1, below.

*Table 1. Summary of Zoning Districts Established by Ordinance 2017-05*

<b>Shoreline Sand and Gravel Mixed Use Zoning District</b>	<b>Compass Point Redevelopment Zoning District</b>
<p><b>Area:</b> 113 acres</p> <p><b>Existing Lots:</b> 9</p> <p><b>Current Zoning Districts:</b> RL/AC (108 acres) CN (5 acres)</p> <p><b>Lots included:</b> Block 92: Lots 15, 16, 18, 18.01, 20, 21, 23, 23.03, 23.04</p>	<p><b>Area:</b> 27 acres</p> <p><b>Existing Lots:</b> 85</p> <p><b>Current Zoning Districts:</b> RL/AC (15 acres); CN (12 acres)</p> <p><b>Lots included:</b> Block 92.103: Lots 1-4 Block 92.104: Lots 1-16 Block 92.105: Lots 1-23 Block 92.106: Lots 1-24 Block 92.107: Lots 7,8 Block 92.108: Lots 15-24 Block 92.109: Lots 14, 15 Block 92.113: Lots 42-45</p>

#### Shoreline Sand and Gravel Mixed Use Zoning District

The goal of the Shoreline Sand and Gravel Mixed Use Zoning District is to promote and facilitate the redevelopment of its 113 acres as either a Lifestyle Planned Community or as a Planned Adult Community. Under both options, a mix of age-restricted (55+) residential uses and non-residential uses are permitted. Bulk standards are provided for each of the permitted residential uses and for non-residential uses.

Under both options, a minimum of 25,000 square feet of the district shall be set aside for non-residential uses, with the option to have up to a maximum of 10 acres of non-residential land. Both options permit the same types of non-residential uses, which include: nursing homes, community retail, professional offices, medical uses, restaurants, pharmacies, financial institutions, conveniences stores and self-storage facilities.

If a Lifestyle Planned Community is proposed, the following residential uses are permitted: detached single-family dwellings, attached single-family units, clustered cottages, townhouses (including townhouses over flats), villas, apartments, assisted living facilities, and congregate care facilities. If a Planned Adult Community is proposed, the residential use options are limited to single-family detached dwellings, single-family semi-detached dwellings as well as townhouses. The Redevelopment Plan also restricts the proportion of certain residential uses within the district. The Redevelopment Plan requires that 10% of the residential units be made affordable to low- and moderate-income households.

The district allows for a maximum net residential density of 7.15 units per acre. The net density excludes lands associated with nonresidential uses as well as lands associated with assisted-living, congregate care, or nursing home facilities. For these facilities, the district allows for a

maximum of 250 beds. The maximum gross density permitted for such a facility is 20 beds per acre, not including long-term care beds within nursing facilities.

#### Compass Point Redevelopment Zoning District

The goal of the Compass Point Redevelopment Zoning District is to develop residential age-restricted (55+) single-family, detached, fee-simple homes only. The Redevelopment Plan restricts density in this district to 4.3 units per acre, or a maximum of 113 units. Bulk standards are provided for the permitted use. The Redevelopment Plan requires that 5% of the existing 85 residential lots and 10% of any additional lots created beyond the original 85 lots to be made affordable to low- and moderate-income households.

As a result of the two zoning districts established by Ordinance 2017-05, the residential zoning capacity of the lands within the Redevelopment Area has increased from 492 units to 1,078 units (see Table 2, below). This is an increase of 586 units.

*Table 2. Summary of Residential Capacity Enabled by Ordinance 2017-05*

<b>Existing Residential Capacity</b>	<b>Redevelopment Plan Residential Capacity</b>
<b>RL/AC Zone (123 acres):</b> 492 units <sup>1</sup>	<b>Shoreline Mixed Use Zone (113 acres):</b> 715 units (not including assisted living) <sup>2</sup>
<b>CN Zone (17 acres):</b> 0 units	250 units (assisted living only)
	<b>Compass Point Redevelopment Zone (27 acres):</b> 113 units
<b>Total Units: 492</b>	<b>Total Units: 1,078</b>

*1. Assuming that a Planned Adult Community is developed at the maximum density through the use of PDC bonus densities to achieve a maximum density of 4 units per acre for the entire 123 acres.*

*2. Assuming that a minimum of 0.5 acres is set aside for non-residential uses and that a facility containing the maximum number of assisted living units (250 units) uses 12.5 acres, the remaining 100 acres may be built out to a density of 7.15 units per acre.*

Pursuant to N.J.A.C. 7:50-5.28(a)1 and 3, the CMP would require the opportunity for 420 residential units within the Redevelopment Area. Therefore, the Redevelopment Plan results in the potential for approximately 658 units beyond what the Comprehensive Management Plan requires. A strict application of the Comprehensive Management Plan standards would not require an increase in residential capacity of this magnitude within the Redevelopment Area. However, in order to achieve the goals and objectives of the Redevelopment Plan, the Township has elected to provide a higher permitted density in the Redevelopment Area than the Comprehensive Management Plan would require.

The fact that the residential capacity of the Township's Regional Growth Area will now exceed the minimum required by the Comprehensive Management Plan does not make Ordinance 2017-05 inconsistent with the Comprehensive Management Plan. In fact, N.J.A.C. 7:50-5.28(a)7i



expressly authorizes municipalities to establish programs that provide for additional density within their Regional Growth Areas, provided that the Pinelands Development Credit program is not impaired as a result. In this case, Barnegat Township has satisfied its Regional Growth Area residential zoning obligation under the Comprehensive Management Plan and has elected to provide additional density to a designated Redevelopment Area while at the same time requiring a certain percentage of Pinelands Development Credit use (see Section 8, below).

In further support of the site's suitability for increased density, it is noted that a Threatened and Endangered Species Survey was conducted in 2015 with a target species of northern pine snake. The Commission staff has accepted the survey's finding that no critical habitat for northern pine snake was found within the Redevelopment Area. This finding was contingent upon a 300 foot proposed buffer to the Four Mile Branch wetland complex located in the extreme southwestern corner of the site, and that if a smaller buffer was proposed, a survey for Pine Barrens treefrog should be completed.

The development intensities, permitted uses and zoning changes adopted by Ordinance 2017-05 are otherwise consistent with the standards for Pinelands Regional Growth Areas set forth in the Comprehensive Management Plan. 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**

N.J.A.C. 7:50-3.39(a)8 specifies that in order to be certified by the Commission, municipal land use ordinances must provide for sufficient residentially zoned property, in the Regional Growth

Area, to be eligible for an increase in density to accommodate Pinelands Development Credits (PDCs) as provided for in N.J.A.C. 7:50-5.28(a)3.

Ordinance 2017-05 increases the amount of residentially-zoned land in Barnegat's Regional Growth Area by approximately 17 acres, which accounts for those lands within the Redevelopment Area that were zoned in the existing CN district. Furthermore, the residential zone capacity was increased for the other 123 acres that were previously zoned within the RL/AC district.

In order to comply with N.J.A.C. 7:50-5.28(a)3, Ordinance 2017-05 requires that PDCs be acquired and redeemed for 30% of all residential units within the Redevelopment Area, with two exceptions.

First, units made affordable to low- and moderate-income households for purposes of satisfying the 10% set-aside requirement within the Shoreline Mixed Use District and the 5% set-aside in the Compass Point Redevelopment District are exempt from this requirement. It is important to note that such affordable units beyond the required 10% and 5% set-aside described above will require that PDCs be acquired and redeemed at the 30% rate.

Second, Assisted Living/Congregate Care facilities will have a different PDC obligation structure. Such facilities will have a permitted base-density of 8 units per acre with a bonus-density, achievable through the use of PDCs, of up to 12 units per acre. This is fully consistent with N.J.A.C. 7:50-5.34(2) of the CMP, which provides that the maximum permitted density for assisted living facilities in Regional Growth Areas may exceed 8 units per acre only through the use of Pinelands Development Credits. Ordinance 2017-05 also provides that once a density of 12 units per acre is achieved through the use of PDCs, assisted living facilities are eligible for an additional bonus density of up to 20 units per acre without the use of PDCs. It is important to note that units in this case represent beds within the facility.

Based on the densities assigned to Barnegat Township's Regional Growth Area by the Comprehensive Management Plan (N.J.A.C. 7:50-5.28), the Township is required to provide an opportunity for the development of residential units at a base-density of 2 units per acre, with a bonus-density of up to 3 units per acre achievable through the use of PDCs. Given the characteristics of the Redevelopment Area, the municipality is required to permit up to 280 residential units and the opportunity for an additional 140 units through the use of PDCs. In other words, the municipality would have to allow for the opportunity to use 140 rights (35 Pinelands Development Credits). This traditional approach requires that municipalities provide the *opportunity* for use of PDCs for 33% of the total number of residential units permitted in their Regional Growth Areas.

The PDC requirements adopted by Ordinance 2017-05 will result in an opportunity for the use of 275 rights (68.75 Pinelands Development Credits). As described in Section 2 above, the municipality has elected to zone at higher densities than required by the Comprehensive Management Plan. This has resulted in a greater PDC opportunity than what is required. Furthermore, if full zone capacity is reached, an assisted living facility is developed and the affordable housing set-aside requirements are met, approximately 25% of the units in the Redevelopment Area would require PDC use. While the overall PDC opportunity of 25% is not as high a number as would be provided through the more traditional approach described above requiring 33%, it is important to remember that the traditional base-density/bonus-density

approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance 2015-07 *guarantees* a PDC redemption rate of 30% for much of the potential development within the Redevelopment Area. Given the greater certainty provided by this approach, the Executive Director finds that the PDC requirements adopted by Ordinance 2017-05 are consistent with Comprehensive Management Plan standards.

This standard for certification is met.

**9. Referral of Development Applications to Environmental Commission**

Not applicable.

**10. General Conformance Requirements**

Ordinance 2017-05 is consistent with 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 2017-05 is consistent with 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**

The lands subject to Ordinance 2017-05 are not contiguous with or adjacent to any other municipalities. Therefore, this standard is not applicable.

**PUBLIC HEARING**

A public hearing to receive testimony concerning Barnegat Township's application for certification of Ordinance 2017-05 was duly advertised, noticed and held on April 12, 2017 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m. Ms. Grogan conducted the hearing, at which no testimony was received.

Written comments on Ordinance 2017-05 were accepted through April 17, 2017 and were submitted by the following parties:

Katherine Smith, Policy Advocate, Pinelands Preservation Alliance (see Exhibit 3)

### **EXECUTIVE DIRECTOR'S RESPONSE**

Ms. Smith of the Pinelands Preservation Alliance has expressed concerns regarding how PDCs are distributed temporally throughout the development. In particular, she states that "it is essential that the purchase of PDCs be evenly distributed temporally throughout development, so that 30% of the units within each stage require PDCs".

Ms. Smith's concerns are very much appreciated as a well-functioning PDC Program is of critical importance to the Pinelands Commission. As such, the PDC requirements within this Redevelopment Plan have been carefully considered during the conformance review process. It should be noted that the initial Redevelopment Plan adopted by Barnegat Township was found by staff to include ambiguous PDC requirements. As a result, staff worked with Township representatives to establish appropriate and unambiguous PDC requirements. The revised Redevelopment Plan, integrating staff's recommended PDC requirements, was adopted by the Township Committee, and contained in the Plan now under consideration. (A full discussion on the revised PDC requirements included in the Redevelopment Plan under consideration can be found in Section 8 above).

In response to Ms. Smith's particular concern regarding the temporal distribution of PDCs, the Comprehensive Management Plan, as well as Chapter 55 of the code of Barnegat Township, includes provisions that require a developer to redeem any necessary PDCs prior to final subdivision or site plan approval. Pursuant to N.J.A.C. 7:50-5.47(c), municipalities may grant general development plan, preliminary subdivision or preliminary site plan approval without the redemption of any requisite PDCs. If a development gets final approval for discrete sections of a project, then redemption of the requisite PDCs is required on a pro-rated basis, based on the proportion of units within the phase relative to the total units included in the preliminary approval. In this case, if final approval of any project in the Shoreline Sand and Gravel and Compass Point Redevelopment Area is granted in phases or sections, the redemption of PDCs for 30% of the units in each and every section of the project will be required, given the special exceptions described in Section 8 above.

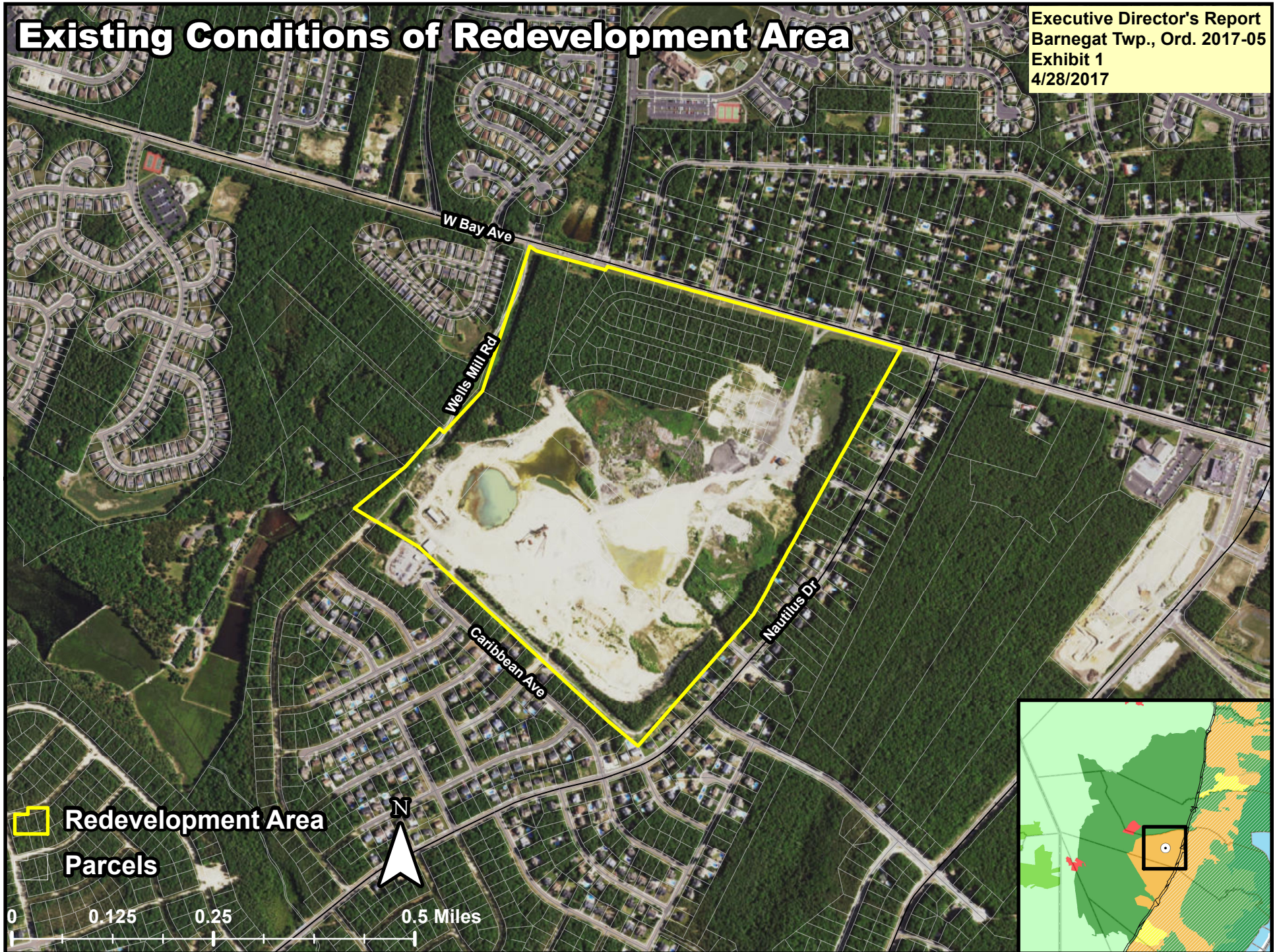
### **CONCLUSION**

Based on the Findings of Fact cited above, the Executive Director has concluded that Ordinance 2017-05, adopting a Redevelopment Plan for the Shoreline Sand and Gravel and Compass Point Redevelopment Area, is consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinance 2017-05 of Barnegat Township.

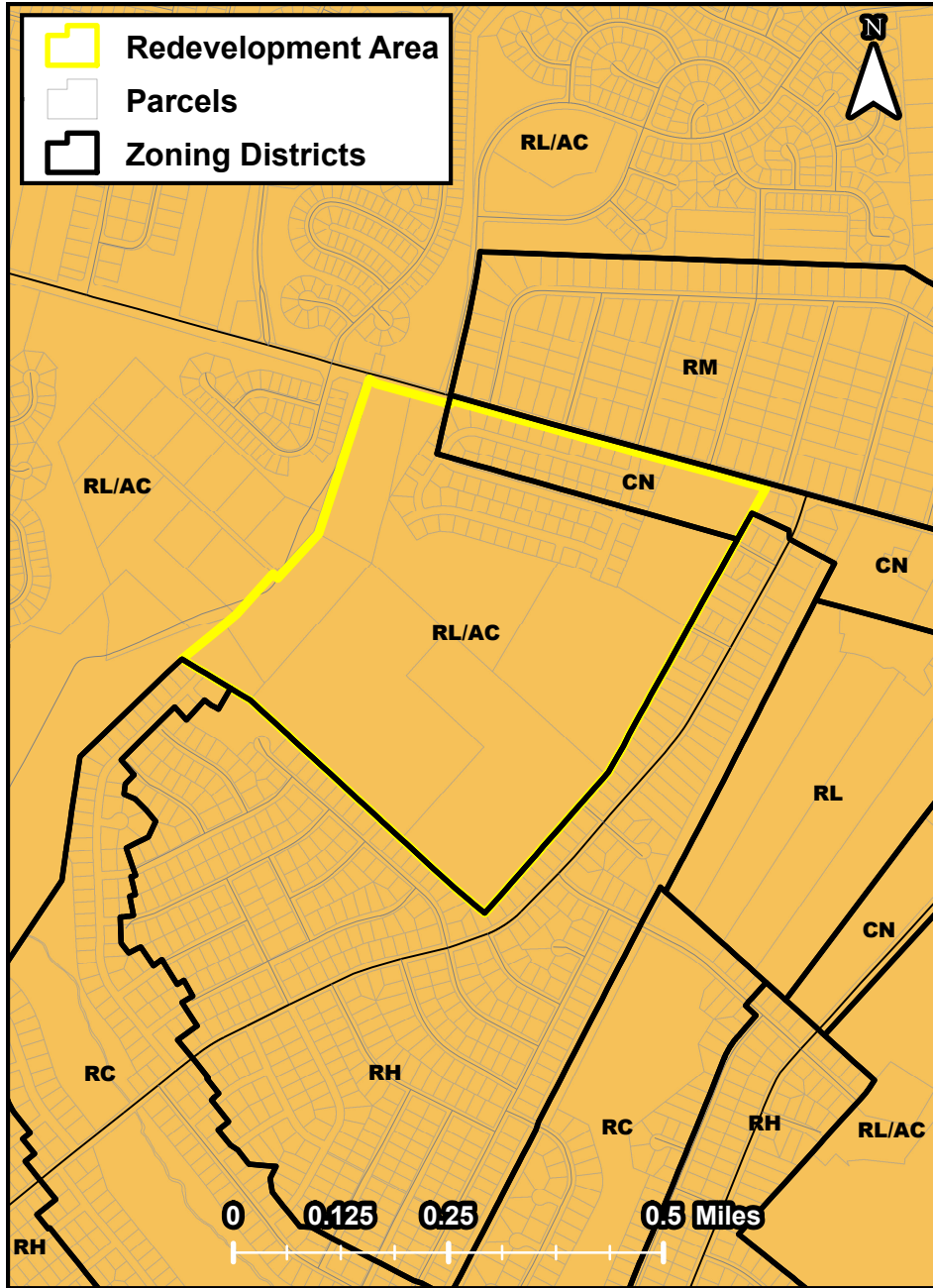
SRG/DBL/CBA  
Attachments

# Existing Conditions of Redevelopment Area

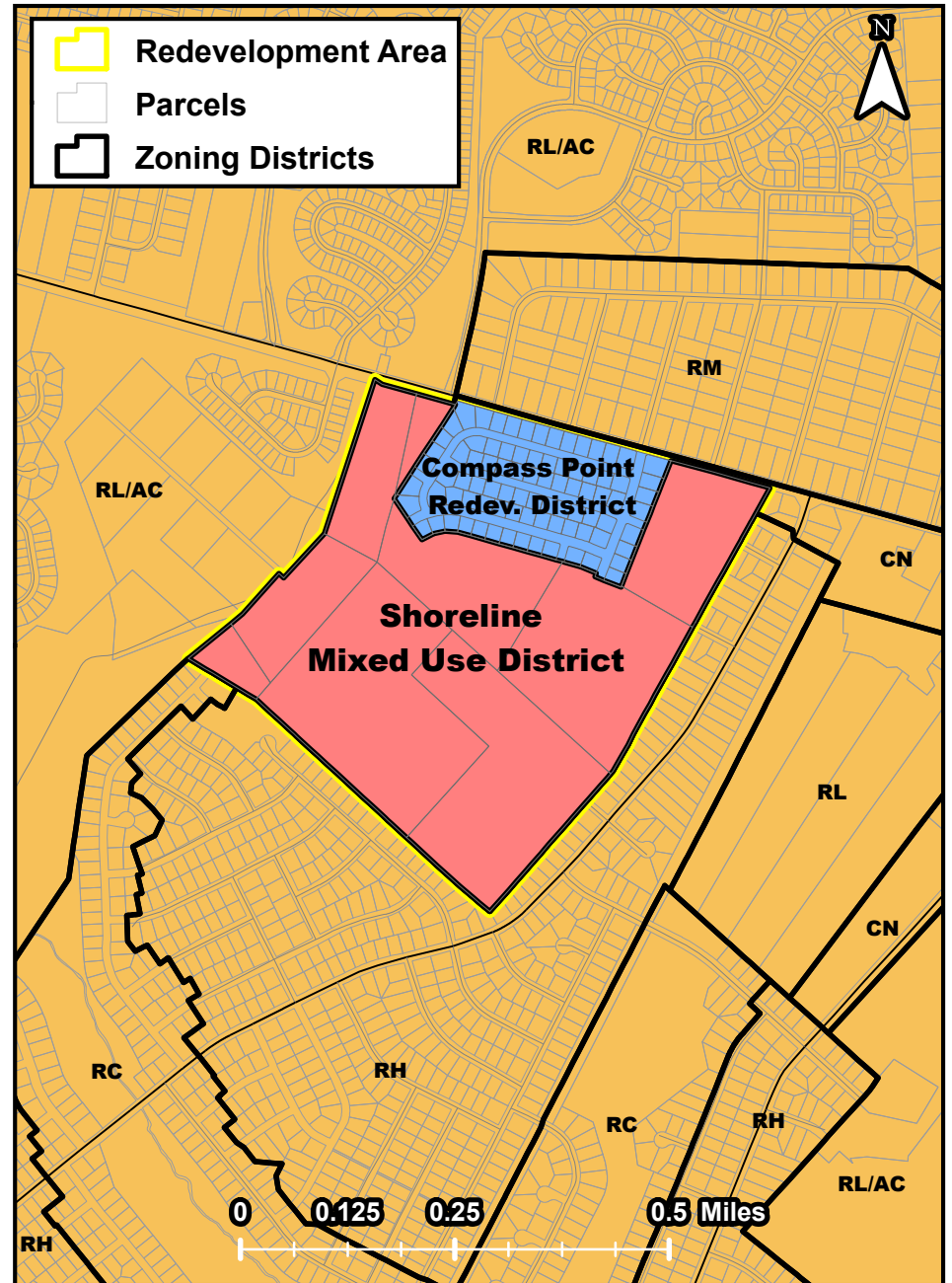
Executive Director's Report  
Barnegat Twp., Ord. 2017-05  
Exhibit 1  
4/28/2017



# Proposed Zoning of Redevelopment Area



**Current Zoning**



**Proposed Zoning**



## Pinelands Preservation Alliance

Bishop Farmstead ♦ 17 Pemberton Road ♦ Southampton NJ ♦ 08088  
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Protecting the Pinelands  
since 1989

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with linseed ink.

April 17, 2017

Pinelands Commission  
PO Box 359  
15 Springfield Road  
New Lisbon, NJ 08064

### **Barnegat Township Ordinance 2017-05**

Dear Ms. Grogan and Pinelands Commission staff,

I am writing concerning the Barnegat Township Ordinance 2017-05, which adopts the Shoreline Sand and Gravel and Compass Point Redevelopment Plan ("Plan"). I am happy to read in the ordinance that the Township Committee has been in consultation with the Pinelands Commission staff regarding the Plan to suggest modifications that bring it closer to conformance with the Comprehensive Management Plan. As the Plan states, Pinelands Development Credits (PDCs) shall be purchased and redeemed for 30% of all units (with some exceptions). It is essential that the purchase of PDCs be evenly distributed temporally throughout development, so that 30% of the units within each stage require PDCs. While this is the interpretation I reached from the Plan, it could be clarified within the Plan itself or in the Commission's report to remove any ambiguity. This is particularly important given the alternate PDC requirements for the assisted living and congregate care facilities, which rely on base and maximum densities.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine Smith", written in a cursive style.

Katherine Smith

Policy Advocate

Pinelands Preservation Alliance