



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands




Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

MEMORANDUM

To: Members of the Commission
 From: Nancy Wittenberg 
 Executive Director
 Date: June 29, 2016
 Subject: Summary of the July 8, 2016 Meeting Packet

Minutes

The June 10, 2016 Commission meeting minutes are included in your packet.

Public Development Applications

The following two public development applications are being recommended for approval with conditions:

1. **TOWN OF HAMMONTON**, Town of Hammonton, Pinelands Agricultural Production Area, Removal of 10 acres of vegetation at the Hammonton Airport.
2. **WATERFORD TOWNSHIP**, Waterford Township, Pinelands Rural Development Area, Construction of a 100 space parking lot.

Waiver of Strict Compliance

There are no Waiver of Strict Compliance applications on this month's agenda.

Letter of Interpretation

Six Pinelands Development Credit (PDC) Letters of Interpretation (attached) were issued since the last Commission meeting, allocating 7.25 PDCs to 183.76 acres.

Off-Road Vehicle Event Route Map Approval

Two Off-Road Vehicle Event Route Map Approvals (attached) were issued since the last Commission meeting.

Resolutions Relating to Municipal Ordinances

We have included a report on Pemberton Township's 2009 Master Plan, 2014 Master Plan Reexamination Report and Ordinances 27-2009, 14-2014, 16-2014 and 20-2015. These ordinances create a new commercial zone within the Regional Growth Area and adopt a revised zoning map to reflect the new zone's boundaries. The revised zoning map also reflects a number of other zoning changes within the Agricultural Production and Regional Growth Areas. In addition, Ordinance 20-2015 implements a change in Pinelands management area boundaries by rezoning 143 acres from the Forest Area to a new Agricultural Production Area. We are recommending certification of the master plan and ordinance amendments.

Ordinances Not Requiring Commission Action

There are no ordinances to note this month.

Other Items

Also included in this month's packet is a memorandum from the Regulatory Programs office, which finds one public development application to be consistent with an existing Memorandum of Agreement (MOA).

Closed Session

The Commission may need to convene into closed session.

Please note that future meetings and office closure dates, as well as any Pinelands-related activities of interest, are listed at the bottom of the agenda. / PC1



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NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, July 8, 2016

Richard J. Sullivan Center for Environmental Policy and Education

Terrence D. Moore Conference Room

15C Springfield Road

New Lisbon, New Jersey

9:30 a.m.

1. Call to Order

- Open Public Meetings Act Statement
- Roll Call
- Pledge Allegiance to the Flag

2. Election of Vice-Chairman

3. Committee Appointments

4. Adoption of Minutes

- June 10, 2016

5. Committee Chairs' and Executive Director's Reports

6. Matters for Commission Consideration Where the Record is Closed

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approval
 - None
- Public Development Projects and Waivers of Strict Compliance
 - Approving With Conditions an Application for Public Development (Application Number 1982-3657.020)

- Approving With Conditions an Application for Public Development (Application Number 2003-0319.002)

B. Planning Matters

- Municipal Ordinances

- Issuing an Order to Certify Pemberton Township's 2009 Master Plan, 2014 Master Plan Reexamination Report and Ordinances 14-2014, 16-2014 and 20-2015, Amending Chapter 190 (Zoning) of the Code of Pemberton Township

- Other Resolutions

- None

- CMP Amendments

- None

7. Public Comment on Agenda Items and Pending Public Development Applications (see attached list) *(to ensure adequate time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.)*

8. Ordinances Not Requiring Commission Action

- None

9. General Public Comment *(to ensure adequate time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised during this period may not be responded to at this time but where feasible, will be followed up by the Commission and its staff.)*

10. Resolution to Retire into Closed Session (if needed) – Personnel, Litigation and Acquisition Matters *(The Commission reserves the right to reconvene into public session to take action on closed session items.)*

11. Adjournment

Upcoming Meetings

Unless otherwise noted, all meetings/events are conducted at the offices of the Pinelands Commission in New Lisbon

Friday, July 29, 2016	Policy and Implementation Committee Meeting (9:30 a.m.)
Friday, August 12, 2016	Pinelands Commission Regular Monthly Meeting (9:30 a.m.)
Tuesday, August 23, 2016	Personnel and Budget Committee Meeting (9:30 a.m.)
Friday, August 26, 2016	Policy and Implementation Committee Meeting (9:30 a.m.)

Upcoming Office Closures

Monday, July 4, 2016 Independence Day

Events of Interest

Pinelands Municipal Council Meeting and Pinelands Orientation- New Lisbon, NJ-Richard J. Sullivan Center- July 28, 2016 at 4:00 p.m.



Pinelands Commission and Committee meeting agendas are posted on the Commission's Web site and can be viewed at www.nj.gov/pinelands/. The agendas are also posted and can be viewed at the Pinelands Commission Offices, 15 Springfield Road, New Lisbon, New Jersey or for more information on agenda details, e-mail the [Public Programs Office](mailto:Info@njpines.state.nj.us) at Info@njpines.state.nj.us or call (609) 894-7300

PINELANDS COMMISSION MEETING
Richard J. Sullivan Center
Terrence D. Moore Conference Room
15 Springfield Road
New Lisbon, New Jersey

MINUTES

June 10, 2016

Commissioners Present

Candace Ashmun, Alan W. Avery Jr., Bob Barr, Bill Brown, Giuseppe Chila, Joe DiBello, Jane Jannarone, Mark Lohbauer, Ed McGlinchey, Richard Prickett, Gary Quinn and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Chris Howard and Deputy Attorney General Helene Chudzik.

Commissioners Absent

Paul E. Galletta, Ed Lloyd and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:31 a.m.

DAG Chudzik read the Open Public Meetings Act Statement.

Ms. Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 12 Commissioners present.)

The Commission and public in attendance pledged allegiance to the Flag.

Minutes

Chairman Earlen presented the minutes from the May 12, 2016 Commission meeting. Commissioner Barr moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes of the May 12, 2016 Commission meeting were adopted by a vote of 11 to 0, with Commissioner Quinn abstaining.

Committee Chairs' Reports

Commissioner Avery provided an update on the May 24, 2016 Personnel & Budget Committee meeting.

The Committee recommended adoption of the minutes from the February 2, 2016 meeting, but a quorum of the Committee was not present.

The Committee reviewed the check registers, electronic disbursements and application fees covering January through April. Michelle Russell provided an update on employee actions.

The FY 2017 draft operating budget was reviewed. The remaining budgets will be reviewed at the next Personnel & Budget meeting.

There was no public comment.

Commissioner Prickett provided an update on the May 27, 2016 Policy & Implementation Committee meeting.

The Committee met via conference call.

The Committee adopted the minutes of the March 24, 2016 meeting.

The Committee agreed to provide advanced funds from the Pinelands Conservation Fund to The Trust for Public Land for the Bear Swamp Headwaters acquisition project.

No members of the public were present.

Executive Director's Reports

Ms. Wittenberg provided an update on the following:

- A recent wind storm caused a large tree to fall on the Commission's property. It fell onto four employees' vehicles. Clean-up is underway.
- Staff continues to prepare the FY 17 budget. At the June 21st Personnel and Budget Committee meeting, staff will discuss the Pinelands Conservation Fund and

Kirkwood Cohansey budgets and the FY 17 Budget will be presented to the full Commission for adoption at the July 8th meeting.

- Staff members met with Commissioner DiBello and another representative from the National Park Service (NPS) to discuss the periodic review required by UNESCO's designation of the Pinelands as a Biosphere Reserve. Ms. Wittenberg said the questionnaire contains numerous complex questions that will require a lot of staff's efforts to complete. She noted that in August there is a workshop that will be held in Colorado to assist Biosphere Reserves in the United States with the periodic review. She said NPS will be providing money for a staff member to attend.

Commissioner DiBello added that NPS has assigned a number of staff members to assist with the 10 National Parks that qualify for Biosphere Reserve designation.

Commissioner Ashmun requested to see a copy of the questionnaire.

Wharton Update

Ms. Wittenberg said the sites at Wharton that were determined as having ORV damage have been identified on a map. She said the next step is to add the sites to aerial photographs to determine the extent of the damage and group the sites based on uplands, wetlands, habitat and other data layers.

Mr. Larry Liggett updated the Commission on the following:

- The Commission recently provided the New Jersey Department of Environmental Protection (NJDEP) with threatened and endangered (T&E) species siting data as part of a sharing agreement the agencies developed to ensure each agency has the same T&E data.
- Commission staff continues to work on multiple redevelopment plans, specifically from Waterford Township and South Toms River Borough. The Borough of South Toms River plans to develop its landfill, which would require closure.
- Staff continues to work on draft rules that were derived from Plan Review.

Mr. Chuck Horner updated the Commission on the following:

- On May 24th a response was sent to a citizen who raised concerns over the ban of fishing on the Lower Bank Bridge. The Commission issued a public development approval for the reconstruction of that bridge many years ago. A condition of that approval included public access for fishing on the bridge. A copy of that response has been provided to Commissioners today. It was also sent to Burlington County and the municipalities involved. Staff will be following up with county and municipal officials.
- Staff has been working with numerous mining applicants that wish to expand their operations in the Preservation Area District and Forest Area. In order for the mining operations to comply with the T&E standards of the Comprehensive Management Plan (CMP), creating Habitat Conservation Plans are the best solution in most instances.
- Additional information was submitted by Burlington County for the expansion of Taunton Road, which provides access to the Kings Grant housing development. He

said the County is proposing to develop a road shoulder. He said the road currently has a very narrow shoulder, and the County has conveyed that it presents a safety hazard. He noted that wetlands are present on both sides of the road.

Commissioner Prickett asked how the road shoulder along Taunton Road will be created.

Mr. Horner said fill will be used.

Commissioner Chila said he would like the Commission to investigate how public safety on the Lower Bank Bridge can be improved. He was curious if parking was an issue or if there has been a history of car accidents.

Ms. Wittenberg said she spoke with the County engineer, who advised her there has been a history of vandalism. She said she plans to speak with the engineer again to find a possible resolution.

Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending the approval of two public development applications.

Commissioner Barr moved the adoption of a resolution Approving With Conditions Applications for Public Development (Application Numbers 2015-0058.001 & 2016-0033.001) (See Resolution # PC4-16-19). Commissioner Brown seconded the motion.

Commissioner Prickett asked if the library was a brick structure.

Mr. Horner said it was a concrete structure, and he passed around a file photo to the Commissioners.

The Commission adopted the resolution by a vote of 12 to 0.

Public Comment on Agenda Items and Pending Public Development Applications

No one from the public spoke.

Ordinances Not Requiring Commission Action

Chairman Earlen asked if any Commissioners had questions regarding the ordinances not requiring Commission action:

- Galloway Township Ordinance 1941-2016
- Waterford Township Ordinances 2016-4 and 2016
- Waterford Township Ordinance 2016-5

No members of the Commission had questions.

Other Resolutions

Chairman Earlen said the next resolution is a routine measure to ensure the Commission can expend money until the FY 17 Budget is approved.

Commissioner Avery moved the adoption of a resolution To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2017 at the Same Level of Expenditures as Fiscal Year 2016 until the Adoption of the Fiscal Year 2017 Budgets (See Resolution # PC4-16-20). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 12 to 0.

Presentation

Mr. Joe Sosik provided a summary of the 2015 Long-Term Economic Monitoring Program Report. He said the goal of the program is to gauge the economic health of the Pinelands. He highlighted new additions to the 2015 report, which includes poverty rate as a supplemental variable, split town data and the recently-printed brochure on the monitoring program. See attached slides for additional information.

Link to the report: <http://www.nj.gov/pinelands/landuse/current/economic/FinalDraft-201606091704-ForCdAndWeb.pdf>

Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities

Mike Hickey of Medford Lakes, NJ, said the damage at Wharton State Forest is getting worse, specifically on Cherry Hill Road. He said the only vehicles that can pass damaged roads are those with special tires. He urged the Commission to do something about the issue.

Jason Howell of the Pinelands Preservation Alliance said the physical protection of sensitive areas are necessary at Wharton State Forest. He described an incident at Wharton State Forest where he witnessed off-road vehicles destroying a road. He said he was able to capture video of the riders causing the damage. He said he reported what he saw to the Park Police and wanted to provide the police with additional information but has not been able to do so.

Arnold Fishman of Medford Lakes, NJ, inquired about what type of materials are being mined in the Pinelands.

Mr. Horner said sand is being mined.

Mr. Fishman asked if the Commission had filed its brief on the South Jersey Gas pipeline matter.

DAG Chudzik said the joint brief was filed yesterday on behalf of the Commission and the Board of Public Utilities.

Mr. Fishman asked how he could get a copy of the brief and if it could be posted to the Commission's website.

Ms. Roth said she would email Mr. Fishman a copy of the brief.

Adjournment

Commissioner Prickett said the upcoming blueberry festival at Whitesbog will celebrate 100 years of blueberry cultivation. He said the annual festival will be held on June 25th and 26th. He said because of the hard work and dedication of Elizabeth White and Frederick Coville we have blueberries that are uniform in size, taste good and are easy to pick. He shared a recent newsletter from the Whitesbog Preservation Trust that highlighted the important role of Whitesbog in the cultivation of the highbush blueberry.

Commissioner Prickett offered tours of Whitesbog.

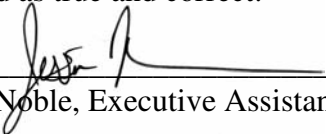
Commissioner Jannarone asked if there was any way the Commission could provide support to Mr. Howell regarding the incident he described this morning. She congratulated Commissioner Barr on winning his council seat in Ocean City.

Commissioner Avery said he spoke with Ocean County Sheriff Michael Mastronardy after the discussion about ORV accidents at the May Commission meeting. He said the Sheriff advised him that vehicular accident data is not distinguished by type of vehicle.

Commissioner Lohbauer suggested that the South Jersey Gas brief be posted to the Commission's website, considering the amount of public interest that the application has generated.

Commissioner Avery moved to adjourn the meeting. Commissioner McGlinchey seconded the motion. The Commission agreed to adjourn at 10:44 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: June 17, 2016



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 19

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 2015-0058.001 & 2016-0033.001)

Commissioner Boak moves and Commissioner Bian seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

2015-0058.001

Applicant: Dennis Township
Municipality: Dennis Township
Management Area: Pinelands Rural Development Area
Date of Report: May 23, 2016
Proposed Development: Realignment of the Academy Road and Fidler Road intersection; and

2016-0033.001

Applicant: Monroe Township
Municipality: Monroe Township
Management Area: Pinelands Regional Growth Area
Date of Report: May 19, 2016
Proposed Development: Demolition of a 5,562 square foot former library building, 50 years old or older.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 2015-0058.001 & 2016-0033.001 for public development are hereby approved subject to the conditions recommended by the Executive Director.

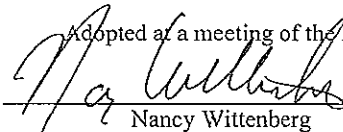
Record of Commission Votes

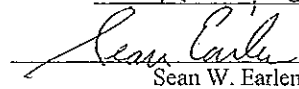
	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				DiBello	X				McGlinchey	X			
Avery	X				Galletta			X		Prickett	X			
Barr	X				Jannarone	X				Quinn	X			
Brown	X				Lloyd			X		Rohan Green			X	
Chila	X				Lohbauer	X				Earlen	X			

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: June 10, 2016


 Nancy Wittenberg
 Executive Director


 Sean W. Earlen
 Chairman



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Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

May 23, 2016

John C. Gibson, P.E., Township Engineer
 Dennis Township
 P.O. Box 204
 Dennisville, NJ 08214

Re: Application # 2015-0058.001
 Academy Road and Fidler Road
 Block 70, Lot 1
 Dennis Township

Dear Mr. Gibson:

The Commission staff has completed its review of this application for realignment of the Academy Road and Fidler Road intersection. 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 June 10, 2016 meeting.

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

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

Sincerely,

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

Enc: Appeal Procedure

- c: Secretary, Dennis Township Planning Board (via email)
- Dennis Township Construction Code Official (via email)
- Dennis Township Environmental Commission (via email)
- Secretary, Cape May County Planning Board (via email)





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 Chairman

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 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 23, 2016

John C. Gibson, P.E., Township Engineer
 Dennis Township
 P.O. Box 204
 Dennisville, NJ 08214

Application No.: 2015-0058.001

Location: Academy Road and Fidler Road
 Block 70, Lot 1
 Dennis Township

This application proposes to realign the existing Academy Road and Fidler Road intersection in Dennis Township.

The proposed realignment of approximately 100 linear feet of the existing Academy Road right-of-way will result in a "T" intersection with Fidler Road. Approximately 270 linear feet of paving will be removed from the existing Academy Road right-of-way and the concerned area will be re-vegetated with native Pinelands trees and grasses.

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 Standard (N.J.A.C. 7:50-5.26)

The proposed development is located in a Pinelands Rural Development Area. The proposed road improvement (public service infrastructure) is a permitted land use in a Pinelands Rural Development Area.

Wetlands Protection Standards (N.J.A.C. 7:50-6.6, 6.13 & 6.14)

The CMP prohibits most development in wetlands and requires a buffer to wetlands of up to 300 feet. No development is proposed in wetlands. Portions of the proposed development will be located within 300 feet of wetlands.

The CMP permits road improvements (linear improvements) within the required buffer to wetlands provided the applicant demonstrates that certain conditions are met. The applicant has demonstrated that there is no feasible alternative for the proposed realignment of the existing road intersection that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the required buffer to wetlands. The applicant has indicated that the proposed development will improve traffic safety. The applicant has demonstrated that the need for the proposed road development overrides the importance of protecting the required buffer to wetlands.

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

The proposed development will disturb approximately 0.18 acres of forested land. 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 that meets that recommendation.

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

The proposed road improvement will result in an overall decrease in impervious surfaces. The applicant has demonstrated that there will be no increase in the volume and rate of stormwater runoff from the project after development than occurred prior to the proposed development.

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

A cultural resource survey was completed for this application. No cultural resources eligible for Pinelands designation were found within the project area.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on December 16, 2015. The application was designated as complete on the Commission's website on April 4, 2016. The Commission's public comment period closed on May 12, 2016. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 4 sheets, prepared by John C. Gibson, all sheets dated December 3, 2015 and last revised February 16, 2016.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP.

Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.

4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



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Chairman

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PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



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Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

May 19, 2016

Kevin Heydel, Business Administrator
 Monroe Township
 125 Virginia Avenue
 Williamstown, NJ 08094

Re: Application # 2016-0033.001
 Block 3205, Lot 5
 Monroe Township

Dear Mr. Heydel:

The Commission staff has completed its review of this application for demolition of a 5,562 square foot former library building, 50 years old or older. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its June 10, 2016 meeting.

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

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

Sincerely,

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

- Enc (2): Appeal Procedure
 3/20/16 Public Comment
- 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)
 John Helbig
 Angie Matese





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Sean W. Earlen
Chairman
Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 19, 2016

Kevin Heydel, Business Administrator
Monroe Township
125 Virginia Avenue
Williamstown, NJ 08094

Application No.: 2016-0033.001

Location: Block 3205, Lot 5
Monroe Township

This application proposes demolition of a 5,562 square foot former library building, 50 years old or older, located on the above referenced 0.25 acre parcel in Monroe Township.

STANDARDS

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

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

The parcel is located in a Pinelands Regional Growth Area. The proposed building demolition is permitted in the Pinelands Area.

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

Based on a review of information available to the Commission staff, it was determined that a cultural resource survey was not required for the proposed demolition.

PUBLIC COMMENT

This applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced lot was completed on March 16, 2016. Newspaper public notice was completed on March 16, 2016. The application was designated as complete on the Commission's website on April 28, 2016. The Commission's public comment period closed on May 12, 2016. The Commission received one written public comment (enclosed) regarding this application.

Public Comment One: The commenter expressed concern regarding the proposed demolition. Specifically, the commenter questioned how the building would be demolished and the plan for the removal and disposal of the demolition debris. The commenter also questioned the future use of the site.

Staff Response: The Commission appreciates the interest of the commenter in the Pinelands. The method of demolition is not regulated by the Commission. With respect to disposal of demolition debris, Condition 1. below, requires that construction debris be disposed of at an appropriately licensed facility. The future use of the site is unknown. The commenter may wish to discuss the method of demolition and the future use of the site with an appropriate Township official.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. This application is for the proposed demolition only. Any other future development of the above-referenced parcel shall be governed by Monroe Township's certified land use ordinance and the CMP.
3. Prior to demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
NEW LISBON, NJ 08054
(609) 894-7300
www.nj.gov/pinelands

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16- 20

TITLE: To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2017 at the Same Level of Expenditures as Fiscal Year 2016 until the Adoption of the Fiscal Year 2017 Budgets

Commissioner Avery moves and Commissioner Lehbauer seconds the motion that:

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

WHEREAS, it is anticipated that the New Jersey Legislature will appropriate \$2,499,000 to support the Commission's operations during Fiscal Year 2017; 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 actions shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is authorized to continue to expend funds during Fiscal Year 2017 at the same level of expenditures as Fiscal Year 2016 until the Commission's adoption of the Fiscal Year 2017 Budgets.

Record of Commission Votes

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

* A = Abstained / R = Recused

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

Date: June 10, 2016
Sean W. Earlen
Sean W. Earlen
Chairman



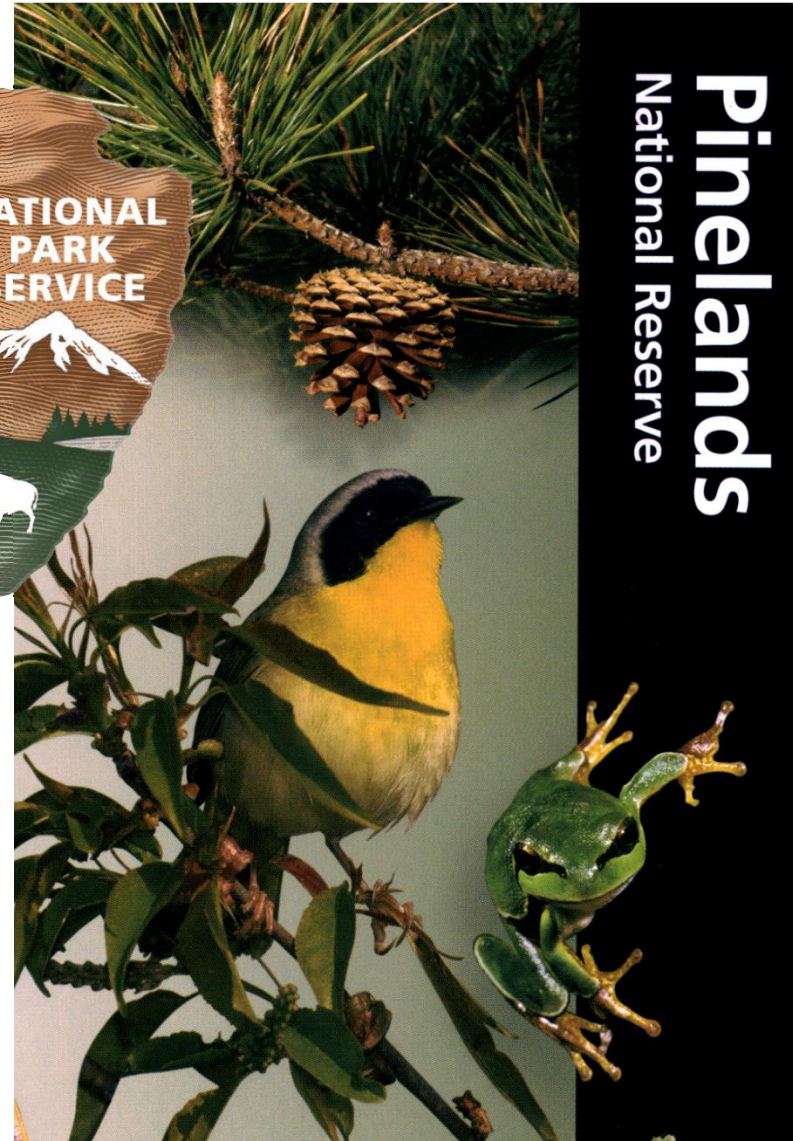
Long-Term Economic Monitoring Program

2015 Annual Report

Long-Term Economic Monitoring Report

2015 Annual Report

- Funded by the National Park Service
- *First Annual Report* published in 1997
- Program Goal: to continually evaluate the economic health of the Pinelands in an objective and reliable manner.
- Looks at 21 variables plus supplemental variables



What's New?

2015 Long-Term Economic Monitoring Report

- Supplemental Variable
 - Poverty Rate
- New Split Data
 - NJ Tax parcel data with property tax bill estimates
- Long-Term Environmental and Economic Monitoring Program brochure



**Long-term
Environmental
and Economic
Monitoring
Program**

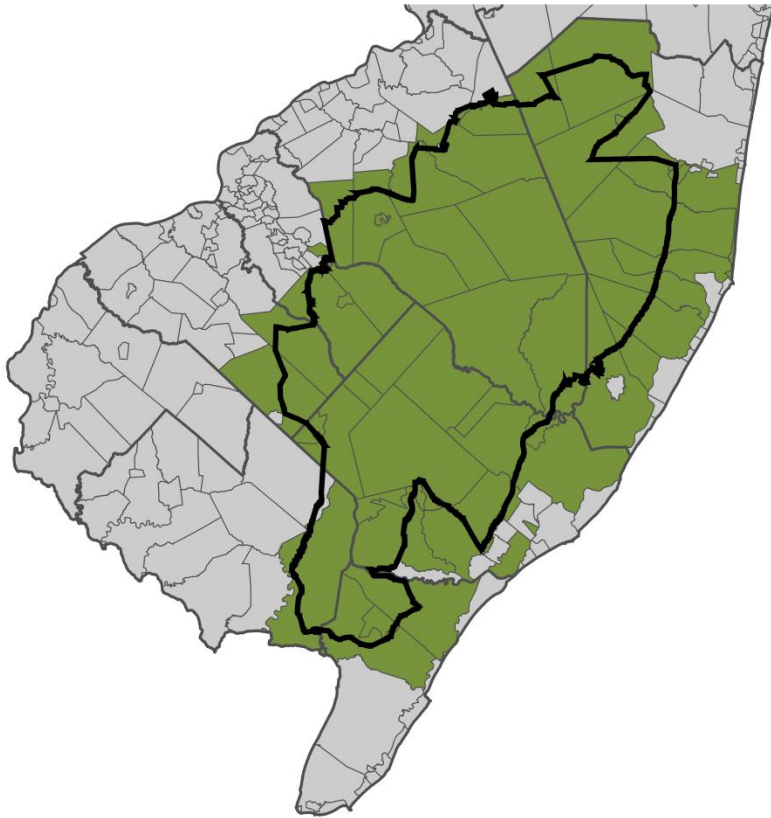
PINELANDS COMMISSION



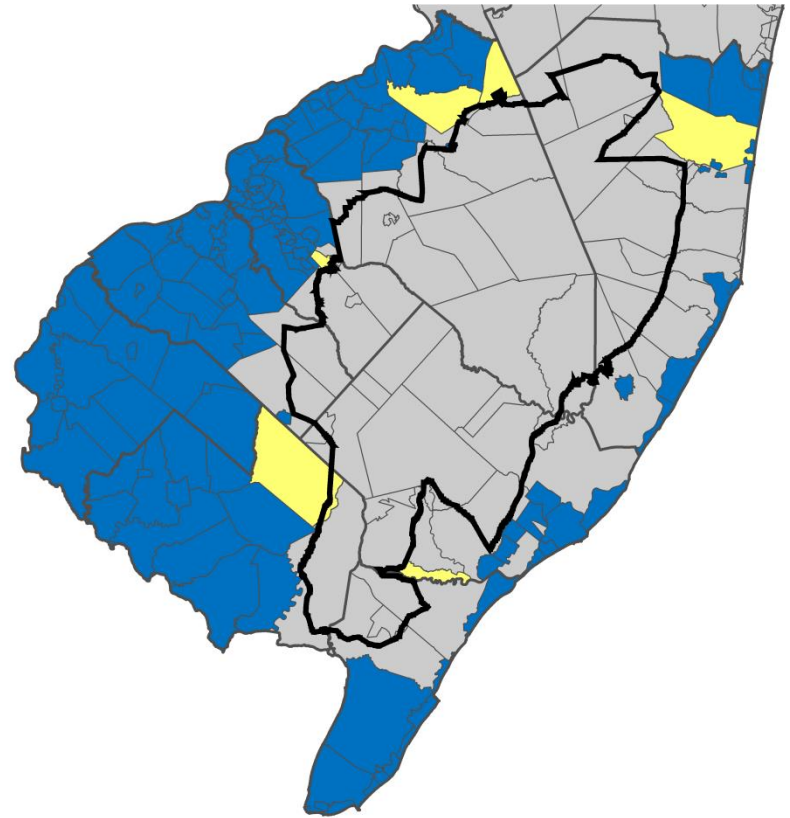
Geographic Definitions

The Pinelands vs. The Non-Pinelands

Pinelands Municipalities



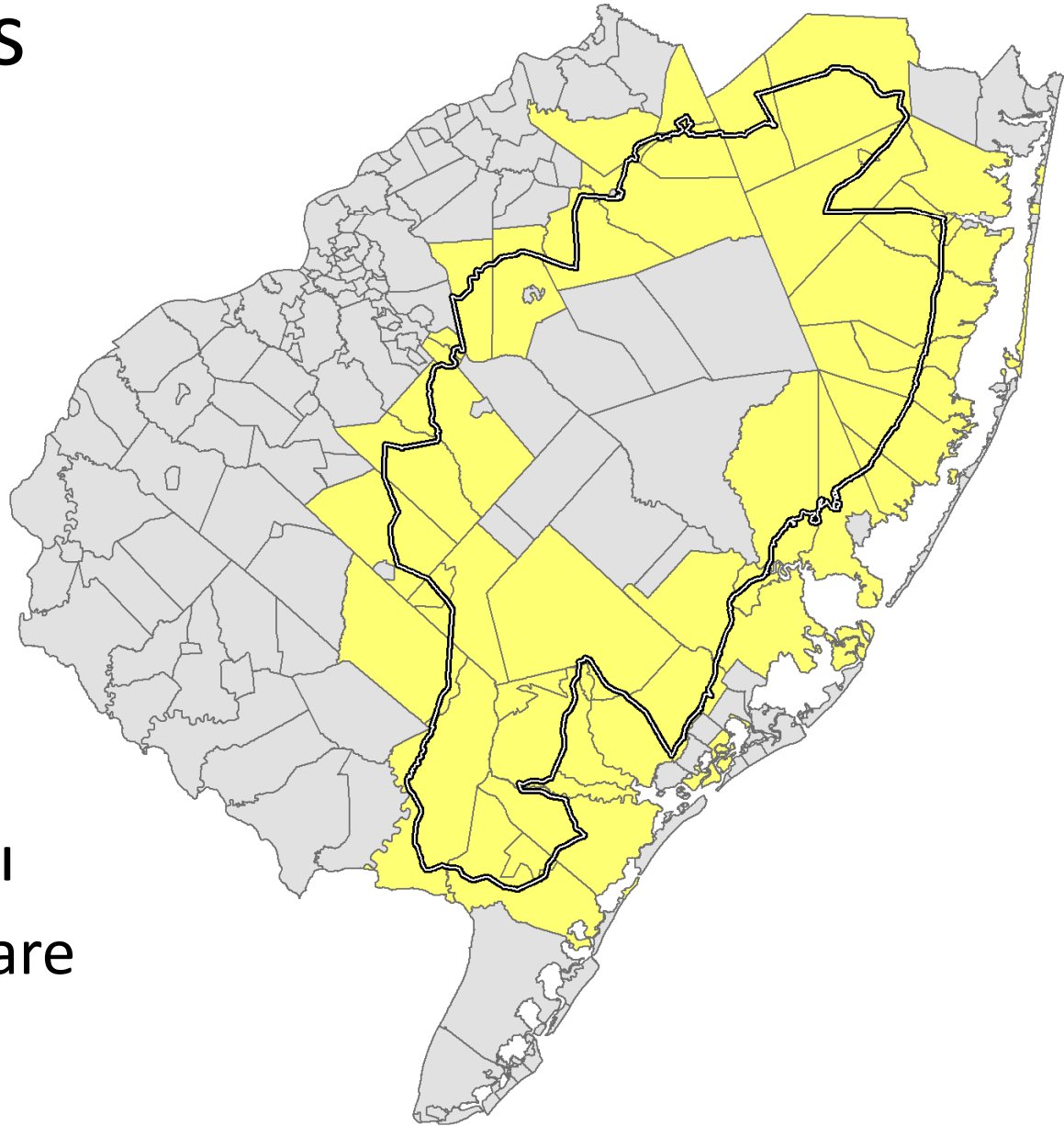
Non-Pinelands Municipalities



Special Studies

“Split-Town” - Update

- 21 variables total
- 7 variables split
 - Census Population
 - Median Age
 - Home Sales Volume
 - Home Sales Prices
 - Per Capita Income
 - Berry Production
 - **Avg. Property Tax Bill**
- Several variables are likely unsplittable



Population

2014 Estimates

Pinelands

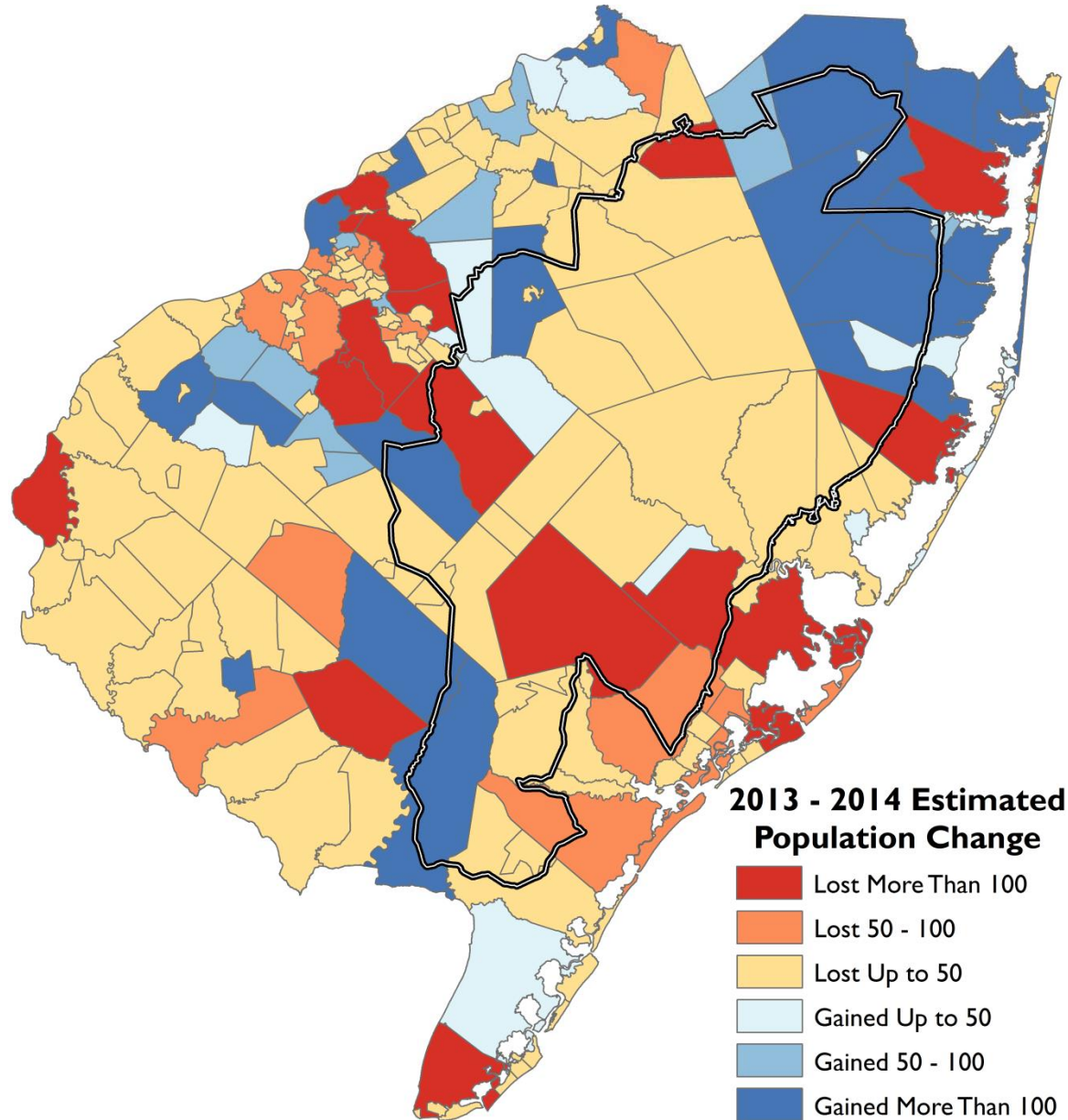
- 705,262
- $\uparrow < 1\%$

Non-Pinelands

- 1,725,407
- $\downarrow < 0.1\%$

State

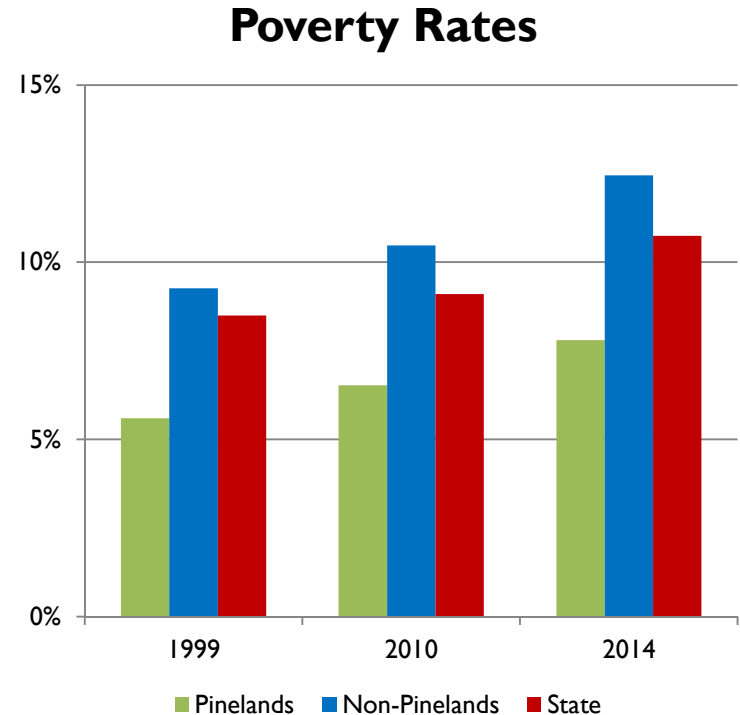
- 8,938,175
- $\uparrow < 1\%$



Population

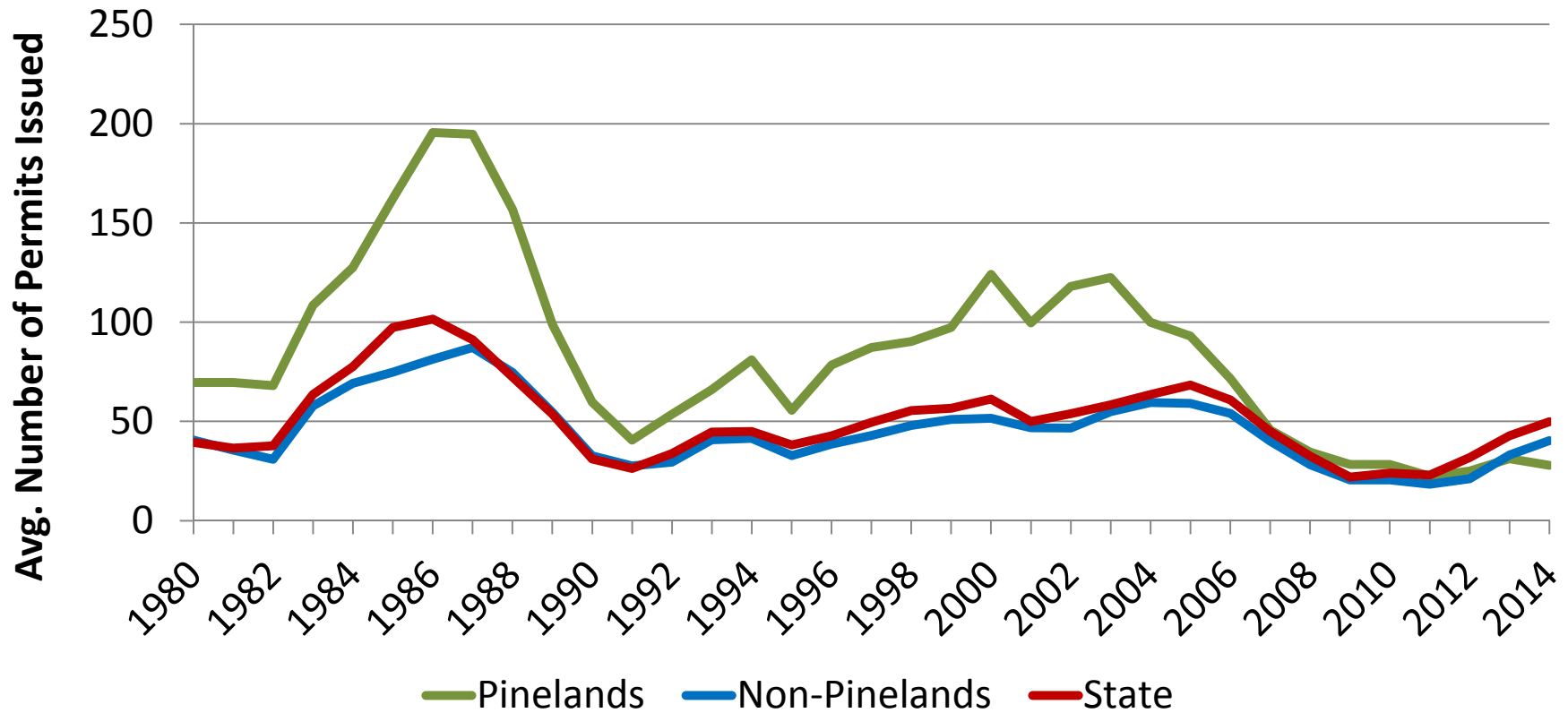
Poverty Rate

- **Pinelands**
 - 8% poverty rate
 - Rate increased 39% from 2010 Census
- **Non-Pinelands**
 - 12% poverty rate
 - Rate increased 34% from 2010 Census
- **State**
 - 11% poverty rate
 - Rate increased 26% from 2010 Census



Real Estate

Building Permits for Dwelling Units



Pinelands

- 28 Permits
- ↓ 11%

Non-Pinelands

- 40 Permits
- ↑ 22%

State

- 50 Permits
- ↑ 16%

Real Estate

2014 In/Out Boundary Sales Data

Pinelands Area

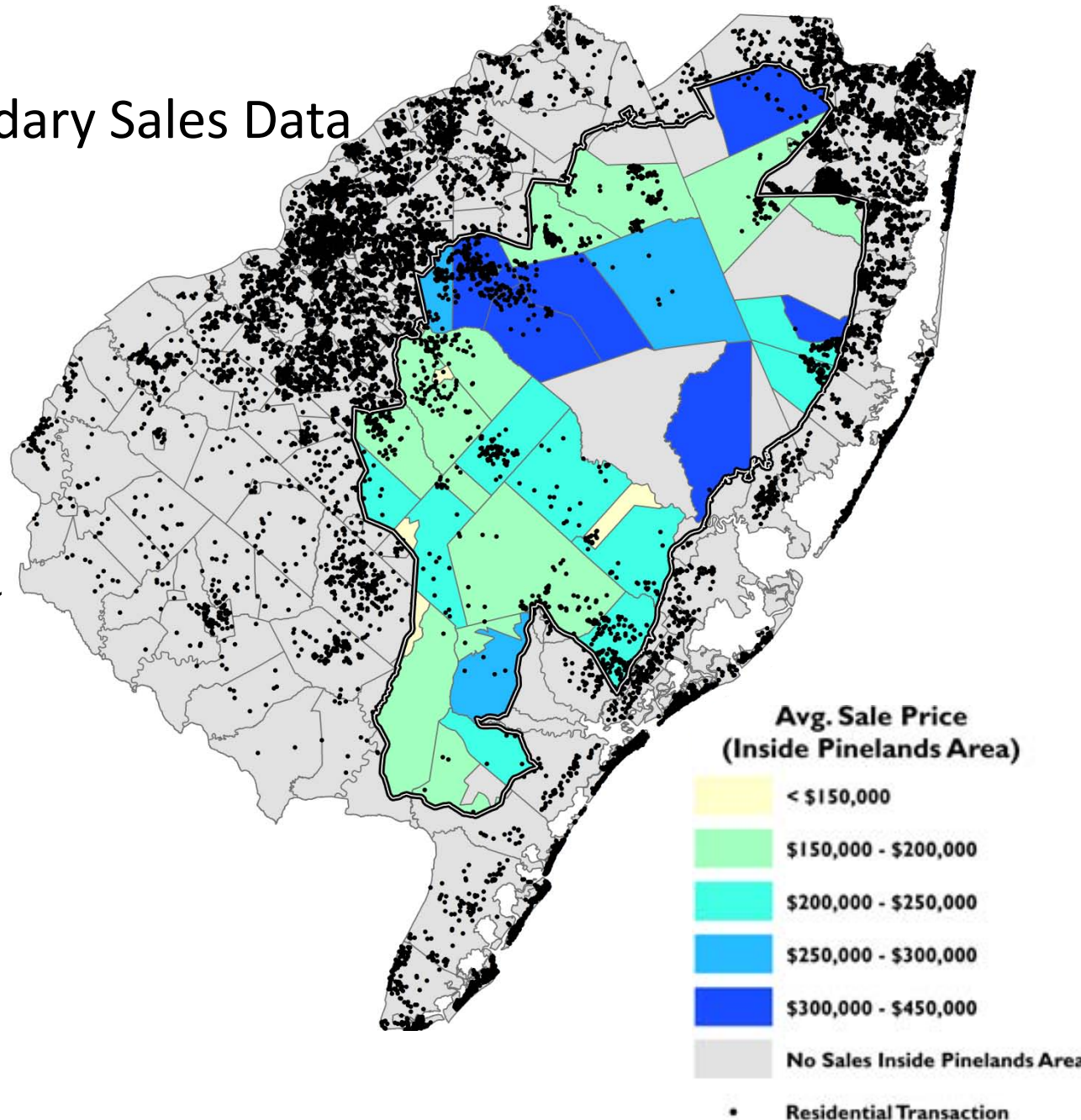
- 1,800 sales
- \$227,000 avg.

Non-Pinelands Area

- 15,100 sales
- \$303,000 avg.

State

- 57,612 sales
- \$392,000 avg.



Real Estate

2014 In/Out Boundary Sales Data

Pinelands Management Area	Pinelands Area		Pinelands Nat'l Reserve	
	Homes Sold	Avg. Price	Homes Sold	Avg. Price
Preservation Area	9	\$279,111		
Forest Area	75	\$233,100	94	\$224,092
Agricultural Production Area	28	\$228,501		
Rural Development Area	424	\$230,628	118	\$141,952
Regional Growth Area	1,032	\$234,492	1,155	\$215,100
Pinelands Town	187	\$177,513	11	\$192,955
Federal/Military Area	0	-		
Pinelands Village	77	\$223,031	0	-
Special Ag. Production Area	0	-		

Real Estate

2014 In/Out Boundary Sales Data

Pinelands Management Area	Pinelands Area		Pinelands Nat'l Reserve	
	Homes Sold	Avg. Price	Homes Sold	Avg. Price
Preservation Area	9	\$279,111		
Forest Area	75	\$233,100	94	\$224,092
Agricultural Production Area	28	\$228,501		
Rural Development Area	424	\$230,628	118	\$141,952
Regional Growth Area	1,032	\$234,492	1,155	\$215,100
Pinelands Town	187	\$177,513	11	\$192,955
Federal/Military Area	0	-		
Pinelands Village	77	\$223,031	0	-
Special Ag. Production Area	0	-		

Real Estate

Change 2013 to 2014 In/Out Boundary Sales Data

Pinelands Management Area	Pinelands Area		Pinelands Nat'l Reserve	
	Homes Sold	Avg. Price	Homes Sold	Avg. Price
Preservation Area	↓ 55%	↓ 4%		
Forest Area	↑ 32%	↓ 9%	↓ 19%	↑ 2%
Agricultural Production Area	↓ 10%	↓ 14%		
Rural Development Area	↑ 8%	↓ < 1%	↑ 34%	↓ 19%
Regional Growth Area	↑ 30%	↑ 1%	↑ 6%	↑ 7%
Pinelands Town	↑ 50%	↑ 1%	↓ 21%	↓ 7%
Federal/Military Area	-	-		
Pinelands Village	↑ 7%	↑ 2%	-	-
Special Ag. Production Area	-	-		

Economy

Estimated per Capita Income

Pinelands Area

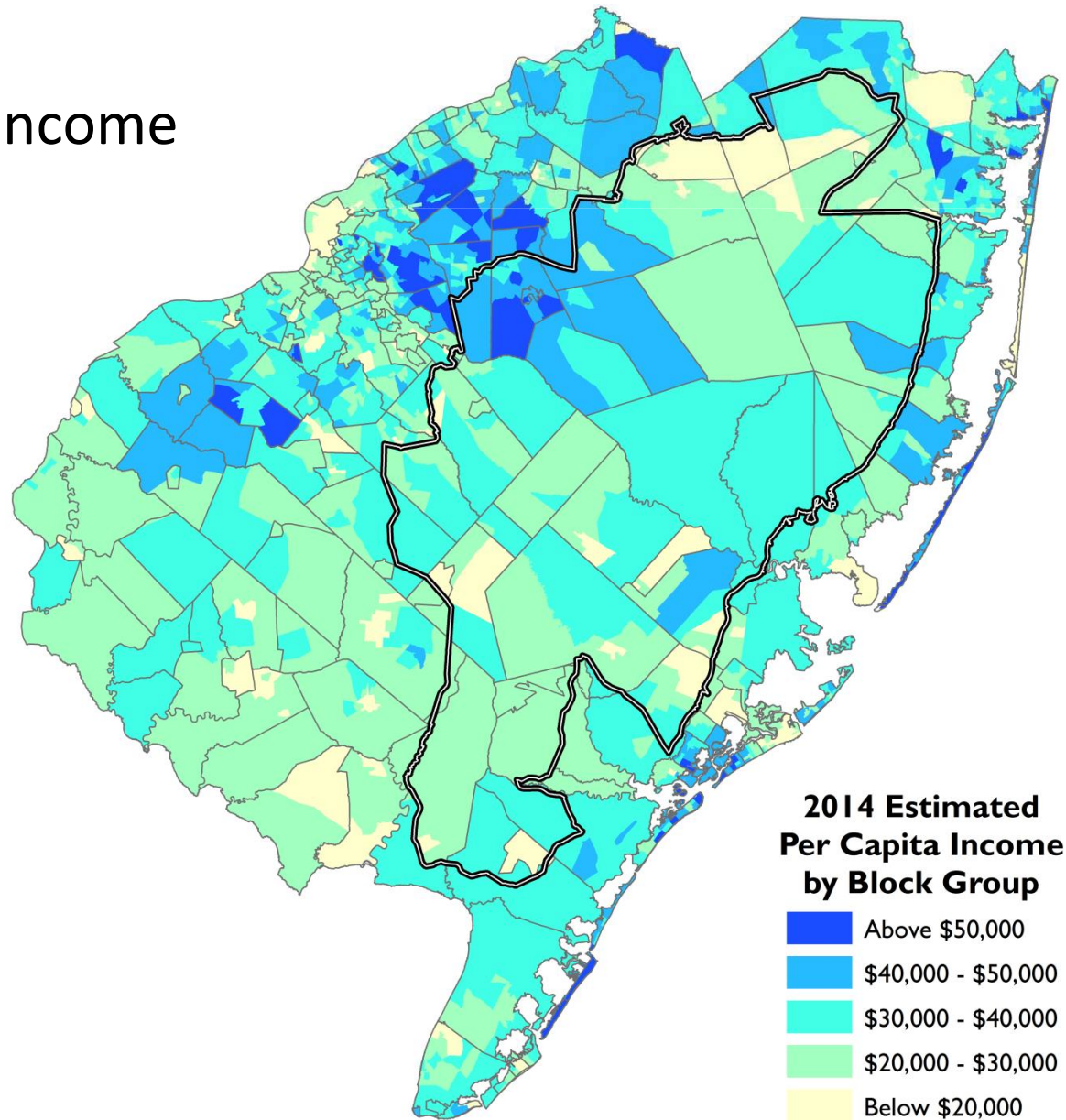
- \$30,100
- ↓ 1% from 2012

Non-Pinelands Area

- \$30,600
- ↓ 3% from 2012

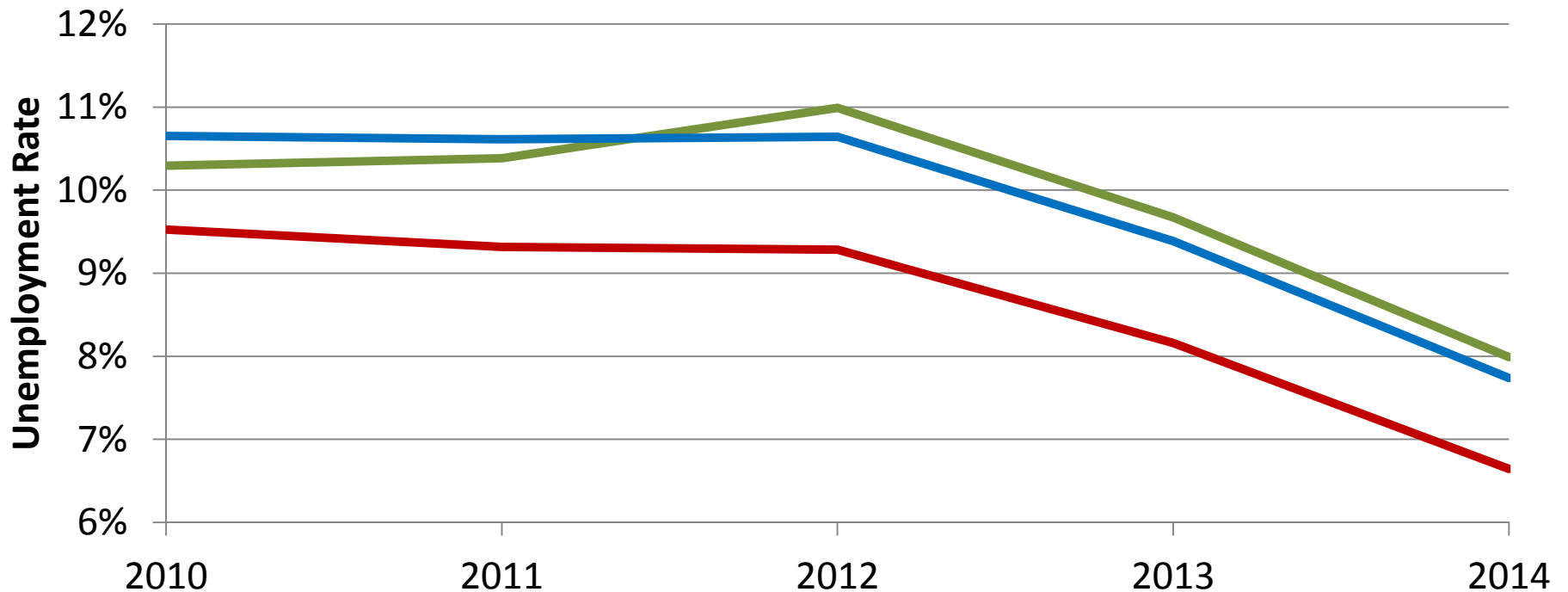
State

- \$35,700
- ↑ 2% from 2012



Economy

Unemployment



— Pinelands

— Non-Pinelands

— State

Pinelands

- 8.0%
- ↓ 1.7 points

Non-Pinelands

- 7.7%
- ↓ 1.6 points

State

- 6.6%
- ↓ 1.5 points

Economy

Employment, Establishments, & Wages

Pinelands

- Employment
 - 143,934
 - ↑ 2.5%
- Establishments
 - 12,678
 - ↑ 2%
- Wages
 - \$37,766
 - ↓ 1.5%

Non-Pinelands

- Employment
 - 599,426
 - ↑ 1%
- Establishments
 - 41,069
 - ↑ 1%
- Wages
 - \$38,434
 - ↓ 1%

State

- Employment
 - 3,236,358
 - ↑ 1%
- Establishments
 - 252,995
 - ↑ 1%
- Wages
 - \$47,647
 - ↓ 1%

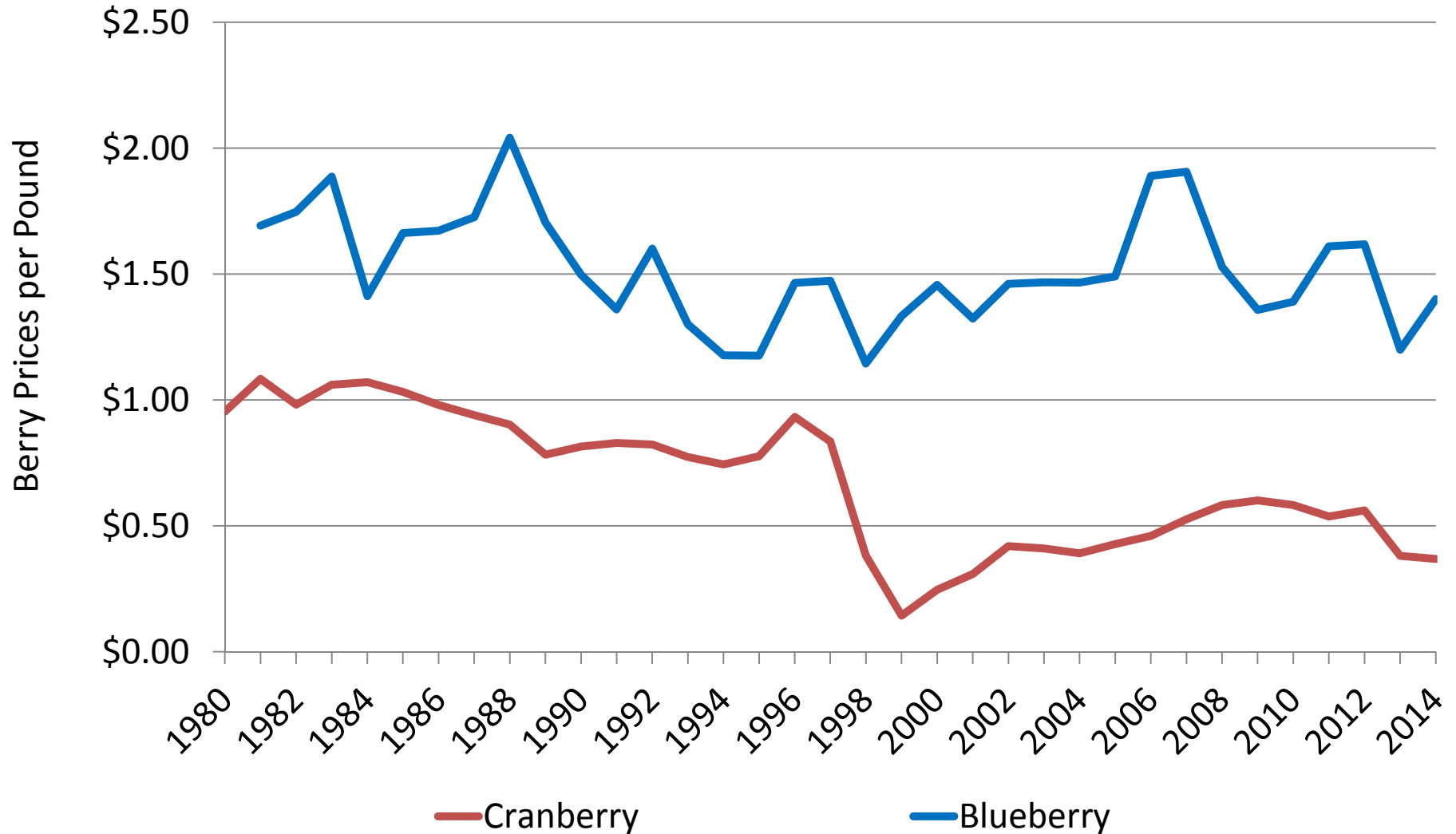
Economy

Retail Sales, Establishments (2012 Update, finally!)

- Changes from 2007 to 2012
 - 10% decline in Pinelands per capita sales from 2007 vs. 9% decline in Non-Pinelands per capita sales vs. 5% decline for the state, overall
 - 14% decline in Atlantic County per capita sales (greatest decline)
 - 1% decline in Camden County per capita sales (least decline)
 - 10% decline in number of establishments in Burlington County and Cape May County (greatest decline)
 - 4% decline in number of establishments in Gloucester County (least decline)

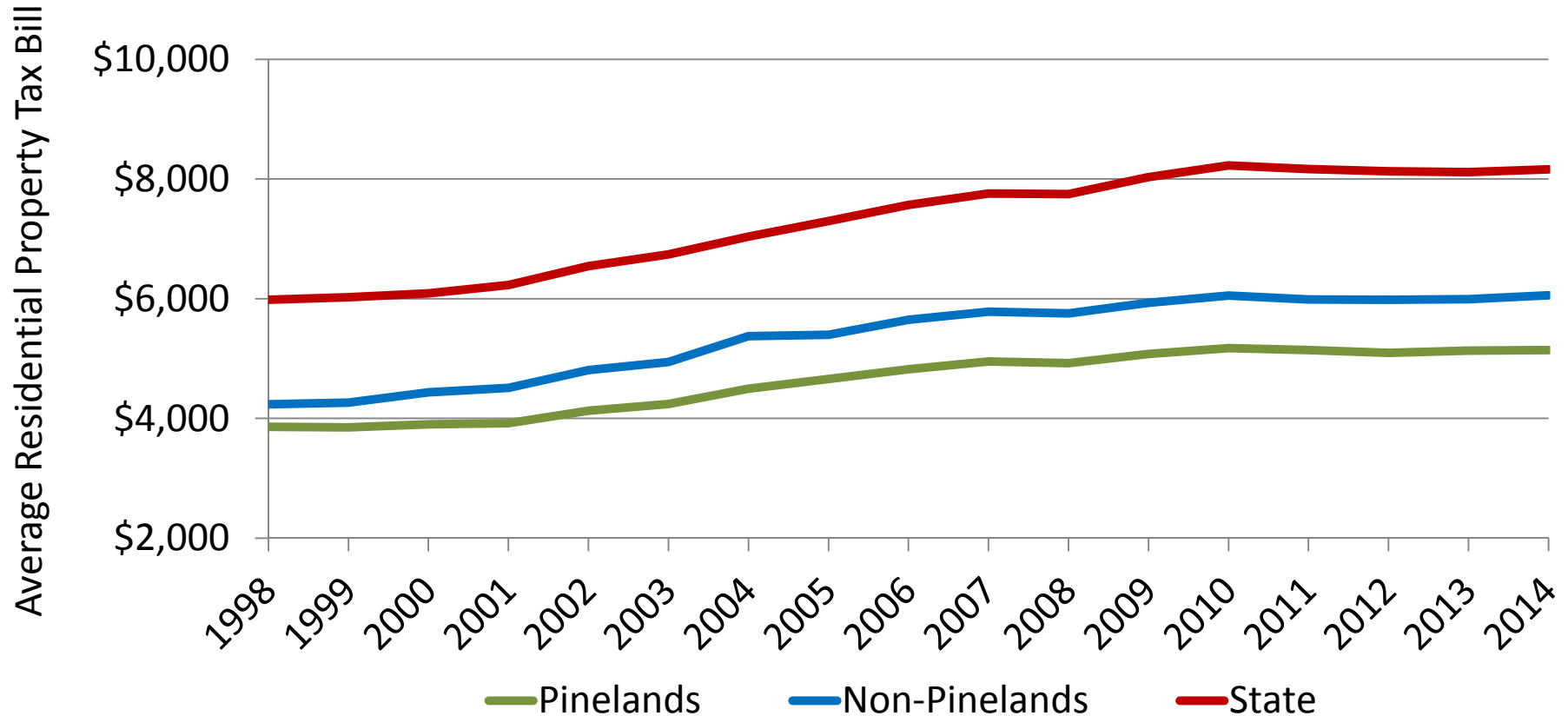
Economy

Berry Prices



Municipal Finance

Residential Tax Bill



Pinelands

- \$5,144
- ↑ < 1%

Non-Pinelands

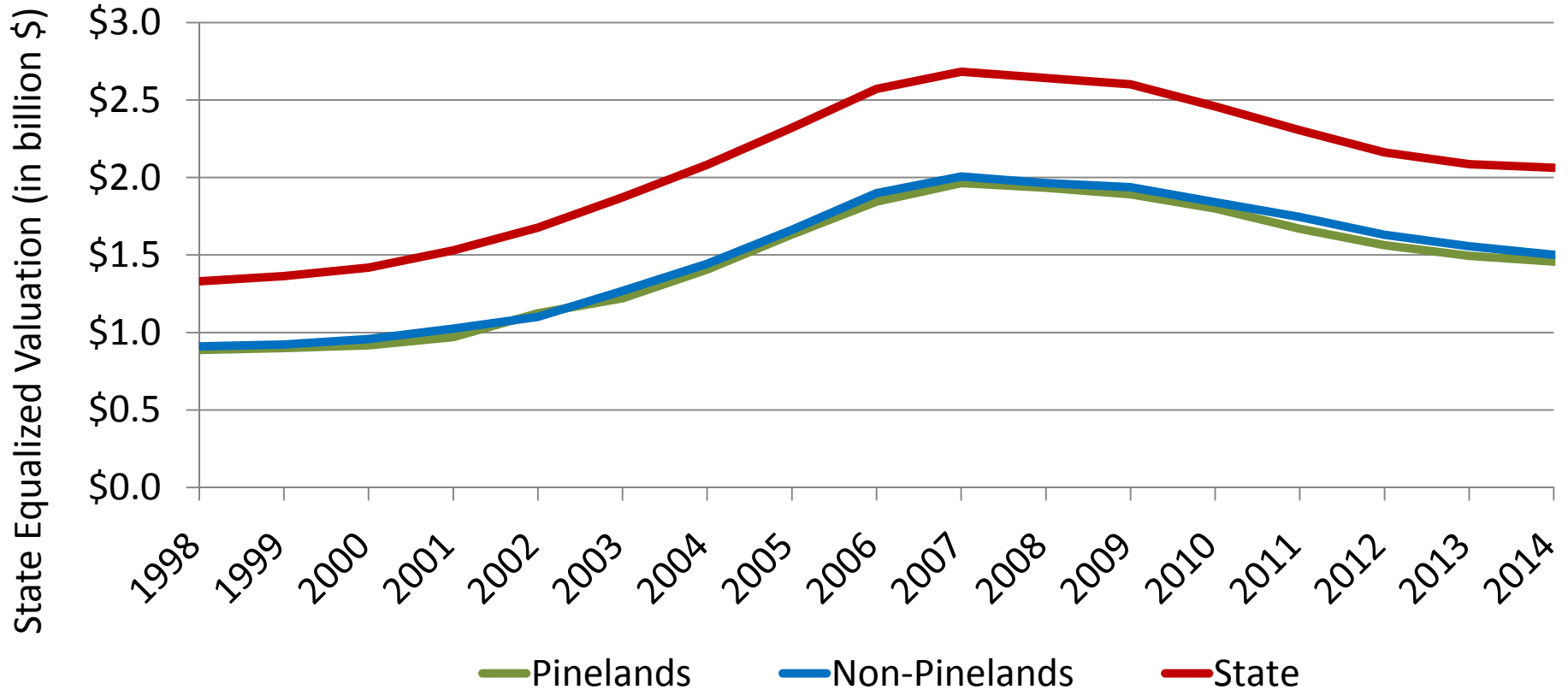
- \$6,057
- ↑ 1%

State

- \$8,161
- ↑ < 1%

Municipal Finance

State Equalized Valuation



Pinelands

- \$1.457 billion
- ↓ 3%

Non-Pinelands

- \$1.501 billion
- ↓ 4%

State

- \$2.064 billion
- ↓ 1%

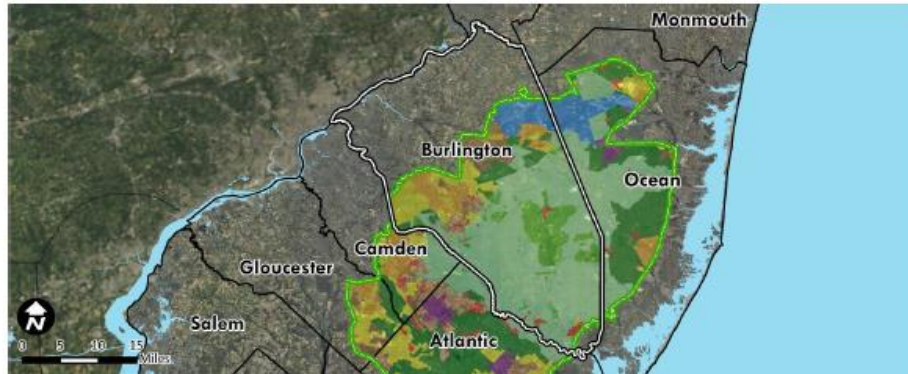
2015 Municipal Fact Book

New Jersey

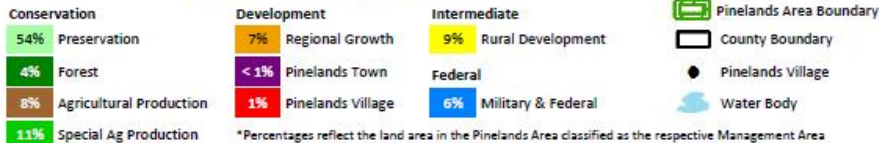
Burlington County

Pinelands Area 2010 population: 96,388 (21% of total population)

Pinelands Area acreage: 334,224 (64% of total acreage)

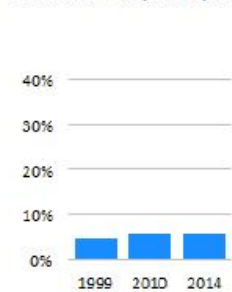


Pinelands Management Areas



2014 Variables	County Value	South N.J. County Avg.	South N.J. County Rank
Population Estimate	449,722	303,834	3
Population Density (per mile ²)	549	713	4
Population Change - 2010 to 2014	0.2%	-0.1%	5
% Land Protected in Pinelands Area	57%	46%*	2*
Assessed Acres of Farmland	118,293	57,162	1
Building Permits Issued	1,000	945	3
Housing Transactions	2,814	2,112	3
Average Home Sale Price	\$269,152	\$275,306	4
Equalized Property Value (millions)	\$45,672.9	\$37,635.6	3
Average Effective Tax Rate	2.55	2.51	5
Average Residential Property Tax Bill	\$6,289	\$5,534	2
Per Capita Income (Estimate)	\$36,600	\$29,574	1
Estimated Unemployment Rate	6.3%	8.6%	8

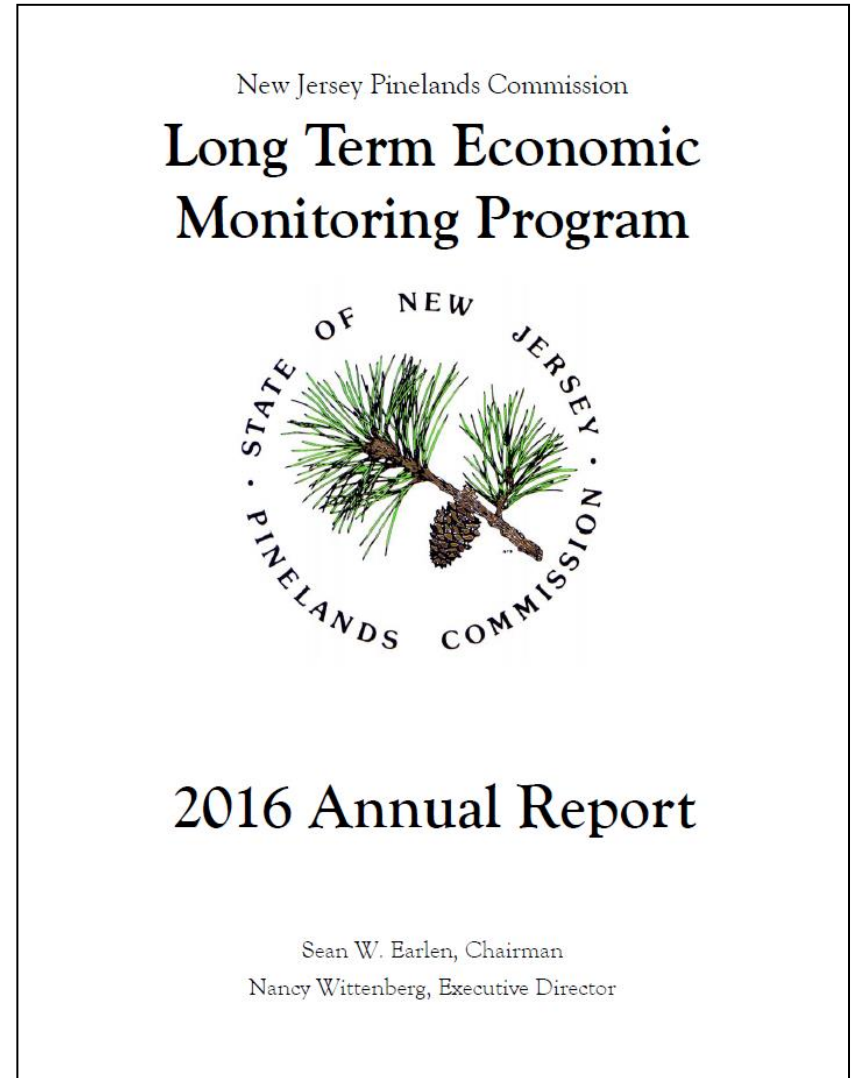
Estimated Poverty Rate by Year



Private Sector Employment	Private Sector Establishments	Private Sector Avg. Annual Wages
169,000	10,446	\$43,417

What's next?

- Program Review
 - Discuss program with experts and how to possibly improve process
- Revised reporting format
- New Annual Data (time permitting)
 - Supplemental data
 - Continue “split-town” data acquisition as feasible





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16-_____

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 1982-3657.020)

Commissioner _____ **moves and Commissioner** _____
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:

1982-3657.020

Applicant:	Town of Hammonton
Municipality:	Town of Hammonton
Management Area:	Pinelands Agricultural Production Area
Date of Report:	June 17, 2016
Proposed Development:	Remove 10 acres of vegetation at the Hammonton Airport.

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 1982-3657.020 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

June 17, 2016

Stephen DiDonato, Mayor
 Town of Hammonton
 100 Central Avenue
 Hammonton, NJ 08037

Re: Application # 1982-3657.020
 Block 5301, Lot 31
 Block 5702, Lots 13 & 14
 Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application to remove 10 acres of vegetation at the Hammonton Airport. 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 July 8, 2016 meeting.

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

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

Sincerely

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

- Enc: Appeal Procedure
 c: Secretary, Town of Hammonton Planning Board (via email)
 Town of Hammonton Construction Code Official (via email)
 Town of Hammonton Environmental Commission (via email)
 Atlantic County Department of Regional Planning and Development (via email)
 Dennis Yap
 Lynn Brass-Smith





State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

June 17, 2016

Stephen DiDonato, Mayor
 Town of Hammonton
 100 Central Avenue
 Hammonton, NJ 08037

Application No.: 1982-3657.020
 Location: Block 5301, Lot 31
 Block 5702, Lots 13 & 14
 Town of Hammonton

This application proposes to remove 10 acres of vegetation at the Hammonton Airport located on the above referenced 96.74 acre parcel. Vegetation to be removed is comprised of both trees and shrubs.

The proposed vegetation removal is required to comply with the Federal Aviation Administration (FAA) Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace standards. As part of the FAA standards, the “Primary Surface” (runway) must be free and clear of any objects above the surface to allow for a safe, unobstructed and appropriate surface for aircraft landing.

This application proposes to remove vegetation within the following four areas on the airport parcel:

- Area One: Vegetation removal from 1.3 acres down to existing grade.
- Area Two: Vegetation removal from 4.7 acres down to existing grade.
- Area Three: Vegetation removal from 0.33 acres down to a height of three feet above grade; and
- Area Four: Vegetation removal from 3.77 acres to a height of 15 to 20 feet above grade.

All vegetation removal is located on the airport parcel. The proposed cutting methods are intended to minimize impacts to plant and animal species habitat. No soil disturbance is proposed as part of this application.

STANDARDS

The Commission staff has reviewed the proposed vegetation removal 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. 7:50-5.24(b)13)

The project is located in a Pinelands Agricultural Production Area. As accessory to the existing airport, the proposed vegetation removal is permitted in a Pinelands Agricultural Production Area.

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

There are wetlands located on the above referenced parcel. The proposed vegetation removal will result in the disturbance of 2.16 acres of wetlands. The CMP permits vegetation removal in wetlands and the required buffer to wetlands to accommodate accessory activities to an existing airport runway (linear facility) provided certain conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed vegetation removal. In addition, the proposed vegetation removal will not result in substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the wetlands. The proposed vegetation removal is required to comply with FAA safety standards. The applicant has demonstrated that the need for airport safety overrides the importance of protecting the wetlands.

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

The proposed vegetation removal is limited to that which is necessary to meet FAA safety standards.

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 seed the two areas proposed to be cleared to existing grade with a grass seed mixture which meets this recommendation.

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

The applicant completed a threatened and endangered (T&E) species survey for Pine Barrens treefrog and a T&E species habitat assessment for potential T&E plant and animal species. The Pine Barrens treefrog survey did not locate the concerned species within the four areas subject of vegetation removal. The habitat assessment identified a population of Little ladies tresses, a Pinelands threatened plant species on the parcel. No clearing or land disturbance is proposed in the vicinity of that population. The proposed vegetation removal is consistent with the T&E species protection standards.

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

A cultural resource survey was completed for this application. No cultural resources eligible for Pinelands designation were found within the project area.

PUBLIC COMMENT

The applicant provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on March 31, 2016. Newspaper public notice was completed on April 6, 2016. The application was designated as complete on the Commission's website on May 24, 2016. The Commission's public comment period closed on June 10, 2016. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed vegetation removal shall adhere to the signed, sealed but undated plan, consisting of eight sheets, prepared by DY Consultants and received by the Commission on July 25, 2013.
2. Disposal of any vegetative waste shall only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be installed prior to vegetation removal to preclude sediment from entering wetlands and shall be maintained in place until all vegetation removal has been completed and the area has been stabilized.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands

General Information: Info@njpines.state.nj.us

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16-_____

TITLE: Approving With Conditions an Application for **Public Development** (Application Number 2003-0319.002)

Commissioner _____ **moves and Commissioner** _____
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:

2003-0319.002

Applicant: Waterford Township
Municipality: Waterford Township
Management Area: Pinelands Rural Development Area
Date of Report: June 20, 2016
Proposed Development: Construction of a 100 space parking lot.

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 2003-0319.002 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

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

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

June 20, 2016

William A. Richardson, Mayor
 Waterford Township
 2131 Auburn Avenue
 Atco, NJ 08004

Re: Application # 2003-0319.002
 Block 5301, Lot 5
 Waterford Township

Dear Mayor Richardson:

The Commission staff has completed its review of this application for construction of a 100 space parking lot. 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 July 8, 2016 meeting.

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

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

Sincerely,

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

- Encls: (7)
- Appeal Procedure
 - 3/25/16 Public Comment
 - 3/25/16 Public Comment
 - 4/6/16 Public Comment
 - 4/7/16 Public Comment
 - 4/14/16 Public Comment
 - 4/15/16 Public Comment



- c: Secretary, Waterford Township Planning Board (via email)
- Waterford Township Construction Code Official (via email)
- Waterford Township Environmental Commission (via email)
- Secretary, Camden County Planning Board (via email)
- Terrence H. Combs, LLA, PP (via email)
- Frank Connuli, Sr. (via email)
- Charlotte Connuli (via email)
- Robert Trebour (via email)
- Janice Skeens (via email)
- Frankie Connuli, Jr. (via email)
- Concerned Pinelands Citizens of Waterford Township



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

PUBLIC DEVELOPMENT APPLICATION REPORT

June 20, 2016

William A. Richardson, Mayor
 Waterford Township
 2131 Auburn Avenue
 Atco, NJ 08004

Application No.: 2003-0319.002

Location: Jackson Road
 Block 5301, Lot 5
 Waterford Township

This application proposes construction of a 100 space parking lot located on the above referenced 6.78 acre parcel in Waterford Township. The proposed parking lot will have a grass surface. Atco Raceway is located directly across Jackson Road from the proposed parking lot. The applicant represents that the proposed parking lot is intended to provide overflow parking for Atco Raceway. This application also proposes the removal of certain unspecified building foundations from the parcel.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.26(b)11)

The proposed development is located in a Pinelands Rural Development Area. The proposed development is a permitted land use in a Pinelands Rural Development Area.

Wetlands Standards (N.J.A.C. 7:50-6.6, 6.7 & 6.14)

There are wetlands located on the parcel. The CMP prohibits most development in wetlands and requires up to a 300 foot buffer to wetlands unless it is demonstrated that a lesser buffer will not result in a significant adverse impact on wetlands. No development is proposed in wetlands. The applicant has demonstrated that the proposed 200 foot buffer to wetlands will not result in a significant adverse impact on wetlands.

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

The proposed development will be located within an oak-pine forested area. The proposed development will disturb approximately 1.4 acres of forested lands. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. All disturbed areas, including the surface of the parking lot, will 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 CMP stormwater management standards. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on March 23, 2016. Notice to required land owners within 200 feet of the above referenced parcel was completed on May 27, 2016. The application was designated as complete on the Commission's website on May 27, 2016. The Commission's public comment period closed on June 10, 2016. The Commission received six written public comments, all enclosed, regarding this application.

Public Comment One: The commenter is opposed to the proposed development. The commenter expressed concern with public safety and security in a neighborhood adjacent to the proposed parking lot and that the Commission should be protecting the Pinelands.

Staff Response: The CMP does not contain regulations addressing public safety and security that may be raised by the proposed parking lot. The commenter may wish to discuss such public safety and security issues with an appropriate municipal official.

The Commission's regulations encourage development in certain areas of the Pinelands and discourage development in other areas of the Pinelands. The parcel proposed for development is located in the Township's Rural Residential (RR) zoning district. Although primarily a residential zoning district, the Township's land use ordinance permits public buildings as a conditional land use in the Township's RR zoning district. The commenter may wish to discuss whether a public parking lot is permitted land use in the Township's RR zoning district with an appropriate municipal official. The parcel is also located in a Pinelands Rural Development Area. A municipal parking lot is defined by the CMP as an "Institutional" use. The CMP permits "Institutional" uses in a Pinelands Rural Development Area.

All development, regardless of location, is required to meet the environmental standards of the CMP. The proposed parking lot meets the environmental standards of the CMP.

Public Comment Two: A letter/petition, containing forty-three signatures was submitted to the Pinelands Commission opposing the proposed development. Summarized, the petition indicates that the purpose of the Township's application to the Commission for the parking lot is to allow the Township to erect a cellular communications tower on the parcel. The petition requests that the Commission deny the application because the Township cannot demonstrate an actual need to develop a parking lot for a commercial use (Atco Raceway) located across the street. The petition also indicates that tree removal has begun without Pinelands approval. The petition further indicates that local residents have suffered from noise from the raceway and will continue to suffer due to increased noise exacerbated by the proposed tree clearing and development.

Staff Response : To date, the Commission staff has not received an application for a cell tower on the parcel. The staff has discussed with a potential applicant the requirements to locate a cell tower on the parcel.

Based upon the regulations contained in the CMP, the Commission staff cannot make a determination regarding the need for the proposed parking lot. The petitioners may wish to discuss the need for the parking lot with an appropriate municipal official.

Based upon a Commission staff site inspection, no apparent tree clearing has occurred on the parcel subject of this application. The Commission staff is aware of tree clearing that occurred across Jackson Road from the proposed parking lot on a parcel (Block 5402, Lot 2) that is a part of the Atco Raceway. The owner of Block 5402, Lot 2 represented to the Commission staff that the clearing was for the establishment of a blueberry agricultural use. Clearing to establish an agricultural use does not require application to the Commission.

With respect to noise from the raceway, the CMP does not regulate noise.

Public Comment Three: The commenter is opposed to the proposed development. Summarized, the commenter expressed concern that the parcel is not zoned for commercial use and that the parcel is protected "open space" under the New Jersey Green Acres Program. The commenter also expressed concern that the animals and plants, including Pink Lady Slippers, will be displaced by the proposed parking lot. The commenter further indicated that development of the parking lot will result in the loss of a wind break, the loss of privacy, an increase in traffic, trash and a loss of trees resulting in an increase in noise from the Atco Raceway. The commenter is opposed to an asphalt parking lot and the associated vehicle parking and resulting vehicle fluid leaks that may contaminate the commenter's potable water well. Lastly the commenter indicated that the proposed stormwater infiltration basin could become a breeding ground for mosquitos and a danger to children in the neighborhood.

Staff Response: The parcel is located in the Township's Rural Residential (RR) zoning district. Although primarily a residential zoning district, public buildings are a permitted

conditional use in the Township's RR zoning district. The commenter may wish to discuss permitted land use in the Township's RR zoning district with an appropriate municipal official. The parcel is also located in a Pinelands Rural Development Area. A municipal parking lot is defined by the CMP as an "Institutional" use. The CMP permits "Institutional" uses in a Pinelands Rural Development Area.

The Commission staff received a May 24, 2016 letter from the New Jersey Department of Environmental Protection (NJDEP) Green Acres Program indicating that the parcel subject of this application is not encumbered by Green Acres Program restrictions.

The CMP requires that development be carried out in a manner which avoids wildlife habitat that is essential to the continued nesting, resting, breeding and feeding of significant populations of wildlife in the Pinelands. The proposed parking lot will impact essential wildlife habitat. The Commission staff is not aware of threatened or endangered animal or plant species on the parcel. Pink lady slipper is not listed as a threatened or endangered plant species by the CMP (N.J.A.C. 7:50-6.27(a)).

The commenter expressed concerns regarding wind, privacy, traffic and noise. The Commission does not regulate these matters. The commenter may wish to discuss these matters with an appropriate municipal official.

The proposed stormwater infiltration basin meets the safety standards for stormwater management basins contained in the NJDEP stormwater management standards (N.J.A.C. 7:8-6.2). These NJDEP stormwater management standards are included in the CMP by cross reference. The Waterford Township land use ordinance and the CMP both require that the proposed stormwater basin be designed, constructed and maintained to completely drain within 72 hours after a storm event.

Public Comment Four: The commenter is opposed to the proposed development. Summarized, the commenter expressed concerns regarding traffic, trespassers from the adjacent raceway and the cutting down of trees and the resulting loss of wildlife habitat. The commenter also expressed concern that the proposed parking lot and stormwater infiltration basin will impact their land and wells. Lastly, the commenter expressed concern regarding a Township proposal to erect a cell tower on the parcel.

Staff Response: The Commission's regulations do not regulate traffic or trespassing. The commenter may wish to discuss traffic and trespassing concerns with an appropriate municipal official.

The CMP requires that development be carried out in a manner which avoids wildlife habitat that is essential to the continued nesting, resting, breeding and feeding of significant populations of wildlife in the Pinelands. The proposed parking lot will not impact essential wildlife habitat.

With respect to the concern that the proposed parking lot and stormwater infiltration basin will impact the commenter's land and well, please refer to the Commission staff's response to Comment Three.

Lastly, regarding the Township's proposal to locate a cell tower on the parcel, please see the Commission staff's response to Comment Two.

Public Comment Five : The commenter recommended that the Commission deny the application for the proposed parking lot because the parcel is mapped as wetlands by the NJDEP and there are protected endangered species on the parcel.

Staff Response: There are wetlands located on the parcel proposed for development. No development is proposed in wetlands and all proposed development will maintain a 200 buffer to wetlands. With respect to the presence of endangered species on the parcel, please see the Commission staff's response to Comment Three.

Public Comment Six: The commenter raised concerns regarding the parcel subject of this application being mapped as wetlands by NJDEP and the clearing of trees that occurred across Jackson Road from the proposed parking lot, adjacent to Atco Raceway. The commenter also expressed concerned with the loss of wildlife habitat for protected species.

Staff Response: With respect to wetlands, please see the Commission staff's response to Comment Five. With respect to tree clearing that occurred across Jackson Road from the proposed parking lot, please see the Commission staff's response to Comment Two. With respect to loss of wildlife habitat for protected species, please see the staff's response to Comment Three.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 6 sheets, prepared by Valore, LLC, all sheets dated March 15, 2016 and revised to May 26, 2016
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 200 feet from wetlands.

CONCLUSION

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



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands

General Information: Info@njpines.state.nj.us

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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

From: Robert Trebour <flip_eight@yahoo.com>
To: <ApplInfo@njpines.state.nj.us>
Date: 3/25/2016 3:48 AM
Subject: Waterford Township letter concerning parking lot on 985 Jackson Rd

To whom it may concern, I live on Atsion Rd and wanted to express my displeasure with the proposed application for a parking lot being built for the Atco Raceway as I understand it. A few years back we basically had people from the ghetto parading up and down our street on Atsion Rd off of Tremont which was incredibly unnerving. Also, we have just had a series of our resident's garages broken into and I believe that these are the people that the raceway attracts and we do not need that close to us. I believe the Pinelands Commission would never have allowed anything like this to take place five or ten years ago and your agency is too quick to sell the "protected" pinelands. The commission, while once being associated with restriction of development, is now known as a pinelands auction for industry purposes. I understand compatible development but removing more small pockets of land all of a sudden is not what that is.

APP # 20030319.002
Doc Type 100

APR 8 2016

**CONCERNED PINELANDS CITIZENS
OF WATERFORD TOWNSHIP**

1045 Atsion Road
Atco, New Jersey 08004



March 25, 2016

New Jersey Pinelands Commission
P.O. Box 359
New Lisbon, New Jersey 08064

Re: Township Of Waterford "Application For Public Development" Pertaining To
A "Planned Overflow Parking Lot And Stormwater Management Facility";
985 Jackson Road; Block 5301, Lot 1 (Waterford Township Tax Map)

Dear Pinelands Commission Members And Staff:

The undersigned are residents, property owners and/or interested parties in Waterford Township. Recently, we were notified that Waterford Township is seeking Pinelands Commission approval to create an "overflow parking lot" and a "drainage facility" **on wooded land located across Jackson Road from the Atco Dragway property.** [See Exhibit "A"]. We have been informed that the parking lot and drainage basin will require extensive tree removal and soil disturbance in what has always been a forest area.

However, after further inquiry, we have been told that the **ACTUAL** reason for the Township's application is to allow the Township to erect a commercial cellular communications tower **(for which the Township had already begun tree removal without Pinelands approval).** This information was confirmed in a letter from the Office Of Township Mayor Bill Richardson. [See. attached Exhibit "B"].

We are now asking the Pineland's Commission to **DENY** the Township's Application, as it obviously is a phony pretense that contradicts the intent and purpose of the Pinelands Comprehensive Management Plan. The Township has not, and cannot demonstrate an actual need to create a parking lot for commercial users of the Atco Dragway. On the very few occasions each year when existing parking at the Dragway might be insufficient, Dragway patrons have utilized the cleared right-of-way under the adjacent high tension lines, or have otherwise used existing parking areas located throughout the Township. Furthermore, as you are aware, local residents have suffered and will continue to suffer from greatly increased noise caused by massive tree clear-cutting that has occurred at properties near the Dragway.

Finally, the Township has not and cannot establish a need or reason to place a cell tower in the middle of a large wooded area, when the Dragway or other nearby existing and developed sites can provide a much more suitable location, and will not require any drainage facility, nor disturb the soil, nor effect groundwater percolation.

WE URGE THE PINELAND COMMISSION TO HELP PROTECT OUR COMMUNITY FROM NEEDLESS DEVELOPMENT AND UNJUSTIFIED DISTURBANCE TO OUR NEIGHBORHOOD FOREST. WE BELIEVE THAT THE TOWNSHIP OF WATERFORD MUST BE REQUIRED TO FOLLOW THE SAME RULES AND REGULATIONS THAT WE MUST FOLLOW.

Thank you.

Very truly yours,


Concerned Pinelands Citizens Of Waterford Township

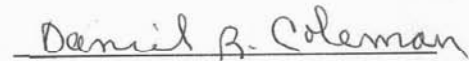
(Name and Signature)


Jess J. Miller 

Ronald E. Miller 

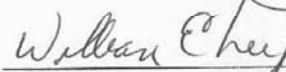
Bill Lee 

Joe NACHTRIEB 

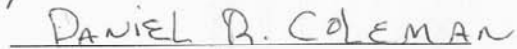
Daniel B. Coleman 

George J. Smith 



William Chey 

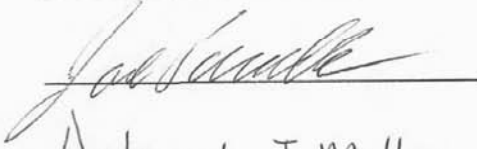
Joe NACHTRIEB 

DANIEL B. COLEMAN 



(Name and Signature)

JUNEANN K SMITH

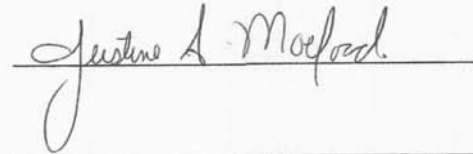
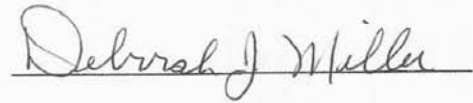


Deborah J. Miller

Justine Maxford

Juneann K Smith

JACK PASSARELLA



arh
ENGINEERS
SURVEYORS
PLANNERS

adams, rehmann & heggan
associates, inc.

March 23, 2016

CERTIFIED RETURN RECEIPT

Debra L. Shaw-Blenings, CMR, Clerk
Township of Waterford
2131 Auburn Avenue
Ateo, NJ 08004-1900

Re: **Notice of Public Development Application**
Planned Overflow Parking Lot AND Stormwater Management Facility
Block: 5301, Lot: 5 - 985 Jackson Road
(Pinelands Rural Development Management Area)
Waterford Township, Camden County
ARH #50-52474

TO WHOM IT MAY CONCERN:

This letter is to provide you with legal notification that the Township of Waterford has applied to the New Jersey Pinelands Commission for approval of an Application for Public Development. The proposed public development is to authorize the construction of a publicly owned and maintained overflow parking area and associated drainage facility, as well as legitimize previous demolition activities on Block 5301, Lot 5. This property is wooded and known as 985 Jackson Road, situated approximately ±750 LF east of Tremont Avenue.

The application is on file and available for inspection by appointment at the Pinelands Commission Office. Interested persons may comment to The Pinelands Commission within ten (10) days of the date of this Notice. Comments may be sent via the following:

Mail: The Pinelands Commission
PO Box 359
New Lisbon, New Jersey 08064

FAX: (609) 894-7331

E-Mail: AppInfo@nipines.state.nj.us

Any person who provides comments or requests a copy of the Executive Director's Findings and Conclusions shall be provided a copy of said Findings and Conclusions. Any interested person who is aggrieved by said determination is entitled to a Hearing by appealing the determination.

This Notice is sent to you as an Owner of property within two hundred feet (200') of the subject property.

Agent For Applicant:

Adams, Rehmann & Heggan Associates, Inc.
850 South White Horse Pike
PO Box 579
Hammonton, New Jersey 08037-2019

w:\Micro\up\5012474\plecor\l_adj\omr.docx

850 south white horse pike, po box 579, hammonton, nj 08037-2019 tel 609.561.0482 fax 609.567.8909
www.arh-us.com

EXHIBIT "A"



Township of Waterford

Communication from Office of the Mayor ~

Residents who live within 200' of a Township owned property located off of Jackson Road have received a letter from Adams, Rehman and Heggan regarding Notice of Public Development Application. It has come to our attention that this letter has spurred many incorrect assumptions on several non-township facebook pages.

For clarification purposes, the letter sent to these residents is NOT regarding a large parcel of land owned by the raceway that was cleared last summer. That parcel of land, to the best of the Township's knowledge, is still being planned for the planting of blueberries.

The letter received by the residents is for a small piece of Township owned land, across from the raceway, that the Township has entered into an agreement to have a cellular communication tower constructed on. This tower will enhance emergency and cellular communications in an area that is notorious for spotty coverage at best.

Should you have any questions, please contact our Township Administrator, Susan Danson or our Zoning Official Ed Toussaint at 856.768.2300.

arh *adams, rehmann & heggan*
ENGINEERS
SURVEYORS
PLANNERS
associates, inc.

March 13, 2014

CITY OF WATERFORD
Mayor L. Steve Hinchey, Chair, Clerk
Township of Waterford
2177 Auburn Avenue
Auburn, NJ 08604-4300

Re: **Notice of Public Development Application**
Demand Center Parking Lot and Stormwater Management Facility
Block 3280, Lot 1-3-383 Jackson Road
(Pinelake Rural Development Management Area)
Waterford Township, Camden County
ARJ13-0193

TO WHOM IT MAY CONCERN:

This notice is to provide you with brief notification that the Township of Waterford has referred to the Pinelake Rural Development Commission for approval of an Application for Public Development. The proposed public development is to construct a publicly owned and maintained parking area and associated drainage facility, as well as implement various stormwater activities on Block 3280, Lot 1-3-383. This property is zoned R-1 and lies on 385 Jackson Road, abutting approximately 9792 LP and of The Great Atlantic.

The application is on file and available for inspection by appointment at the Pinelake Commission Office. Additional parcels may be included in The Pinelake Commission within ten (10) days of the date of this Notice. Comments may be sent via the following:

Mail: The Pinelake Commission
PO Box 379
New Jersey, New Jersey 08621-0379
E-Mail: arh266@optonline.net **FAX:** (609) 864-7311

Any person who provides comments or requests a copy of the Executive Director's Findings and Conclusions shall be provided a copy of said Findings and Conclusions. Any interested person who is aggrieved by said determination is subject to a hearing by appealing the determination.

This Notice is sent to you as an Owner of property within two hundred feet (200') of the subject property.

Attn: For Applicant:
Adams, Rehman & Heggan Associates, Inc.
100 South White Horse Pike
PO Box 379
Fortmonmouth, New Jersey 08621-0379

EXHIBIT "B"

APR 8 2016

The New Jersey Pinelands Commission
March 25, 2016
Page 2

Finally, the Township has not and cannot establish a need or reason to place a cell tower in the middle of a large wooded area, when the Dragway or other nearby existing and developed sites can provide a much more suitable location, and will not require any drainage facility, nor disturb the soil, nor effect groundwater percolation.

WE URGE THE PINELAND COMMISSION TO HELP PROTECT OUR COMMUNITY FROM NEEDLESS DEVELOPMENT AND UNJUSTIFIED DISTURBANCE TO OUR NEIGHBORHOOD FOREST. WE BELIEVE THAT THE TOWNSHIP OF WATERFORD MUST BE REQUIRED TO FOLLOW THE SAME RULES AND REGULATIONS THAT WE MUST FOLLOW.

Thank you.

Very truly yours,

Concerned Pinelands Citizens Of Waterford Township

(Name and Signature)

Traci Taglienti
Charlotte Connuli
Charlotte Connuli

Traci Taglienti
Charlotte Connuli

Frank Connuli

Frank Connuli

LAWRENCE DAY
Lawrence Day

Lawrence Day
Michael L. Arnor

Michael L. Arnor

Denise E. Arnor

Denise E. Arnor

APR 8 2016

The New Jersey Pinelands Commission
March 25, 2016
Page 2

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Thank you.

Very truly yours,

Concerned Pinelands Citizens Of Waterford Township

(Name and Signature)

JULIA ANN LEVOCH - Ann Levoch Paul Flemings Paul Flemings

Gil Campbell Bill Neilson E Campbell

Jeanie Neilson Jeanie Neilson Michael W. W. W.

John H. Day Justin H. Day Joseph D. ... Joseph D. ...

Ryan J. Stevenson Katherine C. Paulose

Linda Butenis-Vorse Linda Wendy K...

Butenis-Vorse

APR 8 2016

The New Jersey Pinelands Commission
March 25, 2016
Page 3

(Name and Signature)

Robert E. Tabor

Ron Tabor Jr.

Kami Tabor

Ronald Tabor

Ellen Tabor

Linda Chew

The New Jersey Pinelands Commission
March 25, 2016
Page 2

Finally, the Township has not and cannot establish a need or reason to place a cell tower in the middle of a large wooded area, when the Dragway or other nearby existing and developed sites can provide a much more suitable location, and will not require any drainage facility, nor disturb the soil, nor effect groundwater percolation.

WE URGE THE PINELAND COMMISSION TO HELP PROTECT OUR COMMUNITY FROM NEEDLESS DEVELOPMENT AND UNJUSTIFIED DISTURBANCE TO OUR NEIGHBORHOOD FOREST. WE BELIEVE THAT THE TOWNSHIP OF WATERFORD MUST BE REQUIRED TO FOLLOW THE SAME RULES AND REGULATIONS THAT WE MUST FOLLOW.

Thank you.

Very truly yours,

Concerned Pinelands Citizens Of Waterford Township

(Name and Signature)

[Signature]

James Hamilton

[Signature]

Timothy McBride

Michael McBride

Michael McBride

[Signature]

John B. Mummere

Kevin Trebour

Kevin Trebour

Martha Kiaz

MARTHA KIAZ

From: mavstang <mavstang@comcast.net>
To: <ApplInfo@njpines.state.nj.us>
Date: 4/6/2016 9:52 AM
Subject: Waterford Twp Block 5301, Lot 5

Dear Ronda,

I am responding to a notification that directly affects me, my family and community in a negative way. Waterford Twp has hired Adams Rehmann and Heggan to develop Block 5301, Lot 5 into a parking lot and drainage facility. Myself my family and community are opposed to this development because :

1. This land is not Zoned Commercial I believe It is Zoned for Open Air use Green Acres funded, recreational center /park. The most recent use of the land which was more than 20 years ago, was as a town baseball field. It has never been totally cleared only the area where the Baseball field was located was cleared. The Baseball field area has long since grown back as a thriving Pineland woods. This double plot of land is part of the original Pinelands that have been in this area for hundreds of years. Many plants (Pink Lady Slippers which are endangered) very old Pine, Oak, wild blueberries, ect. and animals deer, snakes, lizards, tree frogs birds, wild turkey, squirrels, Chipmunks ect. have been using this land for hundreds of years. This land is protected by the Pineland Commission and should be considered as a Pine Forrest and wet lands.

2. I do not want to lose the privacy that this Pineland provides between the homes.

3. I do not want to lose the wind brake it provides for my home.

4. I do not want more noise from Atco Raceway. This plot of land insulates/ buffers the noise from Atco raceway.

4. I do not want a parking lot that will bring more traffic (that will endanger the children in the neighborhood) noise and trash .

5. I do not want asphalt with automobiles parked on top of it next to my home. Automobiles leak toxic fluids, oil, transmission fluid, anti freeze ect. which will drain into the drainage facility and potentially contaminate my well.

6. I do not want a drainage facility this brings potential for children drowning to our neighborhood .

7. I do not want a drainage facility due to the fact it can potentially become a mosquito breeding ground. Mosquitos carry many diseases which we don't want. We already deal with tic born diseases that are ramped in this area. The township dose not treat any areas for these know disease carrying insects. I am sure they won't for mosquitos either.

Thank you for your consideration on these concerns,
Frank Connuli Sr. Charlotte Connuli Frankie Connuli Jr.

From: [REDACTED]
To: <APPINFO@NJPINES.STATE.NJ.US>
Date: 4/7/2016 12:24 PM
Subject: WATERFORD TWP

Dear Commissioners,

I am writing to you in hope that you will not approve the parking lot that the Twp Of Waterford has applied for. I believe the address is 985 Jackson Rd Waterford NJ.

This piece of property goes from Jackson Rd to Atsion Rd. This is a residential street already loaded with problems.

The residents on this street do not need anymore issues with traffic. That point be made, the cutting down of more trees is totally uncalled for. The track already cut down almost 60 acres of woods. Why on Earth put a parking lot on a residential street when the track has an open lot.

We all have wells out here and are scared that any parking lot/drainage pit will harm our land and wells. The type of cars that frequent the track are race cars and alot are cars that leak fluids that will drain into the parking lot and drainage ditch. Those fluids will penetrate the ground just a few feet away from our wells here. That will not be healthy for us or the wildlife here.

The town wants to also put up a Cell tower on this land, which is not wide enough to handle that type of tower. Any cell tower will also cause issues with the environment here. We love the animals and wooded life here. I do not understand how more trees could be torn down in this area to make way for a parking lot that will be overrun with pollutants, which could in turn damage our area, wildlife and our only source for drinking water.

In the past, I have had to go to the back of my wooded yard to get people from the track off my property. They were causing damage to my land with setting up tents, starting fires and such.

This is not an appropriate place to cut down our trees to make way for some parking that will cause more traffic, damage our land, contaminate our wells, dislocate more animals from their homes. There are hundreds of animals that were already displaced with the 60 acres across the street being cut down. Now more animals will lose there habitat.

The Pineland Commission is here to protect our forest. Please protect this piece of land. It is crucial that it be left alone. The 60 acres that was torn down across the street devastated wildlife. No more trees should come down for a senseless parking lot. This will endanger more animals being misplaced, issues with our wells and drinking water and more traffic.

I would appreciate you keeping my name quiet. You can read this email but please leave my name out of it.

From: mavstang <mavstang@comcast.net>
To: <ApplInfo@njpines.state.nj.us>
Date: 4/14/2016 1:59 PM
Subject: Re: Rhonda request for estimate of Application 2003-0319.002

Hello Rhonda,

The recent application submitted by ARH regarding the proposal of a parking lot and drainage facility located on Block 5301, lot 5 should be denied. The NJ Department of Environmental Protection (NJDEP.Geoweb) has in fact determined that this land is considered wetlands and has protected endangered species living in this habitat.

Thank You,
Charlotte Connuli

> On Apr 6, 2016, at 12:38 PM, mavstang <mavstang@comcast.net> wrote:
>
> Hi Rhonda,
>
> I am requesting an estimate for copies of Application from Waterford Twp to the Pineland Commission, The Plans, and the Storm Water Report and The Cover Letter form March 17th 2016. The file # is 2033-0319.002.
>
> Thank You,
>
> Charlotte Connuli
>
>

From: Janice Skeens <barngoddess01@gmail.com>
To: <appinfo@njpines.state.nj.us>
Date: 4/15/2016 6:28 PM
Subject: Waterford Twp parking lot/ cell tower application

Dear Jessica Patterson,

Thank you so much for taking the time to speak with me last week According to the NJDEP.Geoweb map that displays the Protected Wetlands, block 5301 lot 5 is included in the protected area. There have been several acres cleared by Atco Raceway and continuing to be cleared, that are also in the protected area. It is my understanding that there are several species that are also protected under Federal Law.

Is there a recent study, that includes the displacement of wildlife from the massive and continuing clearing adjacent to Atco Raceway, to determine the negative affect of the protected species and the surrounding habitat?. Please let me know that you received this.

--

Have a great day!

Janice Skeens

<http://janice.vibrantscents.com/>

janiceskeens@mar <janiceskeens@marketingscents.com>ketingscents.com



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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

LETTER OF INTERPRETATION #518
 (Renewal)

June 8, 2016

William H. Powell
 P.O. Box 166
 Sewell, NJ 08080

Re: Application # 1989-0046.002
 Block 840, Lots 34, 36 - 39
 Magnolia Road
 Pemberton Township

FINDINGS OF FACT

The applicant owns the above referenced 10.74 acre parcel in Pemberton Township. This acreage is based on the Township tax map. The parcel is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this parcel.

On April 9, 1990, the Commission issued LOI #518 allocating 0.50 PDCs to the parcel. That LOI expired on April 9, 1992. The applicant is requesting a new LOI for the parcel. This renewal of the LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. This renewal of #518 replaces the April 9, 1990 LOI #518.

The parcel consists of 1.26 acres of uplands and 8.42 acres of wetland soils in active field agriculture. The remaining 1.06 acres are wetlands as defined by N.J.A.C. 7:50-6.5(a). The active field agriculture in wetland soils was established prior to February 7, 1979. The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the parcel. The remains of a building exist on the parcel. No resource extraction operation or development has been approved for this parcel pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP).

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.



The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 1.26 acres of uplands, the applicant would be entitled to 0.06 PDCs. For the 8.42 acres of wetland soils in active field agriculture, the applicant would be entitled to 0.43 PDCs. For the 1.06 acres of other wetlands, the applicant would be entitled to 0.01 PDCs. There would be 0.50 PDCs allocated to this lot.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 0.50 PDCs allocated to Block 840, Lots 34 and 36-39.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making 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 within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Susan R. Grogan, Executive Director, PDC Bank (via email)
- Robert D. Powell (via email)



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

AMENDED LETTER OF INTERPRETATION #525

June 7, 2016

William H. Powell
 P.O. Box 166
 Sewell, NJ 08080

Re: Application # 1989-0046.001
 Block 840, Lots 30 & 32
 Magnolia Road
 Pemberton Township

FINDINGS OF FACT

The applicant owns the above referenced 20.25 acre parcel in Pemberton Township. This acreage is based on the Township tax map. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this parcel.

On April 20, 1990, the Commission issued LOI #525 allocating 0.75 PDCs to the parcel. That LOI expired on April 20, 1992. That LOI indicated that a single family dwelling existed on the parcel. Based on available information, that dwelling was destroyed by fire on October 31, 1993. The applicant is requesting a new LOI reflecting the fact that the parcel is vacant. This Amended LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. This Amended LOI #525 replaces the April 20, 1990 LOI #525.

The parcel consists of 9.03 acres of uplands and 9.88 acres of wetland soils in active field agriculture. The remaining 1.34 acres are wetlands as defined by N.J.A.C. 7:50-6.5(a). The active field agriculture in wetland soils was established prior to February 7, 1979. The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the parcel. The parcel is vacant. No resource extraction operation or development has been approved for this parcel pursuant to the provisions of the CMP.

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.



The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 9.03 acres of uplands, the applicant would be entitled to 0.46 PDCs. For the 9.88 acres of wetland soils in active field agriculture, the applicant would be entitled to 0.51 PDCs. For the 1.34 acres of other wetlands, the applicant would be entitled to 0.01 PDCs. There would be 0.98 PDCs allocated to this lot.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there is 1.0 PDC allocated to Block 840, Lots 30 and 32.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making 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 within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Susan R. Grogan, Executive Director, PDC Bank (via email)
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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

LETTER OF INTERPRETATION #1309
 (Renewal)

June 2, 2016

Eleanor S. Kirby
 167 Pemberton Vincentown Rd
 Pemberton, NJ 08068

Re: Application # 2000-0394.001
 Block 839.01, Lot 15
 Vincentown Road
 Pemberton Township

FINDINGS OF FACT

The applicant owns the above referenced 53.21 acre lot in Pemberton Township. This acreage is based on the Township tax map. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this lot.

On September 29, 2000, the Commission issued LOI #1309 allocating 1.75 PDCs to the lot. That LOI expired on September 20, 2002. The applicant is requesting a new LOI for the lot. This LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. This renewal of LOI #1309 replaces the September 29, 2000 LOI #1309.

The lot contains 18.79 acres of uplands and 17.16 acres of wetlands in active field agriculture. The field agriculture was established before February 7, 1979. The remaining 17.26 acres are wetlands as defined by N.J.A.C. 7:50-6.5(a). The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the lot. There are no easements limiting the use of this lot to nonresidential uses. A single family dwelling and two structures accessory to the agricultural use exist on the lot. No resource extraction operation or other development has been approved for this parcel pursuant to the provisions of the Comprehensive Management Plan.

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.



The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 18.79 acres of uplands, the applicant would be entitled to 0.96 PDCs. For the 17.16 acres of wetland soils in active field agriculture, the applicant would be entitled to 0.88 PDCs. For the 17.26 acres of other wetlands, the applicant would be entitled to 0.09 PDCs.

Not considering the existing single family dwelling, there would be 1.93 PDCs allocated to this lot. However, N.J.A.C. 7:50-5.43(b)3ii requires that the Pinelands Development Credit entitlement for the parcel be reduced by 0.25 PDCs for each existing dwelling unit on the lot.

There would be 1.68 PDCs allocated to the lot.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 1.75 PDCs allocated to Block 839.01, Lot 15.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making 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 within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Susan R. Grogan, Executive Director, PDC Bank (via email)



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Chris Christie
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 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

AMENDED LETTER OF INTERPRETATION #1522

June 8, 2016

Alloway Family Limited Partnership
 P.O. Box 2536
 Vincentown, NJ 08088

Re: Application # 1985-0367.004
 Block 1502, Lots 1 & 1.04
 Buddtown Road
 Southampton Township

FINDINGS OF FACT

The applicant owns the above referenced 43.21 acre parcel in Southampton Township. This acreage is based on the municipal tax map. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicant is requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this parcel.

On April 25, 2001, the Commission issued LOI #1522 allocating 2.0 PDCs to the 53.21 acre parcel. That LOI expired on April 25, 2003. Current municipal tax maps indicate that the parcel is 43.21 acres. The applicant is requesting a new LOI eliminating the reserved right for one future dwelling on the parcel. This Amended LOI utilizes currently available mapping technology to determine the acreage of uplands and wetlands. This Amended LOI #1522 replaces the April 25, 2001 Amended LOI #1522.

The parcel consists of 26.66 acres of uplands and 11.57 acres of wetland soils in active field agriculture. The remaining 4.98 acres are wetlands as defined by N.J.A.C. 7:50-6.5(a). The active field agriculture in wetland soils was established prior to February 7, 1979. The applicant reserves the right to undertake field mapping to further refine the acreage of uplands and wetlands on the parcel. A single family dwelling and three structures accessory to the agricultural use exist on the parcel. No resource extraction operation or development has been approved for this parcel pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP).

On May 2, 1985, the Southampton Township Planning Board determined that an application for a proposed two lot subdivision of original Block 1502, Lot 1 was a division of land for agricultural purposes. Subsequently, the application was approved pursuant to the provisions of the CMP (App. No. 1985-0367.001). That application created Block 1502, Lots 1 (26.73 acres) and 1.04 (19.21 acres).



On March 3, 1988, the Southampton Township Planning Board determined that an application for a proposed two lot resubdivision of Block 1502, Lots 1.02 and 1.04 was a division of land for agricultural purposes. Current Lot 1.04 (16.28 acres), subject of this LOI application, was created as a result of that application. The Commission staff advised the owners of the two lots that the resubdivision required the completion of an application with the Commission (App. No. 1985-0367.003). The resubdivision shall be included in any future application to the Commission for development on Block 1502, either Lots 1.02 or 1.04.

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.

The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 26.66 acres of uplands, the applicant would be entitled to 1.37 PDCs. For the 11.57 acres of wetland soils in active field agriculture, the applicant would be entitled to 0.59 PDCs. For the 4.98 acres of other wetlands, the applicant would be entitled to 0.03 PDCs. Not considering the existing single family dwelling, there would be 1.99 PDCs allocated to this parcel.

However, N.J.A.C. 7:50 5.43(b)3ii requires that the PDC entitlement for the parcel be reduced by 0.25 PDCs for each existing dwelling unit on the parcel. Based upon the existing dwelling, there would be 1.74 PDCs allocated to the parcel.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 1.75 PDCs allocated to Block 1502, Lots 1 and 1.04.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making 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 within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

- c:
- Secretary, Southampton Township Planning Board (via email)
 - Southampton Township Construction Code Official (via email)
 - Southampton Township Environmental Commission (via email)
 - Secretary, Burlington County Planning Board (via email)
 - Susan R. Grogan, Executive Director, PDC Bank (via email)



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Chris Christie
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 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

LETTER OF INTERPRETATION #2149

June 6, 2016

Harold & Gail Kirby
 155 Vincentown Road
 Pemberton, NJ 08068

Re: Application # 2016-0036.001
 Block 839.01, Lot 16.01
 Vincentown Road
 Pemberton Township

FINDINGS OF FACT

The applicant owns the above referenced 49.45 acre lot in Pemberton Township. This acreage is based on the Township tax map. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicants are requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this lot.

The lot consists of 29.91 acres of uplands and 15.13 acres of wetlands in active field agriculture. The field agriculture in wetlands was established prior to February 7, 1979. The remaining 4.41 acres are wetlands as defined by N.J.A.C. 7:50-6.5(a). The applicants reserve the right to undertake field mapping to further refine the acreage of uplands and wetlands on the lot. The lot is vacant. There are no easements limiting the use of this lot to nonresidential uses. No resource extraction operation or development has been approved for this lot pursuant to the provisions of the Pinelands Comprehensive Management Plan (CMP).

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.

The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.



For the 29.91 acres of uplands, the applicants would be entitled to 1.53 PDCs. For the 15.13 acres of wetland soils in active field agriculture, the applicants would be entitled to 0.78 PDCs. For the 4.41 acres of wetlands, the applicants would be entitled to 0.02 PDCs.

There would be 2.33 PDCs allocated to this lot.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 2.25 PDCs allocated to Block 839.01, Lot 16.01.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making 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 within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

- c: Secretary, Pemberton Township Planning Board (via email)
- Pemberton Township Construction Code Official (via email)
- Pemberton Township Environmental Commission (via email)
- Secretary, Burlington County Planning Board (via email)
- Susan R. Grogan, Executive Director, PDC Bank (via email)



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

LETTER OF INTERPRETATION #2150

June 8, 2016

Irene & Daniel Lenzi
 1016 Piney Hollow Road
 Newfield, NJ 08344

Re: Application # 2016-0043.001
 Block 6503, Lot 28
 Piney Hollow Road
 Franklin Township

FINDINGS OF FACT

The applicants own the above referenced 6.9 acre lot in Franklin Township. This acreage is based on the Township tax map. The lot is located in a Pinelands Agricultural Production Area. Pursuant to N.J.A.C. 7:50-4.72(a)1, the applicants are requesting a Letter of Interpretation (LOI) as to the number of Pinelands Development Credits (PDCs) which are allocated to this lot.

The entire 6.9 acres is comprised of uplands. A single family dwelling and six structures accessory to an agricultural use exist on the lot. No resource extraction operation or development has been approved for this parcel pursuant to the provisions of the CMP.

CONCLUSION

The CMP grants, with certain exceptions, to every parcel of land in a Pinelands Agricultural Production Area, a use right known as "Pinelands Development Credits," that can be used to secure a density bonus for lands located in a Pinelands Regional Growth Areas (N.J.A.C. 7:50 5.43). None of these exceptions apply to this parcel.

The CMP establishes the ratio by which PDCs are allocated in a Pinelands Agricultural Production Area (N.J.A.C. 7:50 5.43(b)2). Two PDCs are allocated for every 39 acres of uplands, except for uplands which are mined as a result of a resource extraction permit approved pursuant to the provisions of the Plan; for areas of active berry agricultural bogs and fields and for wetlands in active field agricultural use as of February 7, 1979. There are 0.2 PDCs allocated for every 39 acres of other wetlands.

For the 6.9 acres of uplands, the applicants would be entitled to 0.35 PDCs. Not considering the existing dwelling, there would be 0.35 PDCs allocated to the lot.



However, N.J.A.C. 7:50 5.43(b)3ii requires that the PDC entitlement for the lot be reduced by 0.25 PDCs for each existing dwelling unit on the lot. Based upon the existing dwelling, there would be 0.1 PDCs allocated to the lot.

PDCs are transacted (allocated, severed and redeemed), with limited exceptions, in 0.25 PDC increments (0.25 PDC = 1 dwelling unit).

Therefore, there are 0 PDCs allocated to Block 6503, Lot 28.

This LOI for an allocation of PDCs is valid for five years from the date of issuance (N.J.A.C. 7:50-4.76(b)).

APPEAL

The CMP (N.J.A.C. 7:50-4.55) provides an interested party the right to appeal this LOI 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 hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this LOI and must include the following information:

1. the name and address of the person making 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 within eighteen days of the date of this LOI, the LOI shall become binding.

If you are interested in “severing” the allocated PDCs from the parcel and/or information regarding the sale of PDCs, please visit the Pinelands Development Credit Bank’s website at <http://www.nj.gov/pinelands/pdcbank/> or contact the PDC Bank at 609-894-7300.

Sincerely,



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

- c: Secretary, Franklin Township Planning Board (via email)
Franklin Township Construction Code Official (via email)
Franklin Township Environmental Commission (via email)
Secretary, Gloucester County Planning Board (via email)
Susan R. Grogan, Executive Director, PDC Bank (via email)



Chris Christie
Governor

Kim Guadagno
Lt. Governor

State of New Jersey

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(609) 894-7300
www.nj.gov/pinelands

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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

June 7, 2016

Eugene Jost
Competition Dirt Riders, Inc.
5386 Route 49
Millville, NJ 08332

Re: Application # 2005-0459.023
Ormond Farms Hare Scramble
April 23 and 24, 2016
Maurice River Township

Dear Mr. Jost:

Pursuant to N.J.A.C. 7:50-6.143(a) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Off-Road Vehicle Event Route Map Approval*.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,

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

Enc: Off-Road Vehicle Event Route Map Approval

c: Maurice River Township Clerk (via email)
Lois H. Twigg





Chris Christie
Governor

Kim Guadagno
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1277

Application #: 2005-0459.023

Applicant: Competition Dirt Riders, Inc.
Event Name: Ormond Farms Hare Scramble
Event Date: April 23 and 24, 2016
Municipality: Maurice River Township
Block 117, Lots 13, 17.01 & 38

Management Area: Forest Area, Pinelands Village

Lands Utilized

Ormond Farms located on Hesstown Road

Approved Route Map

Received in electronic format on April 21, 2016

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

June 7, 2016

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ Two Routes totaling 8 miles
- ♦ The applicant submitted a revised off-road vehicle route map to complete this application on April 21, 2016, two days prior to the April 23 and 24, 2016 event dates. This submission date did not allow sufficient time for Commission staff to complete its review of the revised route map.
- ♦ This *Off-Road Vehicle Event Route Map Approval* is being issued after the event was held. Holding the event prior to Commission issuance of this *Off-Road Vehicle Event Route Map Approval* constitutes a violation of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-6.143).

CONDITIONS

- ♦ No deviation from the Approved Route Map shall occur without prior written approval from the Commission.
- ♦ No private lands shall be utilized without owner permission.
- ♦ No ORV event shall run until all necessary permits, approvals and authorizations have been obtained.
- ♦ In the event of cancellation or postponement, the Pinelands Commission shall be notified of the new date. A copy of the new insurance policy as well as documentation that the municipalities, the State Police, the State Forests, and any private land owners have been notified must also be submitted.
- ♦ The applicant shall not hold any future off-road vehicle events in the Pineland Area without first obtaining a Commission *Off-Road Vehicle Event Route Map Approval*.
- ♦ The property owner shall not allow any future off-road vehicle event on the parcel without either the applicant or the property owner first obtaining a Commission *Off-Road Vehicle Event Route Map Approval*.
- ♦ If the applicant holds an off-road vehicle event or the property owner allows an off-road vehicle event to be held on the parcel, without first obtaining an *Off-Road Vehicle Event Route Map Approval*, the Commission shall ask the assistance of Maurice River Township officials in issuing all appropriate municipal court summons and future applications to the Commission by the applicant or the property owner for off-road vehicle events may be denied.



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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

Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

June 8, 2016

Jack O'Connor
Pine Barrens Adventure Camp, LLC
321 Osborn Avenue
Point Pleasant, NJ 08742

Re: Application # 1982-3054.064
Pine Barrens Adventure Camp
June 11 and 12, 2016
Bass River, Little Egg Harbor,
Mullica, Stafford
& Washington Townships

Dear Mr. O'Connor:

Pursuant to N.J.A.C. 7:50-6.143(a) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Off-Road Vehicle Event Route Map Approval*.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,

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

Enc: Off-Road Vehicle Event Route Map Approval

c: Mullica Township Clerk (via email)
Bass River Township Clerk (via email)
Washington Township Clerk (via email)
Little Egg Harbor Township Clerk (via email)
Stafford Township Clerk (via email)
Robert Auermuller, Superintendent, NJ DEP Division of Parks and Forestry (via email)





Chris Christie
Governor

Kim Guadagno
Lt. Governor

New Jersey Pinelands Commission
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New Lisbon, NJ 08064
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Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

OFF-ROAD VEHICLE EVENT ROUTE MAP APPROVAL #1278

Application #: 1982-3054.064

Applicant: Pine Barrens Adventure Camp, LLC

Event Name: Pine Barrens Adventure Camp

Event Date: June 11 and 12, 2016

Municipalities: Bass River, Little Egg Harbor, Mullica, Stafford & Washington Townships

Management Area: Agricultural Production Area, Forest Area, Pinelands Village, Preservation Area District, Special Agricultural Production Area

Lands Utilized

Bass River, Penn and Wharton State Forests

Approved Route Map

Received in electronic format on June 7, 2016

June 8, 2016

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

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ One route beginning and ending at 3616 Nesco Road
- ♦ 60 miles

CONDITIONS

- ♦ No deviation from the Approved Route Map shall occur without prior written approval from the Commission.
- ♦ No private lands shall be utilized without owner permission.
- ♦ No ORV event shall run until all necessary permits, approvals and authorizations have been obtained.
- ♦ In the event of cancellation or postponement, the Pinelands Commission shall be notified of the new date. A copy of the new insurance policy as well as documentation that the municipalities, the State Police, the State Forests, and any private land owners have been notified must also be submitted.



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



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

List of Pending Public Development and Waiver of Strict Compliance Applications
Accepting Public Comment at the July 8, 2016 Commission Meeting

Public Development Application

Application No. 1983-5250.013 – Atlantic Cape Community College

Received on: June 16, 2010

Completed on: June 27, 2016

Project: Construction of an 11,201 square foot student center building addition

Municipality: Hamilton Township

Block 996, Lot 26 (application may include additional lots)

Application No. 1990-1177.007 – Medford Lakes Borough

Received on: October 9, 2015

Completed on: June 16, 2016

Project: Construction of a 1,248 square foot office building

Municipality: Medford Lakes Borough

Block 30058, Lot 1 (application may include additional lots)

Application No. 2015-0066.001 – Camden County

Received on: May 26, 2015

Completed on: June 23, 2016

Project: Installation of scour countermeasures at the Sicklerville Road bridge

Municipality: Winslow Township

Application No. 1986-0495.008 – Southampton Township

Received on: June 30, 2014

Completed on: June 28, 2016

Project: Construction of two public works buildings

Municipality: Southampton Township

Block 1502, Lot 1.01 (application may include additional lots)

Waiver of Strict Compliance Applications

Application No. 1981-0704.001 – Scanga

Received on: March 22, 2016

Completed on: June 13, 2016

Project: Single family dwelling (Limited Practical Use Program)

Municipality: Mullica Township

Block 5903, Lot 4 (application may include additional lots)



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-16-_____

TITLE: Issuing an Order to Certify Pemberton Township's 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015, Amending Chapter 190 (Zoning) of the Code of Pemberton Township

**Commissioner _____ moves and Commissioner _____
seconds the motion that:**

WHEREAS, on June 3, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Pemberton Township; and

WHEREAS, Resolution #PC4-83-52 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-83-52 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 July 9, 2009, the Pemberton Township Planning Board adopted a new Master Plan for the Township, including Land Use, Housing, Circulation, Utility, Community Facilities, Recreation, Conservation and Open Space, Economic, Historic Preservation, Recycling and Farmland Preservation Plan Elements; and

WHEREAS, the Township's 2009 Master Plan recommends a series of changes to Pemberton's zoning map, including establishing a Neighborhood Commercial (NC) District and expanding the General Commercial/Light Industrial (GCLI) District in the Pinelands Area; and

WHEREAS, the Pinelands Commission received an adopted copy of the 2009 Master Plan, along with the Planning Board's resolution of adoption, on February 24, 2010; and

WHEREAS, on December 16, 2009, Pemberton Township adopted Ordinance 27-2009, amending Chapter 190 (Zoning) of the Township's Code by adopting a revised Zoning Map, dated July 9, 2009, for purposes of implementing the recommendations of the 2009 Master Plan; and

WHEREAS, on September 4, 2014, the Pemberton Township Planning Board adopted a Master Plan Re-Examination Report, recommending both management area and zoning changes, as well as the creation of a new NCP (Neighborhood Commercial Pinelands) District; and

WHEREAS, the Pinelands Commission received an adopted copy of the 2014 Master Plan Re-Examination Report, along with the Planning Board's resolution of adoption, on October 10, 2014; and

WHEREAS, on December 17, 2014, Pemberton Township adopted Ordinance 14-2014, amending Chapter 190 (Zoning) by creating the Neighborhood Commercial Pinelands District; and

WHEREAS, on December 17, 2014, Pemberton Township adopted Ordinance 16-2014, amending Chapter 190 (Zoning) to require the use of Pinelands Development Credits when a variance or other approval is granted for a residential use in the TC, HD, GI, or NCP Districts or in the Regional Growth Area of the GCLI District; and

WHEREAS, the Pinelands Commission received certified copies of Ordinances 14-2014 and 16-2014 on January 6, 2015; and

WHEREAS, on March 2, 2016, Pemberton Township adopted Ordinance 20-2015, amending Chapter 190 (Zoning) by adopting a revised Zoning Map, dated December 7, 2015, that adjusts the boundaries of existing zoning districts and establishes the boundaries of a new zoning district within the Pinelands Area in response to the recommendations of the 2009 Master Plan and 2014 Master Plan Re-Examination Report; and

WHEREAS, the 2015 Zoning Map adopted by Ordinance 20-2015 supersedes that previously adopted by Ordinance 27-2009; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 20-2015 on March 18, 2016 and a copy of the adopted zoning map on March 22, 2016; and

WHEREAS, by letter dated March 31, 2016, the Executive Director notified the Township that the 2009 Master Plan, 2014 Master Plan R-Examination Report and Ordinances 27-2009, 14-2014, 16-2014 and 20-2015 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony concerning the Township’s application for certification of its 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 27-2009, 14-2014, 16-2014 and 20-2015 was duly advertised, noticed and held on April 27, 2016 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 the above-referenced amendments are 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 the issuance of an order to certify that Pemberton Township’s 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015, amending Chapter 190 (Zoning) of the Code of Pemberton Township, are 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 recommended that the 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 27-2009, 14-2014, 16-2014 and 20-2015 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 Pemberton Township’s 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015, amending Chapter 190 (Zoning) of the Code of Pemberton Township, are in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to the 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					DiBello					McGlinchey				
Avery					Galletta					Prickett				
Barr					Jannarone					Quinn				
Brown					Lloyd					Rohan Green				
Chila					Lohbauer					Earlen				

* A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Nancy Wittenberg
Executive Director

Sean W. Earlen
Chairman



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

REPORT ON PEMBERTON TOWNSHIP'S 2009 MASTER PLAN, 2014 MASTER PLAN RE-EXAMINATION REPORT AND ORDINANCES 27-2009, 14-2014, 16-2014 AND 20-2015, AMENDING CHAPTER 190 (ZONING) OF THE CODE OF PEMBERTON TOWNSHIP

May 27, 2016

Pemberton Township
 500 Pemberton-Browns Mills Road
 Pemberton, NJ 08068

FINDINGS OF FACT

I. Background

The Township of Pemberton is located in eastern Burlington County, in the northwestern section of the Pinelands Area. Pinelands municipalities that abut Pemberton Township include New Hanover, Springfield, Southampton and Woodland Townships in Burlington County and Manchester and Plumsted Townships in Ocean County.

On June 3, 1983, the Pinelands Commission fully certified the Master Plan and codified Land Use Ordinances of Pemberton Township.

On July 9, 2009, the Pemberton Township Planning Board adopted a new Master Plan for the Township, including Land Use, Housing, Circulation, Utility, Community Facilities, Recreation, Conservation and Open Space, Economic, Historic Preservation, Recycling and Farmland Preservation Plan Elements. The Township's 2009 Master Plan recommends a series of changes to Pemberton's zoning map, including establishing a Neighborhood Commercial (NC) District and expanding the General Commercial/Light Industrial (GCLI) District in the Pinelands Area. The Pinelands Commission received an adopted copy of the 2009 Master Plan, along with the Planning Board's resolution of adoption, on February 24, 2010.

On December 16, 2009, Pemberton Township adopted Ordinance 27-2009, amending Chapter 190 (Zoning) of the Township's Code by adopting a revised Zoning Map, dated July 9, 2009, for purposes of implementing the recommendations of the 2009 Master Plan. The Pinelands Commission received a certified copy of Ordinance 27-2009 on January 15, 2010.

On September 4, 2014, the Pemberton Township Planning Board adopted a Master Plan Re-Examination Report, recommending both management area and zoning changes, as well as the creation of a new NCP (Neighborhood Commercial Pinelands) District. The Pinelands Commission received an adopted copy of the 2014 Master Plan Re-Examination Report, along with the Planning Board's resolution of adoption, on October 10, 2014.

On December 17, 2014, Pemberton Township adopted Ordinance 14-2014, amending Chapter 190 (Zoning) by creating the Neighborhood Commercial Pinelands District. The Township also adopted Ordinance 16-2014, amending Chapter 190 (Zoning) to require the use of Pinelands Development Credits when a variance or other approval is granted for a residential use in nonresidential zoning districts in the Regional Growth Area. The Pinelands Commission received certified copies of Ordinances 14-2014 and 16-2014 on January 6, 2015.

On March 2, 2016, Pemberton Township adopted Ordinance 20-2015, amending Chapter 190 (Zoning) by adopting a revised Zoning Map, dated December 7, 2015, that adjusts the boundaries of existing zoning districts and establishes the boundaries of a new zoning district within the Pinelands Area in response to the recommendations of the 2009 Master Plan and 2014 Master Plan Re-Examination Report. The 2015 Zoning Map adopted by Ordinance 20-15 supersedes that previously adopted by Ordinance 27-2009. The Pinelands Commission received a certified copy of Ordinance 20-2015 on March 18, 2016 and a copy of the adopted zoning map on March 22, 2016.

By letter dated March 31, 2016, the Executive Director notified the Township that the 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 27-2009, 14-2014, 16-2014 and 20-2015 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following master plan and ordinance amendments have been submitted to the Pinelands Commission for certification:

- * Planning Board Resolution PB-33-2009, adopting the 2009 Master Plan of Pemberton Township, adopted on July 9, 2009; and
- * Planning Board Resolution P-16-2014, adopting the 2014 Master Plan Re-Examination Report, adopted on September 4, 2014;
- * Ordinance 27-2009, amending Chapter 190 (Zoning) of the Code of Pemberton Township, including a Zoning Map dated July 9, 2009, introduced on November 4, 2009 and adopted on December 16, 2009 (the zoning map adopted by this ordinance was subsequently superseded by Ordinance 20-2015);
- * Ordinance 14-2014, amending Chapter 190 (Zoning) of the Code of Pemberton Township, introduced on November 14, 2014 and adopted on December 17, 2014;
- * Ordinance 16-2014, amending Chapter 190 (Zoning) of the Code of Pemberton Township, introduced on November 14, 2014 and adopted on December 17, 2014; and
- * Ordinance 20-2015, amending Chapter 190 (Zoning) of the Code of Pemberton Township, including a Zoning Map dated December 7, 2015, introduced on December 16, 2015 and adopted on March 2, 2016.

These amendments have been reviewed to determine whether they conform 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

Pemberton 2009 Master Plan

Pemberton Township's 2009 Master Plan outlines new land use policies and objectives including (1) enhancing the Browns Mills town center by creating a sense of place through new residential and commercial development and by designating the entire Browns Mills downtown as a Redevelopment area; (2) encouraging a plan that is pedestrian friendly while also providing opportunities for public transportation and public parking; (3) creating economic opportunities along the State Route 206 corridor outside the Pinelands Area; and (4) enhancing the aesthetic qualities through a downtown form-based code and improving the scenic qualities of the Township's gateways. To achieve these goals, the 2009 Master Plan recommends amendments to the zoning code and several changes to existing zoning district boundaries. The 2009 Pemberton Master Plan was adopted by the Township's Planning Board through Resolution PB-33-2009 on July 9, 2009.

Pemberton 2014 Master Plan Re-Examination Report

Pemberton Township's 2014 Master Plan Re-Examination Report reassesses the strengths and weaknesses of the Township's Master Plan, reaffirming prior goals as well as adding new objectives. These include: (1) encouraging more commercial ratables, (2) enhancing the Browns Mills town center, (3) retaining the Township's rural character and the aesthetics of arterial gateways, and (4) encouraging senior citizen focused development and zoning outside the Pinelands Area. Based on these objectives, the Master Plan Re-Examination report recommends a series of land use ordinance amendments and rezonings, one of which involves changes in Pinelands management area designations. A number of these recommendations are identical to those previously proposed by the Planning Board as part of the 2009 Pemberton Master Plan; however many of the prior recommendations were abandoned as they were believed to be incompatible with the CMP. The Re-Examination Report clarified some of the proposals to ensure all of the recommended changes are compliant with the CMP.

Pinelands Management Area Changes

As recommended in the 2014 Master Plan Re-Examination Report, Ordinance 20-2015 affects a number of zoning changes, including the rezoning of 143 acres from the R-17 (Very Low Density Single-Family Residential) District to AP (Agricultural Production) District. The R-17 District is in the Pinelands Forest Area while the AP District is in the Pinelands Agricultural Production Area. The map attached as Exhibit #1 indicates the location of this management area change. The affected area consists of 11 lots and a portion of a linear lot located along Mount

Misery Road. The primary existing use is agriculture (including cranberry bogs), with associated farm-related housing. Including the area in the Agricultural Production Area recognizes the existing agricultural operations and qualifies the properties for allocations of Pinelands Development Credits. It also recognizes the interest of the two affected property owners in participating in Burlington County's Farmland Preservation Program. In general, the County purchases farmland easements in the Pinelands Area only on properties in Pinelands Development Credit sending areas (the Agricultural Production Area, Special Agricultural Production Area and Preservation Area District).

N.J.A.C. 7:50-5.15 of the CMP provides an opportunity for municipalities to designate new Agricultural Production Areas, provided the area to be designated is primarily agricultural in use, is of a size capable of sustaining active agriculture operations and includes surrounding actively used agricultural lands. The area redesignated by Ordinance 20-2015 meets these criteria.

Other Zoning Changes

Ordinance 20-2015 also adopts several rezonings that do not involve changes in Pinelands management area designations.

First, Ordinance 20-2015 expands the GCLI (General Commercial/Light Industrial) District located along Burlington County Route 530 from a depth of 300 feet to 600 feet (see Exhibit 2). This change occurs within the Pinelands Agricultural Production Area; no change in Pinelands management areas is involved. Approximately 22 acres are rezoned from the AP District to the GCLI District. Small portions of three large lots are affected, all of which are currently split between the AP and GCLI Districts and are assessed as farms. It is worth noting that one of the affected lots is actively seeking to participate in the County's Farmland Preservation Program.

The GCLI District permits a wide variety of retail, office and light industrial uses. It was established in this portion of Pemberton's Agricultural Production Area based on N.J.A.C 7:50-5.24(b)1 of the CMP, which permits new roadside retail sales and service establishments within 300 feet of similar uses that were in existence on February 7, 1979 (prior to adoption of the CMP). The original GCLI District boundaries encompassed several pre-existing commercial uses and surrounding vacant lands in the Agricultural Production Area, and also recognized that there were pre-existing businesses located outside the Pinelands Area, across Route 530. The Township expanded the depth of the GCLI District in recognition of the impacts the ongoing widening of Route 530 is expected to have on existing businesses in the zone. Widening the GCLI District may offset the loss of property to the road widening project, thereby preserving the already limited opportunities these property owners have to expand current businesses or engage in new business opportunities. It may also allow the existing businesses to be relocated further back from the road, to the extent they have not already been acquired by the County. A strict interpretation of CMP standards would dictate that the original 300 foot depth of the GCLI District should remain; however, a commercial zone of that size in this particular location is no longer feasible. In order to preserve the commercial development opportunities of the affected properties, Pemberton has made a slight adjustment to its zoning boundaries. This is an appropriate use of the municipal flexibility afforded to Pinelands municipalities by the CMP.

Second, Ordinance 20-2015 rezones 16 acres from the R-80 (Single-Family Residential) District to the RA (Infill Residential) District (see Exhibit 3). This zoning change involves a single lot and is entirely within the Regional Growth Area; no change in Pinelands management areas is

involved. The RA zone is a zone intended for single and multiple family residential units. Planned retirement community housing is also permitted as a conditional use. The parcel is currently occupied by low- and moderate-income apartments that are a non-conforming use in the R-80 District, which only allows detached dwelling units. The rezoning recognizes the existing development on the lot and makes it a permitted, conforming use.

Third, Ordinance 20-2015 rezones 73 acres from the GCLI District to the TC (Town Center) District, within the Regional Growth Area (see Exhibit 4). The TC District permits general commercial activities (e.g. retail, restaurants, banks, offices, etc.) in the Browns Mills town center. This zoning change would extend Browns Mills' existing TC District westward along the southern side of Pemberton-Browns Mills Road. Existing uses in the rezoned area are primarily residential, with a few commercial uses.

Fourth, Ordinance 20-2015 establishes the boundaries of a Neighborhood Commercial Pinelands District (NCP), a new zoning district that was created by Ordinance 14-2014(see *Other Amendments* for more information on the new zone). The ordinance rezones a portion of the Country Lakes neighborhood along Lakehurst Road from the GCLI District to the new NCP district (see Exhibit 5). Approximately 56 acres are affected by this zoning change. Ordinance 20-2015 also rezones two other portions of the GCLI District to the NCP district; the southern portion comprises about three acres and the northern portion comprises about nine acres (see Exhibit 6). All of these zoning changes occur within the Regional Growth Area; no change in Pinelands management areas is involved. Whereas the GCLI District permits a wide variety of commercial and industrial uses, the new NCP District is focused on small-scale retail and neighborhood service-oriented establishments.

Finally, Ordinance 20-2015 rezones approximately two acres from the R-1 District to the new NCP District (see Exhibit 6). This zoning change occurs entirely within the Regional Growth Area; no change in Pinelands management areas is involved. Four residentially-developed lots are affected by the rezoning. The existing homes will become non-conforming uses. The rezoning is intended to allow for additional commercial opportunities at a Township gateway near the recently-redesigned intersection at Hanover Street and the Pemberton Bypass.

The official Pemberton Township zoning map certified by the Pinelands Commission was created in 1983 and was subsequently updated by hand-drawn changes, as needed. The use of geographic information technologies as well as improved record keeping has enhanced the ability for the Township and the Commission to track and implement revised zoning boundaries over time. Pemberton Township and Commission staff worked together to translate the prior official zoning map to an improved GIS version. As such, a comparison of the older map against the new map will show numerous minor changes that were made where the prior zoning district boundaries were unclear due to the use of heavy black lines or when the boundaries simply did not align well with existing lot lines or roads, although that was clearly the intent. These changes are too numerous to list in this report but all are insignificant in terms of size or impact on development potential.

Exhibit 7 provides a visual overview of the proposed zoning changes adopted by Ordinance 20-2015.

Other Amendments

Ordinance 14-2014 amends Chapter 190 (Zoning) of Pemberton Township's Code to establish the Neighborhood Commercial Pinelands zoning district. The purpose of the new zone is to recognize and provide for small scale retail and neighborhood service-oriented establishments in residential neighborhoods. It is located entirely within the Regional Growth Area. As noted above, lands now included in the NCP District were previously located a different nonresidential zone (the GCLI District) or were in a residential zone (the R-1 District) where the Township is seeking to encourage the conversion of existing homes to commercial uses.

Pemberton Township's 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015 are consistent with the land use and development standards of 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. 7:50-5.28(a)5(ii)1 specifies that municipal land use ordinances must require Pinelands Development Credit (PDC) use in any instance where a variance or other municipal approval is granted that authorizes residential development in a zone in which residential development is not otherwise permitted. The number of PDCs required is determined by the number of units proposed and the acreage of the parcel in question.

Ordinance 16-2014 amends Chapter 190 (Zoning) of the Township's Code to require that when a variance or other approval is granted for a residential use in the TC, HD, GI, GCLI (only in Regional Growth Areas), or NCP zoning districts, Pinelands Development Credits (PDCs) must be used. The purpose of this ordinance is to ensure that all nonresidential zones in the Township's Regional Growth Area, including the new NCP District created by Ordinance 14-2016, are included.

Although Ordinance 20-2015 adopts a number of zoning changes affecting land in the Regional Growth Area, the lands being rezoned are either already developed or are being changed from one nonresidential zone to another. Opportunities for the use of Pinelands Development Credits are therefore unaffected.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

The 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015, amending Chapter 190 (Zoning) of the Code of Pemberton Township, are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan.

This standard for certification is met.

11. Conformance with Energy Conservation

Not applicable.

12. Conformance with the Federal Act

The 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015, amending Chapter 190 (Zoning) of the Code of Pemberton Township, are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act.

This standard for certification is met.

13. Procedure to Resolve Intermunicipal Conflicts

As noted previously, Ordinance 20-2015 expands the depth of an existing GCLI (General Commercial/Light Industrial) Zone in Pemberton Township's Agricultural Production Area. The

existing GCLI zoning district in Pemberton Township borders Southampton Township along Burlington County Route 530. It extends south from the road to a distance of 300 feet. Ordinance 20-2015 expands the GCLI Zone from 300 feet to 600 feet to recognize the impact of the Route 530 widening project. Directly across the Township border and adjacent to the expanded GCLI zone is Southampton Township's Agricultural Production Area. The proposed zoning change by Pemberton Township is merely an expansion of an existing zone that does not introduce new uses or bulk area requirements; nor does the rezoning impact the size or boundary of the existing Pinelands Agricultural Production Area. As such, any additional development that might occur as a result of the zone expansion would be in keeping with the rural character of the surrounding lands and no intermunicipal conflicts are anticipated.

This standard for certification is met.

PUBLIC HEARING

A public hearing to receive testimony concerning Pemberton Township's application for certification of its 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 27-2009, 14-2014, 16-2014 and 20-2015 was duly advertised, noticed and held on April 27, 2016 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 were accepted through May 4, 2016; however, none were received.

CONCLUSION

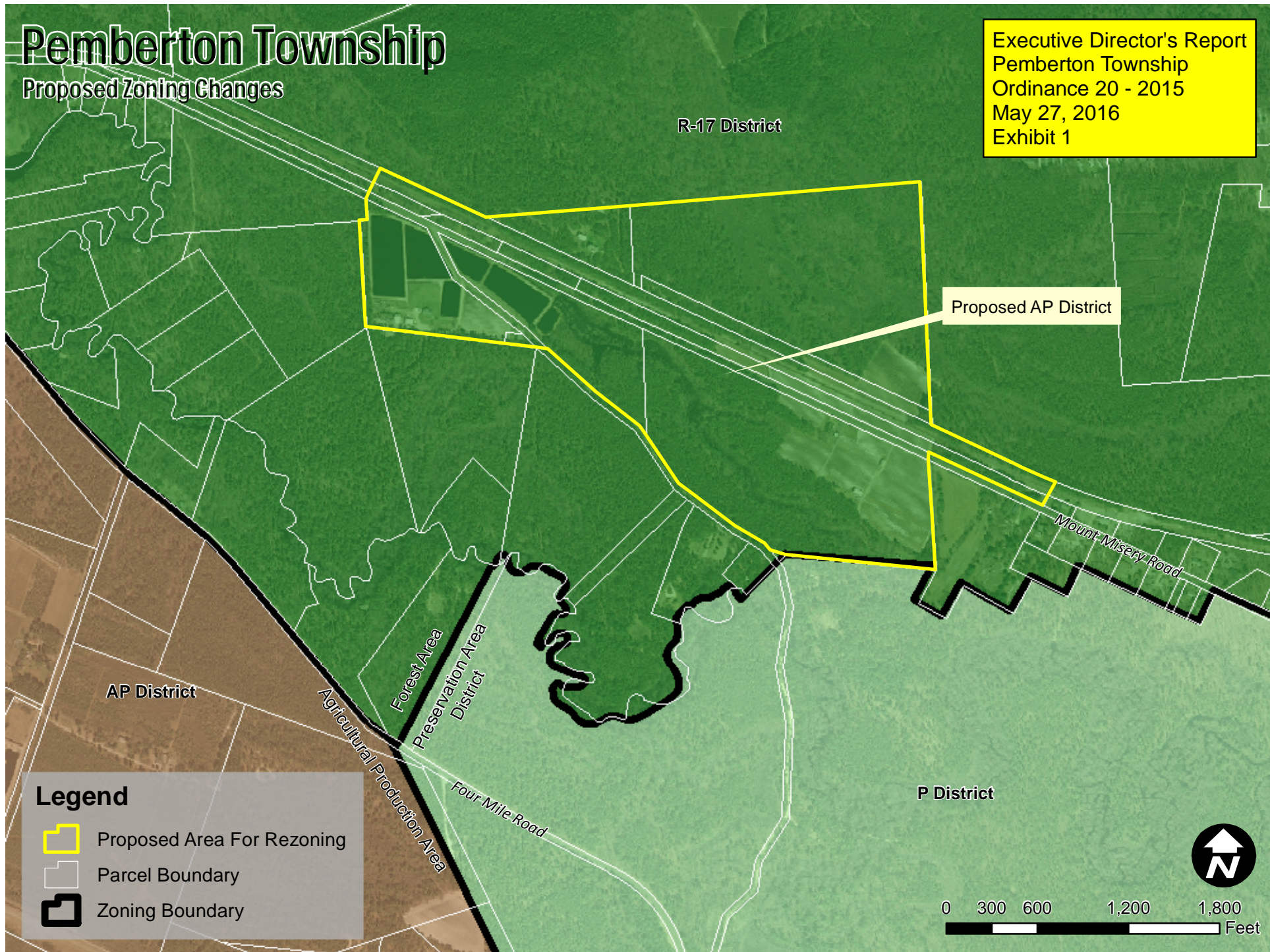
Based on the Findings of Fact cited above, the Executive Director has concluded that the 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015 comply with Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify the 2009 Master Plan, 2014 Master Plan Re-Examination Report and Ordinances 14-2014, 16-2014 and 20-2015 of Pemberton Township.

SRG/JS/CPE
Attachments

Pemberton Township

Proposed Zoning Changes

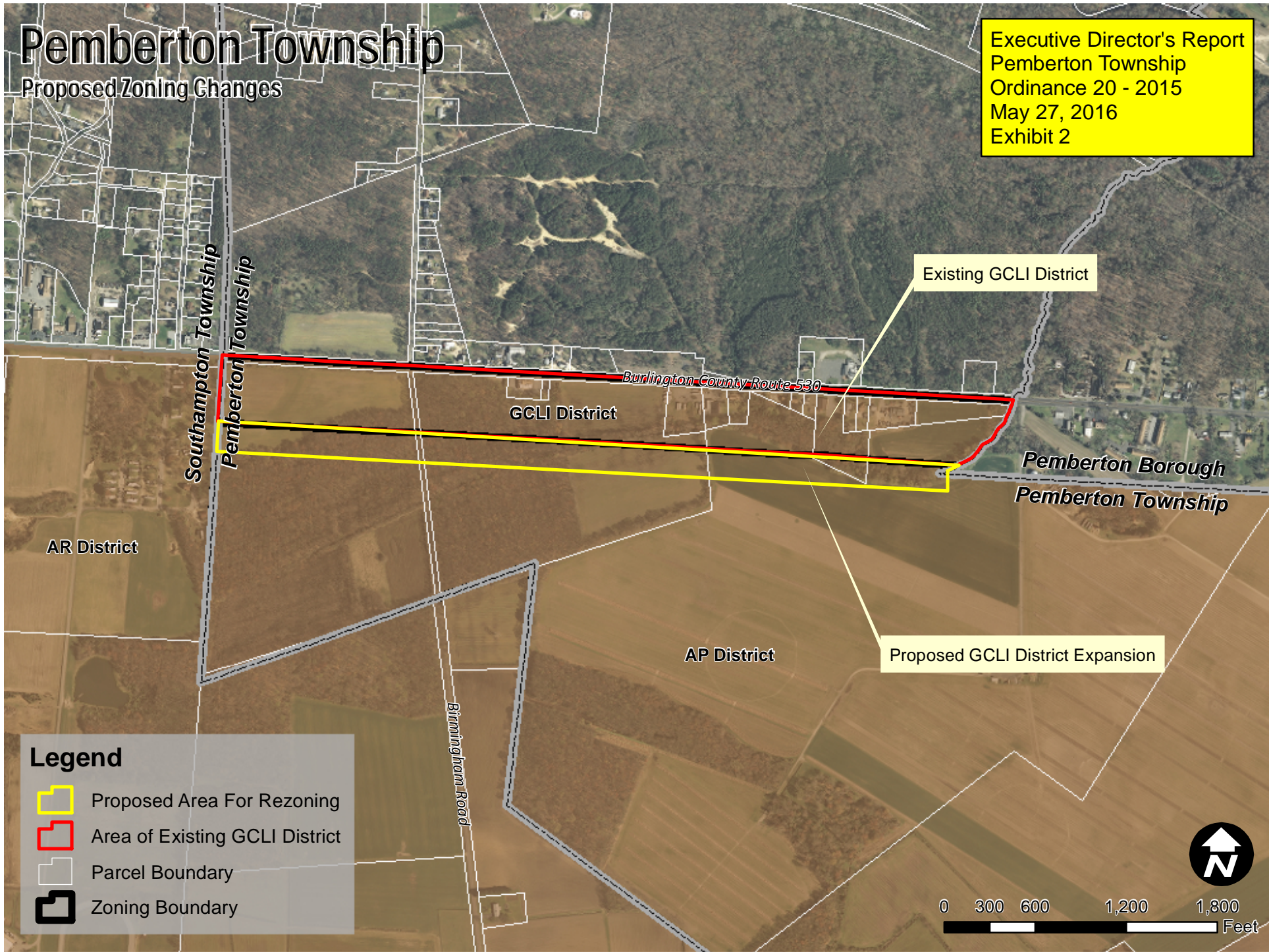
Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 1



Pemberton Township

Proposed Zoning Changes

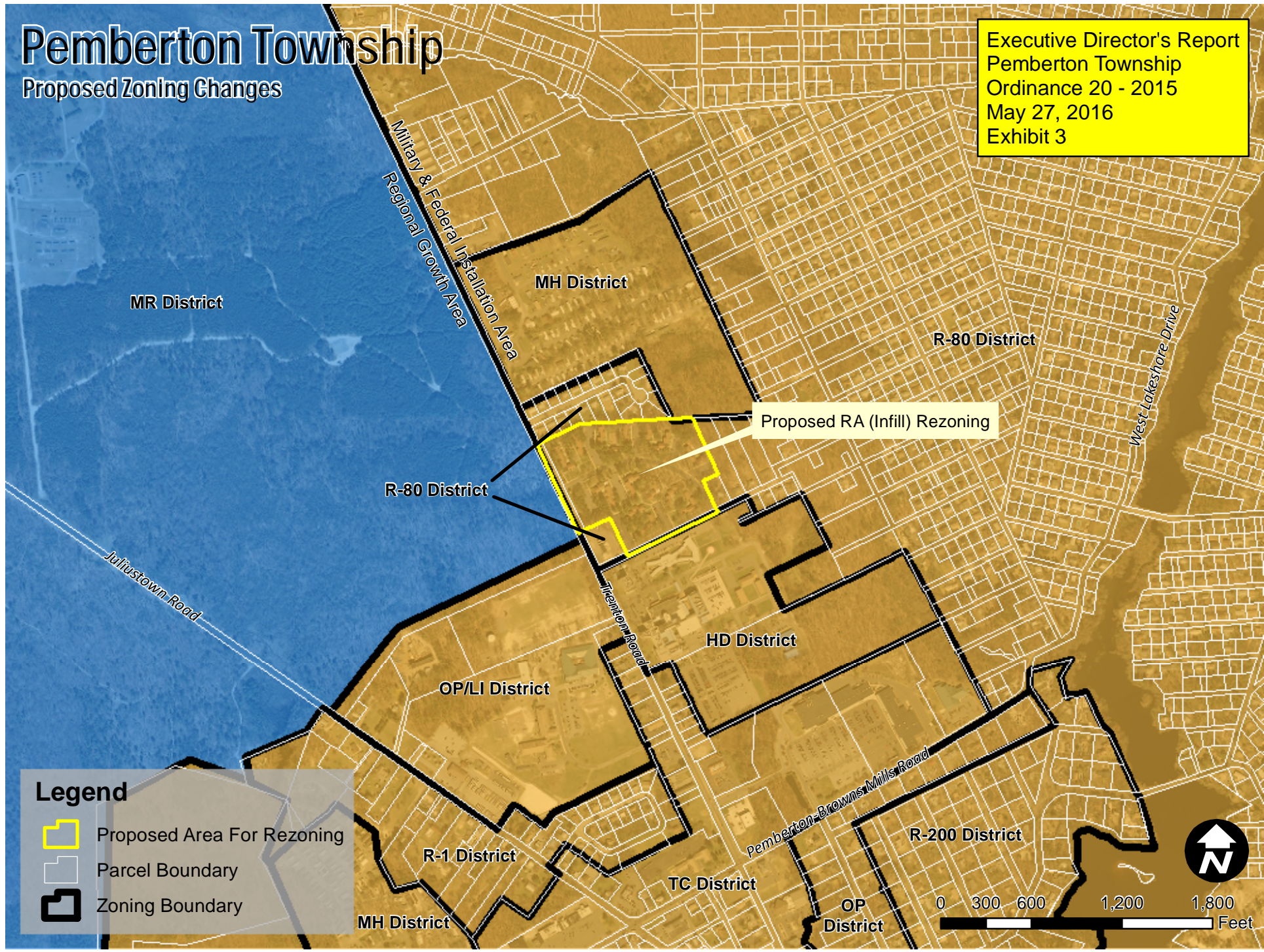
Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 2






Pemberton Township

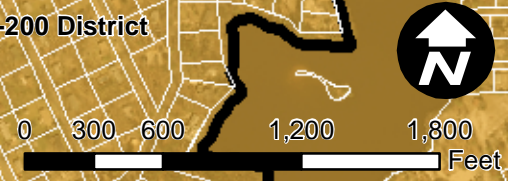
Proposed Zoning Changes

Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 3



Legend

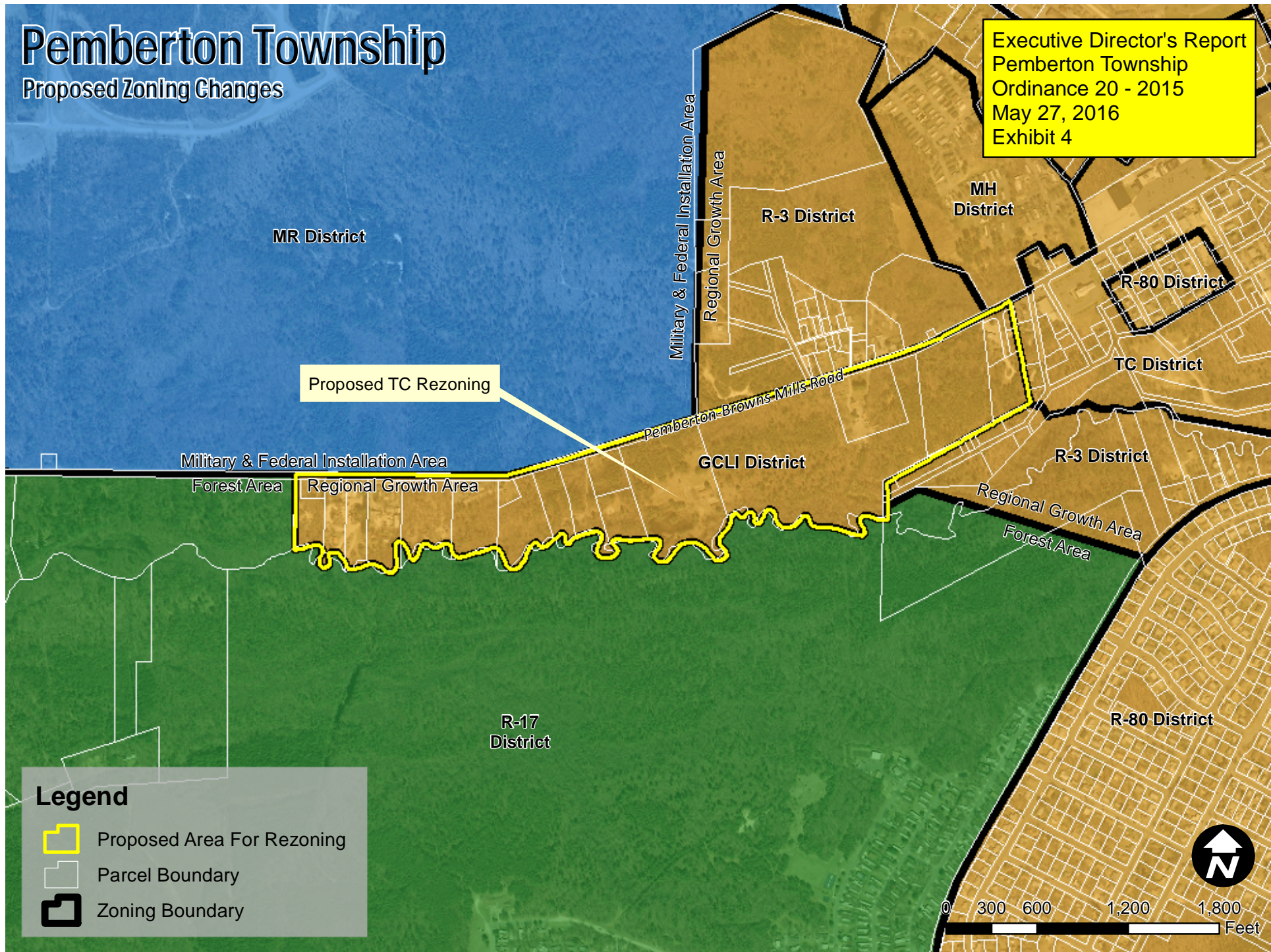
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-  Parcel Boundary
-  Zoning Boundary



Pemberton Township

Proposed Zoning Changes

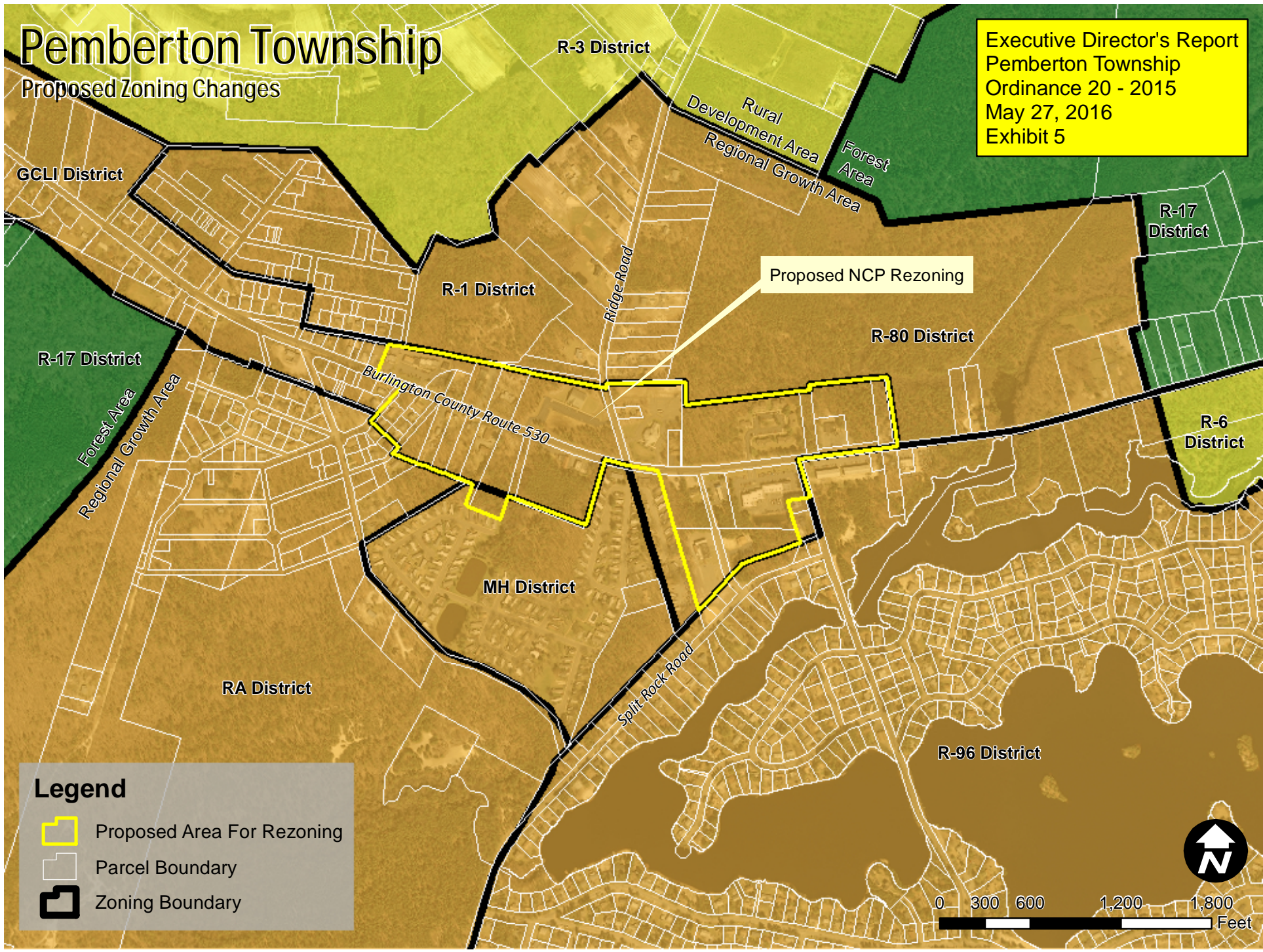
Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 4



Pemberton Township

Proposed Zoning Changes

Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 5



Proposed NCP Rezoning

Legend

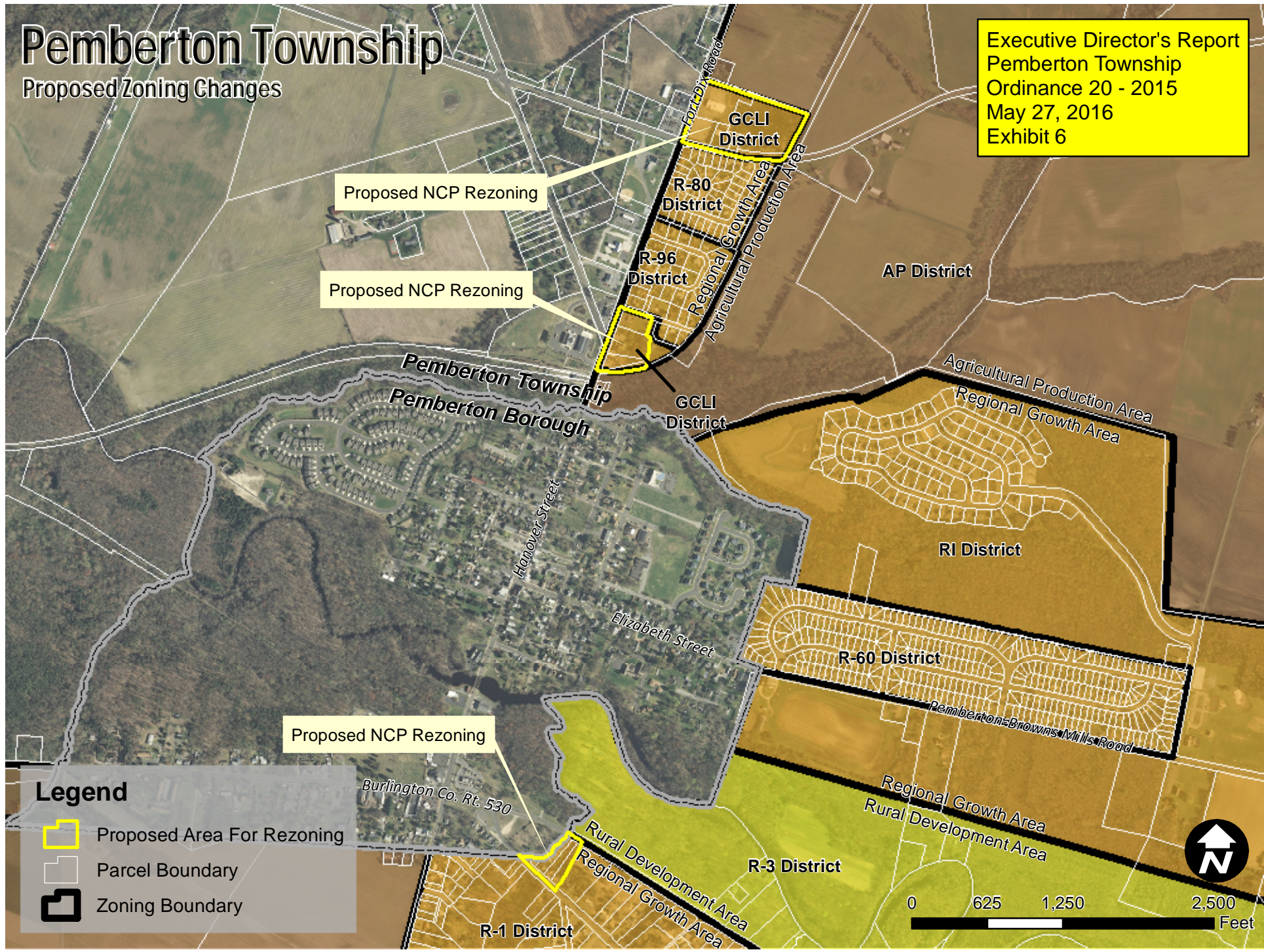
- Proposed Area For Rezoning
- Parcel Boundary
- Zoning Boundary

0 300 600 1,200 1,800 Feet




Pemberton Township

Proposed Zoning Changes

Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 6



Legend

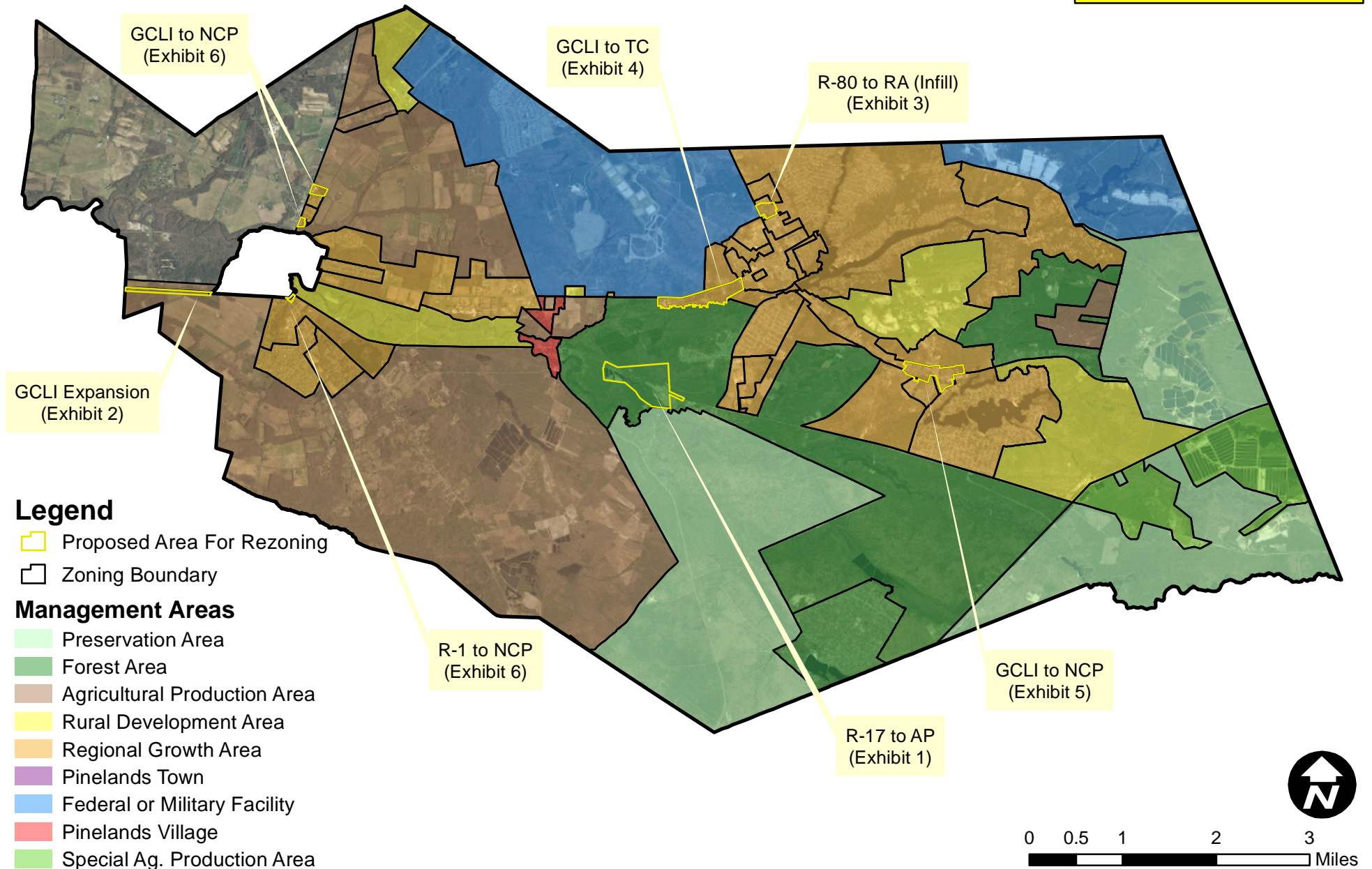
-  Proposed Area For Rezoning
-  Parcel Boundary
-  Zoning Boundary



Pemberton Township

Overview of Proposed Zoning Changes

Executive Director's Report
Pemberton Township
Ordinance 20 - 2015
May 27, 2016
Exhibit 7





State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman
 Nancy Wittenberg
 Executive Director

MEMORANDUM

To: Members of the Commission
 From: Charles M. Horner, P.P.^{CMH}
 Director of Regulatory Programs
 Date: June 24, 2016
 Subject: Public Development Memorandum of Agreement (MOA) Determinations

Between May 28, 2016 and June 24, 2016, the Commission staff determined that the following public development application was consistent with the Commission approved public development MOAs and that the proposed development may proceed:

2004-0463.003 - Burlington County Engineers Office
 Replacement of Bridge E4.29 over Adler Run on Burr's Mill Road

Please do not hesitate to contact me with any questions.



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

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

Sean W. Earlen
 Chairman

Nancy Wittenberg
 Executive Director

DETERMINATION OF CONSISTENCY
WITH MEMORANDUM OF AGREEMENT

June 2, 2016

Gary Worek
 Burlington County Engineers Office
 49 Rancocas Road
 P.O. Box 6000
 Mount Holly, NJ 08060

Re: Application # 2004-0463.003
 Block 837, Lots 1 - 2
 Block 839.01, Lots 12.07 & 15
 Burrs Mill Road
 Pemberton Township

Dear Mr. Worek:

We have reviewed information received on March 17, 2016 proposing the replacement of Burlington County Bridge E4.29 on Burrs Mill Road over Adler Run and located in Pemberton Township.

On August 3, 2010, the Commission entered into a Memorandum of Agreement (MOA) with Burlington County to facilitate the review of certain classes of public development defined in the MOA. In accordance with Section V.H.9 of the MOA, the replacement of a bridge, provided that new land disturbance does not exceed 5,000 square feet, does not require a formal application to, or approval by, the Pinelands Commission. The Commission staff has determined that the proposed development is consistent with the requirements of the MOA.

The development shall adhere to the plan, consisting of 10 sheets, prepared by STV Incorporated, all sheets dated March 14, 2016.

The submitted information proposes minor grading necessary for the stabilization of the slopes along Burrs Mill Road. Some of the proposed minor grading will occur outside of the Burrs Mill Road right-of-way and be located on Block 837, Lots 1 and 2.

The Pinelands Development Credits (PDCs) allocated to Block 837, Lots 1 and 2 have been severed and a PDC deed restriction has been imposed on both lots. The PDC deed restriction limits the future use of the two concerned lots to agriculture, forestry and low intensity recreational uses. Based upon the PDC



deed restriction, the proposed minor regrading on Block 837, Lots 1 and 2 shall be limited to that depicted on the above referenced plan.

By letter dated May 17, 2016, the County indicated upon completion of the permitting process for the proposed replacement bridge, it would initiate the easement acquisition process from all private property owners. The development may proceed upon the County obtaining the necessary easements from all concerned property owners and obtaining any other necessary approvals and permits.

The Landscaping and Revegetation guidelines of the Pinelands Comprehensive Management Plan recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. Where appropriate, please utilize Switch grass, Little bluestem and Broom-sedge for revegetation of disturbed areas.

If you have any questions, please do not hesitate to contact me.

Sincerely,

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

Charles M. Horner, P.P.

Director of Regulatory Programs

c: Robert P. Briggs
Susan Grogan