



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



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

Public Notice Regarding New Certificate of Filing

February 25, 2013

The New Jersey Pinelands Commission has been working diligently to reformat its letters and other documents, all in an effort to improve communication and efficiency.

Beginning on March 1, the Commission will issue a newly-reformatted Certificate of Filing. A Certificate of Filing is the document that is needed to allow local agencies to review and act on a proposed development application in the Pinelands Area.

Samples of the new Certificate of Filing, both consistent and inconsistent, are enclosed, along with a new Local Agency Approval Submission Checklist.

Please note that any existing Certificate of Filing remains valid. The newly-reformatted Certificate of Filing will only be issued for applications going forward.

If you have questions regarding the new documents, please contact the Commission at (609) 894-7300.



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Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

February 20, 2013

Bob White
 15 Pine Drive
 Deep Hollow, NJ 08080

Re: Application # 2013-4321.001
 Block 1234, Lot 5
 Pine Barrens Township

Dear Mr. White:

Pursuant to N.J.A.C. 7:50-4.2(c) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Certificate of Filing*.

The Certificate of Filing is not an approval. It is the document necessary to allow any local or county agency to review and act on your proposed development application. All local and county permits and approvals granted for the proposed development are subject to review by the Pinelands Commission. **No approval shall take effect and no development may occur until the Commission issues a letter indicating that the approval may take effect.**

Upon receipt of any local agency approval, please submit a copy to the Commission's office with the additional items listed on the enclosed *Local Agency Approval Submission Checklist*.

If you have any questions, please contact Holly Opaca of our staff.

Sincerely,

Charles M. Horner, PP
 Director of Regulatory Programs

Enc: Certificate of Filing
 Local Agency Approval Submission Checklist

c: Secretary, Pine Barrens Township Planning Board
 Pine Barrens Township Construction Code Official
 Pine Barrens Township Environmental Commission
 Oak County Division of Public Health





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CERTIFICATE OF FILING

Application #: 2013-4321.001

Applicant: Bob White

Municipality: Pine Barrens Township

Block 1234, Lot 5

Pinelands Village, PV Zoning District: 14 acres

Proposed Development

Single family dwelling

Plan(s) Subject of Certificate of Filing

Prepared by Super Surveyors - dated November 10, 2012, last revised January 3, 2013

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

Date

Please see reverse side for additional information and conditions.

BACKGROUND

- ♦ Existing development:
 - ♦ Vacant

CONDITIONS

1. Proposed septic system shall be located in an area where the seasonal high water table is at least 5 feet below natural ground surface

NEXT STEPS

- ♦ This Certificate of Filing is not an approval.
- ♦ Submit a copy of this Certificate of Filing to all county and municipal agencies that are required to review and act on your application (municipal planning board, building department, county health department, etc.).
- ♦ Send a copy of all approvals/permits that are issued by the county or municipality to the Pinelands Commission for review. Use the attached checklist to make sure you are submitting all required documentation related to the approval/permit.
- ♦ No local approval/permit takes effect and no development can occur until the Pinelands Commission has reviewed the approval. When we complete our review, we will issue you a letter stating that the approval/permit can take effect.
- ♦ The attached *Local Agency Approval Submission Checklist* is provided to help you make sure that you include all items required for our review of your local approvals.



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 15 Pine Drive
 Deep Hollow, NJ 08080

Re: Application # 2013-4321.001
 Block 1234, Lot 5
 Pine Barrens Township

Dear Mr. White:

Pursuant to N.J.A.C. 7:50-4.2(c) of the Pinelands Comprehensive Management Plan, the completion of your application has resulted in the issuance of the enclosed *Inconsistent Certificate of Filing*. The reason(s) for the inconsistency is explained on Page 3 and must be resolved.

The Certificate of Filing is not an approval. It is the document necessary to allow any local or county agency to review and act on your proposed development application. All local and county permits and approvals granted for the proposed development are subject to review by the Pinelands Commission. **No approval shall take effect and no development may occur until the Commission issues a letter indicating that the approval may take effect.**

Upon receipt of any local agency approval, please submit a copy to the Commission's office with the additional items listed on the enclosed *Local Agency Approval Submission Checklist*.

If you have any questions, please contact Holly Opaca of our staff.

Sincerely,

Charles M. Horner, PP
 Director of Regulatory Programs

Enc: Inconsistent Certificate of Filing
 Local Agency Approval Submission Checklist

c: Secretary, Pine Barrens Township Planning Board
 Pine Barrens Township Construction Code Official
 Pine Barrens Environmental Commission
 Secretary, Oak County Planning Board
 Oak County Health Department





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INCONSISTENT CERTIFICATE OF FILING

Application #: 2013-4321.001
Applicant: Bob White
Municipality: Pine Barrens Township
Block 1234, Lot 5
Pinelands Regional Growth Area, RG Zoning District: 0.68 acres (29,825 s.f.)

Proposed Development

Single family dwelling

Plan(s) Subject of Certificate of Filing

Prepared by Super Surveyors – dated November 10, 2012, last revised January 3, 2013

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

Date

Please see the additional pages for more information and conditions

BACKGROUND

- ♦ Existing development:
 - ♦ Vacant

CONDITIONS

- ♦ The proposed dwelling shall utilize an alternate design septic system designed so that the average nitrogen concentration in the groundwater at the limits of the lot does not exceed 2 ppm.
- ♦ The septic system shall be located in an area where the seasonal high water table is at least five feet below the natural ground surface.
- ♦ A municipal lot area variance is required for the proposed single family dwelling to be serviced by an onsite septic system because the parcel is less than 1.0 acre.
- ♦ A Pinelands Commission Waiver of Strict Compliance is required from the groundwater quality (septic dilution) standard.
- ♦ Issuance of a municipal lot area variance and Commission waiver require the acquisition and redemption of 0.25 Pinelands Development Credits.
- ♦ Items on the attached *Inconsistencies* document must be resolved prior to Commission issuance of a letter indicating that any county or municipal approval can take effect.

NEXT STEPS

- ♦ This Certificate of Filing is not an approval.
- ♦ Submit a copy of this Certificate of Filing to all county and municipal agencies that are required to review and act on your application (municipal planning board, building department, county health department, etc.).
- ♦ Send a copy of all approvals/permits that are issued by the county or municipality to the Pinelands Commission for review. Use the attached checklist to make sure you are submitting all required documentation related to the approval/permit.
- ♦ No local approval/permit takes effect and no development can occur until the Pinelands Commission has reviewed the approval. When we complete our review, we will issue you a letter stating that the approval/permit can take effect.
- ♦ The attached *Local Agency Approval Submission Checklist* is provided to help you make sure that you include all items required for our review of your local approvals.

INCONSISTENT

INCONSISTENCIES:

This application as currently proposed is inconsistent with the following standard(s) of the Pine Barrens Township certified land use ordinances and the Pinelands Comprehensive Management Plan (CMP):

1. **Groundwater quality (septic dilution)** (N.J.A.C. 7:50-6.84(a)4ii)

To maintain consistency with the groundwater quality (septic dilution) standard, the Pine Barrens Township land use ordinance and the Pinelands Comprehensive Management Plan (CMP) require a minimum lot area of one acre for a single family dwelling using an alternate design septic system. This application proposes a single family dwelling using an onsite septic system on a 0.68 acre lot. The proposed dwelling is inconsistent with the groundwater quality standard of the CMP and requires a Waiver of Strict Compliance from that standard.

One of the requirements of the Waiver regulations is that if the proposed development requires a municipal lot area or density variance, said variance must be approved by the municipality in order for the applicant to qualify for the Waiver from the Pinelands Commission. The applicant may now proceed to attempt to secure any municipal lot area variance.

The CMP (N.J.A.C. 7:50-5.28(a)4) requires that any local approval, including variances, which grants relief from density or lot area requirements shall require that Pinelands Development Credits (PDCs) be used for all dwelling units in excess of that otherwise permitted, unless a Waiver for the dwelling unit or lot has been approved by the Pinelands Commission. Therefore, if a Waiver is approved by the Commission, it will not be necessary to purchase and redeem an additional 0.25 PDCs should Medford Township grant a lot size/density variance. However, acquisition and redemption of 0.25 PDCs is required if a Waiver is granted from the groundwater quality standard.

Pending approval of the Waiver, any approved municipal lot area variance received by the Commission will be scheduled for a Commission staff public hearing. The applicant may request an adjournment of the public hearing until the Waiver is approved and the PDCs are purchased. No hearing will be necessary if the Waiver is approved, the PDCs are purchased and the proposed development complies with the conditions imposed by the Waiver. Prior to Commission issuance of a letter indicating that any municipal or county approval or permit may take effect, documentation of the purchase and redemption of 0.25 PDCs must be submitted to the Commission.

Commission receipt of any county or municipal approval or permit for the development as currently proposed will likely result in the scheduling of a Commission staff public hearing to review the issues raised by the above-referenced inconsistency(ies).



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LOCAL AGENCY APPROVAL SUBMISSION CHECKLIST

- ✓ All approvals (including permits) issued by local agencies (including counties and municipalities) must be submitted to the Pinelands Commission. **No approval shall take effect and no development may occur until the Commission issues a letter indicating that the approval may take effect.**
- ✓ Please identify the approvals required for your development proposal in the list below. Be sure to submit all items listed as quickly as possible as each approval is issued to you.
- ✓ Please be sure that all approved plans contain all specified site restrictions and conditions listed in your Certificate of Filing (e.g., wetlands/wetland buffers, threatened/endangered species protection, scenic setback). This includes notes as well as depictions of clearly labeled lines, clearing limits, envelopes, etc.

Type of approval(s):	Submit a copy to the Commission:
<u>Municipal:</u> <ul style="list-style-type: none"> • Subdivision approval (<i>preliminary, final, major and minor</i>) • Site plan approval (<i>preliminary, final, major and minor</i>) • Variance and/or waiver • Certificate of Appropriateness • General development plan approval 	<input type="checkbox"/> Resolution granting approval <input type="checkbox"/> Approved plan(s), signed and sealed <input type="checkbox"/> Municipal engineer's and planner's reports <input type="checkbox"/> Stormwater management report (<i>if revised since issuance of Certificate of Filing</i>) <input type="checkbox"/> Public commenters' names and addresses (<i>or written statement that no public spoke</i>)
<ul style="list-style-type: none"> • Construction permit • Zoning permit • Demolition permit • Forestry permit • Mining permit • Certificate of Occupancy 	<input type="checkbox"/> Permit
<u>County:</u> <ul style="list-style-type: none"> • Subdivision approval (<i>preliminary/conditional, final, major and minor</i>) • Site plan approval (<i>preliminary/conditional, final, major and minor</i>) • Soil Conservation District certification 	<input type="checkbox"/> Approval <input type="checkbox"/> Approved plan(s), signed and sealed
<ul style="list-style-type: none"> • Standard septic system permit 	<input type="checkbox"/> Permit <input type="checkbox"/> Approved plan (<i>only necessary if your Certificate of Filing contains a wetland protection condition and/or threatened/endangered species protection condition</i>)
<ul style="list-style-type: none"> • Alternate design septic system permit 	<input type="checkbox"/> Permit <input type="checkbox"/> Approved plan <input type="checkbox"/> Written certification of approved plan by alternate design system manufacturer