



Anatomy of a Pinelands Commission Meeting

New Jersey Pinelands Commission
P.O. Box 359, New Lisbon, NJ 08064
Nancy Wittenberg, Executive Director

phone: 609-894-7300
fax: 609-894-7330
www.nj.gov/pinelands

Welcome to the monthly meeting of the New Jersey Pinelands Commission. The 15-member Pinelands Commission meets to consider major policy, planning, and permit issues that affect New Jersey's Pinelands Area. Typically, the agenda has 14 segments, but the number and order may vary slightly depending on the business before the Commission. We hope this summary helps you to better understand, follow and participate in today's meeting.

1) Call to Order This segment represents the formal start of the meeting. It includes the reading of the Open Public Meetings Act statement, roll call, pledge of allegiance to the flag.

2) Approval of Minutes The Commission reviews and approves the official written meeting minutes for the previous Pinelands Commission meeting. Commission members may comment on and/or make corrections to the draft minutes at this time.

3) Committee Chairs' and Executive Director's Reports The Chairs of the Commission's five standing committees (Policy and Implementation, Science, Personnel and Budget, Public and Governmental Programs, and Permanent Land Protection) report on the activities of their respective panels. Each committee is comprised of five to seven Commission members, which review in detail all major policy matters before they are brought to the full Commission for action. For example, the Personnel and Budget Committee is responsible for recommending the annual operating budget to the Commission and reviewing all contracts and purchases which require Commission approval. Also, the Policy and Implementation Committee reviews master plans, zoning ordinances, and revisions to the Pinelands Plan before they are submitted to the Commission for action. Like full Commission meetings, committee meetings are advertised in local newspapers and open to the public. The Executive Director also reports on major staff activities, initiatives and recent events as well as upcoming meetings and hearings.

4) Actions on Development Review Hearing Reports In addition to its planning and regulatory functions, the Commission sometimes acts in a quasi-judicial capacity. This is most evident when the Commission considers formal hearing reports on development proposals. Since comments outside of these formal hearings may jeopardize the rights of one or more of the parties involved, the Commission may not receive any further comments from the public on these matters. In some cases, however, attorneys for the involved parties may be afforded an opportunity to present to the Commission exceptions to the administrative law judge's or executive director's findings and recommendations. There are two types of hearing reports.

The first type of hearing report, called an "initial decision," is one issued by a State Administrative Law judge. These are generally development permit matters where either the applicant or other interested parties have disagreed with a preliminary recommendation of the executive director. These appeals are referred to the Office of Administrative Law where a judge presides over a hearing at which each of the parties presents his case, much like Superior Court. However, instead of issuing a binding ruling, the administrative law judge issues a hearing report with a recommendation to the Commission. The Commission must then thoroughly review the judge's report and the hearing record and make a final decision to uphold, modify, or overturn the judge's recommendation.

The second type of report is issued by the executive director following a public hearing. These reports deal with municipal or county approvals and permits (e.g. subdivision or site plans, zoning permits) which are referred to the Commission because they may conflict with a Pinelands land use or development standard. The Commission, after reviewing the executive director's report and recommendation and the hearing record, will decide whether to approve, modify, or deny the local permit.

5) Public Comment on Agenda Items Anyone in attendance may offer comments on specific agenda items during this time. If you care to speak on any specific matter which the Commission has already considered or will be considering later today, please raise your hand when the chairman reaches this part of the agenda.

6) Development Review Matters The Commission will be voting to approve, approve with conditions, or deny various types of projects. Information on the specific matters which are being considered is available for public review at the entrance of the meeting room. The Commission may also discuss various projects which are in the early stages of review by the staff or by localities.

7) Resolutions Relating to Master Plans and Ordinances. This portion of the meeting may involve the Commission's review of municipal, county, state or federal master plans and land use/zoning ordinances which have been submitted for Commission approval. Where appropriate, these master plans and ordinances may be separated according to subject matter. The Chairman may ask whether any audience members have comments on the documents being considered; however, it is important to remember that public hearings on all of these master plans and ordinances have already been held. Therefore, any comments must be confined to the record developed at the hearing. The Commission may vote to approve, approve with conditions or disapprove the plans or ordinances. For your information, material about each of these items is available at the entrance to the meeting.

8) Other Resolutions This portion of the agenda involves other formal decisions which the Commission is scheduled to consider today. They may involve memoranda of agreement for which a public hearing has already been held, approval of contracts, and other important policy decisions. Again, information on each of these is available at the entrance to the meeting.

9) Ordinances Not Requiring Pinelands Commission Action At this time the Commission may discuss those municipal and county land use ordinances which the staff has determined do not require formal approval by the Commission. These ordinances generally do not involve Pinelands protection standards to any great extent. Although the Commission will not take any action on these, there are sometimes questions or matters of general interest which are discussed. Information on each of these is also available at the entrance.

10) Other Agenda Items The Commission sometimes schedules a discussion or presentation by its staff or another organization on one or more topics of interest at this time. These may involve updates on Pinelands research projects, discussion of an important planning or policy matter, etc. Although the Commission may consider a formal decision at some later date, these matters are not scheduled to be acted upon today.

11) Public Comment on Any Matter Relevant to the Commission's Statutory Responsibilities People in the audience are free to comment on any matter which they feel is important to the Commission during this time. Please feel free to share your thoughts and ideas when the chairman opens this comment period to the audience.

12) Closed Session Sometimes the Commission must meet to discuss pending or active lawsuits, the purchase of land, or personnel matters. Sometimes called "executive sessions," closed sessions are not open to the public. However, the Commission always reconvenes in open public session prior to adjournment, and the public is invited to return to the meeting.

13) Report on Closed Session At this time, the chairman will announce the topics discussed in closed session. If appropriate, the Commission may also take formal action on one or more of the matters discussed.

14) Adjournment A motion by the Commission will officially end of the meeting.

Please Note: This document was developed to serve as a general guide to assist the public in following and participating in Pinelands Commission Meetings. Meeting agenda and structure is subject to change, depending on the business before the Commission and other scheduling considerations.

(Revised January 2011)