



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



PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA
Friday, January 12, 2024 - 9:30 a.m.

This meeting will be held in-person and virtually.

Richard J. Sullivan Center for Environmental Policy and Education
Terrence D. Moore Conference Room
15C Springfield Road
New Lisbon, New Jersey

Watch the meeting on the Pinelands Commission YouTube channel via the following link:

<https://www.youtube.com/live/DsuQQYL3n68?si=uWJyMKLn0mMD7QJp>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 835 8638 2326

1. Call to Order

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

2. Adoption of Minutes

- December 8, 2023

3. Committee Chairs' and Executive Director's Reports

4. Matters for Commission Consideration *Where the Record is Closed*

A. Permitting Matters

- Office of Administrative Law
 - None
- Review of Local Approvals
 - None
- Public Development Projects and Waivers of Strict Compliance:
 - None

B. Planning Matters

- Municipal Master Plans and Ordinances
 - None
- Other Resolutions
 - Authorizing the Execution of a Memorandum of Agreement between the Pinelands Commission and Pemberton Township Regarding Accessibility Improvements to Pemberton Lake Trail
- CMP Amendments
 - None

5. Public Comment on Public Development Applications and Waivers of Strict Compliance *Where the Record is Not Closed*

A. Public Development Projects

- Application No. 2003-0530.011- Greater Egg Harbor Regional High School District Installation of an artificial turf field and the construction of a 5,900 square foot paved storage area at the Cedar Creek High School
Egg Harbor City

B. Waivers of Strict Compliance

- None

6. Master Plans and Ordinances Not Requiring Commission Action

- Barnegat Township Ordinance 2023-33
- Berkeley Township Ordinance 22-47-OAB
- Chesilhurst Borough Ordinance 2023-9
- Hammonton Town Ordinance 14-2023
- Manchester Township Ordinance 23-41
- Pemberton Township Ordinance 37-2023
- Stafford Township Ordinance 2023-40
- Waterford Township Ordinances 2023-25 & 2023-28

7. General Public Comment

8. Presentation: Update on the New Jersey Board of Public Utilities Straw Proposal for the Dual-Use Solar Pilot Program

9. 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.)*

10. Adjournment

Upcoming Meetings

Fri., January 26, 2024	Policy & Implementation Committee Meeting (9:30 a.m.)
Fri., February 9, 2024	Pinelands Commission Meeting (9:30 a.m.)
Wed., February 14, 2024	Climate Committee Meeting (9:30 a.m.)

To ensure adequate time for all members of the public to comment, we will respectfully limit comments to **three 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.

Pinelands Commission and Committee meeting agendas are posted on the Commission's Website and can be viewed at www.nj.gov/pinelands/ for more information on agenda details, e-mail the [Public Programs Office](mailto:PublicProgramsOffice@pinelands.nj.gov) at Info@pinelands.nj.gov.

PINELANDS COMMISSION MEETING

MINUTES
December 8, 2023

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=Lhnz7ASY8nE>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., John Holroyd, Theresa Lettman, Mark Lohbauer, Mark Mauriello, Jonathan Meade, William Pikolycky and Douglas Wallner. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Alexis Franklin.

Commissioners Absent

Dan Christy, Jerome H. Irick and Laura E. Matos.

Call to Order

Vice Chair Avery called the meeting to order at 9:31 a.m.

DAG Stypinski read the Open Public Meetings Act Statement (OPMA).

Executive Director (ED) Grogan called the roll and announced the presence of a quorum. Nine Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Vice Chair Avery presented the closed session minutes from the Commission's November 9, 2023 meeting. Commissioner Pikolycky moved the adoption of the closed session minutes. Commissioner Lohbauer seconded the motion.

The closed session minutes from the November 9, 2023 Commission meeting were adopted by a vote of 8 to 0. Commissioner Holroyd abstained from the vote.

Vice Chair Avery presented the open session minutes from the Commission's November 9, 2023 meeting. Commissioner Pikolycky moved the adoption of the open session minutes. Commissioner Lohbauer seconded the motion.

The open session minutes from the November 9, 2023 Commission meeting were adopted by a vote of 9 to 0.

Committee Reports

Vice Chair Avery provided a summary of the November 29, 2023 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the October 27, 2023 meeting.

The Committee reviewed a draft Memorandum of Agreement (MOA) with Pemberton Township. The MOA would permit the Township to surface existing trails in wetlands and wetlands buffers at Pemberton Lake. A public hearing on the agreement will be held in December. The Committee agreed that if there are no substantive changes after the public hearing, the MOA could proceed to the full Commission meeting in January 2024 for consideration.

The Committee also discussed a package of CMP amendments. The draft amendments cover application fees, expiration of waivers, Certificates of Filing and Certificates of Completeness, allocation and use of Pinelands Development Credits, protection of the Black Run Watershed and vegetation maintenance in electric transmission rights of way. All Committee members indicated support for the amendments. Staff will complete and submit the full rule proposal to the Governor's office for approval.

Executive Director's Report

ED Grogan provided information on the following matters:

- The grant for the preservation of Fenwick Manor is currently working its way through the legislative process. The appropriations bill was recently approved by the Assembly, and is currently awaiting a vote from the Senate. Staff recently met with the Division of Property Management and Construction (DPMC) to discuss the procurement process. DPMC will assist with drafting a scope of services for the preservation project and a Request for Proposal (RFP) for design work and another RFP for the construction.
- As part of the Fenwick Manor preservation project, telephone and internet equipment currently located in the basement will be moved to a more suitable location on the

property. Verizon Staff is currently in the process of running fiber optic cable to facilitate the relocation.

- Recent Pinelands Development Credit severances have resulted in permanently protecting just over 400 acres in the Preservation Area District and the Special Agricultural Production Area.

ED Grogan introduced a new Commission staff member, Jared Schmidt, who joined the Information Systems Office this week and will be assisting with database design and web development. She said Jared recently graduated from the College of New Jersey and is from South Jersey.

ED Grogan also introduced Alexis Franklin, who replaced Janice Venables as the representative from the Governor's Authorities Unit.

Chuck Horner, Director of Regulatory Programs, provided information on the following regulatory matters:

- Staff have been assisting Mullica Township with a proposal to construct a public safety building at the municipal complex, which is located in the Village of Elwood. There is a mold issue in the basement of the existing municipal building where the police department was located. Staff notified the township administrator that it would be necessary to convert the existing septic system to an alternate design septic system that treats the wastewater due to the size constraints of the lot and existing development.
- An application was recently submitted to the Commission for the change of use of the Bass River Township elementary school to a private overnight boarding school. The proposal has received a great deal of interest from local residents and there have been a few newspaper articles on the matter.

Stacey Roth, Chief, Legal and Legislative Affairs, said any pending legislation that is not adopted prior to December 31, 2023 will need to be reintroduced in January 2024 when the 221st Legislature session commences. She said there are a few warehouse bills that have been introduced but are not specifically related to the Pinelands. She noted that Assembly bill A5809 expands the list of eligible Pinelands Infrastructure Trust Fund projects to include water supply.

Paul Leakan, Communications Officer, said the 2024 Pinelands wall calendars are available free-of-charge at multiple state parks and at the General Store at Whitesbog Village. He said the calendar is funded by the National Park Service and printed at Rowan College at Burlington County. He thanked numerous experts who helped to identify the animal species that are featured in the calendar.

Gina Berg, Director of Land Use Programs, provided an update on the following:

- The water management rules were published in the New Jersey Register on December 4th. An internal implementation team has been established. The team is in the process of

generating guidance documents to post on the Commission's website in anticipation of future applications.

- Staff is in the process of refining rule package one in preparation to send to the Governor's office.
- Staff is working on an annual report for National Park Service funding.
- Staff recently evaluated existing Pinelands Management Area boundaries. The findings and recommendations of the assessment will be presented to the Climate Committee.

Public Development Projects and Other Permit Matters

Vice Chair Avery introduced a resolution for the construction of two parking areas and concrete walkways at a high school in Hamilton Township.

Commissioner Lohbauer made a motion Approving With Conditions an Application for Public Development (Application Number 1985-0204.011) (See Resolution # PC4-23-43).
Commissioner Asselta seconded the motion.

The resolution was adopted by a vote of 9 to 0.

Vice Chair Avery introduced a resolution for a Waiver of Strict Compliance to build a single-family dwelling in Monroe Township.

Commissioner Asselta made a motion Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 1989-0139.003) (See Resolution # PC4-23-44).
Commissioner Lohbauer seconded the motion.

The resolution was adopted by a vote of 9 to 0.

Ordinances Not Requiring Commission Action

Vice Chair Avery read the list of ordinances:

- Buena Vista Township 2022 Master Plan Reexamination Report
- Buena Vista Township Ordinance 136-2023
- Monroe Township Ordinance O:35-2023

Commissioners did not have any questions.

Other Resolutions

Vice Chair Avery introduced a resolution scheduling regular Pinelands Commission meeting dates for 2024.

Commissioner Pikolycky made a motion Scheduling Regular Pinelands Commission Meeting Dates for 2024 (See Resolution # PC4-23-45). Commissioner Lohbauer seconded the motion.

The resolution was adopted by a vote of 9 to 0.

General Public Comment

Jason Howell of the Pinelands Preservation Alliance asked how the Commission created a task force to rezone a parcel (Peg Leg Webb) in Jackson Township from a Rural Development Area to a Forest Area.

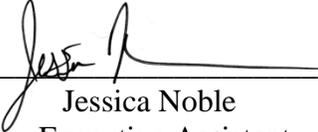
ED Grogan said the task force Mr. Howell is referencing was established to study the Toms River Corridor and recommend ways to protect critical habitat in the area. The task force was comprised of municipal, county, state, non-profit and Commission representatives, among others. The resulting Toms River Corridor Plan called for multiple management area and zoning changes along with land preservation.

Mr. Howell said the Pole Bridge Forest that is subject of a large residential development project in Pemberton Township should not be designated as Regional Growth Area because of the area's high-value habitat.

Adjournment

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Pikolycky seconded the motion. The Commission agreed to adjourn at 9:54 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: December 12, 2023



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23- 43

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1985-0204.011)

Commissioner Lohbauer moves and Commissioner Asselta 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:

1985-0204.011

Applicant: **Greater Egg Harbor Regional High School District**
Municipality: Hamilton Township
Management Area: Pinelands Regional Growth Area
Date of Report: November 17, 2023
Proposed Development: Construction of two parking areas and concrete walkways at the Oakcrest High School.

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 1985-0204.011 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*
Asselta	X				Lettman	X				Wallner	X			
Avery	X				Lohbauer	X				Matos			X	
Christy			X		Mauriello	X								
Holroyd	X				Meade	X								
Irick			X		Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 8, 2023

Susan R. Grogan
Executive Director

Alan W. Avery Jr.
Vice Chair



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November 17, 2023

Thomas P. Grossi, School Business Administrator (via email)
Greater Egg Harbor Regional High School District
1824 Dr. Dennis Forman Drive
Mays Landing NJ 08330

Re: Application # 1985-0204.011
Block 1027, Lot 1.01
Hamilton Township

Dear Mr. Grossi:

The Commission staff has completed its review of this application for construction of two parking areas and concrete walkways at the Oakcrest High School. 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 December 8, 2023 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, Hamilton Township Planning Board (via email)
Hamilton Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Bahram Farzaneh (via email)



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Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

November 17, 2023

Thomas P. Grossi, School Business Administrator (via email)
Greater Egg Harbor Regional High School District
1824 Dr. Dennis Forman Drive
Mays Landing NJ 08330

Application No.: 1985-0204.011
Block 1027, Lot 1.01
Hamilton Township

This application proposes construction of two parking areas and concrete walkways at the Oakcrest High School located on the above referenced 78.84 acre parcel in Hamilton Township.

This application proposes two eight-space Americans with Disabilities Act parking areas to provide public access to existing athletic fields on the parcel. The application also proposes 2,391 linear feet of concrete walkways to provide access to the athletic fields and the school. The proposed walkways range between six and eight feet in width. The application further proposes a 1,180 square foot concrete apron around an existing concession stand and a 200 square foot storage building.

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. 7:50-5.28)

The proposed development is located in a Pinelands Regional Growth Area. Institutional uses, including schools and accessory facilities to schools, are a permitted land use in a Pinelands Regional Growth Area.

Wetlands Standards (N.J.A.C. 7:50-6.6)

There are wetlands located within 300 feet of the parcel. The proposed development will be located at least 300 feet from wetlands.

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

The proposed development will be located within existing gravel and maintained grassed areas. 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 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 stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing three stormwater retention basins and an underground stormwater infiltration system.

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper public notice was completed on March 11, 2023. Notice to required land owners within 200 feet of the above referenced parcel was completed on August 16, 2023. The application was designated as complete on the Commission's website on October 25, 2023. The Commission's public comment period closed on November 9, 2023. 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 11 sheets, prepared by French & Parrello Associates, all sheets dated February 23, 2023 and last revised October 5, 2023.
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.

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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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 and received by the Commission's office no later than 5:00 PM on December 5, 2023 and 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. PC4-23-44

TITLE: **Approving** With Conditions an Application for a **Waiver of Strict Compliance** (Application Number 1989-0139.003)

Commissioner Asselta moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

1989-0139.003

Applicant:	Denise Knights
Municipality:	Monroe Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	November 17, 2023
Proposed Development:	Single family dwelling.

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 Findings of Fact and Conclusion of the Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 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 1989-0139.003 for a Waiver of Strict Compliance 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*
Asselta	X				Lettman	X				Wallner	X			
Avery	X				Lohbauer	X				Matos			X	
Christy			X		Mauriello	X								
Holroyd	X				Meade	X								
Irick			X		Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 8, 2023

Susan R. Grogan
Executive Director

Alan W. Avery Jr.
Vice Chair



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SUSAN R. GROGAN
Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

November 17, 2023

Denise Knights (via email)
213 Fleming Pike
Hammonton NJ 08037

Re: Application # 1989-0139.003
Block 9801, Lot 30
Monroe Township

Dear Ms. Knights:

The Commission staff has completed its review of the above referenced application for a Waiver of Strict Compliance (“Waiver”) based upon an extraordinary hardship. The Waiver application proposes the development of one single family dwelling on the above referenced 45.46 acre parcel. Based upon the facts and conclusions contained in this Report, on behalf of the Commission’s Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its December 8, 2023 meeting.

FINDINGS OF FACT

The application is for the development of one single family dwelling serviced by an on-site septic system on the above referenced 45.46 acre parcel. The parcel is located partially in a Pinelands Rural Development Area (45.27 acres) and partially in a Pinelands Regional Growth Area (0.19 acres). The Pinelands Rural Development Area portion of the parcel is located in Monroe Township’s Rural Development - Agricultural (RD-A) zoning district. The Pinelands Regional Growth Area portion of the parcel is located in Monroe Township’s Regional Growth - Moderate Residential (RG-MR) zoning district. The proposed single family dwelling will be located within the Pinelands Rural Development Area and the Township’s RD-A zoning district portion of the parcel. In the RD-A zoning district, the Commission certified (approved) Monroe Township land use ordinance establishes a minimum lot size of 8 acres to develop a single family dwelling.

An application for a Waiver based upon extraordinary hardship for the development of one single family dwelling on Block 9801, Lot 30 was approved by the Pinelands Commission on November 3, 2017 (App. No. 1989-0139.003). A development application for the proposed dwelling was subsequently completed with the Commission and a Certificate of Filing, denoting completion of that development application, was issued on January 18, 2018.

The Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-4.70(c)) provides that any Waiver based upon an extraordinary hardship (N.J.A.C. 7:50-4.63) shall expire five years after the Waiver is approved by the Commission unless all necessary construction permits have been issued and other CMP specified requirements are met. Based on the submitted information, all necessary construction permits were not received for the proposed development and the Waiver approval expired on November 3, 2022.

The parcel has been inspected by a member of the Commission staff. The appropriate resource capability maps and other information available to the Commission staff have been reviewed.

The CMP (N.J.A.C. 7:50-6.14) requires that all development maintain a 300 foot buffer to wetlands unless an applicant demonstrates that a lesser buffer to wetlands will not result in a significant adverse impact on wetlands. A portion of the parcel is wetlands as defined in the CMP (N.J.A.C. 7:50-6.5(a)2). The wetlands continue onto adjacent lands. Any development of the parcel would be located within 300 feet of these wetlands. The applicant has submitted no information to demonstrate that the proposed development will not cause a significant adverse impact on the wetlands. Based on the quality and location of the wetlands, the proposed development will cause a significant adverse impact on the wetlands. As there will be a significant adverse impact on wetlands located within 300 feet of the proposed development, the applicant is requesting a Waiver from the buffer to wetlands standard contained in N.J.A.C. 7:50-6.14.

The CMP (N.J.A.C. 7:50-4.65(b)6) requires that for an applicant to qualify for a Waiver to develop a single family dwelling in a Pinelands Rural Development Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on or within 50 feet of wetlands. The applicant has demonstrated that no development, including clearing and land disturbance, will be located on or within 170 feet of wetlands.

Information available to the Commission staff indicates the potential presence of threatened and endangered (T&E) animal species or habitat critical to their survival and populations of T&E plant species on and in the vicinity of the parcel. The applicant proposes to locate all development on the 45.46 acre parcel within a proposed 0.46 acre development envelope fronting on an existing road. The applicant proposes to impose a deed restriction on the remaining 45 acres of the parcel to prohibit any further development, including clearing or land disturbance, unless a T&E species survey is undertaken demonstrating consistency with the T&E animal and plant species protection standards of the Monroe Township land use ordinance and the CMP. With the conditions recommended below, the applicant has demonstrated that the proposed development is designed to avoid irreversible adverse impacts on habitat that is critical to the survival of any local population of T&E animal species or to any local population of T&E plant species in accordance with N.J.A.C. 7:50-6.27 and 6.33. The requisite T&E species deed restriction was filed with Gloucester County on December 19, 2017 in response to the now expired November 3, 2017 Waiver approval for this parcel.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the entire contiguous parcel. The development of a single family dwelling on the parcel will not require any lot area or residential density variances pursuant to Monroe Township's certified land use ordinance. The development of a single family dwelling on the parcel will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP. The proposed single family dwelling will not result in a substantial impairment of the resources of the Pinelands Area as required by the CMP (N.J.A.C. 7:50-4.65(b)).

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on wetlands be minimized.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Public notice to all property owners within 200 feet of the parcel was completed on September 8, 2023. Newspaper public notice was completed on September 25, 2023. The application was designated as complete on the Commission's website on October 30, 2023. The Commission's public comment period closed on November 9, 2023. One written public comment (enclosed) was received by the Pinelands Commission on September 17, 2023 regarding this application.

Written Public Comment: By email dated September 17, 2023, the commenter expressed support of the Waiver application and that a single family dwelling is a basic right for any land or property owner that should trump environmental standards.

Commission Response: For the reasons specified in this Report, the Commission staff is recommending approval of this Waiver application for the development of a single family dwelling.

CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

N.J.A.C. 7:50-4.63(a) sets forth five conditions which must be met to qualify for a Waiver based on an extraordinary hardship.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is a single family dwelling on a parcel within a Pinelands Rural Development Area that complies with the density and lot area standards set forth in N.J.A.C. 7:50-5.26(a) and (c). This application is for a Waiver from the buffer to wetlands standard contained in N.J.A.C. 7:50-6. The proposed single family dwelling on the 45.27 acre portion of the parcel located in a Pinelands Rural Development Area meets the residential density and lot area standards established in this portion of the Rural Development Area as set forth in Monroe Township's certified land use ordinances. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1vii.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous lands. Since the parcel includes all such contiguous land, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Monroe Township's master plan and land use ordinance have been certified by the Pinelands Commission. In the Township's RD-A zoning district, Monroe Township's certified land use ordinance establishes a minimum lot size of 8 acres to develop a single family dwelling. This application proposes to develop a single family dwelling on a 45.27 acre portion of the parcel located in a Pinelands Rural Development Area. No municipal lot area or density variance is required to develop the proposed single family dwelling. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. The CMP (N.J.A.C. 7:50-4.65(b)) sets forth the circumstances which do not comply with N.J.A.C. 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all five conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

As required by N.J.A.C. 7:50-4.62(b), the proposed dwelling will not result in substantial impairment of the resources of the Pinelands or be inconsistent with the provisions of the Pinelands Protection Act, the Federal Act or the CMP in accordance with the criteria set forth in N.J.A.C. 7:50-4.65.

As required by N.J.A.C. 7:50-4.62(c), and with the conditions recommended below, the proposed dwelling will not involve trespass or create a public or private nuisance by being materially detrimental or injurious to other property or improvements in the area in which the parcel is located, increase the danger of fire or endanger public safety.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist.

The CMP (N.J.A.C. 7:50-4.62(d)1iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits (PDCs) whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. As the applicant is obtaining a Waiver from the minimum buffer to wetlands standard of N.J.A.C. 7:50-6.14, the applicant is required to acquire and redeem 0.25 PDCs. The requisite 0.25 PDC was acquired and redeemed on March 20, 2019 for the now expired November 3, 2017 Waiver approval for this parcel.

To meet the requirements of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65, the Pinelands Commission staff has determined that the parcel must be developed in accordance with the following conditions:

1. Except as modified by the below conditions, the proposed development shall adhere to the plot plan prepared by Datz Engineering & Land Surveying, dated April 26, 2015 and last revised April 22, 2017.
2. The septic system shall be located in an area where the seasonal high water table is at least 5 feet below the natural ground surface and in the area shown on the above referenced plan.
3. Appropriate measures shall be taken prior to construction to preclude sedimentation from entering wetlands.
4. The driveway shall be constructed of crushed stone or other permeable material.
5. The septic system shall be located at least 270 feet from all wetlands. All other development, including clearing and land disturbance, shall be located at least 170 feet from all wetlands. No development, including clearing and land disturbance, shall occur except as shown on the above referenced plan.
6. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.
7. Amendments to the Commission's stormwater regulations, effective January 18, 2022, require that the single family dwelling proposed in this Waiver application demonstrates consistency with stormwater management standards. Prior to Commission issuance of a letter advising that any municipal or county approvals or permits can take effect, a stormwater management plan and calculations, prepared by an appropriately licensed professional, must be submitted to the Commission which include Items 1-6 of the enclosed Minor Residential Stormwater Checklist demonstrating that the proposed single family dwelling meets the stormwater management standards of the Monroe Township land use ordinance and the CMP (N.J.A.C. 7:50-6.84(a)6).
8. This Waiver shall expire December 8, 2028 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after December 8, 2028, or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
9. Prior to Commission issuance of a letter advising that any county or municipal permit or approval may take effect, a copy of a recorded deed containing all of the above conditions of this November 17, 2023 Report on an Application for a Waiver of Strict Compliance shall be submitted to the Pinelands Commission. The deed shall specify that the conditions imposed by the November 17, 2023 Report on an Application for a Waiver of Strict Compliance supersede the conditions imposed by the Waiver of Strict Compliance approved by the Pinelands Commission on November 3, 2017. The deed shall also specify that the conditions are being imposed pursuant to a Waiver of Strict Compliance referring to the application number. The deed shall state that the conditions are enforceable by the Pinelands Commission, Monroe Township, the Gloucester County Health Department, and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver from the requirements of N.J.A.C. 7:50-6.14.

Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver subject to the above conditions.

APPEAL

The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation 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 and received by the Commission's office no later than 5:00 PM on December 5, 2023 and include the following information:

1. the name and address of the person requesting 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, the Pinelands Commission may either approve the determination of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____



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

enc: September 17, 2023 Public Comment
[Minor Residential Stormwater Checklist](#)
 (Above checklist may be found at [nj.gov/pinelands/appli/tools/.](http://nj.gov/pinelands/appli/tools/))

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)
 Gloucester County Health Department (via email)
 Robert J. Smith, Esq. (via email)
 Andrey Letushko (via email)

From: Andrey Therealtor (letcoldwell@yahoo.com)
Received: 9/17/2023 8:03:12 AM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: [EXTERNAL] Pinelands Application No. 1989-0139.003
Attachments: None

Hello,

In regards to the above application please note the file that I am in full support of the Waiver requested and Wetland protection standards Waiver of Strict Compliance should be granted to the applicant.

A place to dwell or a Single Family Dwelling is a basic right for any land or property owner and should trump any environmental standards.

Thank you for your review.

Andrey Letushko
Coldwell Banker Excel Realty

1100 East Landis Avenue,
Vineland NJ 08360
856-696-1111, Office
609-364-1643, Cell

Invest in Real Estate and take ownership of your future!



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-23- 45

TITLE: Scheduling Regular Pinelands Commission Meeting Dates for 2024

Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:

WHEREAS, the Open Public Meetings Act requires that the Pinelands Commission establish an annual schedule of regular meetings prior to January 10th of each year; and

WHEREAS, the Pinelands Commission will use the Pinelands Commission’s Richard J. Sullivan Center for Environmental Policy and Education in New Lisbon, Pemberton Township, as the regular site for its meetings; and

WHEREAS, any meeting to be held at a location other than the Pinelands Commission’s Richard J. Sullivan Center for Environmental Policy and Education, 15 C Springfield Road, New Lisbon, Pemberton Township, will be advertised in accordance with the requirements of the Open Public Meetings Act; and

WHEREAS, the public can attend all regular Commission meetings in person or livestream the meetings through the Commission’s YouTube channel. Public comment can be provided in person or by dialing the phone number and entering the code displayed on the meeting agenda and the YouTube screen during each meeting. An agenda will be posted on the Commission’s website at www.nj.gov/pinelands/ in advance of each meeting; 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 the Pinelands Commission shall conduct its meetings on the following dates in 2024, beginning at the specified time, unless notice is otherwise provided in accordance with the Open Public Meetings Act:

Friday, January 12, 2024 (9:30 a.m.)
Friday, February 9, 2024 (9:30 a.m.)
Friday, March 8, 2024 (9:30 a.m.)
Friday, April 12, 2024 (9:30 a.m.)
Friday, May 10, 2024 (9:30 a.m.)
Friday, June 14, 2024 (9:30 a.m.)

Friday, July 12, 2024 (9:30 a.m.)
Friday, August 9, 2024 (9:30 a.m.)
Friday, September 13, 2024 (9:30 a.m.)
Friday, October 11, 2024 (9:30 a.m.)
Friday, November 8, 2024 (9:30 a.m.)
Friday, December 13, 2024 (9:30 a.m.)

BE IT FURTHER RESOLVED that the Executive Director is directed to publish notice of this schedule in the Commission's official newspapers, file copies of the schedule with the Secretary of State of the State of New Jersey and Pinelands county and municipal clerks, post a copy of the notice in the Commission's offices and post the annual schedule on the Commission's website (www.nj.gov/pinelands).

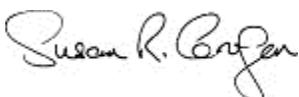
Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Asselta	X				Lettman	X				Wallner	X			
Avery	X				Lohbauer	X				Matos			X	
Christy			X		Mauriello	X								
Holroyd	X				Meade	X								
Irick			X		Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: December 8, 2023



Susan R. Grogan
Executive Director



Alan W. Avery Jr.
Vice Chair



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



PHILIP D. MURPHY
 Governor
 TAHESHA L. WAY
 Lt. Governor

General Information: Info@pinelands.nj.gov
 Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
 Chair
 SUSAN R. GROGAN
 Executive Director

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
 Planning Specialist

Date: January 2, 2024

Subject: No Substantial Issue Findings

During the past month, the Planning Office reviewed nine ordinance amendments that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

Barnegat Township Ordinance 2023-33 – amends Chapter 55, Land Use, of the Code of Barnegat Township. The ordinance amends Section 55-181.1, Signs Division I: East of Parkway, by revising sign standards applicable to the portion of the Township located outside of the state-designated Pinelands Area but within the Pinelands National Reserve (PNR). In 2013, the Pinelands Commission certified the Township’s land development regulations and zoning plan for the PNR portion of the Township.

Berkeley Township Ordinance 22-47-OAB – amends Chapter XXXV, Land Development, of the Code of Berkeley Township. The ordinance establishes Section 35-63.14, Electric Vehicle Supply/Service Equipment, which authorizes and encourages the installation of Electric Vehicle Supply/Service Equipment and Make-Ready parking spaces and is applicable throughout the Township.

Chesilhurst Borough Ordinance 2023-9 – amends Chapter 285, Land Development, and Chapter 406, Stormwater Control, of the Code of Chesilhurst Borough in response to amendments to the CMP. The amendments incorporate revised stormwater management regulations applicable to development in the Pinelands Area.

Hammonton Town Ordinance 14-2023 – amends Chapter 175, Land Development, of the Code of Hammonton Town, in response to amendments to the CMP. The amendments incorporate revised stormwater management regulations applicable to development in the Pinelands Area.

Manchester Township Ordinance 23-41 – amends Chapter 245, Land Use and Development, of the Code of Manchester Township by establishing Section 245-74.1, “Mixed Use Development.” Section 245-74.1 permits townhouses, multifamily residential, mixed-use buildings, and a variety of commercial

uses within the Township's Pinelands Business (PB-1) District, which is located in a Regional Growth Area. A minimum lot size of 5 acres is required and the maximum permitted residential density is 8 units per gross acre of the entire development tract. Multi-family residential is limited to mixed-use buildings. Mixed-use buildings are required to have commercial uses on the ground floor and between 8 and 28 multi-family residential units above the ground floor. The ordinance provides additional yard, area, and bulk requirements as well as standards for landscaping, recreation equipment and off-street parking. The ordinance requires 20% of the proposed residential units be made affordable. Pinelands Development Credits (PDCs) are required to be purchased and redeemed for 30% of all units, excluding up to 20% of the total project units that are made affordable for low- and moderate-income households. The Commission previously certified Manchester Township Ordinance 17-025, which permitted a variety of commercial uses, townhouse developments and garden apartments in the PB-1 District. Ordinance 23-41 allows for mixed-use buildings in the PB-1 District, while maintaining the maximum residential zoning capacity and the PDC requirements that were previously certified by the Commission.

Pemberton Township Ordinance 37-2023 – adopts the amended Bobolink Boulevard Scattered Site Redevelopment Plan, dated September 2023. The Commission previously found that the Bobolink Boulevard Scattered Site Redevelopment Plan, dated September 2022, raised no substantial issues with respect to CMP standards. The amended redevelopment plan expands the existing redevelopment area by approximately 3.9 acres to include 18 additional lots. It also revises lot frontage and building coverage requirements for both single-family and two-family dwellings and adopts revised requirements for the provision of affordable housing. The additional lots are all located in the Township's Residential-80 (R-80) Zone and within a Pinelands Regional Growth Area. The R-80 Zone permits single-family dwelling units and requires a minimum lot size of 8,000 square feet in areas served by centralized sewer. There are no changes to the permitted uses of the redevelopment plan. It continues to permit detached single-family dwellings on a minimum 8,000 square foot lot and two-family dwellings on a minimum 16,000 square foot lot. Therefore, the expanded redevelopment area maintains the existing underlying residential zoning capacity established by the R-80 Zone. Given that the plan continues to maintain the same minimum lot area requirements for detached single-family dwellings and two-family dwellings, the plan is not required to provide increased opportunities for the use of PDCs in the expanded redevelopment area.

Stafford Township Ordinance 2023-40 – establishes Chapter 123, Historic Preservation, of the Code of Stafford Township. The ordinance establishes historic preservation regulations for the portion of the Township outside the Pinelands Area. The ordinance provides procedures and standards for the Township's Historic Preservation Commission to review any application for demolition on a lot containing an historic structure or any development approval request made to the Township Planning Board or Zoning Board involving an Historic Landmark. The ordinance expressly states that the Chapter shall not apply within the Pinelands Area portion of the Township, and that the existing historic resource provisions at Section 211-9G(14) shall apply in the Pinelands Area. In 2009, the Pinelands Commission certified the Township's land development regulations and zoning plan for the area of the Township located outside of the State-designated Pinelands Area, but within the Pinelands National Reserve.

Waterford Township Ordinance 2023-25 – amends Chapter 176, Land Use, Development and Zoning, of the Code of Waterford Township. The ordinance amends Section 176-48, Animals, to provide regulations for the keeping of chickens and ducks in residential zones. The amendment allows for the keeping of up to 12 chickens or ducks on residential zoned lots of between 0.5 and 5 acres and provides minimum yard and coop requirements.

Waterford Township Ordinance 2023-28 – amends Chapter 176, Land Use, Development and Zoning, of the Code of Waterford Township. The ordinance amends Section 176-20, Joint Land Use Board Fees, by increasing various application filing fees and escrow requirements. The ordinance also amends Section 176-99, Waste Management, by revising the minimum standards for outdoor refuse storage areas for multi-family and non-residential uses.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-_____

TITLE: Authorizing the Execution of a Memorandum of Agreement between the Pinelands Commission and Pemberton Township Regarding Accessibility Improvements to Pemberton Lake Trail

Commissioner _____ moves and Commissioner _____ seconds the motion that:

WHEREAS, the New Jersey Pinelands Commission is a public body, corporate and politic which was established to prepare and administer the Pinelands Comprehensive Management Plan (CMP) to protect the resources of the Pinelands Area; and

WHEREAS, Pemberton Township was incorporated by the New Jersey Legislature in 1826; and

WHEREAS, Pemberton Lake is part of the Pemberton Lake Wildlife Management Area in Pemberton Township, Burlington County and is made up of three parcels, Block 825, Lots 7.01, 7.04 and 7.05; and

WHEREAS, Pemberton Township owns two of these parcels, Block 825, Lots 7.01 and 7.04; and

WHEREAS, the State of New Jersey owns the third parcel, Block 825, Lot 7.05, and the New Jersey Department of Environmental Protection manages the Pemberton Lake Wildlife Management Area; and

WHEREAS, the Pemberton Lake Trail is an existing dirt walking trail located within the wildlife management area; and

WHEREAS, the Township proposes to improve a portion of the Pemberton Lake Trail that starts at its parking area on Magnolia Road and proceeds proximate to the shoreline of the lake to the trail head at the New Jersey Department of Environmental Protection's parking area on Coleman's Bridge Road;

WHEREAS, the proposed improvements include the placement of crushed gravel within the existing length and width of the trail, leveling the trail to no more than a 5% grade along its entire length and installing boardwalks at two areas of the trail that are prone to being wet; and

WHEREAS, the proposed improvements would make the trail firm, stable and flat from side to side so it is more accessible to individuals with mobility issues; and

WHEREAS, portions of the Pemberton Lake Trail proposed for improvements are located within wetlands and wetlands buffers; and

WHEREAS, although the CMP authorizes the development of trails within wetlands and wetlands buffers if certain standards are met, the proposed improvements are not consistent with all of these standards and may not proceed unless the Commission authorizes a deviation from same; and

WHEREAS, N.J.A.C. 7:50-4.52(c)2 authorizes the Commission to enter into an intergovernmental memorandum of agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities that may not be fully consistent with the provisions of N.J.A.C. 7:50-5 and 6, provided such agency demonstrates and the Commission finds that variation from the standards of the Pinelands CMP is accompanied by measures that will, at a minimum, afford an equivalent level of protection of the resources of the Pinelands as would be provided through strict application of the CMP's standards; and

WHEREAS, to offset the impacts associated with the proposed improvements, the Township proposes: to 1) revegetate two wetlands buffer areas within the project site, one (4,980 square feet) adjacent to the Magnolia Road parking area and the other (9,250 square feet) adjacent to the Coleman's Bridge Road parking area, with native Pinelands vegetation; 2) create a rain garden in a portion of the denuded area adjacent to the parking area on Magnolia Road; 3) install a gate at each end of the improved trail that is designed to permit pedestrians, wheelchairs, walkers and electric scooters to enter the trail, while prohibiting entry by off-road vehicles; 4) install wooden rail and post barriers at specific points along the trail in the vicinity of the Pemberton Bypass that are currently used unlawfully by off-road vehicles to access the trail and 5) create two accessible parking spaces at the existing Coleman's Bridge Road parking area; and

WHEREAS, N.J.A.C. 7:50-4.52(c)1 authorizes the Commission to enter into an intergovernmental agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified

development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the provisions of N.J.A.C. 7:50-5 and 6; and

WHEREAS, establishing an alternate permitting process will facilitate the Township’s submission of additional information to the Commission concerning the proposed project and the proposed offsetting measures; and

WHEREAS, the Township has agreed, prior to commencing any site preparation or construction of any portion of the proposed improvements, that it will obtain and provide the following: 1) a Right of Entry from the New Jersey Department of Environmental Protection, to authorize construction of the improvements on that portion of the Pemberton Lake Trail located on the parcel owned by the State of New Jersey and managed by the Department; and 2) a General Freshwater Wetlands Permit 17 to authorize installation of the proposed improvements within freshwater wetlands; and

WHEREAS, the Commission’s CMP Policy & Implementation Committee reviewed and indicated support for the draft Memorandum of Agreement at its November 29, 2023 meeting and agreed to forego further review, provided public comment did not result in any recommended substantive changes to the agreement; and

WHEREAS, a public hearing to receive testimony on the proposed Memorandum of Agreement was duly advertised, noticed and held remotely on December 13, 2023 at 2:00 p.m. with live broadcast on the Pinelands Commission’s public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the comment period for submission of written comments from the public closed on December 18, 2023 with no comments received; and

WHEREAS, the Executive Director has submitted a report to the Commission recommending issuance of an order to execute the Memorandum of Agreement; and

WHEREAS, the Commission has duly considered the public testimony submitted to the Commission concerning the Memorandum of Agreement and has reviewed the Executive Director’s report; and

WHEREAS, the Commission finds that the offsetting measures proposed by the Township will provide an equivalent level of protection for the resources of the Pinelands as would be provided through strict application of the CMP; and

WHEREAS, the Commission further finds that the Memorandum of Agreement, attached hereto, satisfies the standards of N.J.A.C. 7:50-4.52(c), which authorizes the Commission to enter into such agreements; and

WHEREAS, the 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 the Commission agrees to enter into the attached Memorandum of Agreement with Pemberton Township.

BE IT FURTHER RESOLVED that the Commission authorizes the Executive Director to execute this Memorandum of Agreement.

Record of Commission Votes

AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*	AYE	NAY	NP	A/R*
Asselta				Lettman				Rittler Sanchez			
Avery				Lohbauer				Wallner			
Christy				Mauriello				Matos			
Holroyd				Meade							
Irick				Pikolycky							

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: _____

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



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



PHILIP D. MURPHY
Governor
TAHESHA L. WAY
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

January 3, 2024

**REPORT ON A PROPOSED MEMORANDUM OF AGREEMENT BETWEEN
THE NEW JERSEY PINELANDS COMMISSION AND PEMBERTON TOWNSHIP
REGARDING ACCESSIBILITY IMPROVEMENTS TO PEMBERTON LAKE TRAIL**

FINDINGS OF FACT

Pemberton Township, with the assistance of the Pinelands Preservation Alliance (PPA), a non-governmental environmental organization, is proposing to improve a portion of an existing dirt walking trail located along the perimeter of Pemberton Lake in the Pinelands Area. These improvements are intended to make the trail accessible to individuals with mobility issues. The proposed trail improvements will be conducted on portions of the trail located in wetlands and wetland buffers. The proposed Memorandum of Agreement (MOA) would authorize a deviation from the wetland and buffer standards of the Pinelands Comprehensive Management Plan (CMP) and establish an alternate permitting process to facilitate construction of the trail improvements.

I. Background and Purpose of the Memorandum of Agreement (MOA)

Pemberton Lake Trail is located within the Pemberton Lake Wildlife Management Area (WMA). It is comprised of three sections: 1) an approximately 0.74 mile section that starts at a parking area located on Magnolia Road and then proceeds proximate to the lakeshore to the entrance of a parking area located off Coleman's Bridge Road; 2) an approximately 0.30 mile section that starts at the entrance of the Coleman's Bridge Road parking area then proceeds up Coleman's Bridge Road to its intersection with the Pemberton Bypass; and 3) an approximately 0.28 mile section that runs proximate to the bypass from the intersection with Coleman's Bridge Road to a point where the trail joins back to the first section. The Township plans to flatten and stabilize a 0.65 mile portion of the trail that is located proximate to the lake's banks.

Pemberton Lake Trail is a good candidate for a place for accessible nature recreation. The trail is close to homes and easy to reach for Pemberton Township residents. The trail is short, provides lovely views of Pemberton Lake and has places for fishing or enjoying the scenery along its length and at either end.

There is growing interest among public and nonprofit land managers in providing better opportunities for people with disabilities to access recreational resources throughout the State, including the Pinelands. People with disabilities that impair their ability to enjoy natural places make up a large portion of the population. In Pemberton Township, 14.3 % of the population self-identifies as having a disability. Of these individuals, 57.7% identify as having mobility issues.

One mechanism to provide better access to nature is by making low impact and affordable improvements to suitable existing trails. The Pemberton Lake project will serve as a demonstration project on the costs, feasibility, impacts and effectiveness of this kind of accessible trail project in a Pinelands setting.

II. Proposed Project and Offset

The Township is proposing to fill and grade portions of the trail within its existing width of four feet. Additionally, two boardwalks, each approximately 20 feet in length, would be constructed in portions of the trail that are prone to being wet. These boardwalks would be placed directly on the ground, without the use of posts or anchors.

The proposed project is expected to result in impacts to 0.038 acres (1,656 square feet) of wetlands and 0.296 acres (12,894 square feet) of wetland buffers. To offset these impacts, Pemberton is proposing to revegetate two areas within the project site, one (4,980 square feet) adjacent to the Magnolia Road parking area and the other (9,250 square feet) adjacent to the Coleman's Bridge Road parking area, with native Pinelands vegetation. Both of these areas are currently denuded and located within required wetlands buffer areas. Pemberton also plans to create a 350 square foot rain garden within a portion of the area to be revegetated adjacent to the parking area on Magnolia Road.

Additionally, Pemberton proposes to construct two accessible parking spaces at the Coleman's Bridge Road parking area and install a gate at each end of the improved trail that is designed to permit pedestrians, wheelchairs, walkers and electric scooters to enter the trail, while prohibiting entry by off-road vehicles. Pemberton also plans to install wooden rail and post barriers at specific points along the trail in the vicinity of the Pemberton Bypass that are currently used unlawfully by off-road vehicles to access the trail.

III. Basis for the MOA

In order for the Commission to enter into a MOA with a governmental entity that permits development that may not be fully consistent with the land use and development standards (N.J.A.C. 7:50-5 and 6) of the Pinelands CMP, the governmental entity must demonstrate and the Commission must find that variations from the Plan are accompanied by measures that will, at a minimum, afford an equivalent level of protection for the resources of the Pinelands than would be provided through strict application of the CMP. N.J.A.C 7:50-4.52(c)2.

The Commission may also enter into an MOA with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the land use and environmental standards of the CMP. N.J.A.C. 7:50-4.52(c)1.

IV. Findings

The information provided in the Township's request for this MOA supports the need for the accessibility improvements proposed for the Pemberton Lake Trail. The Pinelands National Reserve contains a wide assortment of open spaces and recreational opportunities. However, although hundreds of miles of trails suitable for hiking and bicycling exist throughout the Pinelands, as well as countless unmarked, sand roads that are also used for such purposes, few of these trails would be considered accessible.

As discussed above, Pemberton Lake Trail is a good candidate for accessible natural recreation. Additionally, as a pre-existing trail, the improvements required to render it accessible will not result in significant environmental impacts to Pinelands flora and fauna. Although the project will result in impacts to wetlands and buffers, the offsetting measures proposed by the Township will provide an equivalent level of protection for these resources as required by the CMP. These measures include revegetation of denuded wetlands buffer areas onsite, installation of gates and wooden barriers to restrict use of the improved trail by off-road vehicles, development of accessible parking spaces and construction of a rain garden that will serve to educate the public on the use of such green infrastructure to reduce stormwater runoff.

The MOA also establishes an alternate permitting process. In lieu of submitting individual public development applications for revegetation of the two denuded areas and creation of the rain garden, the Township would submit the specific information set forth in the MOA. Provided that this information demonstrates consistency with the relevant provisions of the Pinelands CMP, for which a deviation was not authorized, and the terms of the MOA, such development will be approved through a letter issued by the Executive Director. The alternate permitting process would also be available to the Township for minor, de minimis changes to the scope or design of the trail improvements, provided such changes do not have more than a de minimis impact to wetlands, wetland buffers or threatened or endangered plants or animal species or habits for such animals. This process allows for expedited review and approval of the offsets and any de minimis changes and will facilitate completion of the project on a timely basis. Additionally, given the proposed offset afford an equivalent level of protection of the resources of the Pinelands as strict application of the CMP, the proposed project is consistent with the development standards of the CMP and implementation of an alternate permitting process is authorized.

V. Public Hearing

Pursuant to N.J.A.C. 7:50-4.52(c)3, a public hearing to receive testimony concerning the proposed MOA was duly advertised and noticed. The hearing was conducted by Executive Director Susan R. Grogan and held virtually, via ZOOM, on December 13, 2023 at 2:00 p.m. Two individuals attended the hearing. Executive Director Grogan, Stacey Roth and Paul Leakan of the Commission's staff were present at the hearing.

At the outset of the public hearing, Executive Director Grogan provided a summary of the terms of the MOA being requested and the offset proposed by the Township. Ms. Grogan noted that written comment concerning the proposed MOA would be accepted by mail, fax or email until 5:00 p.m. on December 18, 2023.

Ms. Grogan advised the public that following the hearing, a staff report would be prepared with recommended actions concerning the proposed MOA for the Commission's review. This report would include a summary of any testimony provided at the hearing and any written comments received before the record closed on December 18, 2023. Ms. Grogan further advised that the Commission's CMP Policy & Implementation Committee was expected to discuss the proposed MOA at its January 26, 2024 meeting. However, if little public comment was received and did not result in any recommended substantive changes to the MOA itself, the full Commission could consider the proposed MOA at its meeting on January 12, 2024.

The following testimony was received at the hearing.

Daniel Hornickel, Business Administrator, appeared on behalf of Pemberton Township in support of the project. Mr. Hornickel testified that the Township has been working with PPA on this project and hoped to receive Commission approval following the public hearing so that the Township could move forward with smoothing portions of the trail and installing two boardwalks. He confirmed that the Township planned to use crushed gravel for the project and indicated that although the gravel would not come from the Pinelands, it would be sourced from Mercer or Hunterdon counties in New Jersey. Mr. Hornickel stated the Township had done its due diligence by having its engineer work with PPA on the wetlands delineation and by having Princeton Hydro prepare a report as to the efficacy of using Trap Rock gravel on the project. He said that the Township is excited about this project, and that it was going to help the community. Mr. Hornickel stated many disabled veterans reside within Pemberton Township and would benefit from the project. He hoped that the Commission received comments that were positive and supportive of the project and that it unanimously approved the MOA.

Sean Kane-Holland, Access Nature Disability Advocate, PPA, appeared on behalf of the PPA. Mr. Holland testified that PPA was looking forward to completing the MOA process for the project and was eager to get shovels in the ground. He stated that there were over 51,000 people in Burlington County with disabilities and of those individuals 26,000 have ambulatory issues. Making improvements to the Pemberton Lake Trail will provide better access to nature for these individuals. He also stated that he hoped the Commission would use what had been learned from the MOA process for this project, to make the process more efficient so that more trails and outdoor recreational opportunities may be made available to individuals with disabilities.

There being no further testimony, the hearing concluded at 2:14 p.m.

No written comments were received regarding the proposed MOA.

VI. Conclusion and Recommendation

The proposed MOA would authorize a deviation from the wetlands and wetland buffer standards of the Pinelands CMP in order to permit improvements to the Pemberton Lake Trail to make it accessible for individuals with mobility challenges. As discussed above, the project involves grading and the installation of gravel and two boardwalks on the existing dirt trail.

The MOA includes the following measures to offset the wetlands and buffer impacts associated with the proposed project:

1. Revegetation of two wetlands buffer areas within the project site, one (4,980 square feet) adjacent to the Magnolia Road parking area and the other (9,250 square feet) adjacent to the Coleman's Bridge Road parking area, with native Pinelands vegetation;
2. Creation of a rain garden within a portion of the denuded area adjacent to the parking area on Magnolia Road;
3. Installation of a gate at each end of the improved trail that is designed to permit pedestrians, wheelchairs, walkers and electric scooters to enter the trail, while prohibiting entry by off-road vehicles;
4. Installation of wooden rail and post barriers at specific points along the trail in the vicinity of the Pemberton Bypass that are currently used unlawfully by off-road vehicles to access the trail; and

5. Creation of two accessible parking spaces at the existing Coleman's Bridge Road parking area.

The MOA is accompanied by measures that, at a minimum, afford an equivalent level of protection for the resources of the Pinelands as required by N.J.A.C. 7:50-4.52(c)2. That being the case, the Commission's authorization of an alternative application process for the Township's trail improvements in accordance with N.J.A.C. 7:50-4.52(c)1 is also warranted. The Executive Director, therefore, recommends that the Commission enter into this MOA with Pemberton Township regarding accessibility improvements to the Pemberton Lake Trail.

Memorandum of Agreement
Between the New Jersey Pinelands Commission
and Pemberton Township
_____, 2024

I. PURPOSE

This Memorandum of Agreement (“MOA”) is entered into between the New Jersey Pinelands Commission (“Commission”), an independent political subdivision of the State of New Jersey, having its offices at 15 Springfield Road, P.O. Box 359, New Lisbon, New Jersey 08064; and the Township of Pemberton (the “Township”), a municipality, with its offices at 500 Pemberton-Browns Mills Road, Pemberton, New Jersey 08068.

Pemberton Township (“the Township”) is proposing to improve a portion of an existing walking trail in the Pinelands Area located along the perimeter of Pemberton Lake. These improvements will render the trail accessible to individuals with mobility (ambulatory) disabilities. The Township is proposing to flatten and stabilize a 0.65 mile portion of the trail located adjacent to the banks of the lake. In order to achieve its goal, the Township will need to grade and fill portions of the trail. The Pinelands Preservation Alliance (PPA), a non-governmental environmental organization, is assisting the Township with the project.

Portions of the existing Pemberton Lake Trail are located within wetlands and wetlands buffers. The Pinelands Comprehensive Management Plan (“CMP”) authorizes the development of trails within wetlands and wetland buffers provided certain standards are met. Specifically, (1) there is no feasible alternative route that does not involve development in a wetland/buffer, or, if none, that another feasible route which results in less significant adverse impacts on wetlands/buffers does not exist; (2) the need for the proposed linear improvement cannot be met by existing facilities or modification thereof; (3) the use represents a need which overrides the importance of protecting the wetland/buffer; (4) development of the facility will include all practical measures to mitigate the adverse impact on the wetland; and (5) the resources of the Pinelands will not be substantially impaired as a result of the facility and its development as determined exclusively based on the existence of special and unusual circumstances. (N.J.A.C. 7:50-6.13.)

As discussed below, the Township proposes to install gravel upon most of the existing dirt trail as part of its improvement project. There are other practical measures, such as the installation of boardwalks, that would have less impact on wetlands/buffers. The Township has advised that installation of boardwalks along the entire length of the trail proposed for improvement is cost prohibitive. Consequently, absent the Commission’s approval of this MOA permitting a deviation from the wetland and wetland buffer standards of the Pinelands CMP, N.J.A.C. 7:50-6.6, -6.13 and -6.14, respectively, the project would not be allowed. This MOA will also establish an alternative application process in accordance with N.J.A.C. 5:50-4.52(c)1.

II. BACKGROUND

Pemberton Lake is part of the Pemberton Lake Wildlife Management Area (“WMA”). It is located in the Township of Pemberton, Burlington County and is made up of three parcels. Two of these parcels, Block 825, Lots 7.01 and 7.04, are owned by Pemberton Township. The State of New Jersey owns the third parcel, Block 825, Lot 7.05, and the New Jersey Department of Environmental Protection manages the WMA.

Pemberton Lake Trail is an existing walking trail located within the WMA. It is comprised of three sections: 1) an approximately 0.74 mile section that starts at a parking area located on Magnolia Road and then proceeds proximate to the lakeshore to the entrance of a parking area located off Coleman’s Bridge Road; 2) an approximately 0.30 mile section that starts at the entrance of the Coleman’s Bridge Road parking area then proceeds up Coleman’s Bridge Road to its intersection with the Pemberton Bypass; and 3) an approximately 0.28 mile section that runs proximate to the bypass from the intersection with Coleman’s Bridge Road to a point where the trail joins back to the first section. (Exhibit A).

Pemberton Lake is a scenic, manmade 45-acre impoundment off of Magnolia Road. The lake is bracketed by Magnolia Road, the Pemberton Bypass (Route 530), and Coleman’s Bridge Road. There are wetlands to the north and south of the trail. These wetlands feed into the North Branch of the Rancocas Creek and are part of the Rancocas Creek Watershed.

Pemberton Lake Trail is a good candidate for a place for accessible nature recreation. The trail is close to many homes and, thus, easy to visit for Pemberton residents. The trail is short, provides lovely views of Pemberton Lake and has places for fishing or enjoying the scenery along its length and at either end.

III. THE PROJECT

The Pinelands National Reserve represents an important recreational resource and contains a wide assortment of public open spaces including, but not limited to, two national wildlife refuges, numerous State-owned parks, forests and wildlife management areas, and county and municipal parks. Hundreds of miles of trails suitable for hiking and bicycling exist throughout the Pinelands as well as countless unmarked sand roads that are also used for these purposes.

The Pinelands CMP protects those natural resources necessary for compatible recreational uses and promotes recreational opportunities in a manner that minimizes land use conflicts by permitting low-intensity, recreational uses in undeveloped areas and directing more intensive recreational uses to developed areas. In order to be certified by the Commission, municipal

master plans and land use ordinances must contain a program to protect and enhance recreational resources.

There is a growing interest among public and nonprofit land managers to provide better opportunities for people with disabilities to access recreational resources in the Pinelands and coastal areas of the State through low impact and affordable improvements to suitable, existing trails. The Pemberton Lake project will serve as a demonstration project on the costs, feasibility, impacts and effectiveness of this kind of accessible trail project in a Pinelands setting.

The PPA received a grant from the Inclusive Healthy Communities program of the New Jersey Department of Human Services that allocates \$57,100 for accessibility improvements to trails in the Pinelands, including materials, equipment and professional fees associated with completing such projects. PPA is partnering with Pemberton Township to devote these funds to this project.

A. Need for Accessible Trails

People with disabilities that impair their ability to enjoy natural places make up a large portion of the population. According to the 2022 U.S. Census estimates, the total population of the seven counties located within the Pinelands National Reserve is about 2.4 million people. Approximately 14% of these individuals, just over 340,000, identify as having a disability. Ambulatory challenges account for 49% of these disabilities.

The percentage of people with disabilities is similar in Pemberton Township. Specifically, 14.3% of the Township's population self-identifies as having a disability. Of these individuals, 57.7% face mobility challenges.

The United States Department of Agriculture, Forest Service's Accessibility Guidebook for Outdoor Recreation and Trails, dated 2013, defines accessibility as a facility that complied with accessibility guidelines/standards when it was built or altered. With regard to trails, these standards require that the trail be firm and stable, at least 36 inches wide, with no more than a 5% grade (except for short segments), and without gaps or protruding obstacles. Based on these standards, it is likely that the vast majority of existing trails in Pemberton Township and the Pinelands National Reserve as a whole are not accessible, because they (1) are not flat due to gaps in the soil, slopes, protruding tree roots and puddles, (2) have sand that is too soft in places for regular wheelchairs or walkers, and (3) are not maintained, so the condition of these trails changes over time.

According to the Forest Service, the best way to integrate accessibility is to design programs and facilities to the greatest extent possible, without separate or segregated access for people with disabilities. The goal is independence, integration, and dignity for all visitors.

B. Health Benefits from Spending Time Outdoors

Although it is intuitive that human health is deeply intertwined with outdoor spaces and the environment, studies have proven the health benefits of spending time outside.¹ This growing body of research supports the beneficial effects that exposure to the natural world has on health, reducing stress and promoting healing.² These studies suggest that nature is not only nice to have, but it's a have-to-have for physical health and cognitive function.

C. Proposed Improvements

Pemberton Township is proposing to improve portions of the existing Pemberton Lake Trail. The existing trail starts at Pemberton's Magnolia Road parking area and proceeds proximate to the shoreline of Lake Pemberton to the trailhead at the New Jersey Department of Environmental Protection's Lake Pemberton WMA parking area on Coleman's Bridge Road. (Exhibit A.) The trail runs along the top of what was once a dyke or sand road created when the lake was part of a cranberry farm. There is an existing 905-square-foot boardwalk adjacent to the Magnolia Road parking area that extends to a pier on the west side of Pemberton Lake. The remainder of the trail is not accessible for individuals with mobility challenges, because it is uneven, has soft and wet spots, and has a steep incline. However, it is sufficiently wide, dry and flat along most of its course, to be readily improved to make it accessible.

Consistent with the United States Forest Service Guidelines³, the Township proposes to make improvements to the existing dirt trail to make it firm, stable and flat from side to side (4 feet wide) with no more than a 5% grade along its entire length. Specifically, the Township proposes to fill and grade portions of the trail within its existing width, to create a compacted subgrade to a 95% proctor density, i.e., on-site soil density equal to 95% of the maximum achievable compact. Clean gravel will then be placed on the trail, at variable depths depending on existing elevation, to match the existing grade edges. (See Stone Path Detail, Sheet 7 of Exhibit A.)

¹*Prescribing Nature: A Physician's Perspective on Wellness and the Outdoors*, <https://www.landscapeforms.com/blog/Pages/Prescribing-Nature-Article.aspx>

²*Ecopsychology: How immersion in Nature Benefits Your Health*, Jim Robbins, *Yale Environment* 360 (2020), <https://e360.yale.edu/features/ecopsychology-how-immersion-in-nature-benefits-your-health>, See also. *Nature and mental health: An Ecosystem Service Perspective*, Bratman et al., *Science Advances*, July 24, 2019, <https://www.science.org/doi/10.1126/sciadv.aax0903>.

³ US Forest Service Trail Accessibility Guidelines (FSTAG) dated 2013, <https://www.fs.usda.gov/sites/default/files/FSTAG-2013-Update.pdf>. See also <https://www.fs.usda.gov/sites/default/files/FSORAG-2013-Update.1.pdf>

For two portions of the trail, both 48 square feet, located in wetlands, the Township is proposing construction of two, separate boardwalks. These boardwalks would be constructed from pressure-treated lumber in sections 12 feet long by 4 feet wide. The deck of the boardwalk would consist of slats that are 2" x 8" x 4' within cleats that are 2" x 2" x 12'. The deck would sit on a backbone of 6" x 6" x 5' wood support structures. The boardwalk would also include two 4" x 4" x 12' side rails. The Township proposes to place the boardwalks directly on the ground. The use of posts or anchors is not proposed. (See Boardwalk Segment Detail, Sheet 7 of Exhibit A).

Pemberton Township is also proposing to install two accessible parking spaces at the Coleman's Bridge Road parking area. These new parking spaces will be paved. The remaining parking area will remain gravel. Currently, there are no accessible parking spaces in that parking area.

Pemberton Township intends to conduct the improvements using existing Township staff and resources, as well as PPA staff and volunteers. Additionally, once the improvements are completed, signage will be installed at each end of the trail advising that the trail is designed to be accessible to those using wheelchairs and that use of motorized vehicles, bicycles and horses is prohibited on the trail. The availability of the accessible trail will be promoted on various websites. Additionally, the Township intends to maintain the trail by conducting quarterly inspections and making repairs as necessary.

IV. MEASURES PROPOSED TO AFFORD AN EQUIVALENT OR BETTER LEVEL OF PROTECTION FOR THE RESOURCES OF THE PINELANDS

The proposed project is expected to result in the placement of gravel (i.e. fill) over 0.038 acres (1,656 square feet) of wetlands and 0.296 acres (12,894 square feet) of wetland buffers. To offset these impacts, Pemberton is proposing to revegetate two areas within the project site: one (4,980 square feet) adjacent to the Magnolia Road parking area and the other (9,250 square feet) adjacent to the Coleman Bridge Road parking area, with native Pinelands vegetation. Both of these areas are currently denuded and located within wetlands buffer areas. Pemberton also plans to install a 350-square-foot rain garden within the area to be revegetated adjacent to the Magnolia Road parking area.

Additionally, the Township proposes to install a gate at each end of the improved trail that is designed to permit pedestrians, wheelchairs, walkers and electric scooters to enter the trail, while making it difficult or impossible to enter with a motorcycle or ATV. The Township will also install wooden rail and post barriers at specific points along the Pemberton Bypass that are currently used unlawfully by motorcyclists to access the trail.

V. THE BASIS OF THE MOA

The Pinelands CMP at N.J.A.C. 7:50-4.52(c)2 authorizes the Commission to enter into intergovernmental memoranda of agreement with any agency of the Federal, State or local government to authorize such agency to carry out specified development activities that may not be fully consistent with the provisions of the CMP. In order to qualify for a MOA, the governmental entity must demonstrate, and the Commission must find, that any proposed development that may not be fully consistent with the provisions of the Pinelands CMP is accompanied by measures that will, at a minimum, afford a level of protection for the resources of the Pinelands equivalent to that provided by strict application of the standards of the Plan. As discussed above in Paragraph IV, Pemberton Township has proposed measures designed to offset the wetlands and wetland buffer impacts attributable to the project and these measures will afford, at a minimum, an equivalent level of protection for the resources of the Pinelands.

In accordance with N.J.A.C. 7:50-4.52(c)i, the Commission may also enter into intergovernmental memoranda of agreement with any agency of the Federal, State or local government which authorizes such agency to carry out specified development activities without securing individual development approvals from the Commission, provided that the specified development activities are consistent with the provisions of N.J.A.C. 7:50-5 and 6. Execution of this MOA also warrants alternative application procedures because the Township is proposing measures that will afford an equivalent level of protection of the resources of the Pinelands as would be accomplished by application of the standards in Subchapters 5 and 6, which makes the MOA consistent with requirements of the Pinelands CMP.

VI. AGREEMENTS

A. The Township agrees:

1. The proposed improvements to the Pemberton Lake Trail will be constructed in accordance with the following:
 - a. The Plan entitled "Pinelands Preservation Alliance, Pemberton Lake, Accessible Trail Improvement Plans, Block 825, Lots 7.01, 7.04 & 7.05, Township of Pemberton, Burlington County, New Jersey", prepared by Adams, Rehmann & Heggan, Associates, Inc., dated September 22, 2023, consisting of 7 sheets, and attached hereto as Exhibit A and incorporated herein by reference; and
 - b. Stormwater Management Narrative for Pemberton Lake Accessible Walking Trail & Restoration Area, Pinelands Preservation Alliance, Block 825, Lots 7.01, 7.04, & 7.05, Township of Pemberton, Burlington County, New Jersey, " prepared by Adams, Rehmann & Heggan, Associates, Inc., dated June 26, 2023.

2. It will undertake the following to provide an equivalent level of protection for the resources of the Pinelands:
 - a. Magnolia Road Parking Area– 4,980 sq. ft. Sand Area
 - i. It will revegetate the existing 4,980 sq. ft. sand area located adjacent to the Magnolia Road parking area in accordance with the vegetation standards of the Pinelands CMP at N.J.A.C. 7:50-6.23 through -6.27.
 - ii. It will construct a rain garden on a 350 sq. ft. portion of the 4,980 sq. ft. sand area located adjacent to the Magnolia Road parking area.
 - b. Coleman’s Bridge Road Parking Area – 9,250 sq. ft. Barren Area
 - i. It will revegetate a 9,250 sq. ft. area located at the trail head adjacent to the Coleman’s Bridge Road parking area in accordance with the vegetation standards of the Pinelands CMP at N.J.A.C. 7:50-6.23 through –6.27.
 - ii. It will construct two accessible parking spaces at the Coleman’s Bridge Road parking area.
 - c. Other Offsetting Measures
 - i. It will install a gate at the trailhead at each end of the improved trail that is designed to permit pedestrians, wheelchairs, walkers, electric scooters and other mobility assisting devices to enter the trail, while prohibiting entry by off-road vehicles.
 - ii. It will install wooden barriers at other known areas used by off-road vehicles for trail access, to prevent future access by these vehicles.
3. At least thirty (30) days prior to commencing construction of the proposed improvements to the Lake Pemberton Trail, the Township shall provide the following information to the Executive Director:
 - a. Revegetation plans for revegetation of the 4,980 sq. ft. area adjacent to Magnolia Road and revegetation of the 9,250 sq. ft. area at the trailhead of the Coleman’s Bridge Road parking area. Such revegetation plans shall include:

- i. A list of the native Pinelands trees, plants and/or grasses that will be used in the revegetation plan. At a minimum, the plans for both denuded areas shall include the use of the following Pinelands native grasses: switchgrass, little bluestem and broomsedge, where appropriate. The revegetation plan for the Coleman’s Bridge Road area shall include the planting of a combination of pitch pine and shortleaf pine at an equivalent rate of 300-400 plants per acre. Temporary fencing shall also be installed to protect the revegetated areas during maturation of the planted vegetation.
 - ii. A plan or sketch showing the locations of the plantings and temporary fencing.
 - iii. A plan for replacement of vegetation that does not survive after planting, and percentage survival rate for replanted vegetation required to ensure viability of the replanted areas in perpetuity.
- b. A plan for creation of the rain garden adjacent to the Magnolia Road parking area. This plan shall include the following:
- i. A plan depicting the existing conditions;
 - ii. A proposed site plan;
 - iii. A planting plan that includes a planting schedule listing the names of the plants, the number and size of each plant that will be planted and the location where the plants will be planted. Only native Pinelands trees, plants and grasses shall be used to create this rain garden. The Commission’s Green Infrastructure Implementation Project plans may be used as a model, see:

[www.nj.gov/pinelands/infor/yard/20220711_PinelandsCommission_AsBuilt%20\(2\).pdf](http://www.nj.gov/pinelands/infor/yard/20220711_PinelandsCommission_AsBuilt%20(2).pdf);
 - iv. A plan showing planting details;
 - v. A conceptual drawing of what the rain garden is expected to look like upon completion; and

- vi. A plan for replacement of vegetation that does not survive after planting, and percentage survival rate for replanted vegetation required to ensure viability of the replanted area in perpetuity.
- 4. It will ensure that its staff, as well as any staff or volunteers provided by the Pinelands Preservation Alliance, any other entity or individuals who volunteer on their own, to assist with the construction of the proposed project, comply with the obligations of this MOA and all requirements of the Pinelands CMP, unless a deviation therefrom is expressly authorized by this Agreement.
- 5. Obtain any and all certificates, licenses, consents, approvals, or permits required from any other State and/or Federal entity, including but not limited to a Freshwater Wetlands General Permit 17 and a Right of Entry from the New Jersey Department of Environmental Protection, prior to commencing site preparation or construction of any portion of the proposed improvements to the Lake Pemberton Trail project, including the offsetting measures delineated in Paragraph VI.A.2 above. No part of this MOA is intended to release the Township and/or any of its consultants, including the Pinelands Preservation Alliance, staff, volunteers, assignees, or successors from the responsibility to obtain all required approvals.
- 6. Incorporate the terms of this MOA, as well as the obligation to comply with all requirements of the Pinelands CMP from which a deviation has not been expressly authorized by this Agreement into any agreements, contracts, or other legal documents pertaining in any way to the construction of the Lake Pemberton Trail Project.
- 7. Any material addition, deviation, or modification to the proposed Lake Pemberton Trail project as delineated in Exhibit A, shall require the Township to submit a formal public development application in accordance with N.J.A.C. 7:50-4.52(b) to the Commission and seek formal Commission approval of such addition, deviation, or modification. Any construction activities that may have commenced on the Lake Pemberton Trail project shall cease and no further development may proceed until the public development application review process has been completed and the Commission has issued a resolution approving the addition, deviation, or modification to the Lake Pemberton Trail project.

8. To the extent that new information becomes available or changes are made to the scope or design of the proposed Pemberton Lake Trail project that would result in more than a de minimis change to the impacts to wetlands, wetland buffers or threatened or endangered plants or animals species or habits for such animals, but would not be considered material and subject to Paragraph VI.A.7., the Township shall submit the new information or changes to the Executive Director who shall determine whether the proposed development remains consistent with the terms of this MOA, the requirements of N.J.A.C. 7:50-5 or 6 not addressed by this MOA, and Exhibit A and issue a written consistency determination.

9. If the Executive Director determines that as a result of the new information or any de minimis change to the scope or design of the proposed Pemberton Lake Trail project is inconsistent with the terms of this MOA or a standard of the Pinelands CMP from which a deviation has not been expressly authorized by this agreement or results in increased impacts to threatened or endangered animal species habitat or plant species, or wetlands or wetland buffers associated with the proposed Pemberton Lake Trail project, the Township shall modify the proposed development project(s) until the Executive Director determines that it is consistent with all requirements of this MOA and the Pinelands CMP. If the Township disagrees with the Executive Director's determination, it may file an application for public development pursuant to N.J.A.C. 7:50-4.52(b) and seek formal approval from the Pinelands Commission of the project. The proposed development project may not proceed until the public development application review process has been completed and the Commission has issued a resolution approving the development project.

10. The terms of this MOA shall immediately be suspended in the event that the Executive Director determines that an unresolved violation of the terms of this MOA, a requirement of the Pinelands CMP for which a deviation is not authorized by this Agreement, or a written authorization issued by the Executive Director has occurred on the site of the Pemberton Lake Trail Project (Portions of Block 825, Lots 7.01, 7.04 & 7.05, Township of Pemberton, Burlington County, New Jersey). The Township shall have thirty (30) days to seek reinstatement of this MOA by providing the Commission with a written agreement itemizing the steps the Township will take to remedy the violation and a timeline for completion of such steps. If the measures and timeline for completion proposed by the Township are acceptable to the Executive Director, following Commission concurrence, she shall issue a letter to the Township reinstating the terms of this MOA. Failure of the Township to

complete the measure required to cure the violation or make changes to its submission following staff review within the specified timeline may result in reinstatement of the suspension.

11. The Township shall attend a meeting of the Commission's CMP Policy & Implementation Committee to provide a summary of the project following completion of the total project, including 1) the grading and installation of gravel and boardwalks on the Pemberton Lake Trail; 2) revegetation of and installation of the rain garden on a portion of the area adjacent to the Magnolia Road parking area; 3) revegetation of the denuded area at the trail head at the Coleman's Bridge Road parking area; 4) installation of gates at the trailheads at each end of the improved trail; 5) installation of wooden barriers to prevent access to the trail by off-road vehicles; and (6) construction of the two accessible parking spaces at the Coleman's Bridge Road parking area.
12. Notify the Commission upon the completion of each component of the project, including improvements to the Pemberton Lake Trail, revegetation of each of the denuded areas, construction of the rain garden and installation of the gates and wooden barriers as required in Paragraphs VI.A.1 and 2 above.

B. The Pinelands Commission agrees:

1. The Commission shall not require the filing of formal public development applications in accordance with N.J.A.C. 7:50-4.52(b) for the proposed improvements to the Lake Pemberton Trail and implementation of the offsetting measures set forth in Paragraphs VI.A.1 and 2 above, unless:
 - a. Any of the proposed offsetting measures set forth in Paragraph VI.A.2 are inconsistent with the requirements of this MOA and/or any of the standards of Subchapter 5 and 6 of the Pinelands CMP for which a deviation has not been expressly provided by this MOA, and the Township has not modified the proposed development project to render it consistent with such requirements;
 - b. There is a material addition to, deviation from, or modification to any of the proposed development projects; or
 - c. As a result of new information or any change to the scope or design of the proposed development project(s) submitted to the Executive Director in accordance with Paragraph VI.A.8., the proposed

development project is inconsistent with the requirements of this MOA or a standard of the Pinelands CMP from which a deviation has not been authorized by this Agreement or will result in a material increase in the threatened or endangered animal species habitat or wetlands/wetland buffers impacts associated with the proposed project for which deviations have been authorized by this MOA, and the Township has not modified the proposed development project to render it consistent with such requirements.

2. Within thirty (30) days of receipt of the information submitted pursuant to Paragraphs VI.A.3 or VI.A.8, the Executive Director will provide written authorization in accordance with Paragraph VI.B.4 or the Commission staff will provide a written explanation of deficiencies in accordance with Paragraph VI.B.3.
3. If the Executive Director determines that any portion of a proposed project is inconsistent with this MOA and/or the provisions of the CMP from which a deviation has not been authorized by this Agreement, then the Commission staff shall provide a written explanation of the deficiencies and identify specific actions that must be taken by the Township to remedy such deficiencies.
4. If the Commission staff determines, after review of information submitted in accordance with Paragraphs VI.A.3 or VI.A.8 and/or in response to any deficiency letter issued by the Commission pursuant to Paragraph VI.B.3, that a proposed project is consistent with this MOA and the provisions of the CMP from which a deviation has not been authorized by this Agreement, it shall issue a written authorization to the Township setting forth this determination. This written authorization shall constitute a public development approval and no further action by the Commission shall be required.
5. In the event of a suspension of the terms of this MOA in accordance with Paragraph VI.A.10, the Executive Director shall, following the Commission's concurrence, issue a letter to the Township reinstating the terms of this MOA following the Township's submission of a written agreement in accordance with Paragraph VI.A.10 and the acceptance of same by the Executive Director and the Commission. The Executive Director retains the right to a violation unresolved until such time as the Township has implemented all measures set forth within its written agreement.

VII. EFFECTIVE DATE, DURATION AND SIGNATURES

1. In accordance with N.J.S.A. 13: 18A-5(h), this MOA shall take effect following the conclusion of the Governor's review period and approval of the Pinelands Commission meeting minutes authorizing execution of this MOA and then upon approval and signature by the authorized representatives of all parties.
2. This agreement shall remain in effect unless amended by written consent of both Parties or otherwise terminated or suspended by the Pinelands Commission or terminated by both parties upon sixty (60) days written notice or suspended by the Commission in accordance with Paragraph VI.A.10.
3. This MOA, along with any exhibits, appendices, addendums, or schedules, attached hereto and incorporated herein by reference and any subsequent written amendments executed by the parties, constitutes the entire agreement of the parties, and supersedes all previous understandings and agreements between the parties, whether oral or written. The Parties hereby acknowledge and represent that said parties have not relied on any representation, assertion, guarantee, warranty, collateral contract or other assurance, except those set forth in this MOA, made by or on behalf of any other party or any other person whatsoever, prior to the execution of this MOA.
4. This MOA may be executed in counterparts. All such counterparts shall constitute an original and all of which together shall constitute one and the same agreement, binding upon the parties. Faxed and electronic signatures shall constitute original signatures.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this MOA on and as of the day and year written below. This MOA shall be executed in at least three (3) original copies, one of which is to be delivered to Pemberton Township and two (2) of which are to be delivered to the Pinelands Commission.

Pemberton Township

Witnessed:

By: _____
 Name: _____
 Title: _____
 Date: _____

By: _____
 Name: _____
 Title: _____
 Date: _____

New Jersey Pinelands Commission

Witnessed:

By: _____

Susan R. Grogan
Executive Director

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

Exhibit A

Pemberton Lake Accessible Trail Improvement Plans
Block 825, Lots 7.01, 7.04 & 7.05
Pemberton Township, Burlington County, NJ
Dated September 22, 2023, revised November 1, 2023

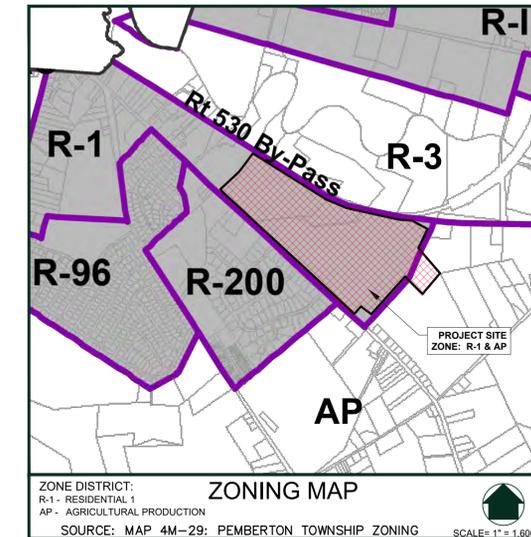
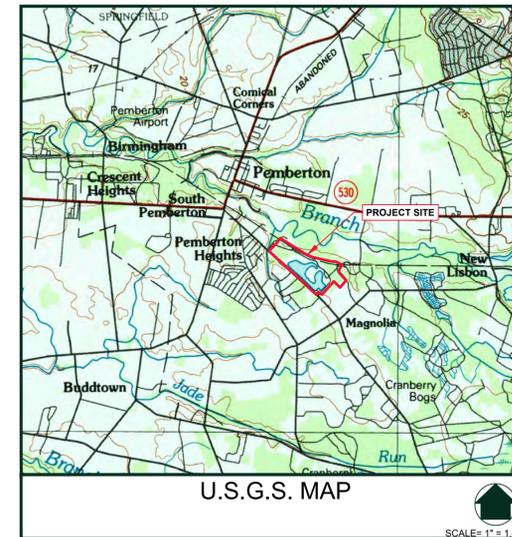
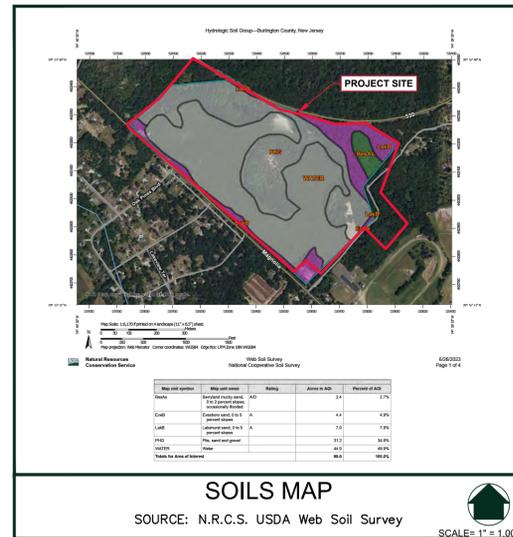
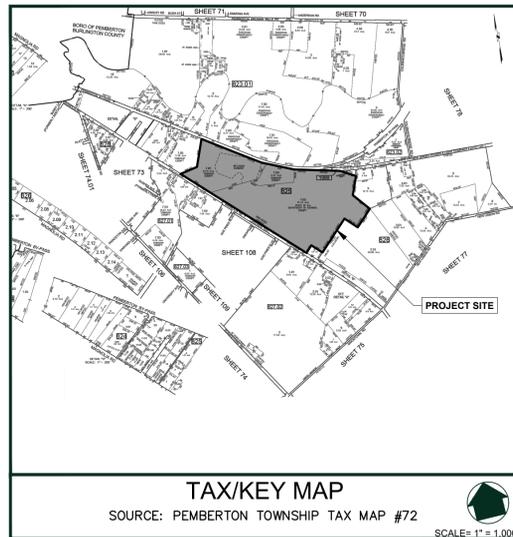
PINELANDS PRESERVATION ALLIANCE

PEMBERTON LAKE

ACCESSIBLE TRAIL IMPROVEMENT PLANS

BLOCK 825, LOTS 7.01, 7.04 & 7.05

TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY
SEPT. 22, 2023



AGENCIES/UTILITY COMPANIES:

NEW JERSEY ONE CALL
(UNDERGROUND LOCATING SERVICE)
PHONE: (800)272-1000

PSE&G
300 NEW ALBANY RD
MOORESTOWN, NJ 08057
PHONE: 800-436-7734

COMCAST
21 BEVERLY-RANOCAS ROAD
WILLINGBORO, NJ 08046
PHONE: 609-871-6900

VERIZON-NJ
10 TANSBORO ROAD
BERLIN, NJ 08009
PHONE: 856-767-6979

PEMBERTON TOWNSHIP
(SEWER DEPARTMENT)
500 PEMBERTON - BROWNS MILL ROAD
PEMBERTON, NJ 08068

JCP&L
101 CRAWFORDS CORNER ROAD
HOLMDEL, NJ 07733
PHONE: 800-662-3115

Sheet Number	Sheet Title
1	COVER
2	EXISTING CONDITIONS PLAN
3	SITE PLAN
4	SITE PLAN (2)
5	SITE PLAN (3)
6	SOIL EROSION AND SEDIMENT CONTROL NOTES
7	SOIL EROSION AND SEDIMENT CONTROL DETAIL & CONSTRUCTION DETAILS

PREPARED FOR
PINELANDS PRESERVATION ALLIANCE
17 PEMBERTON ROAD
SOUTHAMPTON, NJ 08088



PREPARED BY

ARH ASSOCIATES
certificate of authorization
NJ no. 24G027973300, DE no. 2167

ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.
215 BELLEVUE AVENUE
PO BOX 579
HAMMONTON, NJ 08037-2019
TEL (609) 561-0462
FAX (609) 567-8909

GENERAL NOTES:

- OWNER: TOWNSHIP OF PEMBERTON
500 PEMBERTON-BROWNS MILLS ROAD
PEMBERTON, NJ 08068
- APPLICANT: PINELANDS PRESERVATION ALLIANCE
17 PEMBERTON ROAD
SOUTHAMPTON, NJ 08088
- THE SUBJECT PROPERTY IS KNOWN AS BLOCK 825, LOTS 7.01, 7.04 & 7.05 IN THE TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY. THE SITE PROJECT IS KNOWN AS ACCESSIBLE WALKING TRAIL AND PEMBERTON WILDLIFE MANAGEMENT AREA AT PEMBERTON LAKE.
- THE APPLICANT PROPOSES TO IMPROVE THE EXISTING PATH BY INSTALLING GRAVEL SURFACE ALONG THE MAJORITY OF THE TRAIL LENGTH TO IMPROVE ADA ACCESSIBILITY. A PORTION OF WETLAND AREAS A AND B WILL BE COMPLETED WITH A BOARDWALK, WHERE NOTED. THE EXISTING 4' TO 5' FOOT WIDE TRAIL IS A DIRTY/COMPACTED PATH ALONG A PORTION OF PEMBERTON LAKE PERIMETER AND MEASURES A TOTAL OF 40.65 MILES.
- BOUNDARY INFORMATION IS BASED ON THE TOWNSHIP OF PEMBERTON TAX MAPS. TOPOGRAPHIC INFORMATION IS TAKEN FROM PUBLICLY AVAILABLE LIDAR.
- THE EXISTING TRAIL AND WETLAND LOCATIONS WERE CONFIRMED DURING AN ON-SITE MEETING WITH THE NJ PINELANDS COMMISSION ON OCTOBER 16, 2023 AND HAVE BEEN FIELD SURVEYED BY ARH ASSOCIATES, INC. IN OCTOBER 2023.

MARK HERRMANN
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE NO. PE 48688

ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.
215 BELLEVUE AVENUE
PO BOX 579
HAMMONTON, NJ 08037-2019
TEL (609) 561-0462
FAX (609) 567-8909

ARH ASSOCIATES
certificate of authorization
NJ no. 24G027973300, DE no. 2167

COVER FOR
PEMBERTON LAKE
ACCESSIBLE TRAIL IMPROVEMENT PLANS
BLOCK 825, LOTS 7.01, 7.04 & 7.05
TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

DATE: SEPT. 22, 2023
SCALE: AS SHOWN
DRAWN BY: P.T.
CHECKED: R.H.
PROJ. NO.: 5052894-01

DRAWING LOCATION
LAST DATE SAVED
LAST SAVE BY

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11/2/2023
puckner

THIS PLAN OR DOCUMENT IS THE PROPERTY OF ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE EXPRESS WRITTEN PERMISSION OF ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. IT IS STRICTLY CONFIDENTIAL. THE COPY OR REUSE OF THIS DOCUMENT, IN WHOLE OR IN PART, FOR ANY OTHER THAN THE SPECIFIC PURPOSE INTENDED, WITHOUT THE EXPRESS WRITTEN PERMISSION OF ADAMS, REHMANN & HEGGAN ASSOCIATES, INC. IS STRICTLY PROHIBITED.

GENERAL NOTES:

- TRAIL LOCATION, VARYING WIDTHS (4 - 5'), AND WETLANDS AREA A AND B SURVEYED BY ARH ASSOCIATES, INC. IN OCTOBER 2023. TOTAL LINEAR LENGTH OF EXISTING COMPACTED TRAIL IS APPROXIMATELY 3423 LF (±0.65 MILES).
- THE NJ PINELANDS INTERACTIVE MAP WAS UTILIZED TO DISPLAY APPROXIMATE WETLAND AREAS SURROUNDING THE TRAIL. THE WETLAND AREAS OF THE TRAIL WERE FIELD VERIFIED BY ARH ASSOCIATES, INC. IN JUNE 2023 AND FIELD CONFIRMED BY NJ PINELANDS COMMISSION DURING AN ON-SITE FIELD MEETING CONDUCTED ON OCTOBER 16, 2023. WETLANDS AREA A AND B WERE SUBSEQUENTLY SURVEYED BY ARH ASSOCIATES, INC. IN OCTOBER 2023 AND CONFIRMATION OF EXISTING TRAIL LOCATION AND OTHER CONDITIONS WERE FIELD SURVEYED. REMAINING AREAS CONSIST OF WETLANDS BUFFER AREAS AND UPLANDS. ALL AREAS OF THE TRAIL EXIST AS "PREVIOUSLY DISTURBED" AND MAINTAINED TRAILS WITHIN THE NJ WILDLIFE MANAGEMENT AREA AND TOWNSHIP OF PEMBERTON.

TOTAL PROPOSED TRAIL IMPROVEMENTS

GRAVEL AREA OUTSIDE WETLANDS AREAS A & B	GRAVEL AREA IN WETLANDS AREAS A & B	BOARDWALK PROPOSED IN WETLANDS *
12,887 S.F. (0.296 AC.)	1,519 S.F. (0.035 AC.)	160 S.F. (0.003 AC.)

* BOARDWALK WILL BE EXTENDED FOR UP TO APPROXIMATELY 16 LF, AND PLACED WHERE NECESSARY RELATIVE TO REVIEW OF CONDITIONS ON THE TRAIL WHERE NEEDED. LOCATIONS SHOWN ON PLAN VIEW ARE APPROXIMATE AND WILL BE FIELD VERIFIED.



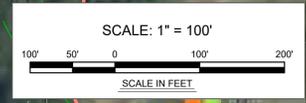
MARK HERRMANN
 PROFESSIONAL ENGINEER
 NEW JERSEY LICENSE NO. PE 08688

ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.
 215 BELLEVUE AVENUE
 PO BOX 579
 HAMMONTON, NJ 08037-2019
 TEL (609) 561-0482
 FAX (609) 567-8809

2023-11-01 - REVISED PER PINELANDS COMMENTS
 REVISIONS

EXISTING CONDITIONS PLAN FOR
PEMBERTON LAKE
ACCESSIBLE TRAIL IMPROVEMENT PLANS
 BLOCK 825, LOTS 7.01, 7.04 & 7.05
 TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

DATE: SEPT. 22, 2023
 SCALE: AS SHOWN
 DRAWN BY: P.T.
 CHECKED: M.H.
 PROJ. NO.: 5052894-01



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 LAST DATE SAVED: 11/22/2023
 LAST SAVE BY: pucker

MATCH LINE SHEET 4

PROPOSED TRAIL IMPROVEMENT	
GRAVEL AREA	BOARDWALK AREA (WITHIN WETLAND AREA)
4,076 S.F. (0.093 Ac.)	

MARK HERRMANN
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE NO. PE 48688

ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.
215 BELLEVUE AVENUE
PO BOX 579
HAMMONTON, NJ 08037-2019
TEL (609) 546-0482
FAX (609) 547-8909

ARH ASSOCIATES
Certificate of Authorization
NJ No. 24G02797300, DE No. 2187

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2023-1-01 - REVISED PER PINELANDS COMMENTS

REVISIONS

SITE PLAN FOR
PEMBERTON LAKE
ACCESSIBLE TRAIL IMPROVEMENT PLANS
BLOCK 825, LOTS 7.01, 7.04 & 7.05
TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

date:	SEPT. 22, 2023
scale:	AS SHOWN
drawn by:	P.T.
checked:	M.H.
proj. no.:	5052894-01

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LAST SAVE BY	pkicker

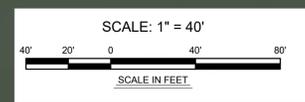


TOTAL PROPOSED TRAIL IMPROVEMENTS		
GRAVEL AREA OUTSIDE WETLANDS AREAS A & B	GRAVEL AREA IN WETLANDS AREAS A & B	BOARDWALK PROPOSED IN WETLANDS *
5,404 S.F. (0.125 AC.)	1,519 S.F. (0.035 AC.)	160 S.F. (0.003 Ac.)

* BOARDWALK WILL BE EXTENDED FOR UP TO APPROXIMATELY 16 LF, AND PLACED WHERE NECESSARY RELATIVE TO REVIEW OF CONDITIONS ON THE TRAIL WHERE NEEDED. LOCATIONS SHOWN ON PLAN VIEW ARE APPROXIMATE AND WILL BE FIELD VERIFIED.



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 LAST DATE SAVED: 11/2/2023
 LAST SAVE BY: phucker



MARK HERRMANN
 PROFESSIONAL ENGINEER
 NEW JERSEY LICENSE NO. PE 48688

ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.
 215 BELLEVUE AVENUE
 PO BOX 579
 HAMMONTON, NJ 08037-2019
 TEL (609) 546-0482
 FAX (609) 546-8909

NO.	DATE	REVISIONS

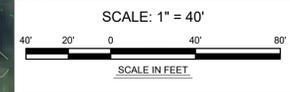
SITE PLAN (2)
 FOR
PEMBERTON LAKE
ACCESSIBLE TRAIL IMPROVEMENT PLANS
 BLOCK 925, LOTS 7, 01, 7, 04 & 7, 05
 TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

DATE: SEPT. 22, 2023
 SCALE: AS SHOWN
 DRAWN BY: P.T.
 CHECKED: M.H.
 PROJ. NO.: 5052894.01

DRAWING LOCATION: W:\FILEROOM\HQ\5052894\ENGDWG\E_5052894_Base.DWG
 LAST DATE SAVED: 11/2/2023
 LAST SAVE BY: pucker



PROPOSED TRAIL IMPROVEMENT	
GRAVEL AREA	BOARDWALK AREA (WITHIN WETLAND AREA)
3,407 S.F. (0.078 Ac.)	



DATE: SEPT. 22, 2023
 SCALE: AS SHOWN
 DRAWN BY: P.T.
 CHECKED: M.H.
 PROJ. NO.: 5052894.01

SITE PLAN (3)
 FOR
PEMBERTON LAKE
ACCESSIBLE TRAIL IMPROVEMENT PLANS
 BLOCK 825, LOTS 7.01, 7.04 & 7.05
 TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

NO.	DATE	REVISIONS
1	2023-11-01	REVISED PER PINELANDS COMMENTS

ARH
 ASSOCIATES
 CERTIFICATE OF AUTHORIZATION
 NJ No. 2462797300, DE No. 2187

ADAMS, REHMANN & HEGGAN
 ASSOCIATES, INC.
 215 BELLEVUE AVENUE
 PO BOX 579
 HAMMONTON, NJ 08037-2019
 TEL: (609) 546-0482
 FAX: (609) 546-8909

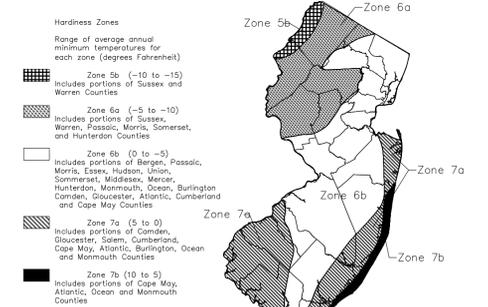
MARK HERRMANN
 PROFESSIONAL ENGINEER
 NEW JERSEY LICENSE NO. PE 48688

IF THIS PLAN OR DOCUMENT IS USED FOR ANY PURPOSE OTHER THAN THAT SPECIFICALLY INTENDED, THE USER ASSUMES ALL LIABILITY FOR ANY AND ALL DAMAGES, INCLUDING REASONABLE ATTORNEY'S FEES AND COSTS OF LITIGATION, THAT MAY BE INCURRED BY ANY PARTY. THIS DOCUMENT AND MAP HAVE BEEN ALTERED.

SOIL EROSION VEGETATIVE STANDARD NOTES:

- Standard for High Management of Acid-Producing Soils
 - This practice is applicable to any high acid-producing soil materials. Such materials have been found in the Coastal Plain area of Burlington, Camden, Cumberland, Gloucester, Mercer, Middlesex, Monmouth, Ocean, Salem and Somerset Counties.
 - Early recognition and burial, removal or disposal of high acid-producing soils is essential for limiting the amount of acidic materials. Review a surface geology map for the proposed site to investigate the presence of geologic formations which commonly contain high acid-producing deposits. Signs 1-1 show areas where these deposits may be present.
 - Contact the local Soil Conservation District to determine the historical presence of high acid-producing soils in the vicinity of the proposed development site.
 - Acidic soils may be present in undisturbed soils at varying depths, including near the soil surface to excavation of deep disturbances. Its presence on a site may be significant or limited in the soil profile. High acid-producing soils are commonly black, dark brown, gray or greenish with coarse particles, coarse nodules, nodules, nodules. Alternatively, sandy soils, or reddish, yellowish or light to medium brown soil materials are usually free of high acid-producing deposits.
- Methods and Materials
 - Limit the excavation area and exposure time when high acid-producing soils are encountered.
 - Topsoil stripped from the site shall be stored separately from temporarily stockpiled high acid producing soils. Stockpiles of high acid-producing soil should be located on level ground to minimize soil movement, especially when this material has a high clay content.
 - Temporarily stockpiled high acid-producing soil material to be stored more than 48 hours should be covered with properly anchored, heavy grade sheets of polyethylene where possible. If not possible, stockpiles shall be covered with a minimum of 3 to 6 inches of wood chips to minimize erosion of the soil.
 - Use of the slope to contain movement of the stockpiled material. Topsoil shall not be applied to the stockpiles in permanent landscaped areas.
 - High acid-producing soils with a pH of 4.0 or less or containing iron sulfides (including boron or arsenic) or degraded seedbeds shall be ultimately placed or buried with straw mulch at a rate of 450 pounds per acre.
 - High acid-producing soils and covered with a minimum of 12 inches of settled soil with a pH of 5.0 or more except as follows:
 - Areas where trees or shrubs are to be planted shall be covered with a minimum of 24 inches of soil with a pH of 5.0 or more.
 - Disposal areas shall not be located within 24 inches if any surface of a slope or bank, such as berm, stream banks, ditches, and others, to prevent potential nitrate leaching dangers.
 - Equipment used for movement of high acid-producing soils should be cleaned at the end of each day to prevent spreading of high acid-producing soil materials to other parts of the site, into streams or stormwater conveyances, and to prevent machinery from accelerated rusting.
 - Non-vegetative erosion control practices (stone tracking pads, strategically placed limestone chippings, sand, sediment barrier, weed cloth) should be installed to limit the movement of high acid-producing soils from one area to another on the site.
 - Following burial or removal of high acid-producing soil, topsoiling and seeding of the site (see Temporary Vegetative Cover for Soil Stabilization, Permanent Vegetative Cover and Soil Stabilization, and Topsoiling), monitoring must continue for a minimum of 6 months to ensure there is adequate establishment of permanent vegetation. If problems still exist, the affected area must be treated as indicated above to correct the problem.
- STANDARD FOR DUNE STABILIZATION
 - This practice is applicable along ocean and bay shorelines where blowing sands and storm waves may cause erosion damage. Stay at least one hundred feet (horizontal distance) from mean high tide water line (WHT).
 - Methods and Materials
 - Sand dunes form on barrier islands, shorelines exposed directly to the ocean, and inland sand deposits. The source of the sand is from the ocean or its bays. These gradual ridges of sand form perpendicular to prevailing winds and grow toward its source of sand. Periodic storm events and human activity continually alter their development and original configuration. Once developed, the sand dunes provide a natural barrier to erosion and protect the land and the existence and maintenance of vegetation on dunes provides a network of root and foliage which helps unconsolidated sand dunes. American beachgrass is the dominant grass species in the fore dunes of New Jersey. When beachgrass is established with structural resources and other dune species, a formidable well anchored storm barrier is established. Refer to the Standards for Soil Erosion and Sedimentation in New Jersey (7th Edition, January 2014) for additional information regarding vegetation stabilization and sand fencing.
 - STANDARD FOR MAINTAINING VEGETATION
 - A preventive maintenance program anticipates vegetation requirements and accomplishes what can be done with least effort and expense to insure adequate cover.
 - Maintain vegetation in good health by using fertilizing, liming, watering, pruning, fire, and other methods.
 - Control weeds and pest control, reseed, and timely repairs.
 - The degree of preventive maintenance needed depends upon the type of vegetation and its proposed function or use:
 - Mowing is a recurring practice and its intensity depends upon the function of the ground cover. On high to moderate maintenance areas, mowing is done on a regular basis. Mowing is done on a regular basis, mowing will be frequent (2 to 7 day intervals) and typically at a height of 2.5 to 3 inches. Return clippings from mowing will be applied to the area. Mowing is done on a regular basis, mowing will be frequent (2 to 7 day intervals) and typically at a height of 2.5 to 3 inches. Return clippings from mowing will be applied to the area. Mowing is done on a regular basis, mowing will be frequent (2 to 7 day intervals) and typically at a height of 2.5 to 3 inches. Return clippings from mowing will be applied to the area.
 - Non-vegetative erosion control practices (stone tracking pads, strategically placed limestone chippings, sand, sediment barrier, weed cloth) should be installed to limit the movement of high acid-producing soils from one area to another on the site.
 - Following burial or removal of high acid-producing soil, topsoiling and seeding of the site (see Temporary Vegetative Cover for Soil Stabilization, Permanent Vegetative Cover and Soil Stabilization, and Topsoiling), monitoring must continue for a minimum of 6 months to ensure there is adequate establishment of permanent vegetation. If problems still exist, the affected area must be treated as indicated above to correct the problem.

**Figure 4-1
USDA Plant Hardiness Zones
Average Annual Minimum Temperature
New Jersey**



Hardiness Zones
Range of average annual minimum temperatures (in degrees Fahrenheit) for each zone (degrees Fahrenheit)

- Zone 6a (0 to -10)
- Zone 6b (-10 to -15)
- Zone 6c (-15 to -20)
- Zone 6d (-20 to -25)
- Zone 6e (-25 to -30)
- Zone 6f (-30 to -35)
- Zone 6g (-35 to -40)
- Zone 6h (-40 to -45)
- Zone 6i (-45 to -50)
- Zone 6j (-50 to -55)
- Zone 6k (-55 to -60)
- Zone 6l (-60 to -65)
- Zone 6m (-65 to -70)
- Zone 6n (-70 to -75)
- Zone 6o (-75 to -80)
- Zone 6p (-80 to -85)
- Zone 6q (-85 to -90)
- Zone 6r (-90 to -95)
- Zone 6s (-95 to -100)
- Zone 6t (-100 to -105)
- Zone 6u (-105 to -110)
- Zone 6v (-110 to -115)
- Zone 6w (-115 to -120)
- Zone 6x (-120 to -125)
- Zone 6y (-125 to -130)
- Zone 6z (-130 to -135)

Includes portions of Sussex and Warren Counties
Includes portions of Sussex, Warren, Passaic, Morris, Somerset, and Hunterdon Counties
Includes portions of Sussex, Warren, Passaic, Morris, Somerset, and Hunterdon Counties
Includes portions of Camden, Gloucester, Salem, Cumberland, Cape May, Atlantic, Burlington, Ocean and Monmouth Counties
Includes portions of Cape May, Atlantic, Burlington, Ocean and Monmouth Counties

the USA-ATLAS web, Publication 1473
NRA State Soil Conservation Committee
April

SEEDING SCHEDULE	PLANTING RATE	RECOMMENDED OPTIMUM SEEDING DATE (ZONES)
TURF-TYPE TALL FESCUE	RLS/1000SF	BIS TO DUS

A. Methods and Materials: (Areas other than Pinelands National Reserve)

- Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and much anchoring. All grading should be done in accordance with Standards for Land Grading (see 7th Edition Manual), which detail methods and materials. Topsoil shall be evaluated for compaction in accordance with the Standard for Land Grading (see 7th Edition Manual).
- Topsoil shall be handled only when it is dry enough to work without damaging the soil structure. A uniform application to a depth of 5 inches (less than 1 inch) is required. Topsoil shall be amended with organic matter, as needed, in accordance with the Standard for Topsoiling.
- Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways.
- Seeded Preparation:
 - Uniformly apply ground limestone and fertilizer to topsoil which has been spread and firm, according to soil test results and Rutgers Cooperative Extension Soil sample materials or available from the local Rutgers Cooperative Extension offices (http://nj.rutgers.edu/soil). Sand fencing should be installed to address potential wind erosion on large lots (see Sand Fencing, Dune Stabilization Standard). Sand fencing shall be used in combination with a soil test to indicate erosion and incorporated into the surface inches. If fertilizer is not incorporated only one-half the rate described above and repeat another one-half rate application of the same fertilizer within 3 to 5 weeks after seeding.
 - Work line and fertilizer into the topsoil as nearly as practical to a depth of 4 inches with a disc, spring-tooth harrow, or other suitable equipment. The final harrowing or disk operation should be on the general contour.
 - High acid producing soil. Soils having a pH of less or containing iron sulfides shall be covered with a minimum of 12 inches of soil having a pH of 5.0 or more. If the soil is not a high acid producing soil, use Standard for Management of High Acid-Producing Soils for specific requirements.
- Select a mixture from Table 4-3 in the 7th Edition Manual or use a mixture recommended by the Rutgers Cooperative Extension Soil Conservation District which has been tested within 12 months of the planting date. Do not seed shall be accepted with a germination test date more than 12 months old unless retested. Use applicable USDA Plant Hardiness Zones for planting dates.
- Seeding rates specified are required when a report of compliance is requested prior to actual establishment of permanent vegetation. Up to 20% reduction in rates may be used when permanent vegetation is established prior to a report of compliance inspection. These rates apply to all methods of seeding. Establishment permanent vegetation coverage with the specified seed mixture for the seeded area and moved once.
- Warm-season mixtures are grasses and legumes which maximize growth at high temperatures, generally 85°F and above. See Table 4-3 mixtures 1 to 7. Planting rates for warm-season grasses shall be the amount of pure live seed (PLS) to be applied to the area.
- Cool-season mixtures are grasses and legumes which maximize growth at temperatures below 85°F. Planting rates for cool-season grasses shall be the amount of pure live seed (PLS) to be applied to the area.
- Planting rates for warm-season grasses, sections 5-7 shall be adjusted to reflect the amount of Pure Live Seed (PLS) as determined by a germination test result. No adjustment is required for cool season grasses.
- Plant Hardiness Zones (see Figure 4-1, page 7-4) See 7th Edition Manual.

V. STANDARD FOR STABILIZATION WITH MULCH ONLY

- Where Applicable:
 - This practice is applicable to areas subject to erosion, where the season and other conditions may not be suitable for growing an erosion-resistant cover where stabilization is needed for a short period until more suitable protection can be applied.
- Methods and Materials:
 - Site Preparation:
 - Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and much anchoring. All grading should be done in accordance with Standards for Land Grading (see 7th Edition Manual), which detail methods and materials.
 - Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42, in the 7th Edition Manual.
 - Use of the slope to contain movement of the stockpiled material. Topsoil shall not be applied to the stockpiles in permanent landscaped areas.
 - High acid-producing soils with a pH of 4.0 or less or containing iron sulfides (including boron or arsenic) or degraded seedbeds shall be ultimately placed or buried with straw mulch at a rate of 450 pounds per acre.
 - High acid-producing soils and covered with a minimum of 12 inches of settled soil with a pH of 5.0 or more except as follows:
 - Areas where trees or shrubs are to be planted shall be covered with a minimum of 24 inches of soil with a pH of 5.0 or more.
 - Disposal areas shall not be located within 24 inches if any surface of a slope or bank, such as berm, stream banks, ditches, and others, to prevent potential nitrate leaching dangers.
 - Equipment used for movement of high acid-producing soils should be cleaned at the end of each day to prevent spreading of high acid-producing soil materials to other parts of the site, into streams or stormwater conveyances, and to prevent machinery from accelerated rusting.
 - Non-vegetative erosion control practices (stone tracking pads, strategically placed limestone chippings, sand, sediment barrier, weed cloth) should be installed to limit the movement of high acid-producing soils from one area to another on the site.
 - Following burial or removal of high acid-producing soil, topsoiling and seeding of the site (see Temporary Vegetative Cover for Soil Stabilization, Permanent Vegetative Cover and Soil Stabilization, and Topsoiling), monitoring must continue for a minimum of 6 months to ensure there is adequate establishment of permanent vegetation. If problems still exist, the affected area must be treated as indicated above to correct the problem.
- Application:
 - Apply straw or hay Unmatted small grain straw, hay free of seeds, to be applied at the rate of 1.5 to 2 tons per acre (70 to 90 pounds per 1,000 square feet), except that where a crimp is used instead of a liquid mulch-blender (including a cohesive agent), the rate of application is 3 tons per acre. Much chopper-blenders must not grind the mulch. Hay mulch is not recommended for establishing fine turf or loams due to the presence of seed heads.
 - Application: Spread mulch uniformly by hand or mechanically so that at least 85% of the soil surface is covered. Use uniform distribution of hand-spread mulch, divide area into approximately 1000 sq. ft. sections and distribute 70 to 90 pounds within each section.
 - Seeding shall be accomplished after placement to minimize loss with wind or water. This may be done by one of the following methods, depending upon the size of the area, surface steepness of slope, and other factors:
 - Bag and Tine: Drive B to 10 inch wooden pegs to within 2 to 3 inches of the soil surface every 4 feet in all directions. Stakes may be driven before or after applying mulch. Secure mulch to soil surface by stretching line between pegs in a criss-cross and a square pattern. Secure turfs around each peg with two or more turfs.
 - Mulch Nettings: Staple paper, jute, cotton or plastic nettings to the soil surface. Use a degradable netting in areas to be mowed.
 - Crimper (much anchoring cutter): A tractor-drawn implement, somewhat like a disc harrow, is designed to push or cut some of the broadcast seed into the soil to a depth of 1 to 4 inches into the soil so to anchor it and leave part standing upright. This technique is limited to areas where tractors, which must be used, are not practical or desirable. Use straw mulch rate of 3 tons per acre. No topdressing or adhesive agent is required.
 - Crimper-Mulch Anchoring Cutter Tool: A tractor-drawn implement, somewhat like a punch and anchor mulch into the soil surface. This practice affords maximum erosion control, but its use is limited to those slopes upon which the mulch can be applied. Mulch preparation should be about 3 to 4 inches. On sloping lands, the operation should be on the contour.
 - Liquid Mulch Blenders:
 - Applications shall be heavier at edges where wind catches the mulch in valleys, and at crests of slopes.
 - Remainder of area should be uniform.
 - Use of the following:
 - Organic and Vegetable Based Binders - Naturally occurring, powder-based, hydrophilic materials which when mixed with water formulates a gel and when applied to much under satisfactory curing conditions will form membrane networks of insoluble polymers. The vegetable gel shall be physiologically harmless and not result in phytotoxic effects on turf grasses.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and which, when applied by hand or tractor, will form a protective film on the soil surface. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and following application to much, dry and curable. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.

**TABLE 6-1
LIMESTONE APPLICATION RATE BY SOIL TEXTURE**

SOIL TEXTURE	TONS/ACRE	LB/1000 SQ. FT.
CLAY, CLAY LOAM, SILT LOAM, SILT CLAY, LOAM, SANDY LOAM, SANDY CLAY, SANDY SILT LOAM, SANDY SILT CLAY, SANDY SILT LOAM, SANDY SILT CLAY	2	90
CLAY, CLAY LOAM, SILT LOAM, SILT CLAY, LOAM, SANDY LOAM, SANDY CLAY, SANDY SILT LOAM, SANDY SILT CLAY, SANDY SILT LOAM, SANDY SILT CLAY	2	90
CLAY, CLAY LOAM, SILT LOAM, SILT CLAY, LOAM, SANDY LOAM, SANDY CLAY, SANDY SILT LOAM, SANDY SILT CLAY, SANDY SILT LOAM, SANDY SILT CLAY	2	90

- Work line, and fertilizer into the topsoil as nearly as practical to a depth of 4 inches with a disc, spring-tooth harrow, or other suitable equipment. The final harrowing or disk operation should be on the general contour. Continue tillage until a reasonably uniform seed bed is established.
- Remove from the surface all objects that would prevent good seed to topsoil contact and remove all other objects, such as rocks, stumps, or other debris, from the surface to a depth of 4 inches.
- Inspect seedbed just before seeding. If traffic has left the soil compacted, the area must be re-tilled and reseeded in accordance with the above.
- Soil Placement:
 - Seed shall be laid on the contour, never up and down the slope, starting at the bottom of the slope and working up. On steep slopes, the use of ladders will facilitate the work and prevent damage to the seed. During periods of inclement weather, lightly irrigate the soil immediately prior to paying the seed.
 - Place seed strips with spurs, even joints (seams) that are staggered. Open spaced wide erosion control mat or straw mulch placement to insure soil contact. Calcium carbonate is the equivalent of lime for measuring the ability of liming materials to neutralize soil acidity and supply calcium and magnesium to grasses and legumes. See Table 6-1 a general guideline for limestone application rates.
 - Apply limestone at the rate of 2 tons/acre unless soil testing indicates the equivalent of lime for measuring the ability of liming materials to neutralize soil acidity and supply calcium and magnesium to grasses and legumes. See Table 6-1 a general guideline for limestone application rates.
- Topdressing:
 - Apply organic matter and slow release nitrogen fertilizer (water insoluble) are prescribed in Sections 1 and 2 in this Standard, a follow-up topdressing is not mandatory, except where crop nitrogen deficiency is indicated. Topdressing may be used for permanent vegetation establishment. Topdressing may be used for permanent vegetation establishment. Topdressing may be used for permanent vegetation establishment.

VI. TEMPORARY VEGETATIVE COVER FOR SOIL STABILIZATION

- Where Applicable:
 - On exposed soils that have a potential for causing off-site environmental damage.
- Methods and Materials:
 - Site Preparation:
 - Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and much anchoring. All grading should be done in accordance with Standards for Land Grading (see 7th Edition Manual), which detail methods and materials. Topsoil shall be evaluated for compaction in accordance with the Standard for Land Grading (see 7th Edition Manual), which detail methods and materials.
 - Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42, in the 7th Edition Manual.
 - Use of the slope to contain movement of the stockpiled material. Topsoil shall not be applied to the stockpiles in permanent landscaped areas.
 - High acid-producing soils with a pH of 4.0 or less or containing iron sulfides (including boron or arsenic) or degraded seedbeds shall be ultimately placed or buried with straw mulch at a rate of 450 pounds per acre.
 - High acid-producing soils and covered with a minimum of 12 inches of settled soil with a pH of 5.0 or more except as follows:
 - Areas where trees or shrubs are to be planted shall be covered with a minimum of 24 inches of soil with a pH of 5.0 or more.
 - Disposal areas shall not be located within 24 inches if any surface of a slope or bank, such as berm, stream banks, ditches, and others, to prevent potential nitrate leaching dangers.
 - Equipment used for movement of high acid-producing soils should be cleaned at the end of each day to prevent spreading of high acid-producing soil materials to other parts of the site, into streams or stormwater conveyances, and to prevent machinery from accelerated rusting.
 - Non-vegetative erosion control practices (stone tracking pads, strategically placed limestone chippings, sand, sediment barrier, weed cloth) should be installed to limit the movement of high acid-producing soils from one area to another on the site.
 - Following burial or removal of high acid-producing soil, topsoiling and seeding of the site (see Temporary Vegetative Cover for Soil Stabilization, Permanent Vegetative Cover and Soil Stabilization, and Topsoiling), monitoring must continue for a minimum of 6 months to ensure there is adequate establishment of permanent vegetation. If problems still exist, the affected area must be treated as indicated above to correct the problem.
- Application:
 - Apply straw or hay Unmatted small grain straw, hay free of seeds, to be applied at the rate of 1.5 to 2 tons per acre (70 to 90 pounds per 1,000 square feet), except that where a crimp is used instead of a liquid mulch-blender (including a cohesive agent), the rate of application is 3 tons per acre. Much chopper-blenders must not grind the mulch. Hay mulch is not recommended for establishing fine turf or loams due to the presence of seed heads.
 - Application: Spread mulch uniformly by hand or mechanically so that at least 85% of the soil surface is covered. Use uniform distribution of hand-spread mulch, divide area into approximately 1000 sq. ft. sections and distribute 70 to 90 pounds within each section.
 - Seeding shall be accomplished after placement to minimize loss with wind or water. This may be done by one of the following methods, depending upon the size of the area, surface steepness of slope, and other factors:
 - Bag and Tine: Drive B to 10 inch wooden pegs to within 2 to 3 inches of the soil surface every 4 feet in all directions. Stakes may be driven before or after applying mulch. Secure mulch to soil surface by stretching line between pegs in a criss-cross and a square pattern. Secure turfs around each peg with two or more turfs.
 - Mulch Nettings: Staple paper, jute, cotton or plastic nettings to the soil surface. Use a degradable netting in areas to be mowed.
 - Crimper (much anchoring cutter): A tractor-drawn implement, somewhat like a disc harrow, is designed to push or cut some of the broadcast seed into the soil to a depth of 1 to 4 inches into the soil so to anchor it and leave part standing upright. This technique is limited to areas where tractors, which must be used, are not practical or desirable. Use straw mulch rate of 3 tons per acre. No topdressing or adhesive agent is required.
 - Crimper-Mulch Anchoring Cutter Tool: A tractor-drawn implement, somewhat like a punch and anchor mulch into the soil surface. This practice affords maximum erosion control, but its use is limited to those slopes upon which the mulch can be applied. Mulch preparation should be about 3 to 4 inches. On sloping lands, the operation should be on the contour.
 - Liquid Mulch Blenders:
 - Applications shall be heavier at edges where wind catches the mulch in valleys, and at crests of slopes.
 - Remainder of area should be uniform.
 - Use of the following:
 - Organic and Vegetable Based Binders - Naturally occurring, powder-based, hydrophilic materials which when mixed with water formulates a gel and when applied to much under satisfactory curing conditions will form membrane networks of insoluble polymers. The vegetable gel shall be physiologically harmless and not result in phytotoxic effects on turf grasses.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and which, when applied by hand or tractor, will form a protective film on the soil surface. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and following application to much, dry and curable. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.

**TABLE 7-2
TEMPORARY VEGETATIVE STABILIZATION GRASSES, SEEDING RATES, DATES & DEPTHS**

SEED SELECTIONS	SEEDING RATE Per Acre	PLANTING DATE	SEEDING DATE	DEPTH (inches)
1. Spring Oats	88	10/1-10/15	10/15-10/15	1.0
2. Winter Brome	88	10/1-10/15	10/15-10/15	1.0
3. Annual Ryegrass	100	10/1-10/15	10/15-10/15	0.5
4. Winter Cereal Rye	112	10/1-10/15	10/15-10/15	1.0
5. Pearl Millet	30	6/1-6/15	6/15-6/15	1.0
6. Millet (African or Hungarian)	30	6/1-6/15	6/15-6/15	1.0

- Seeding rate for warm season grass, sections 5-7 shall be adjusted to reflect the amount of Pure Live Seed (PLS) as determined by a germination test result. No adjustment is required for cool season grasses.
- Plant Hardiness Zones (see Figure 4-1, page 7-4) See 7th Edition Manual.
- Plant Hardiness Zones (see Figure 4-1, page 7-4) See 7th Edition Manual.

VII. STANDARD FOR PERMANENT STABILIZATION WITH MULCH ONLY

- Where Applicable:
 - On exposed soils that have a potential for causing off-site environmental damage.
- Methods and Materials:
 - Site Preparation:
 - Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and much anchoring. All grading should be done in accordance with Standards for Land Grading (see 7th Edition Manual), which detail methods and materials.
 - Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42, in the 7th Edition Manual.
 - Use of the slope to contain movement of the stockpiled material. Topsoil shall not be applied to the stockpiles in permanent landscaped areas.
 - High acid-producing soils with a pH of 4.0 or less or containing iron sulfides (including boron or arsenic) or degraded seedbeds shall be ultimately placed or buried with straw mulch at a rate of 450 pounds per acre.
 - High acid-producing soils and covered with a minimum of 12 inches of settled soil with a pH of 5.0 or more except as follows:
 - Areas where trees or shrubs are to be planted shall be covered with a minimum of 24 inches of soil with a pH of 5.0 or more.
 - Disposal areas shall not be located within 24 inches if any surface of a slope or bank, such as berm, stream banks, ditches, and others, to prevent potential nitrate leaching dangers.
 - Equipment used for movement of high acid-producing soils should be cleaned at the end of each day to prevent spreading of high acid-producing soil materials to other parts of the site, into streams or stormwater conveyances, and to prevent machinery from accelerated rusting.
 - Non-vegetative erosion control practices (stone tracking pads, strategically placed limestone chippings, sand, sediment barrier, weed cloth) should be installed to limit the movement of high acid-producing soils from one area to another on the site.
 - Following burial or removal of high acid-producing soil, topsoiling and seeding of the site (see Temporary Vegetative Cover for Soil Stabilization, Permanent Vegetative Cover and Soil Stabilization, and Topsoiling), monitoring must continue for a minimum of 6 months to ensure there is adequate establishment of permanent vegetation. If problems still exist, the affected area must be treated as indicated above to correct the problem.
- Application:
 - Apply straw or hay Unmatted small grain straw, hay free of seeds, to be applied at the rate of 1.5 to 2 tons per acre (70 to 90 pounds per 1,000 square feet), except that where a crimp is used instead of a liquid mulch-blender (including a cohesive agent), the rate of application is 3 tons per acre. Much chopper-blenders must not grind the mulch. Hay mulch is not recommended for establishing fine turf or loams due to the presence of seed heads.
 - Application: Spread mulch uniformly by hand or mechanically so that at least 85% of the soil surface is covered. Use uniform distribution of hand-spread mulch, divide area into approximately 1000 sq. ft. sections and distribute 70 to 90 pounds within each section.
 - Seeding shall be accomplished after placement to minimize loss with wind or water. This may be done by one of the following methods, depending upon the size of the area, surface steepness of slope, and other factors:
 - Bag and Tine: Drive B to 10 inch wooden pegs to within 2 to 3 inches of the soil surface every 4 feet in all directions. Stakes may be driven before or after applying mulch. Secure mulch to soil surface by stretching line between pegs in a criss-cross and a square pattern. Secure turfs around each peg with two or more turfs.
 - Mulch Nettings: Staple paper, jute, cotton or plastic nettings to the soil surface. Use a degradable netting in areas to be mowed.
 - Crimper (much anchoring cutter): A tractor-drawn implement, somewhat like a disc harrow, is designed to push or cut some of the broadcast seed into the soil to a depth of 1 to 4 inches into the soil so to anchor it and leave part standing upright. This technique is limited to areas where tractors, which must be used, are not practical or desirable. Use straw mulch rate of 3 tons per acre. No topdressing or adhesive agent is required.
 - Crimper-Mulch Anchoring Cutter Tool: A tractor-drawn implement, somewhat like a punch and anchor mulch into the soil surface. This practice affords maximum erosion control, but its use is limited to those slopes upon which the mulch can be applied. Mulch preparation should be about 3 to 4 inches. On sloping lands, the operation should be on the contour.
 - Liquid Mulch Blenders:
 - Applications shall be heavier at edges where wind catches the mulch in valleys, and at crests of slopes.
 - Remainder of area should be uniform.
 - Use of the following:
 - Organic and Vegetable Based Binders - Naturally occurring, powder-based, hydrophilic materials which when mixed with water formulates a gel and when applied to much under satisfactory curing conditions will form membrane networks of insoluble polymers. The vegetable gel shall be physiologically harmless and not result in phytotoxic effects on turf grasses.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and which, when applied by hand or tractor, will form a protective film on the soil surface. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and following application to much, dry and curable. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.

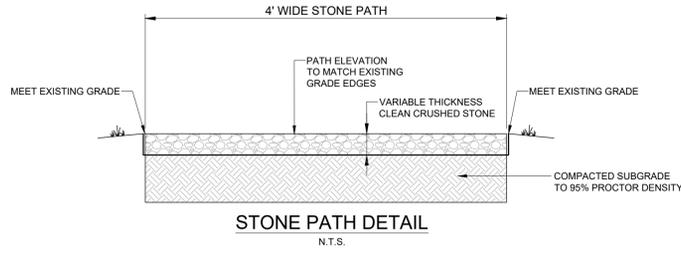
VIII. STANDARD FOR TOPSOILING

- Where Applicable:
 - On exposed soils that have a potential for causing off-site environmental damage where an immediate, permanent vegetative cover is desired. Water (rain or irrigation) is required for success, except as noted below.
- Methods and Materials:
 - Site Preparation:
 - Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and much anchoring. All grading should be done in accordance with Standards for Land Grading (see 7th Edition Manual), which detail methods and materials.
 - Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42, in the 7th Edition Manual.
 - Use of the slope to contain movement of the stockpiled material. Topsoil shall not be applied to the stockpiles in permanent landscaped areas.
 - High acid-producing soils with a pH of 4.0 or less or containing iron sulfides (including boron or arsenic) or degraded seedbeds shall be ultimately placed or buried with straw mulch at a rate of 450 pounds per acre.
 - High acid-producing soils and covered with a minimum of 12 inches of settled soil with a pH of 5.0 or more except as follows:
 - Areas where trees or shrubs are to be planted shall be covered with a minimum of 24 inches of soil with a pH of 5.0 or more.
 - Disposal areas shall not be located within 24 inches if any surface of a slope or bank, such as berm, stream banks, ditches, and others, to prevent potential nitrate leaching dangers.
 - Equipment used for movement of high acid-producing soils should be cleaned at the end of each day to prevent spreading of high acid-producing soil materials to other parts of the site, into streams or stormwater conveyances, and to prevent machinery from accelerated rusting.
 - Non-vegetative erosion control practices (stone tracking pads, strategically placed limestone chippings, sand, sediment barrier, weed cloth) should be installed to limit the movement of high acid-producing soils from one area to another on the site.
 - Following burial or removal of high acid-producing soil, topsoiling and seeding of the site (see Temporary Vegetative Cover for Soil Stabilization, Permanent Vegetative Cover and Soil Stabilization, and Topsoiling), monitoring must continue for a minimum of 6 months to ensure there is adequate establishment of permanent vegetation. If problems still exist, the affected area must be treated as indicated above to correct the problem.
- Application:
 - Apply straw or hay Unmatted small grain straw, hay free of seeds, to be applied at the rate of 1.5 to 2 tons per acre (70 to 90 pounds per 1,000 square feet), except that where a crimp is used instead of a liquid mulch-blender (including a cohesive agent), the rate of application is 3 tons per acre. Much chopper-blenders must not grind the mulch. Hay mulch is not recommended for establishing fine turf or loams due to the presence of seed heads.
 - Application: Spread mulch uniformly by hand or mechanically so that at least 85% of the soil surface is covered. Use uniform distribution of hand-spread mulch, divide area into approximately 1000 sq. ft. sections and distribute 70 to 90 pounds within each section.
 - Seeding shall be accomplished after placement to minimize loss with wind or water. This may be done by one of the following methods, depending upon the size of the area, surface steepness of slope, and other factors:
 - Bag and Tine: Drive B to 10 inch wooden pegs to within 2 to 3 inches of the soil surface every 4 feet in all directions. Stakes may be driven before or after applying mulch. Secure mulch to soil surface by stretching line between pegs in a criss-cross and a square pattern. Secure turfs around each peg with two or more turfs.
 - Mulch Nettings: Staple paper, jute, cotton or plastic nettings to the soil surface. Use a degradable netting in areas to be mowed.
 - Crimper (much anchoring cutter): A tractor-drawn implement, somewhat like a disc harrow, is designed to push or cut some of the broadcast seed into the soil to a depth of 1 to 4 inches into the soil so to anchor it and leave part standing upright. This technique is limited to areas where tractors, which must be used, are not practical or desirable. Use straw mulch rate of 3 tons per acre. No topdressing or adhesive agent is required.
 - Crimper-Mulch Anchoring Cutter Tool: A tractor-drawn implement, somewhat like a punch and anchor mulch into the soil surface. This practice affords maximum erosion control, but its use is limited to those slopes upon which the mulch can be applied. Mulch preparation should be about 3 to 4 inches. On sloping lands, the operation should be on the contour.
 - Liquid Mulch Blenders:
 - Applications shall be heavier at edges where wind catches the mulch in valleys, and at crests of slopes.
 - Remainder of area should be uniform.
 - Use of the following:
 - Organic and Vegetable Based Binders - Naturally occurring, powder-based, hydrophilic materials which when mixed with water formulates a gel and when applied to much under satisfactory curing conditions will form membrane networks of insoluble polymers. The vegetable gel shall be physiologically harmless and not result in phytotoxic effects on turf grasses.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and which, when applied by hand or tractor, will form a protective film on the soil surface. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.
 - Synthetic Binders - High polymer synthetic emulsion, miscible with water when diluted and following application to much, dry and curable. The synthetic binder shall be applied at rates recommended by the manufacturer and remain tacky until germination of grass.

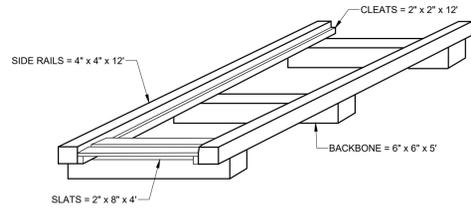
IX. STANDARD FOR LAND GRADING

- Where Applicable:
 - On exposed soils that have a potential for causing off-site environmental damage.
- Methods and Materials:
 - Site Preparation:
 - Grade as needed and feasible to permit the use of conventional equipment for seedbed preparation, seeding, mulch application, and much anchoring. All grading should be done in accordance with Standards for Land Grading (see 7th Edition Manual), which detail methods and materials.
 - Install needed erosion control practices or facilities such as diversions, grade stabilization structures, channel stabilization measures, sediment basins, and waterways. See Standards 11 through 42, in the 7th Edition Manual.
 - Use of the slope to contain movement of the stockpiled material. Topsoil shall not be applied to the stockpiles in permanent landscaped areas.
 - High acid-producing soils with a pH of 4.0 or less or containing iron sulfides (including boron or arsenic)

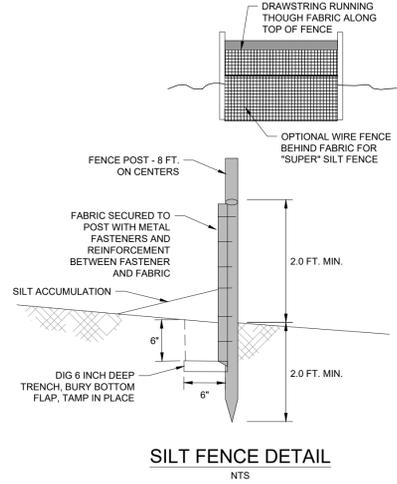
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LAST DATE SAVED	10/11/2023
LAST SAVE BY	plucker



STONE PATH DETAIL
N.T.S.



BOARDWALK SEGMENT DETAIL
N.T.S.



SILT FENCE DETAIL
N.T.S.

SILT FENCE REQUIREMENTS NOTES:

1. FENCE POSTS SHALL BE SPACED 8 FEET CENTER-TO-CENTER OR CLOSER. THEY SHALL EXTEND TO AT LEAST 2 FEET INTO THE GROUND AND EXTEND AT LEAST 2 FEET ABOVE GROUND. POSTS SHALL BE CONSTRUCTED OF HARDWOOD WITH A MINIMUM DIAMETER THICKNESS OF 1-1/2 INCHES.
2. "SUPER" SILT FENCE- A METAL FENCE WITH 6 INCH OR SMALLER MESH OPENINGS AND AT LEAST 2 FEET HIGH MAY BE UTILIZED, FASTENED TO THE FENCE POSTS, TO PROVIDE REINFORCEMENT AND SUPPORT TO THE GEOTEXTILE FABRIC. POSTS MAY BE SPACED LESS THAN 8 FEET ON CENTER AND MAY BE CONSTRUCTED OF HEAVIER WOOD OR METAL AS NEEDED TO WITHSTAND HEAVIER SEDIMENT LOADING. THIS PRACTICE IS APPROPRIATE WHERE SPACE FOR OTHER PRACTICES IS LIMITED AND HEAVY SEDIMENT LOADING IS EXPECTED. "SUPER" SILT FENCE IS NOT TO BE USED IN PLACE OF PROPERLY DESIGNED DIVERSIONS WHICH MAY BE NEEDED TO CONTROL SURFACE RUNOFF RATES AND VELOCITIES.
3. A GEOTEXTILE FABRIC, RECOMMENDED FOR SUCH USE BY MANUFACTURER, SHALL BE BURIED AT LEAST 6 INCHES DEEP IN THE GROUND. THE FABRIC SHALL EXTEND AT LEAST 2 FEET ABOVE THE GROUND. THE FABRIC MUST BE SECURELY FASTENED TO THE POSTS USING A SYSTEM CONSISTING OF METAL FASTENERS (NAILS OR STAPLES) AND A HIGH STRENGTH REINFORCEMENT MATERIAL (NYLON WEBBING, GROMMETS, WASHERS ETC.) PLACED BETWEEN THE FASTENER AND THE GEOTEXTILE FABRIC. THE FASTENING SYSTEM SHALL RESIST TEARING AWAY FROM THE POST. THE FABRIC SHALL INCORPORATE A DRAWSTRING IN THE TOP PORTION OF THE FENCE FOR ADDED STRENGTH.

SILT FENCE MAINTENANCE NOTES:

1. SEDIMENT SHALL BE REMOVED FROM THE UPSTREAM FACE OF THE BARRIER WHEN IT HAS REACHED A DEPTH OF 1/2 THE BARRIER HEIGHT.
2. REPAIR OR REPLACE BARRIER (FABRIC, POSTS, BALES, ETC.) WHEN DAMAGED.
3. BARRIERS SHALL BE INSPECTED DAILY FOR SIGNS OF DETERIORATION AND SEDIMENT REMOVAL.

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SOIL EROSION AND SEDIMENT CONTROL DETAIL & CONSTRUCTION DETAILS
FOR
PEMBERTON LAKE
ACCESSIBLE TRAIL IMPROVEMENT PLANS
BLOCK 825, LOTS 7.01, 7.04 & 7.05
TOWNSHIP OF PEMBERTON, BURLINGTON COUNTY, NEW JERSEY

2023-11-01 - REVISED PER PINELANDS COMMENTS
REVISIONS



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