



PHILIP D. MURPHY  
Governor  
SHEILA Y. OLIVER  
Lt. Governor

State of New Jersey  
THE PINELANDS COMMISSION  
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RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

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

## MEMORANDUM

To: CMP Policy & Implementation Committee

From: Susan R. Grogan   
Director of Planning

Date: January 20, 2021

Subject: January 29, 2021 Committee meeting

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Enclosed please find the agenda for the Committee's upcoming meeting on January 29, 2021. We have also enclosed the following:

- The minutes from the Committee's October 30, 2020 meeting;
- Draft resolutions and reports on the Medford and Monroe Township ordinances listed on the agenda;
- A copy of the Comprehensive Management Plan's current list of application exemptions (7:50-4.1); and
- A draft resolution celebrating the 40<sup>th</sup> anniversary of the Comprehensive Management Plan

The Committee meeting will be conducted via teleconference. Specific access information will be provided to all Committee members in a separate email. The public will be able to view and participate in the meeting through the following YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

/CS15

cc: All Commissioners (agenda only)





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

January 29, 2021 - 9:30 a.m.

Pinelands Commission YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 833 5477 1666

### **Agenda**

1. Call to Order
2. Adoption of minutes from the October 30, 2020 CMP Policy & Implementation Committee meeting
3. Executive Director's Reports  
  
Medford Township Ordinances 2020-21 and 2020-23, adopting a Redevelopment Plan for the Taunton and Tuckerton Rehabilitation Area and rezoning two lots from the CC (Community Commercial) Zone in the Regional Growth Area to the RS-2 (Rural Suburban) Zone in the Rural Development Area  
  
Monroe Township Ordinances O:27-2020 and O:29-2020, adopting an amendment to the Williamstown Square Redevelopment Plan and a new redevelopment plan for the St. Mary's Redevelopment Area, both of which are located in the Pinelands Regional Growth Area
4. Discussion of draft Comprehensive Management Plan amendments for stormwater management
5. Discussion of Comprehensive Management Plan application exemptions and procedures (N.J.A.C. 7:50-4.1)
6. Discussion of draft resolution celebrating the 40<sup>th</sup> anniversary of the Comprehensive Management Plan
7. Public Comment

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

This meeting was conducted remotely

All participants were present via Zoom conference

The public could view/comment through Pinelands Commission YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

Meeting ID: 833 5477 1666.

**October 30, 2020 - 9:30 a.m.**

### **MINUTES**

**MEMBERS IN ATTENDANCE:** Chairman Richard Prickett, Sean Earlen, Jordan Howell, Jerome H. Irick, Ed Lloyd and Mark Lohbauer

**STAFF PRESENT:** Nancy Wittenberg, Stacey P. Roth, Susan R. Grogan, Charles Horner, Ed Wengrowski, John Bunnell, Jessica Lynch, Ernest Deman and Betsy Piner. Rudy Rodas, with the Governor's Authorities Unit, arrived at 9:45 a.m.

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

Chairman Prickett called the meeting to order at 9:32 a.m. and Ms. Wittenberg identified all staff attending or participating in the meeting,

#### **2. Adoption of minutes from the September 25, 2020 CMP Policy and Implementation Committee meeting**

Commissioner Irick moved the adoption of the minutes of the September 25, 2020 Committee meeting. Commissioner Lohbauer seconded the motion and the minutes were adopted with all voting in favor.

Commissioner Lohbauer said the Land Use, Climate Impact and Sustainability (LUCIS) Committee, to be conducted immediately following this meeting, will consider a resolution and discuss staffing and administrative matters.

#### **3. Alternate Design Treatment Systems Pilot Program**

Commissioner Lohbauer moved the recommendation that the Commission adopt proposed rules for the alternate design wastewater treatment systems pilot program. Commissioner Howell seconded the motion.

Ms. Grogan said that the rule proposal had been published in the New Jersey Register with a 60-day comment period and a formal public hearing, conducted remotely. She said the Commission had received no feedback from anyone on the proposal, that no oral testimony was offered at the hearing and no written comment submitted, as reflected in the adoption notice. She said the next

steps involve forwarding this to the Commission, and upon approval, to the Office of Administrative Law for publication, in late December. She noted that the Governor's Authorities Unit had already reviewed and signed off on the rules.

Chairman Prickett said he was amazed by the amount of work and analysis that had gone into this proposal and said he believed this to have been a successful program so far, and imagined that the homeowners were pleased with their systems.

Ms. Grogan said staff has little interaction with the homeowners; it is more with the applicants and the engineers who design these systems. She deferred to Mr. Wengrowski.

Mr. Wengrowski said he too had little interaction with homeowners but said the Pinelands program has sparked interest in these alternate design septic systems for use throughout the state. He said whereas they are used in the Pinelands for density and lot size, elsewhere they are used to address depth to seasonal high water table issues. He noted that Septi-tech is pleased to be graduating out of the program and there are new technologies that are thrilled to have an opportunity to enter the program.

In response to Chairman Prickett's question as to how many of these systems are installed outside the Pinelands; Mr. Wengrowski said the treatment works approvals are issued by the New Jersey Department of Environmental Protection (NJDEP). Later in the meeting, in response to Commissioner Lloyd's request, Mr. Wengrowski said he would find out from NJDEP.

Chairman Prickett said he had been unaware that these systems were used outside the Pinelands. He said that is beneficial in creating a more universal record and doesn't put the entire burden on the Commission if there are issues with these systems.

Commissioner Irick said in his professional experience with the FAST systems in particular, for which he is a certified designer, there has been very good success both inside and outside the Pinelands. He said that he has found, in several instances, where beds have failed due to sludge buildup at the interface at the LOI (level of infiltration), the installation of the FAST system has restored those beds to useful condition. In addition, this technology is also useful in reducing the horizontal distance between the septic field and a well.

Chairman Prickett said he had always considered the innovative systems in terms of nitrogen reduction and he had not thought about reducing the biological load, but now he's learned that they can also reduce solid waste and decrease the distance between both the wells and the seasonal high water table.

The vote occurred with all voting in favor to recommend the adoption notice for the septic pilot program to the full Commission.

#### **4. Discussion of staff workload and assistance from Commission members**

Chairman Prickett said, at the last Commission meeting, Commissioner Lohbauer had requested an agenda item for this meeting related to staff workload and assistance from Commissioners. Chairman Prickett said he would like the P&I Committee and the Executive Director to consider having the LUCIS Committee's review of the CMP be concurrent with the five-year Plan Review that had last been initiated in 2012. He said possibly the LUCIS Committee could serve as the Plan Review Committee.

Commissioner Lohbauer said historically the Commission has been understaffed and that staff is being forced to pick up tasks from other titles as well as those of their own. He said he became more acutely aware of the staff shortage when the issue of the lack of minutes was raised for the LUCIS Committee. He said perhaps there was more that he could do now that his personal workload was reduced and he could be available. He said perhaps the Commissioners should reconsider the requests they make of staff and now that all the meetings are recorded on Zoom, and immediately available, perhaps that could suffice in lieu of minutes. He noted that there are now minutes for today's LUCIS meeting. He said he is here and ready to offer assistance.

Ms. Wittenberg said currently the staffing is down by about six or seven positions.

At 9:49 a.m., DAG Rudy Rodas joined the meeting as the new representative of the Governor's Authorities Unit now that Craig Ambrose has been appointed as a Superior Court judge.

Ms. Wittenberg clarified that staff is not taking on tasks outside their titles as that would not be permitted. She said staff is juggling and she would be consulting with DAG Rodas on the need to fill vacancies.

Commissioner Irick said he too would offer any help he could provide.

Commissioner Lohbauer said of course LUCIS would undertake the CMP review if that was the desire of the Chairman.

Commissioner Lloyd said the CMP review was important but he did not want to assign it to the LUCIS Committee and thought it had traditionally been undertaken by the P&I Committee. He said the climate issues are too important to dilute with Plan Review matters.

Ms. Wittenberg said almost all the upcoming proposed rules are climate related. She said with the long list of rule changes that the Commission will be considering, she did not see how Plan Review was even possible at this time.

Commissioner Lloyd concurred with Ms. Wittenberg and said Plan Review was important but climate rules should take priority.

Ms. Grogan said Plan Review was undertaken by a Plan Review Committee and the last one had been chaired by the late Commissioner Candace McKee Ashmun and composed mainly of P&I

Committee members. She said Plan Review is a very labor intensive undertaking and with the current staffing levels, at least within the Planning Office, it is not something she felt could be undertaken at this time. The review requires not only looking at the rules but requires a lot of background material, the generation of data and reviewing of trends. She said it is a five-year interval but there are still a number of outstanding rules for the Commission to consider and adopt before embarking on a new review.

Chairman Prickett said he appreciated the update.

Ms. Wittenberg asked Ms. Roth about the minutes.

Ms. Roth said the Commission is obligated to prepare minutes for the Commission meetings under the statute for the governor's review and approval as well as under the Open Public Meetings Act. She said as a matter of course, minutes from the advisory committees have always been provided although not technically required.

Commissioner Lohbauer said he wanted to leave these matters in the hands of the Executive Director, who is responsible for managing the staff workload.

Chairman Prickett said he believed most Commissioners would lend their expertise if necessary.

Commissioner Irick asked if there is a list of priority workload items, particularly those related to climate issues.

When Ms. Wittenberg responded that she has a long list of items for the LUCIS Committee, Commissioner Irick said the matter should be discussed at the appropriate time.

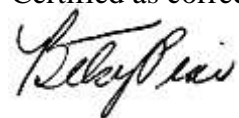
## **5. Public Comment**

Mr. Richard Dann said he was a Woodbury resident and the lead negotiator for the Communications Workers of America (CWA) on behalf of Pinelands Commission staff. He said the members have asked him to call in on behalf of the workers the union represents. He said the Commission negotiators have refused to meet for more than seven months but now that the State budget has been adopted and the Commission has received its previous funding, fiscal uncertainty is no longer a plausible reason not to negotiate. He asked that the Commission resume negotiations and treat the employees fairly.

After waiting a few minutes for any additional callers, Chairman Prickett thanked Commissioners and staff for participating in today's meeting.

There being no further business, Commissioner Lohbauer moved the adjournment of the meeting. Commissioner Howell seconded the motion and all agreed. The meeting adjourned at 10:02 a.m.

Certified as correct and true.



Betsy Piner  
Principal Planning Assistant  
January 19, 2021



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

**NO. PC4-21-\_\_\_\_\_**

**TITLE:** Issuing an Order to Certify Medford Township Ordinance 2020-21, Adopting the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, and Ordinance 2020-23, Amending the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area

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

- WHEREAS**, on May 6, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Medford Township; and
- WHEREAS**, Resolution #PC4-83-37 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and
- WHEREAS**, Resolution #PC4-83-37 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and
- WHEREAS**, on October 6, 2020, the Medford Township Council adopted Ordinance 2020-21, approving a Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area; and
- WHEREAS**, Ordinance 2020-21 also adopts a number of zoning changes, including the rezoning of approximately 7.5 acres of land from the Regional Growth Area to the Rural Development Area; and
- WHEREAS**, the Pinelands Commission received a certified copy of Ordinance 2020-21 on November 4, 2020; and
- WHEREAS**, by email dated November 6, 2020, Commission staff informed the Township that revisions to the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area would be necessary for purposes of conformance with the Pinelands Comprehensive Management Plan; and
- WHEREAS**, by email dated November 9, 2020, Medford Township requested an extension of the Pinelands Commission’s review period for Ordinance 2020-21 in order to provide an opportunity to adopt revisions to the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area prior to formal Commission action; and
- WHEREAS**, by letter dated November 12, 2020, the Executive Director notified the Township that an extension was granted through December 18, 2020; and
- WHEREAS**, on December 15, 2020, the Medford Township Council adopted Ordinance 2020-23, amending the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area; and
- WHEREAS**, the Pinelands Commission received a certified copy of Ordinance 2020-23 on December 22, 2020; and
- WHEREAS**, by letter dated December 28, 2020, the Executive Director notified the Township that Ordinances 2020-21 and 2020-23 would require formal review and approval by the Pinelands Commission; and
- WHEREAS**, a public hearing to receive testimony on Medford Township Ordinances 2020-21 and 2020-23 was duly advertised, noticed and remotely held on January 13, 2021 at 9:30 a.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 Executive Director has found that Medford Township Ordinances 2020-21 and 2020-23 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

**WHEREAS**, the Executive Director has submitted a report to the Commission recommending issuance of an order to certify that Medford Township Ordinances 2020-21 and 2020-23 are in conformance with the Pinelands Comprehensive Management Plan; and

**WHEREAS**, the Commission’s CMP Policy and Implementation Committee has reviewed the Executive Director’s report and has recommended that Medford Township Ordinances 2020-21 and 2020-23 be certified; and

**WHEREAS**, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Medford Township Ordinances 2020-21 and 2020-23 and has reviewed the Executive Director’s report; and

**WHEREAS**, the Pinelands Commission accepts the recommendation of the Executive Director; and

**WHEREAS**, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

**NOW, THEREFORE BE IT RESOLVED** that

- 1. An Order is hereby issued to certify that Medford Township Ordinance 2020-21, Adopting the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, and Ordinance 2020-23, Amending the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, are in conformance with the Pinelands Comprehensive Management Plan.
- 2. Any additional amendments to Medford Township’s certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

**Record of Commission Votes**

AYE NAY NP A/R*					AYE NAY NP A/R*					AYE NAY NP A/R*				
Avery					Irick					Pikolycky				
Christy					Jannarone					Quinn				
Higginbotham					Lloyd					Rohan Green				
Howell					Lohbauer					Prickett				

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: \_\_\_\_\_

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Nancy Wittenberg  
Executive Director

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Richard Prickett  
Chairman



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**REPORT ON MEDFORD TOWNSHIP ORDINANCE 2020-21, ADOPTING THE  
REDEVELOPMENT PLAN FOR THE TAUNTON & TUCKERTON REHABILITATION  
AREA, AND ORDINANCE 2020-23, AMENDING THE REDEVELOPMENT PLAN FOR THE  
TAUNTON & TUCKERTON REHABILITATION AREA**

January 29, 2021

Medford Township  
17 North Main Street  
Medford, NJ 08055

**FINDINGS OF FACT**

**I. Background**

The Township of Medford is located in central Burlington County, in the northwestern section of the Pinelands Area. Pinelands municipalities that abut Medford Township include the Township of Waterford in Camden County as well as the Borough of Medford Lakes and the Townships of Evesham, Shamong, Southampton and Tabernacle in Burlington County.

On May 6, 1983, the Pinelands Commission fully certified the Master Plan and Land Development Ordinance of Medford Township.

On October 6, 2020, the Medford Township Council adopted Ordinance 2020-21, approving the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, which is located in a Pinelands Regional Growth Area. Ordinance 2020-21 also adopts a number of zoning changes, including the rezoning of approximately 7.5 acres from the Regional Growth Area to the Rural Development Area. The Pinelands Commission received a certified copy of Ordinance 2020-21 on November 4, 2020.

On November 6, 2020, Commission staff advised the Township that the redevelopment plan would need to be amended in order to conform to the standards of the Pinelands Comprehensive Management Plan. On November 9, 2020 the Township requested an extension of the Commission's review period for Ordinance 2020-21 until such time that amendments could be adopted. By letter dated November 12, 2020, the Executive Director granted said extension until December 18, 2020.

On December 15, 2020, the Medford Township Council adopted Ordinance 2020-23, amending the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area. The Pinelands Commission received a certified copy of Ordinance 2020-23 on December 22, 2020.

By letter dated December 28, 2020, the Executive Director notified the Township that Ordinances 2020-21 and 2020-23 would require formal review and approval by the Pinelands Commission.

## II. Master Plans and Land Use Ordinances

The following ordinances have been submitted to the Pinelands Commission for certification:

- \* Ordinance 2020-21, adopting the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, adopted October 6, 2020; and
- \* Ordinance 2020-23, amending the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, adopted on December 15, 2020.

These ordinances have been reviewed to determine whether they conform with the standards for certification of municipal master plans and land use ordinances as set out in N.J.A.C. 7:50-3.39 of the Pinelands Comprehensive Management Plan. The findings from this review are presented below. The numbers used to designate the respective items correspond to the numbers used to identify the standards in N.J.A.C. 7:50-3.39.

### 1. **Natural Resource Inventory**

Not applicable.

### 2. **Required Provisions of Master Plans and Land Use Ordinances Relating to Development Standards**

Ordinance 2020-21 adopts the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area. The rehabilitation area is comprised of 28 lots and is located in the vicinity of the intersection of Taunton Road and Tuckerton Road (see Exhibit 1). Existing development within the rehabilitation area includes a mix of residential uses, non-residential uses, and vacant land. The rehabilitation area includes approximately 123 acres of which 113 acres were previously zoned CC (Community Commercial) and 10 acres were previously zoned GD (Growth District). The entirety of the rehabilitation area is located within a Pinelands Regional Growth Area.

The purpose of the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area is to facilitate an attractive, walkable, and vibrant commercial area. To that end, the plan establishes the Taunton & Tuckerton Rehabilitation Area (TTRA) Zone. The TTRA Zone permits a variety of commercial and institutional uses that closely align with the schedule of permitted uses of the existing CC Zone. Those uses include, among others, general offices, child-care centers, places of worship, medical and professional offices, general services, and full-service and limited-service restaurants. The TTRA zone does not permit residential uses. The redevelopment plan includes additional design and performance standards within the zone related to building and site design, sustainable practices, landscaping, and lighting.

The redevelopment plan implements zoning changes within the designated rehabilitation area. As summarized in Table 1 below, most of the rehabilitation area is rezoned from the CC Zone to the

new TTRA Zone. One commercially developed lot is rezoned from the GD Zone to the TTRA Zone. Additionally, three lots are rezoned from the CC Zone to the GD Zone. Two of these lots are undersized and in common ownership with adjoining, developed lots in the GD Zone. The third lot contains a single-family dwelling unit, and its rezoning to the GD Zone would render it a conforming use. Similarly, two lots containing single-family dwelling units are rezoned from the CC Zone to the RS-2 (Rural Suburban-2) Zone. The RS-2 Zone is located in a Rural Development Area; therefore, this rezoning constitutes a change in Pinelands management area designation from Regional Growth Area to Rural Development Area. Both lots are contiguous with the existing RS-2 Zone, contain single-family dwelling units with on-site wastewater treatment (septic systems) and have acreages slightly larger than 3.5 acres. Therefore, in recognition of the existing development, it is appropriate for these lots to be redesignated as Rural Development Area.

Table 1. Summary of Zoning Changes

<b>Rezoning</b>	<b>Number of Lots</b>	<b>Total Area (in acres)</b>
CC to TTRA	21	105
GD to TTRA	1	.75
CC to GD	3	.25
CC to RS-2	2	7.5
<b>Total</b>	<b>27</b>	<b>113.5*</b>

*\*Note: One lot, approximately 9.5 acres, within the rehabilitation area maintained its pre-existing GD Zone designation.*

Ordinance 2020-23 amends the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area in response to concern raised by Commission staff. The ordinance amends the plan to include a provision that all development in the newly established TTRA Zone must comply with the minimum environmental standards of the CMP. Provisions were also added that require the use of Pinelands Development Credits for any municipal variances or approvals that authorize residential development in the TTRA Zone. Lastly, Ordinance 20020 adds language to clarify that the Township's existing infill wetlands standards continue to be applicable to properties within the TTRA Zone, as they are for all of the Township's Regional Growth Area zones.

Ordinances 2020-21 and 2020-23 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

### **3. Requirement for Certificate of Filing and Content of Development Applications**

Not applicable.

### **4. Requirement for Municipal Review and Action on All Development**

Not applicable.

**5. Review and Action on Forestry Applications**

Not applicable.

**6. Review of Local Permits**

Not applicable.

**7. Requirement for Capital Improvement Program**

Not applicable.

**8. Accommodation of Pinelands Development Credits**

N.J.A.C. 7:50-3.39(a)8 specifies that in order to be certified by the Commission, municipal land use ordinances must provide for sufficiently residentially zoned property in the Regional Growth Area to be eligible for an increase in density to accommodate Pinelands Development Credits (PDCs) as provided for in N.J.A.C. 7:50-5.28(a)3.

Ordinance 2020-21 does increase the amount of residentially zoned land in Medford's Regional Growth Area by rezoning several lots from a commercial zone in the Regional Growth Area (the CC Zone) to a residential zone (the GD Zone). However, the rezoned lots are either already residentially developed or significantly undersized. No additional development on these lots is expected.

Additionally, as discussed above, Ordinance 2020-21 includes the establishment of the TTRA Zone. The new TTRA Zone is composed of land that was previously within the CC Zone, a non-residential zone that does not permit residential development, and one commercially developed lot rezoned from the GD Zone. The use of PDCs in the TTRA Zone is required only if a residential use is approved by the Township through a use variance or other means. Ordinance 2020-23 amends the Redevelopment Plan to include this PDC requirement.

The zoning changes made by Ordinance 2020-21 in the Township's Regional Growth Area have no effect on residential zoning capacity or opportunities for the use of PDCs. This standard for certification is met.

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

Not applicable.

**10. General Conformance Requirements**

Ordinances 2020-21 and 2020-23 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

**11. Conformance with Energy Conservation**

Not applicable.

**12. Conformance with the Federal Act**

Ordinances 2020-21 and 2020-23 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

**13. Procedure to Resolve Intermunicipal Conflicts**

The Redevelopment Plan adopted by Ordinance 2020-21 and amended by 2020-23 does not affect lands that are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated. This standard for certification is met.

**PUBLIC HEARING**

A public hearing to receive testimony concerning Medford Township's application for certification of Ordinances 2020-21 and 2020-23 was duly advertised, noticed and held on January 13, 2021 at 9:30 a.m. Ms. Grogan conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on Ordinances 2020-21 and 2020-23 were accepted through January 15, 2021. Comments were submitted by the following individual:

Judith D. Wert (see Exhibit 3)

**EXECUTIVE DIRECTOR'S RESPONSE**

Ms. Werth expressed concerns that the redevelopment or rehabilitation of the Tuckerton and Taunton Road intersection may have a negative impact on the surrounding residential areas, wetlands and lakes. Ms. Werth's concerns are appreciated as wetlands protection is of critical importance to the Pinelands Commission.

The area impacted by the redevelopment plan is located within a Pinelands Regional Growth Area. The CMP states that:

*Regional Growth Areas are areas of existing growth or lands immediately adjacent thereto which are capable of accommodating regional growth influences while protecting the essential character and environment of the Pinelands, provided that the environmental*

*objectives of Subchapter 6 are implemented through municipal master plans and land use ordinances (N.J.A.C. 7:50-5.13(g)).*

As such, the uses permitted in the new TTRA Zone have been evaluated and found to be consistent with the goals, objectives and permitted uses for Regional Growth Areas (N.J.A.C. 7:50-5.28(a)). In fact, they are largely uses that have been permitted in this location for decades, under the prior CC zoning designation. Furthermore, all development in the newly established TTRA Zone, as well as the existing GD and RS-2 zones discussed above, must comply with the minimum environmental standards of the CMP, including those that serve to protect wetlands and wetlands transition areas (N.J.A.C. 7:50-6.1 et seq.). This requirement is explicitly stated in the redevelopment plan.

Lastly, Ms. Werth described excessive tree removal within the Village at Taunton Forge shopping center, which is located within the new TTRA Zone. Commercial development was approved on this parcel in recent years. The removal of trees on the parcel was permitted as part of that approved development. At this time, Commission staff is not aware of any violations related to excessive tree removal.

### **CONCLUSION**

Based on the Findings of Fact cited above, the Executive Director has concluded that Medford Township Ordinance 2020-21, adopting the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, and Ordinance 2020-23, amending the Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area, comply with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinances 2020-21 and 2020-23 of Medford Township.





SRG/DBL/CME  
Attachments

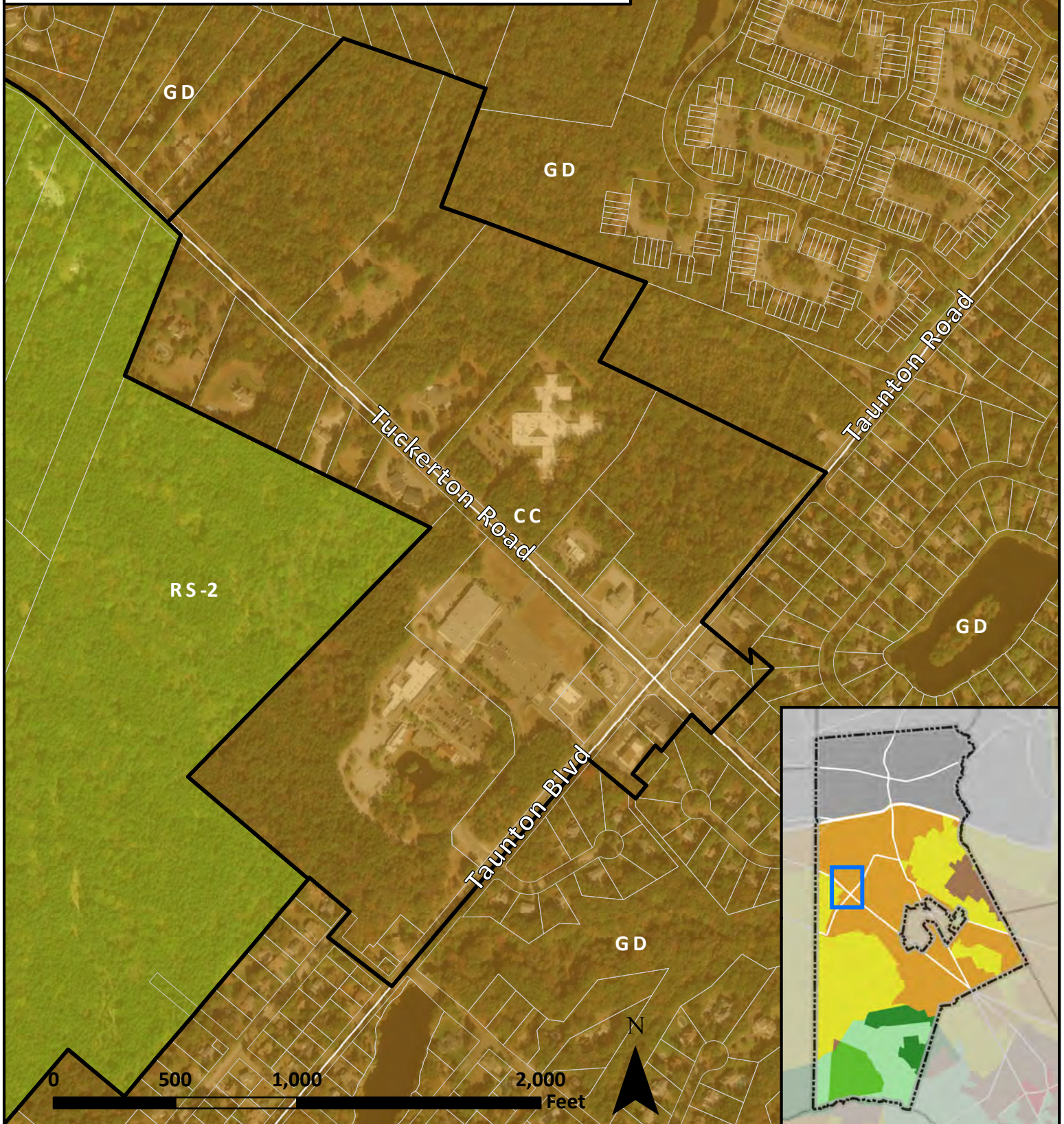


# Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area Existing Zoning

Executive Director's Report  
Medford Ord. 2020-21, 2020-23  
Exhibit 1  
1/29/2021

## Pinelands Management Areas

-  Regional Growth Area
-  Rural Development Area
-  Existing Zoning
-  Existing Lots






# Redevelopment Plan for the Taunton & Tuckerton Rehabilitation Area Proposed Zoning

Executive Director's Report  
Medford Ord. 2020-21, 2020-23  
Exhibit 2  
1/29/2021

## Pinelands Management Areas

 Regional Growth Area

 Rural Development Area



Existing Zoning



Existing Lots



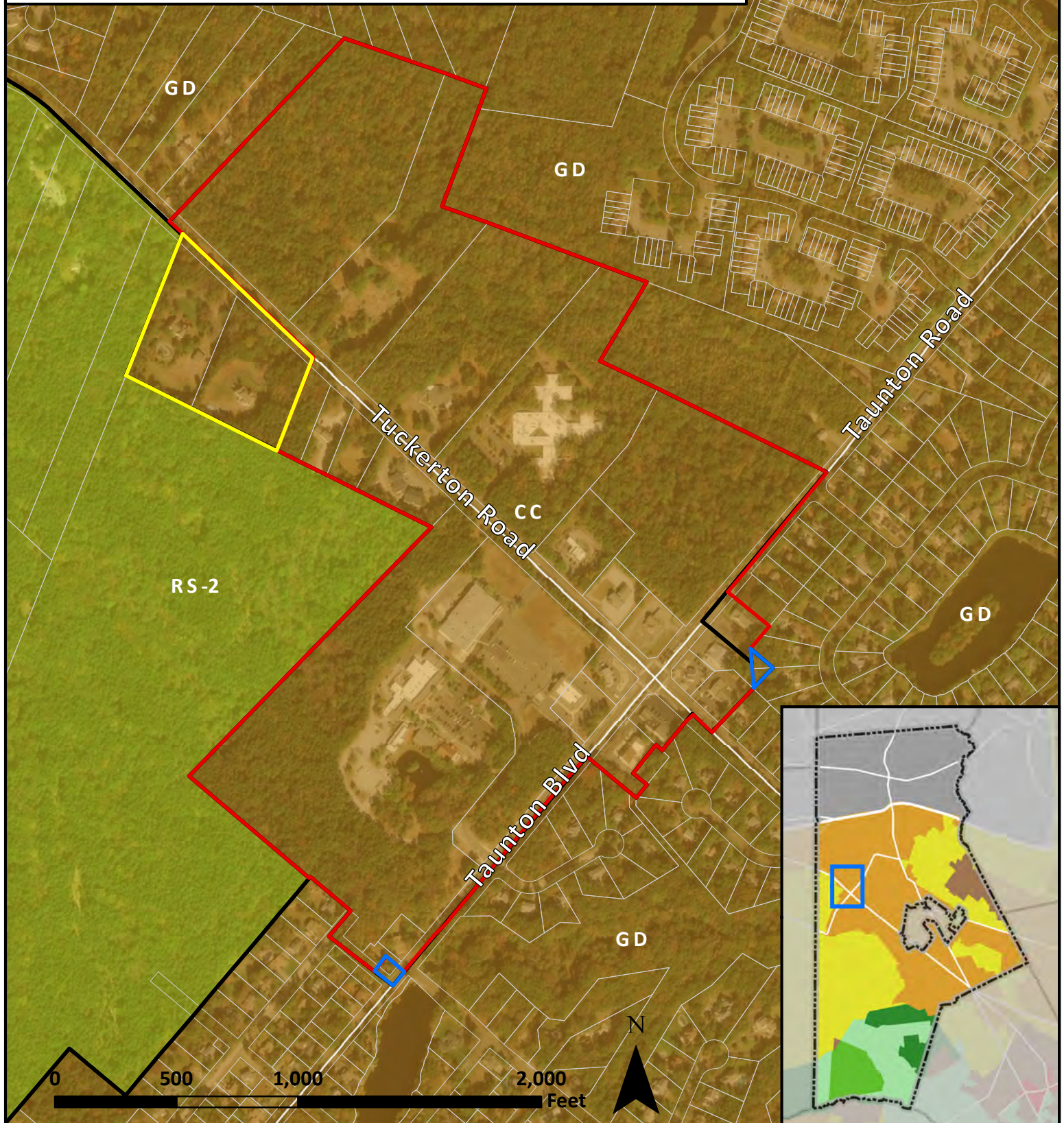
Rezoned TTRA



Rezoned GD



Rezoned RS-2



-----Original Message-----

From: Judith D. Wert [<mailto:judith.wert@comcast.net>]

Sent: Thursday, January 14, 2021 4:30 PM

To: Comments, PC

Subject: Public Comment Submissions

Below is the result of your feedback form. It was submitted by Judith D. Wert (judith.wert@comcast.net) on Thursday, January 14, 2021 at 16:29:34

-----

email: judith.wert@comcast.net

subject: Public Comment Submissions

Name: Judith D. Wert

Mailing Address: 2 Kansas Court

Phone Number: 6096545414

Comment Topic: selected=

Message: If handled incorrectly, the redevelopment or rehabilitation of the Tuckerton Taunton Road intersection will have an extremely negative impact on the surrounding residential areas, wetlands, and lakes. Twenty-eight parcels have been included in the designated development area. Fifteen of those parcels are significantly impacted by wetlands. A planning board official pointed out at the September 23 meeting that money is being spent in the area on new construction and remodeling. He also noted 96% of the properties are well maintained and do not owe back taxes. It makes no sense to allow any action that would damage wetlands in the designated area. There has been enough destruction of wetlands in Medford; affecting our environment, recreation, water quality, wildlife, and character of our town.

As an example of what can go wrong, I would like to use Taunton Forge as an example. It is located on one corner of the intersection. It was a small shopping center with an anchor grocery store. It was surrounded by trees which let it blend into the community. The DePetrakis family tried for years to get approval from the Pinelands Commission to make changes that would allow Taunton Forge to be more visible and attract more business. They finally got their approval around 2014. The result is an attractive buffer of trees is gone, the grocery store is gone, (lots of rumors about that), no landscaping was done, the parking lot is a disgrace, and 7 stores are empty. Plus, our community thinks that the number of trees removed was more than approved.

The Pinelands Commission was formed to protect our wetlands, forests, and lakes. I am asking you to honor that commitment when you review changes the new ordinance.

Thank you for your time.

Submit: Submit

-----





***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-21-\_\_\_\_\_**

**TITLE:** Issuing an Order to Certify Monroe Township Ordinance O:27-2020, Adopting the Second Amendment to the Williamstown Square Redevelopment Plan, and Ordinance O:29-2020, Adopting the St. Mary’s Redevelopment Plan

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

**WHEREAS**, on September 9, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Monroe Township; and

**WHEREAS**, Resolution #PC4-83-76 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

**WHEREAS**, Resolution #PC4-83-76 further specified that any such amendment shall only become effective as provided in N.J.A.C. 7:50-3.45 of the Comprehensive Management Plan; and

**WHEREAS**, on October 26, 2020, the Monroe Township Council adopted Ordinance O:27-2020, approving the second amendment to the Williamstown Square Redevelopment Plan; and

**WHEREAS**, the Pinelands Commission received a certified copy of Ordinance O:27-2020 on October 29, 2020; and

**WHEREAS**, by email dated November 6, 2020, Commission staff informed the Township that review of Ordinance O:27-2020 could not be completed without the Township’s adoption and submission of the St. Mary’s Redevelopment Plan as the redevelopment plans require joint-review given their relationship in meeting the Pinelands Development Credit requirements of the Pinelands Comprehensive Management Plan; and

**WHEREAS**, by email dated November 9, 2020, Monroe Township requested an extension of the Pinelands Commission’s review period for Ordinance O:27-2020 in order to provide an opportunity to adopt and submit the St. Mary’s Redevelopment Plan prior to formal Commission action; and

**WHEREAS**, by letter dated November 19, 2020, the Executive Director notified the Township that an extension was granted through January 29, 2021; and

**WHEREAS**, on December 14, 2020, the Monroe Township Council adopted Ordinance O:29-2020, approving the St. Mary’s Redevelopment Plan; and

**WHEREAS**, the Pinelands Commission received a certified copy of Ordinance O:29-2020 on December 23, 2020; and

**WHEREAS**, by letter dated December 29, 2020, the Executive Director notified the Township that Ordinances O:27-2020 and O:29-2020 would require formal review and approval by the Pinelands Commission; and

**WHEREAS**, a public hearing to receive testimony on Monroe Township Ordinances O:27-2020 and O:29-2020 was duly advertised, noticed and remotely held on January 13, 2021 at 9:30 a.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 Commission's CMP Policy and Implementation Committee has reviewed the Executive Director's report and has recommended that Monroe Township Ordinances O:27-2020 and O:29-2020 be certified; and

**WHEREAS**, the Pinelands Commission accepts the recommendation of the Executive Director; and

**NOW, THEREFORE BE IT RESOLVED** that

1. An Order is hereby issued to certify that Monroe Township Ordinance O:27-2020, Adopting the Second Amendment to the Williamstown Square Redevelopment Plan, and Ordinance O:29-2020, Adopting the St. Mary's Redevelopment Plan, are in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Monroe Township's certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery					Irick					Pikolycky				
Christy					Jannarone					Quinn				
Higginbotham					Lloyd					Rohan Green				
Howell					Lohbauer					Prickett				

Date:

Richard Prickett  
Chairman



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  
SHEILA Y. OLIVER  
Lt. Governor

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

RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

**REPORT ON MONROE TOWNSHIP ORDINANCE O:27-2020, ADOPTING THE SECOND AMENDMENT TO THE WILLIAMSTOWN SQUARE REDEVELOPMENT PLAN, AND ORDINANCE O:29-2020, ADOPTING THE ST. MARY'S REDEVELOPMENT PLAN**

January 29, 2021

Monroe Township  
125 Virginia Avenue  
Williamstown, NJ 08094

**FINDINGS OF FACT**

**I. Background**

The Township of Monroe is located in the western section of the Pinelands Area in Gloucester County. Pinelands municipalities that abut Monroe Township's Pinelands Area include Franklin Township in Gloucester County, Monroe Township in Camden County and the Borough of Folsom and the Township of Buena Vista in Atlantic County.

On September 9, 1983, the Pinelands Commission fully certified the Master Plan and Comprehensive Land Management Ordinance of Monroe Township, now codified as Chapter 175 (Land Management) of the Township's Code.

On October 26, 2020, the Monroe Township Council adopted Ordinance O:27-2020, approving the second amendment to the Williamstown Square Redevelopment Plan. The Williamstown Square Redevelopment Area is located in a Pinelands Regional Growth Area. The Pinelands Commission received a certified copy of Ordinance O:27-2020 on October 29, 2020.

On November 6, 2020, Commission staff the Township that review of Ordinance O:27-2020 could not be completed without the Township's adoption and submission of the St. Mary's Redevelopment Plan as the redevelopment plans require joint-review given their relationship in meeting the Pinelands Development Credit requirements of the Pinelands Comprehensive Management Plan. On November 6, 2020, the Township requested an extension of the Commission's review period for Ordinance O:27-2020 until such time the St. Mary's Redevelopment Plan could be adopted. By letter dated November 19, 2020, the Executive Director granted the extension.

On December 14, 2020, the Monroe Township Council adopted Ordinance O:29-2020, approving the St. Mary's Redevelopment Plan. The St. Mary's Redevelopment Area is located in a Pinelands Regional



Growth Area. The Pinelands Commission received a certified copy of Ordinance O:29-2020 on December 23, 2020.

By letter dated December 29, 2020, the Executive Director notified the Township that Ordinances O:27-2020 and O:29-2020 would require formal review and approval by the Pinelands Commission.

## II. Master Plans and Land Use Ordinances

The following ordinances have been submitted to the Pinelands Commission for certification:

- \* Ordinance O:27-2020, adopting the second amendment to the Williamstown Square Redevelopment Plan, adopted on October 26, 2020; and
- \* Ordinance O:29-2020, adopting the St. Mary's Redevelopment Plan, adopted on December 14, 2020.

These ordinances have been reviewed to determine whether they conform with the standards for certification of municipal master plans and land use ordinances as set out in N.J.A.C. 7:50-3.39 of the Pinelands Comprehensive Management Plan. The findings from this review are presented below. The numbers used to designate the respective items correspond to the numbers used to identify the standards in N.J.A.C. 7:50-3.39.

### 1. **Natural Resource Inventory**

Not applicable.

### 2. **Required Provisions of Master Plans and Land Use Ordinances Relating to Development Standards**

#### *St. Mary's Redevelopment Area*

Ordinance O:29-2020 adopts the St. Mary's Redevelopment Plan, dated November 2020. The St. Mary's Redevelopment Area consists of a four-acre portion of an existing 18.42-acre lot (Block 11501, Lot 1), with frontage along Blue Bell Road (see Exhibit 1). The portion of the lot within the redevelopment area is vacant, wooded and does not appear to contain any wetlands or required wetlands buffers. The remainder of the lot outside of the redevelopment area contains a church, church offices, and a pre-k to 8<sup>th</sup> grade school, along with an affiliated parking area and storage shed. The lot is located within the Township's Regional Growth Planned Residential (RG-PR) District, where single-family detached units are permitted at a density of 1.25 units per acre. This density may be increased to 2.25 units per acre through the use of Pinelands Development Credits.

The purpose of the St. Mary's Redevelopment Plan is to facilitate the development of affordable housing in accordance with the Township's certified Housing Element and Fair Share Plan and the approved settlement agreement between Monroe Township and the Fair Share Housing Center. To that end, the redevelopment plan permits the development of age-restricted apartments at a maximum density of 20 units per acre. All units must be made affordable to low-

and moderate-income households. No other principal uses are permitted in the Redevelopment Area. The plan includes additional bulk requirements and design standards. Any development that occurs within the redevelopment area must comply with the Pinelands Comprehensive Management Plan (CMP).

*Second Amendment to the Williamstown Square Redevelopment Area*

Ordinance O:27-2020 adopts the second amendment to the Williamstown Square Redevelopment Plan. This existing redevelopment area totals 75 acres in size and is located on the north side of the Black Horse Pike (US Route 322), directly across from the Acme Shopping Center Redevelopment Area (see Exhibit 2). Aside from two vacant dwelling units and two billboards, the redevelopment area is vacant and wooded. It is located entirely within a Pinelands Regional Growth Area.

The certified Williamstown Square Redevelopment Plan, whose last amendment was certified by the Commission in August 2019, permits a planned, mixed-use center consisting of office, retail, commercial and residential uses. Residential units are permitted at a maximum density of 4.75 units per acre with permitted unit types that include apartments in free-standing or mixed-use buildings, townhouses and duplexes. Permitted nonresidential uses include retail businesses and services, business and professional offices, medical offices, restaurants, indoor recreation and day care facilities. A minimum of 350 residential units is required as part of any redevelopment project, as is a minimum of 60,000 square feet of non-residential floor area.

The second amendment to the Williamstown Square Redevelopment Plan increases the required minimum number of residential units from 350 to 425. It also replaces the maximum density of 4.75 units per acre in favor of establishing a maximum number of permitted residential units of 595 units. This is effectively an increase in maximum density from 4.75 dwelling units per acre to 7.9 dwelling units per acre. Additionally, the amendment adds assisted living facilities as a permitted use. The Pinelands Comprehensive Management Plan (CMP) expressly authorizes assisted living facilities as a permitted use in a Regional Growth Area provided that certain standards are met (N.J.A.C. 7:50-5.34). Among these standards is the establishment of a permitted residential density applicable to assisted living facilities. The amended redevelopment plan satisfies this requirement by considering assisted living units as residential units and expressly counting them towards the minimum and maximum number of residential units permitted within the redevelopment area.

In terms of affordable housing, the second amendment to the Williamstown Square Redevelopment Plan continues to require that 15% of all units be set aside as affordable housing units if the units are provided as rentals, and 20% of all units if the units are provided as for-sale units. However, the amended redevelopment plan applies the set-aside requirement to the net total of units less the additional 75 units that the amendment adds to the minimum required residential units. These 75 units were added to the Williamstown Square Redevelopment Plan to offset the lost PDC opportunities from the 100% affordable housing project to be facilitated by the St. Mary's Redevelopment Plan.

The second amendment to the Williamstown Square Redevelopment Plan also continues to require that Pinelands Development Credits be acquired and redeemed for 30% of all residential units in redevelopment area, including assisted living units. Units that are required to be made affordable for low- and moderate- income housing to meet the set-aside requirements of the redevelopment plan are exempt from the PDC requirement, up to a maximum of 70 units or 20%

of the total number of units, whichever is less. Any development that occurs within the redevelopment area must comply with the Pinelands Comprehensive Management Plan (CMP).

Ordinances O:27-2020 and O:29-2020 both increase the residential zoning capacity of Monroe Township's Regional Growth Area. Together, the ordinances allow for approximately 310 additional units, 71 in the St. Mary's Redevelopment Area and 239 in the Williamstown Square Redevelopment Area. In terms of density, the two redevelopment plans permit a total of 675 residential units on approximately 79 acres of land in the Regional Growth Area. The resulting 8.5 unit per acre density and residential zoning capacity are higher than that prescribed by the CMP for Monroe's Regional Growth Area. The CMP requires the Township to zone for a density of only 2.0 units per upland acre throughout its Regional Growth Area (N.J.A.C. 7:50-5.28(a)1 and 3). However, the CMP does provide municipalities with the ability to zone portions of their Regional Growth Areas for higher densities, provided that the lands in question are appropriate for more intensive development, infrastructure exists or can be provided to support the increased density and sufficient opportunities for the use of Pinelands Development Credits are provided (N.J.A.C. 7:50-5.28(a)7). The St. Mary's and Williamstown Square Redevelopment Areas meet these standards.

Ordinances O:27-2020 and O:29-2020 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

**3. Requirement for Certificate of Filing and Content of Development Applications**

Not applicable.

**4. Requirement for Municipal Review and Action on All Development**

Not applicable.

**5. Review and Action on Forestry Applications**

Not applicable.

**6. Review of Local Permits**

Not applicable.

**7. Requirement for Capital Improvement Program**

Not applicable.

**8. Accommodation of Pinelands Development Credits**

N.J.A.C. 7:50-3.39(a)8 specifies that in order to be certified by the Commission, municipal land use ordinances must provide for sufficiently residentially zoned property in the Regional Growth Area to be eligible for an increase in density to accommodate Pinelands Development Credits (PDCs) as provided for in N.J.A.C. 7:50-5.28(a)3.

In order to comply with N.J.A.C. 7:50-5.28(a)3, the previously certified Williamstown Square Redevelopment Plan required that PDCs be acquired and redeemed for thirty percent of the residential units developed within the redevelopment area. Units that are required to be made affordable for low- and moderate- income housing to meet the set-aside requirements of the redevelopment plan are exempt from the PDC requirement, up to a maximum of 70 units or 20% of the total number of units, whichever is less. The amended redevelopment plan maintains this requirement.

As discussed in Section II.2 above, Ordinances O:27-2020 and O:29-2020 increase the intensity of permitted residential development in Monroe Township's Regional Growth Area by a total of approximately 310 additional units.

The St. Mary's Redevelopment Area accounts for 71 of the additional units. The CMP would normally require that opportunities for the use of PDCs be provided in association with such an increase in residential zoning capacity. In this case, however, the Township has provided for increased density as a means of facilitating development of the 100% affordable housing project called for in the municipality's settlement agreement with the Fair Share Housing Center. Rather than imposing PDC requirements on the 100% affordable housing development, the Township elected to shift the PDC obligation to the Williamstown Square Redevelopment Area. This was effectuated by increasing the minimum number of residential units required as part of any development in the Williamstown Square Redevelopment Area by 75 units. Given the PDC requirements included in the second amendment to the Williamstown Square Redevelopment, 30% of these additional 75 units will be required to acquire and redeem PDCs. This results in the potential use of an additional 23 rights (5.75 PDCs). It is important to note that these 75 units are part of the minimum required as part of any redevelopment project in the Williamstown Square Redevelopment Area. The amended Williamstown Square Redevelopment Plan makes clear that these 75 units are not exempt from the PDC requirements, even if made affordable. They represent new opportunities for PDC use in Monroe's Regional Growth Area to account for the increase in density and lack of PDC obligation for development at the St. Mary's site.

The amended Williamstown Square Redevelopment Plan accounts for 239 of the additional units, 30% of which would also be required to acquire and redeem PDCs. It also now includes assisted living facilities as a permitted use. With respect to assisted living facilities in the Regional Growth Area, the CMP specifies that PDC use must be accommodated when the density of such facilities exceeds 8 units per acre. Rather than establishing a base density of 8 units per acre, the amended Williamstown Redevelopment Plan requires that PDC use be a significant component of any assisted living project, regardless of density. Thirty percent of all assisted living facility units, excepting those that meet affordable housing provisions discussed above, will require the redemption of PDCs, whether an assisted living facility is constructed at a density that exceeds 8 units per acre or not. This approach is consistent with the intent of N.J.A.C. 7:50-5.34(a)(2) of the CMP.

As indicated in Section II.2 of this report, the permitted densities and other standards adopted by the two redevelopment plans allow for a total of 675 residential units. Thus, the PDC requirements adopted by Ordinances O:27-2020 could result in the use of as many as 157.5 rights (39.25 PDCs), if the maximum number of residential units is developed in the Williamstown Square Redevelopment Area. At minimum, 106.5 rights (26.5 PDCs) will be required.

While the 30% PDC requirement applied to Williamstown Square Redevelopment Area is not as high a number as would be provided through the more traditional zoning approach (where PDCs would account for 33% of the total number of permitted units), it is important to remember that the traditional base density/bonus density approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance O:27-2020 *guarantees* a certain level of PDC use in association with any development within the Williamstown Square Redevelopment Area, regardless of project density or number of units which are ultimately built. Given the greater certainty provided by this approach and its relationship with Ordinance O:29-2020, both ordinances should be viewed as consistent with the CMP requirements for accommodation of PDCs.

This standard for certification is met.

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

Not applicable.

#### **10. General Conformance Requirements**

Ordinances O:27-2020 and O:29-2020 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. Therefore, this standard for certification is met.

#### **11. Conformance with Energy Conservation**

Not applicable.

#### **12. Conformance with the Federal Act**

Ordinances O:27-2020 and O:29-2020 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan. No special issues exist relative to the Federal Act. Therefore, this standard for certification is met.

#### **13. Procedure to Resolve Intermunicipal Conflicts**

The Redevelopment Plans related to Ordinances O:27-2020 and O:29-2020 do not affect lands that are adjacent to any other municipalities. Therefore, intermunicipal conflicts are not anticipated and this standard for certification is met.

### **PUBLIC HEARING**

A public hearing to receive testimony concerning Monroe Township's application for certification of Ordinances O:27-2020 and O:29-2020 was duly advertised, noticed and held on January 13, 2021 at 9:30 a.m. Ms. Grogan conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on Ordinances O:27-2020 and O:29-2020 were accepted through January 15, 2021. Comments were submitted by the following individual:

Fred Akers, Administrator, Great Egg Harbor Watershed Association (see Exhibit 3)

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

Mr. Akers thanked the Commission staff for its application of the Wetlands Buffer Delineation Model as it relates to the Williamstown Square Redevelopment Area and noted that the redevelopment plan included a very comprehensive and robust runoff mitigation plan. However, Mr. Akers expressed some concern with implementing such complicated stormwater management measures and Commission staff's reliance on engineers hired by developers to make sure stormwater management is well-financed and well-executed.

The Executive Director appreciates Mr. Akers' comments as the water quality and natural resources of the Squankum Branch subwatershed, and the Great Egg Harbor Watershed as a whole, are of importance to the Pinelands Commission. The Commission issued a Letter of Interpretation in 2010 confirming the extent of wetlands on some of the lots included in the Williamstown Square Redevelopment Area. Shortly thereafter, required buffers to the wetlands were established based on the results of the wetlands buffer delineation model referenced in the CMP. A buffer of 175 feet was deemed to be appropriate to a swale/ditch on the property as well as to a degraded wetland. A buffer of 240 feet was deemed necessary to the hardwood swamp at the rear of the property. These buffer requirements are noted in the Redevelopment Plan and are common for development in a Regional Growth Area. When and if new applications for development in the Redevelopment Area are submitted to the Commission, the appropriate wetlands buffers for that development will be determined, once again using the wetlands buffer delineation model.

With respect to stormwater management, the Commission does not have a licensed Professional Engineer (PE) on staff. However, a staff member in the Commission's Regulatory Programs Office is highly-trained, experienced and dedicated to the review of all stormwater plans submitted to the Commission as part of an application for major development. Importantly, a licensed PE does ultimately review all stormwater plans in his or her capacity as the municipal planning, zoning or land use board engineer. The Commission has discussed hiring a licensed PE to review stormwater management plans in the past, and if an opportunity arose in the future, it would be considered as an option. In the meantime, the Executive Director is confident that, in partnership with municipal

engineers, stormwater management plans are receiving the necessary diligent scrutiny to ensure they meet the minimum standards of the CMP.





### **CONCLUSION**

Based on the Findings of Fact cited above, the Executive Director has concluded that Monroe Township Ordinance O:27-2020, adopting the second amendment to the Williamstown Square Redevelopment Plan, and Ordinance O:29-2020, adopting the St. Mary's Redevelopment Plan of Monroe Township, comply with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Executive Director recommends that the Commission issue an order to certify Ordinances O:27-2020 and O:29-2020 of Monroe Township.

SRG/DBL/CMO  
Attachments

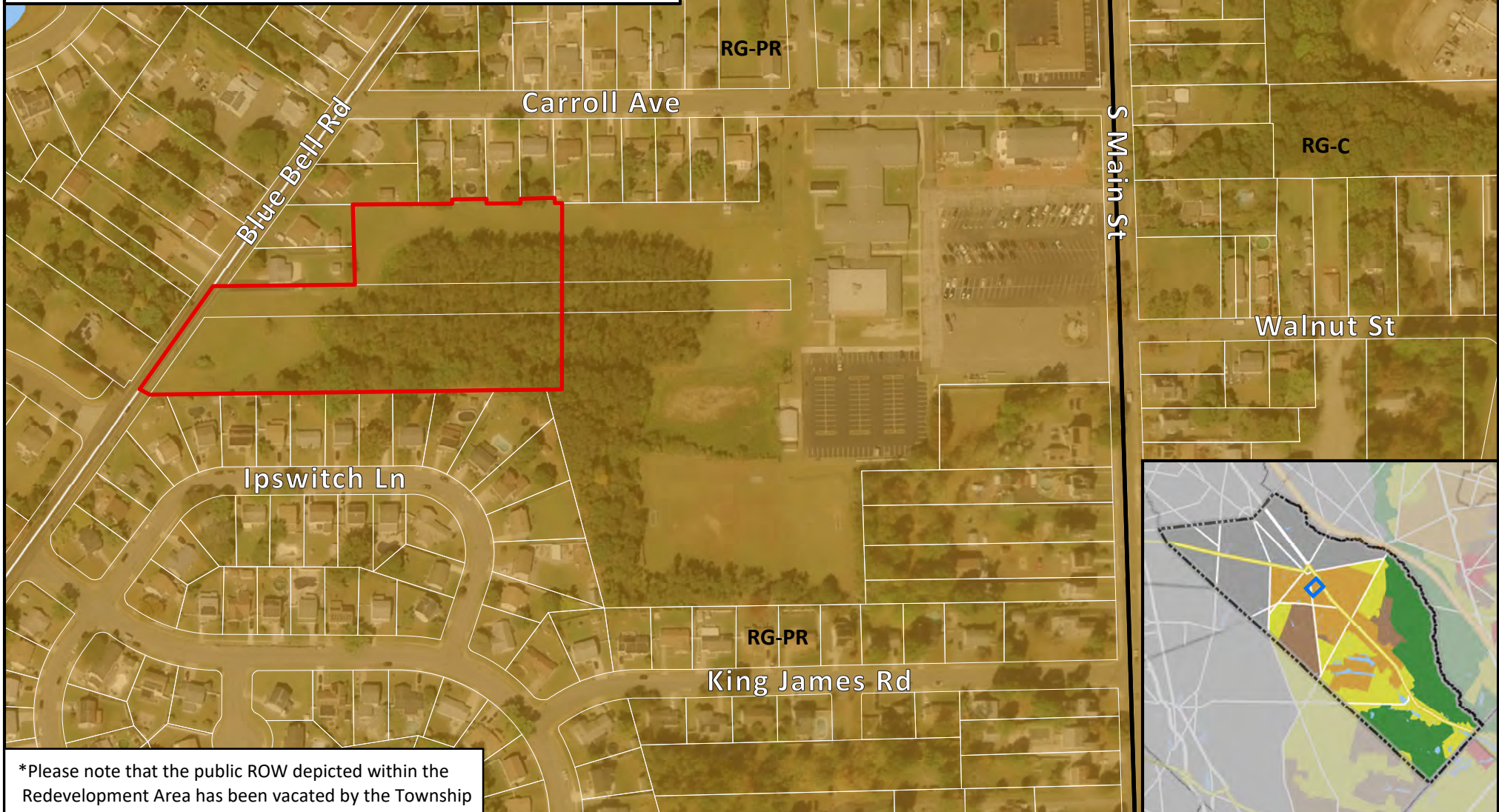


# Monroe Township St. Mary's Redevelopment Area

-  Regional Growth Area
-  Redevelopment Area
-  Existing Zoning
-  Monroe Twp Parcels







Executive Director's Report  
Monroe Ord. O:27-2020, O:29-2020  
Exhibit 1  
1/29/2021



\*Please note that the public ROW depicted within the Redevelopment Area has been vacated by the Township



# Monroe Township Williamstown Square Redevelopment Area

-  Regional Growth Area
-  Redevelopment Area
-  Existing Zoning
-  Monroe Twp Parcels

0 500 1,000 2,000 Feet



Executive Director's Report  
Monroe Ord. O:27-2020, O:29-2020  
Exhibit 2  
1/29/2021







## The Great Egg Harbor Watershed Association

P.O. Box 109  
Newtonville, NJ 08346

**Fred Akers, Administrator**  
856-697-6114  
fred\_akers@gehwa.org

Executive Director's Report  
Monroe Ord. O:27-2020, O:29-2020  
Exhibit 3  
1/29/2021

January 14, 2020

Pinelands Commission Public Comments  
Sent via Email: [comments@pinelands.nj.gov](mailto:comments@pinelands.nj.gov)

RE: Monroe Township Ordinance O:27-2020, Williamstown Square Redevelopment Plan

Dear Pinelands Commission:

One of the purposes for which the Great Egg Harbor Watershed was formed in 1990 was to protect and restore the natural, cultural and recreational resources of the Great Egg Harbor Watershed.

The Squankum Branch subwatershed (HUC14-02040302030050), in which the Williamstown Square Redevelopment Plan will be located, is significantly urbanized and developed in its headwaters upstream from the planned redevelopment area. (See Map 1, page 3).

In the "Impervious Cover Assessment for Monroe Township, Gloucester County, New Jersey", published by the Rutgers Cooperative Extension Water Resources Program dated 1/31/19, the Squankum Branch subwatershed had 11.6% impervious cover. (See page 9 here):  
[http://water.rutgers.edu/Projects/GEHWA/Monroe%20Township\\_ICA.pdf](http://water.rutgers.edu/Projects/GEHWA/Monroe%20Township_ICA.pdf)

According to the Center For Watershed Protection's updated Impervious Cover Model (see page 4 in the above referenced report), water quality in the Squankum Branch is already being impacted by impervious cover and upstream development at 11.6% impervious cover.

While we are concerned about negative impacts to water quality and natural resources in the Squankum Branch Subwatershed, and we recently invested in the Rutgers impervious cover assessment and analysis to help us better protect this subwatershed, we understand that most of the existing development pre-dates the Pinelands Comprehensive Management Plan (CMP), and that the CMP created the Regional Growth Area here to receive increased development and impervious cover transferred from the core of the Pinelands to better protect other areas.

(continued next page)

**Julie Akers**  
President

**Ed Curry**  
Vice President

**Dick Colby**  
Treasurer

### **TRUSTEES**

**Steve Eisenhauer**

**Jamie Cromartie**

**Clark Sprigman**

**Pat Sprigman**

**Clay Emerson**

**Paul Ludgate**

**Carol Jones**

### **STAFF**

**Lynn Maun**  
Secretary &  
Coordinator

**Fred Akers**  
Administrator

So given the regionally planned increased development in the Squankum Branch subwatershed under the Pinelands CMP and the PDC program, we thank the Pinelands Commission staff for its interpretation of the old Wetlands Buffer Delineation Model to establish 175ft. and 240ft. buffers to the wetlands of the Squankum Branch on this redevelopment site.

We suggest that the old Wetlands Buffer Delineation Model should be reevaluated for modern day effectiveness given how old it is. Also, downstream preserved open space and designated Wild and Scenic Rivers should be significant factors included in the Pinelands Commission's development analysis in the Regional Growth Areas. (See Maps 1 & 2, pages 3 & 4)

Finally, we know that the most important way to minimize degradation to downstream water quality from impervious cover is to keep the stormwater generated by the impervious cover on the site, and disconnected from downstream.

While the requirements in the Williamstown Square Redevelopment Plan, Amendment #2, Runoff Mitigation Plan, page 24 seem very comprehensive and robust, it also says that "Compliance with these standards will be determined through engineering review".

We know that the devil can be in the details of the actual implementation of complicated stormwater management. We know that the Pinelands Commission does not have an engineer on staff to review stormwater management implementation, and is therefore dependent on engineers hired by developers to make sure stormwater management is well financed and well executed.

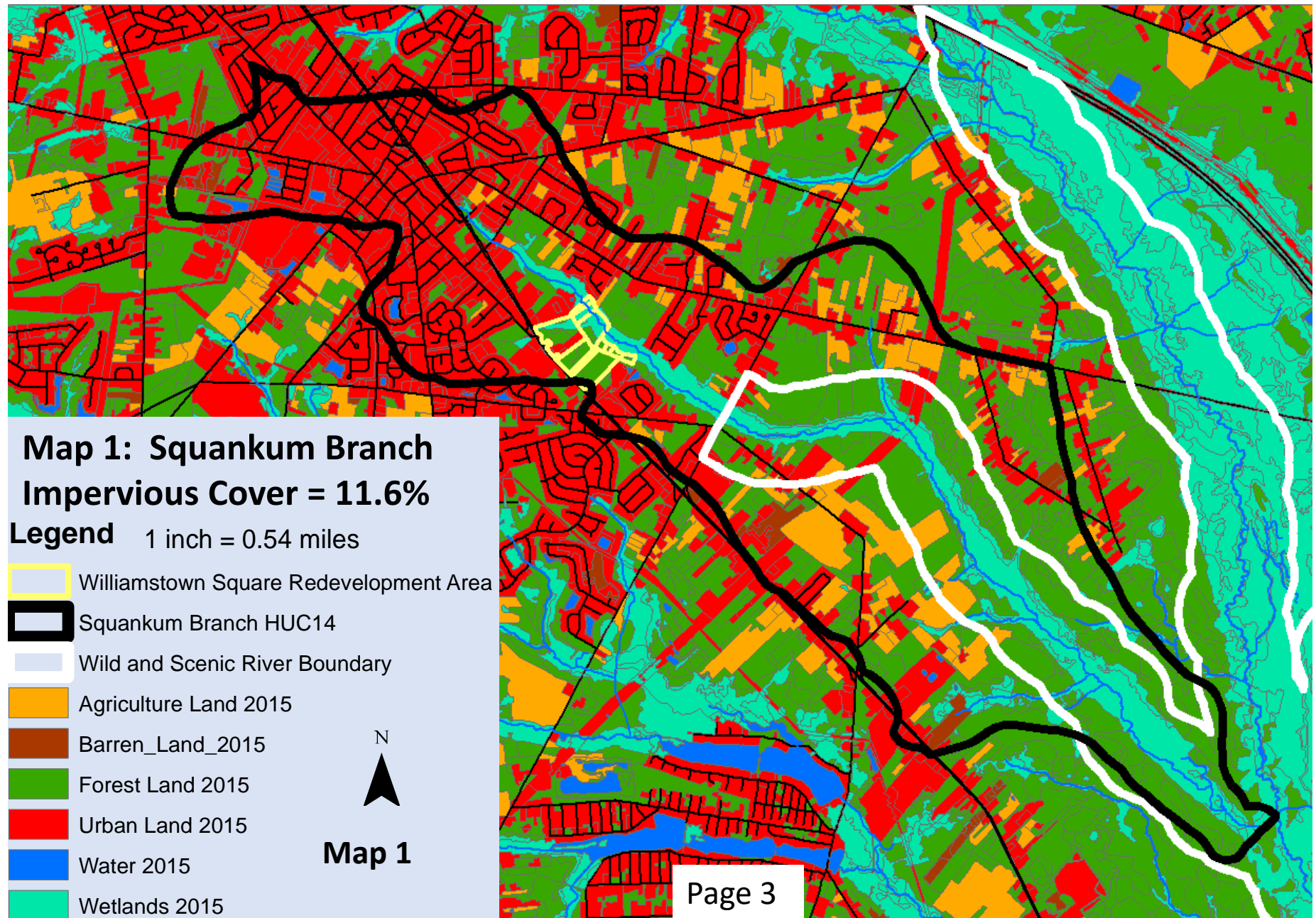
Given this deficiency of the Pinelands Commission, and the fact that NJPACT <https://www.nj.gov/dep/njpact/> is predicting a 35% increase in stormwater volume due to climate change, we suggest that it might be a good time for the Pinelands Commission to establish an independent stormwater engineer that can peer review the design and implementation of future stormwater management measures in the Pinelands Regional Growth Areas and other management areas.

Thank You for the opportunity to comment on Monroe Township Ordinance 0:27-2020, Williamstown Square Redevelopment Plan.

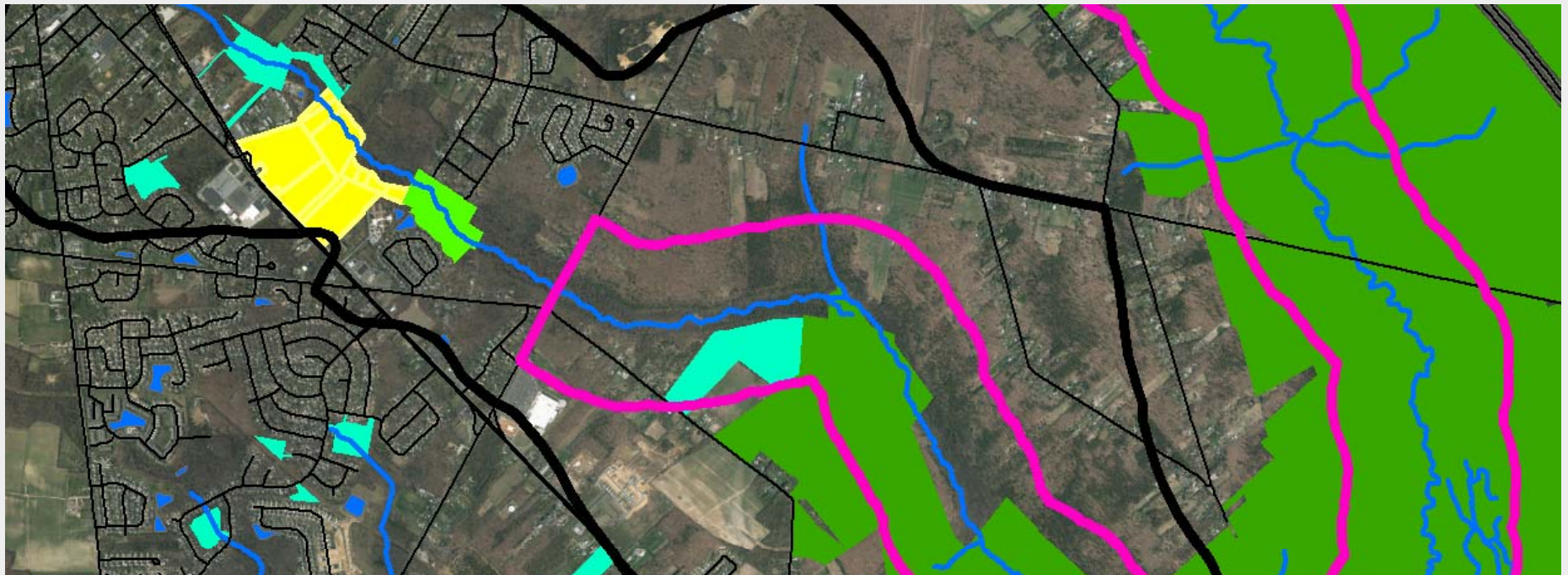
Sincerely,

A handwritten signature in dark ink, appearing to read "Fred Akers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Fred Akers, Administrator  
Great Egg Harbor Watershed Association










## Map 2: Squankum Branch Preserved Open Space

**Legend** 1 inch = 0.38 miles

-  Williamstown Square Redevelopment Area
-  Squankum Branch HUC14
-  Wild and Scenic River Boundary
-  New Jersey Natural Lands Trust
-  Monroe Township Open Space
-  Winslow Wildlife Management Area

veloped or development which has received all necessary approvals and permits;

7. The clearing of less than 1,500 square feet of land;

8. The construction of any addition or accessory structure for any non-residential use or any multi-family residential structure provided that:

i. If the addition or structure will be located on or below an existing impervious surface, either the existing use is served by public sewers or the addition or structure will generate no wastewater flows, and said addition or structure will cover an area of no more than 4,999 square feet; and

ii. If the addition or structure will not be located on or below an impervious surface, said addition or structure will generate no wastewater flows and will cover an area of no more than 1,000 square feet;

9. The demolition of any structure less than 50 years old;

10. The repair or replacement of any existing on-site waste water disposal system;

11. The repaving of existing paved roads and other paved surfaces, provided no increase in the paved width or area of said roads and surfaces will occur;

12. The clearing of land solely for agricultural or horticultural purposes;

13. Fences, provided no more than 1,500 square feet of land is to be cleared;

14. Above-ground telephone equipment cabinets;

15. Tree pruning;

16. The following forestry activities:

i. Normal and customary forestry practices on residentially improved parcels of land that are five acres or less in size;

ii. Tree harvesting, provided that no more than one cord of wood per five acres of land is harvested in any one year and that no more than five cords of wood are harvested from the entire parcel in any one year;

iii. Tree planting, provided that the area to be planted does not exceed five acres in any one year, no soil disturbance occurs other than that caused by the planting activity and no trees other than those authorized by N.J.A.C. 7:50-6.25 are to be planted; and

iv. Forest stand improvement designed to selectively thin trees and brush, provided that no clearing or soil disturbance occurs and that the total land area on the parcel in which the activity occurs does not exceed five acres in any one year;

## PART I—UNIFORM PROCEDURES

### 7:50-4.1 Applicability

(a) For the purposes of this subchapter only, the following shall not be considered development except for development of any historic resource designated by the Pinelands Commission pursuant to N.J.A.C. 7:50-6.154:

1. The improvement, expansion, or reconstruction within five years of destruction or demolition, of any single family dwelling unit or appurtenance thereto;

2. The improvement, expansion, construction or reconstruction of any structure accessory to a single family dwelling;

3. The improvement, expansion, construction or reconstruction of any structure used exclusively for agricultural or horticultural purposes;

4. The construction, repair, or removal of any sign, except for the construction or replacement of any off-site sign in accordance with N.J.A.C. 7:50-6.108(a)3, 4, or 5;

5. The repair of existing utility distribution lines;

6. The installation of utility distribution lines, except for sewage lines, to serve areas which are effectively de-

17. Prescribed burning and the clearing and maintaining of fire breaks;

18. Normal and customary landscape plantings, unless a landscaping plan is required pursuant to N.J.A.C. 7:50-6.24;

19. Agricultural resource extraction, provided that:

i. All of the removed soil remains in agricultural or horticultural use within the Pinelands Area;

ii. No more than 2,000 cubic yards of soil per calendar year are removed from any parcel; or

iii. No more than 20,000 cubic yards of soil per calendar year are removed from any parcel and a Farm Conservation Plan, designed in accordance with the United States Department of Agriculture, Natural Resources Conservation Service New Jersey Field Office Technical Guide, section 4, dated May 2001, incorporated herein by reference, as amended and supplemented, is approved by the Soil Conservation District and submitted to the Pinelands Commission by the owner of the parcel, demonstrating that the proposed resource extraction is for one of the following agricultural purposes:

(1) Agricultural irrigation ponds;

(2) Blueberry/cranberry agriculture site preparation and horticulture of other wetland species, provided the activity is located on wetland soils or soil types that are somewhat poorly drained or moderately well drained with a seasonal high water table within 24 inches of the natural surface of the ground, as defined in the applicable county soil survey, published by the United States Department of Agriculture, Natural Resources Conservation Service, as amended and or supplemented; or

(3) The offsite removal of overlying soils to access underlying sand for cranberry management practices, provided the quantity of overlying soil removed offsite does not exceed the quantity of underlying sand to be used for the management practices listed in N.J.A.C. 7:50-6.55(a)4 and the quantity of overlying soil removed offsite does not exceed that reasonably necessary to provide access to underlying sand to be utilized within a three year period;

20. The installation of an accessory solar energy facility on any existing structure or impervious surface;

21. The installation of a local communications facilities antenna on an existing communications or other suitable structure, provided such antenna is not inconsistent with any comprehensive plan for local communications facilities approved by the Commission pursuant to N.J.A.C. 7:50-5.4(c)6;

22. The establishment of a home occupation within an existing dwelling unit or structure accessory thereto, provided that no additional development is proposed; and

23. The change of one nonresidential use to another nonresidential use, provided that the existing and proposed uses are or will be served by public sewers and no additional development is proposed.

(b) As of January 14, 1991, the provisions of this Plan shall apply to any proposed development or portion thereof which received approval from the Pinelands Commission pursuant to the Interim Rules and Regulations or which received approval from the Pinelands Development Review Board and said approvals expired as of that date or will expire subsequent to that date, without exception, unless the requirements in (b)1, 2 and either 3 or 4 below have been met and continue to be met:

1. All necessary municipal planning board or board of adjustment approvals were obtained by January 14, 1991;

2. No additional approval, extension, renewal or any other action whatsoever is required or received from either the municipal planning board or board of adjustment after January 14, 1991; and either

3. All necessary approvals, including all necessary construction permits, were obtained by January 3, 1995 or within 18 months of the expiration of any tolling pursuant to N.J.S.A. 40:55D-21 of the running of the period of the planning board or board of adjustment approval pursuant to N.J.S.A. 40:55D-47 or 40:55D-52, whichever is later; and no construction permit becomes invalid pursuant to N.J.A.C. 5:23-2.16(b) after the latter of said dates; or

4. All necessary approvals, including all necessary construction permits, are obtained by December 31, 1996 and no construction permit becomes invalid pursuant to N.J.A.C. 5:23-2.16(b) after said date, provided that the lot for which the approvals and permits are issued either fronts on a road that prior to January 3, 1995 was improved at least to the extent of the installation of a subbase or had a foundation or septic system lawfully constructed on said lot prior to January 3, 1995.

(c) The Commission shall determine that an application for the improvement or reconstruction of a single family dwelling or appurtenance thereto five years or more after destruction or demolition of the single family dwelling is in conformance with this Plan, provided the applicant demonstrates that:

1. The improvement or reconstruction does not involve a historic resource designated by the Commission pursuant to N.J.A.C. 7:50-6.154;

2. The improvement or reconstruction is performed within 25 years of the destruction or demolition of a single family dwelling unit or appurtenance thereto;



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3. The foundation of the demolished or destroyed single family dwelling unit is intact, will be used for the development and will constitute the footprint of the improvement or reconstruction; and

4. The destroyed or demolished building was a single family dwelling.

(d) Nothing herein shall preclude any local or state agency from reviewing, in accordance with the provisions of any applicable ordinance or regulation, any proposed development which does not require an application to the Pinelands Commission pursuant to (a) or (b) above or which is determined by the Commission to be in conformance with this Plan pursuant to (c) above.

Amended by R.1988 d.405, effective September 19, 1988.

See: 20 N.J.R. 716(a), 20 N.J.R. 2384(a).

In (a)7, added "or any multi-family residential structure" and "or below".

Amended by R.1993 d.211, effective May 17, 1993.

See: 25 N.J.R. 225(a), 25 N.J.R. 2119(a).

Established an expiration date coincident with P.L. 1993 c.82 (Permit Extension Act).

Amended by R.1994 d.590, effective December 5, 1994.

See: 26 N.J.R. 165(a), 26 N.J.R. 4795(a).

Amended by R.1995 d.449, effective August 21, 1995.

See: 27 N.J.R. 1557(a), 27 N.J.R. 1927(a), 27 N.J.R. 3158(a).

In (b)3 changed the approval date; rewrote (b)4.

Amended by R.1996 d.225, effective May 20, 1996.

See: 27 N.J.R. 3878(a), 28 N.J.R. 2596(a).

In (a) added tree pruning, forestry activities and prescribed burning and fire breaks.

Amended by R.2001 d.103, effective April 2, 2001.

See: 32 N.J.R. 4037(a), 33 N.J.R. 1095(a).

Added new (c); recodified former (c) as (d) and inserted "or which is determined by the Commission to be in conformance with this Plan pursuant to (c) above" following "(a) or (b) above".

Amended by R.2001 d.454, effective December 3, 2001.

See: 33 N.J.R. 2005(a), 33 N.J.R. 4133(a).

In (a), added 19.

Amended by R.2009 d.108, effective April 6, 2009.

See: 40 N.J.R. 4874(a), 41 N.J.R. 1405(a).

In (a)8, substituted "impervious" for "impermeable".

Amended by R.2012 d.012, effective January 3, 2012.

See: 43 N.J.R. 928(a), 44 N.J.R. 72(a).

In (a)18, deleted "or" from the end; in (a)19iii(3), substituted a semicolon for a period at the end; and added (a)20 and (a)21.

Amended by R.2014 d.143, effective September 2, 2014.

See: 46 N.J.R. 319(a), 46 N.J.R. 1877(b).

Rewrote (a)8; in (a)11, inserted "and other paved surfaces", "or area", and "and surfaces"; in (a)12, inserted "or horticultural"; in (a)20, deleted "or" from the end; in (a)21, substituted a semicolon for a period at the end; and added (a)22 and (a)23.

Amended by R.2018 d.089, effective March 5, 2018.

See: 49 N.J.R. 3075(a), 50 N.J.R. 969(a).

In (a)4, substituted "sign in accordance with N.J.A.C. 7:50-6.108(a)3, 4, or 5" for "commercial advertising sign".



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

**NO. PC4-21-\_\_\_\_\_**

**TITLE:** Celebrating the 40<sup>th</sup> Anniversary of the Pinelands Comprehensive Management Plan

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

- WHEREAS**, the Pinelands Protection Act of 1979 recognized the significant natural, ecological, agricultural, scenic, cultural and recreational resources of the Pinelands Area of southern New Jersey; and
- WHEREAS**, the Pinelands Protection Act also directed the Pinelands Commission to prepare and adopt a comprehensive management plan designed to preserve, protect and enhance the resources of the Pinelands; and
- WHEREAS**, members of the Pinelands Commission staff showed tremendous determination by working seven days a week and often into the early morning hours while drafting the Comprehensive Management Plan (CMP) over many months in 1980; and
- WHEREAS**, members of the Commission are volunteers who devoted hundreds of hours of their time and expertise while discussing and reviewing the CMP in 1980; and
- WHEREAS**, members of the Commission convened more than 40 regular meetings as the plan was being developed and adopted in 1980, and many of these meetings were held weekly and would run from 9:30 a.m. until 5 p.m.; and
- WHEREAS**, the Commission adopted the CMP in two phases in 1980, and the plan became effective under state law on January 14, 1981; and
- WHEREAS**, since its adoption, the CMP has encouraged appropriate patterns of growth as a means to protect the Pinelands environment from the impacts of scattered and piecemeal development; and
- WHEREAS**, through its implementation of the CMP, the Pinelands Commission has successfully safeguarded the core of the Pinelands Area while channeling growth toward designated areas with the infrastructure needed to support it; and
- WHEREAS**, the Pinelands Development Credit (PDC) program contained in the CMP is one of the most successful regional transfer of development rights programs in the world. As of June 2020, 55,391 acres in the Pinelands Area have been preserved through the PDC program. The program has also served as a model. Over the years, representatives from Czech Republic, Japan, Russia and South Korea have contacted the Commission to learn more about the PDC program; and
- WHEREAS**, the CMP is considered one of the most successful models of large-scale, regional conservation planning in the world, and the Commission desires to raise awareness of the plan and its remarkable achievements in protecting a million-acre region that is located in the most densely populated state in the country; and
- WHEREAS**, the Commission will celebrate the 40<sup>th</sup> anniversary of the CMP this year by creating and sharing a series of informative video interviews with former Commissioners and former staff, and it will write and share social media postings that chart the history, implementation and success of the plan; and
- WHEREAS**, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

**NOW, THEREFORE BE IT RESOLVED that:**

- 1) The Commission formally recognizes and extends its gratitude and appreciation to the former staff members and Commissioners for their tireless work to create the CMP 40 years ago.
- 2) The Commission formally recognizes and extends its gratitude and appreciation to all former and current Commissioners and all former and current staff members for their often challenging but critical work to implement and strengthen the plan.
- 3) The Commission formally recognizes and extends its gratitude and appreciation to representatives from municipal, county, state and federal entities that have been a critical part of the collaborative effort to implement the CMP during the past four decades.
- 4) The Commission is proud of the CMP and supports the staff’s efforts to celebrate and raise awareness about the history, implementation and success of the plan.
- 5) The current members of the Commission are committed to continuing the agency’s work to preserve, protect and enhance the Pinelands from perhaps even greater degradation than 40 years ago.

**Record of Commission Votes**

AYE    NAY    NP    A/R*					AYE    NAY    NP    A/R*					AYE    NAY    NP    A/R*				
Avery					Irick					Pikolycky				
Christy					Jannarone					Quinn				
Higginbotham					Lloyd					Rohan Green				
Howell					Lohbauer					Prickett				

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

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

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Nancy Wittenberg  
Executive Director

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Richard Prickett  
Chairman