



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

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



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

NEW JERSEY PINELANDS COMMISSION MEETING AGENDA

Friday, March 14, 2025- 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/dHhUWs7DK5A?feature=shared>

To Provide Public Comment, Please Dial: 1-929-205-6099 Meeting ID: 817 2590 3710

1. Call to Order

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

2. Adoption of Minutes

- February 14, 2025

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:

Resolution Approving With Conditions (4) Applications for Public Development:

- Application No. 1981-0809.013 - New Jersey Department of Environmental Protection,
Office of Resource Development
Construction of a 1,370 square foot maintenance building
Jackson Township
- Application No. 2006-0247.002 - Egg Harbor City
Three lot resubdivision and no further development
Egg Harbor City
- Application No. 2000-0637.006 - NJ Department of Environmental Protection
Construction of a paved driveway and vehicle storage area at an existing State of New Jersey
office building
Washington Township
- Application No. 1997-0257.021 - NJ Turnpike Authority
Improvements to a 0.52 mile section of the Garden State Parkway
South Toms River Borough

B. Planning Matters

- Municipal Master Plans and Ordinances
 - None
- Other Resolutions
 - None
- 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

- None

B. Waivers of Strict Compliance

- Application No. 1992-0669.001- Lehman
Single Family Dwelling
Monroe Township

6. Master Plans and Ordinances Not Requiring Commission Action

- Hamilton Township Ordinance 2093-2024

- Hammonton Town Ordinance 21-2024
- Monroe Township Ordinance O:58-2024
- Pemberton Township Ordinance 43-2024
- Upper Township Ordinance 010-2024
- Vineland City Ordinance 2024-78
- Weymouth Township 2024 Master Plan Reexamination Report

7. Other Resolutions

- To Approve the Pinelands Commission's 2024 Annual Report

8. General Public Comment

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., March 28, 2025 | Policy & Implementation Committee Meeting (9:30 a.m.) |
| Fri., April 11, 2025 | Pinelands Commission 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:Info@pinelands.nj.gov) at Info@pinelands.nj.gov.

PINELANDS COMMISSION MEETING

MINUTES
February 14, 2025

All participants were either in-person or present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=5rp6JIVvQM8>

Commissioners Participating in the Meeting

Nicholas Asselta, Alan W. Avery Jr., Deborah Buzby-Cope, John Holroyd, Jerome H. Irick, Mark Lohbauer, Mark Mauriello, William Pikolycky, Jessica Rittler Sanchez, Douglas Wallner and Chair Laura E. Matos. Also participating were Executive Director Susan R. Grogan, Deputy Attorney General (DAG) Jay Stypinski and Governor's Authorities Unit representative Alexis Franklin.

Commissioners Absent

Theresa Lettman, Jonathan Meade & Ryck Signor

Call to Order

Chair Matos 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. Eleven Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's January 10, 2025 meeting. Commissioner Pikolycky moved the adoption of the minutes. Commissioner Irick seconded the motion.

The minutes from the January 10, 2025 Commission meeting were adopted by a vote of 11 to 0.

Resolution for former Commissioner Dan Christy

Chair Matos requested a motion for recognition of former Commissioner Dan Christy.

Commissioner Irick made a motion Expressing the Commission's Appreciation to Dan Christy for His Service as a Member of the Commission From February 20, 2019 to January 28, 2025. Commissioner Pikolycky seconded the motion.

Paul Leakan, Communications Officer, displayed a photo of the gift that will be given to Dan Christy. He said the canvas is of a photograph from the Piney Hollow Preservation Area in the Pinelands Area of Franklin Township in Gloucester County.

The resolution was adopted by a vote of 11 to 0.

Committee Reports

Vice Chair Avery provided a summary of the January 31, 2025 Policy and Implementation Committee meeting:

The Committee approved the minutes of the November 22, 2024, meeting.

The Committee reviewed and discussed the Executive Director's report on a Barnegat Township ordinance amending the C-N Zone West of the Parkway. Committee members moved to recommend certification of Ordinance 2024-32 to the full Commission.

The Committee also reviewed and discussed the Executive Director's report on Berlin Township's Master Plan Reexamination Report and amendment and an ordinance amending the zoning map and C-3 zoning district regulations. Committee members moved to recommend certification to the full Commission.

Executive Director Grogan provided a presentation on the Preliminary State Plan. The presentation reviewed the Cross-Acceptance Process, new planning goals including climate change and equity, and the overall impact of the State Plan to the Pinelands Area.

Staff also summarized the municipal conformance activities for 2024.

The Committee members heard public comments offering support for consideration of climate change topics and suggesting student internship involvement.

Executive Director's Report

ED Grogan provided information on the following matters:

- Commission staff formally requested the Department of Treasury to cancel its procurement process for a historic architect to manage the Fenwick Manor Rehabilitation project, which enabled the Commission to move forward with its own Request for Proposal (RFP). The RFP was posted, and the Commission hosted an optional site visit on February 13th for interested architect firms to see the inside of Fenwick Manor. Bids are due March 5th. Staff also requested additional funding from the Governor's office to help cover the increase in material costs caused by the year-long delay.
- The Commission's annual National Park Service (NPS) funding of \$298,000 was frozen, then removed but thankfully has been restored. The funding is used for the Long-Term Economic and Environmental Monitoring programs conducted by staff.
- An orientation session for the two new Commissioners was held on February 5th. It's anticipated that Ryck Signor will be sworn in at the Commission's March 14th meeting.
- Claire Osei was introduced, she was recently hired and will be working in the Commission's Land Use Programs Office.

ED Grogan provided an update on the Black Run Rule proposal. She noted that the rule proposal includes a series of other important amendments to the Comprehensive Management Plan (CMP). Those amendments include expiration dates for old waivers and expiration dates for Certificates of Filing (CF) to ensure the Commission's environmental standards are met and will establish whether an applicant needs to submit a new application for development. She said presently, CF's do not expire. The rule proposal will also include updates to Regional Growth Area densities, the Pinelands Development Credit program, and fee changes. She noted that the rule proposal contains multiple amendments and is part of the reason why it is taking so much time to prepare. She added that she is working on the impact statements related to job production, agriculture and housing production, which are required by the state rulemaking statute. An enormous amount of writing and research has done, and it will be shared with the Governor's proposed rules office.

Commissioner Wallner asked how long the rule process will take and what it means for the development application.

ED Grogan said she cannot offer a time frame on how long the proposed rules office will take to review the proposal. She explained the process the Commission must undertake once the Governor's proposed rules office completes its review, including adoption of a resolution authorizing the rule proposal. From there, she said the proposal will be sent to the Office of Administrative Law (OAL) for publication in the NJ Register, and a 60-day public comment period will commence. She said the process can take as long as nine months.

ED Grogan noted that there is no application for development at this time; rather, the applicant has applied for a wetlands Letter of Interpretation (LOI) on approximately 770 acres that will require extensive field work. She said the wetlands LOI will determine the development potential of the parcel and the extent of wetlands.

April Field, Chief Permitting Officer, said the Commission staff has two opportunities to review private development applications; one of which occurs when an application is determined to be complete, resulting in issuance of a CF, and again when permits and approvals from the County and municipality are submitted. She reiterated that a CF is not an approval but a document that allows an applicant to proceed to the County or municipality for permits and approvals.

Ms. Field noted two development applications in the January Management report that highlight questions that staff are faced with daily and demonstrate the benefit of why a CF should have an expiration date.

- In 2023, staff issued a CF for a residential apartment building to be redeveloped in a former textile manufacturing facility in Hamilton Township. Based on a New Jersey Department of Environmental (NJDEP) requirement, the applicant recently informed the Commission that they must either demolish or reconfigure the project. The applicant asked staff if the current CF can be used or if a new or amended CF must be issued.
- In 2003, staff issued a CF for an 82-unit residential subdivision in Monroe Township. After 20+ years and subsequent municipal review, the project has not yet been constructed and the applicant must meet the Commission's 2022 stormwater management amendments.

Commissioner Irick asked how long a CF would be valid under the proposed amendments.

ED Grogan said CFs would expire after five years, unless they are used to obtain local approvals that are submitted to the Commission, reviewed and allowed to take effect. After adoption of the CMP amendments, CFs will specify an expiration date.

Commissioner Avery said some of the Commission's stormwater rules are tied to NJDEP's rules. He wanted to be sure that applicants who proceed to get local permits would not be penalized, due to constant rule amendments.

Commissioner Mauriello agreed with Commissioner Avery's comments on this matter.

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

- Staff met with NJDEP to discuss Pinelands Golf Club's requested increase to its water allocation permit. The golf club will need to return to the Commission to determine how its water allocation permit will be consistent with the CMP's water management rules adopted in 2023. Staff also met with the Bureau of Water Management to discuss ways in which there could be better coordination between the two agencies with reviewing water

allocations.

- The 3rd Annual Land Preservation Summit is tentatively scheduled for April 3rd. This year's theme will be accessible trails. Staff will be reaching out to municipalities to include them in the discussion of accessible trails.
- Staff continue to make progress on rule amendments for Right-of-Way (ROW) vegetation maintenance standards. The ROW pilot program would be repealed following the adoption of the rule. A stakeholder meeting has been scheduled and a representative from Assemblymen Alex Sauickie's office will be attending. Assemblyman Sauickie sponsored a bill for regulating ROW maintenance.
- A recent PDC Letter of Interpretation allocated 333 rights to a very large parcel in Washington Township in Burlington County.

Commissioner Pikolycky said that he participated in Governor Murphy's roundtable on February 13th regarding actions to prevent wildfires. He suggested that the Fire Forest Service be included in the discussion about accessible trails. He said the forest service stressed the importance of clearing trails and maintaining fire break lines to mitigate fire.

Chair Matos suggested that Pinelands Legislative offices be invited to the Land Preservation Summit so they can share the information with Pinelands municipalities who may not be able to attend.

Commissioner Avery asked if at the past Summits, land preservation partners raised concern about imposing the Pinelands Conservation Fund (PCF) deed restriction on a property and limiting the use of the property.

Ms. Berg and ED Grogan both agreed that the PCF deed restriction was never raised as a concern by Summit attendees.

Commissioner Avery noted that grant funding would not be worthwhile in a situation where a partner would like to see active recreation because the PCF deed restriction would not allow it.

Commissioner Rittler Sanchez asked if the NJDEP provided details on its policy for HUCs that are currently stressed during staff's meeting with the NJDEP regarding the water allocation increase at the golf course. She also asked if staff or the NJDEP conducts the modeling associated with water allocation increases in the Kirkwood-Cohansey aquifer.

Ms. Berg said the purpose of the meeting with the NJDEP was to ensure coordination on water allocation increases. She said the NJDEP staff advised the Commission that they are currently in the process of revising their rules to specifically identify the Pinelands Commission's role with water allocation increases in the Pinelands Area. She added that following the adoption of the Water Management rules, the Commission contracted with the US Geological Survey for modeling work. She said neither Commission staff nor NJDEP staff perform any modeling.

Commissioner Lohbauer ended his participation in the meeting at 10:16 a.m.

Stacey Roth, Chief, Legal and Legislative Affairs, provided an update on the following litigation matters, all of which are noted in the January Management Report:

- The Court granted a motion to the Pinelands Preservation Alliance (PPA) to participate in the Clayton challenge of the water management rule as an amicus. The Clayton Sand Company opposed PPA's brief. At this point, the matter may be decided on the papers and the timeframe will be based on the court's schedule.
- An applicant who received a CF for a 13-lot subdivision in Woodland Township in 2007 has filed in Chancery Court against the Commission. The application is currently called up for review because it has not met the Commission's Threatened and Endangered species standards. The applicant has filed in the Chancery Division rather than pursuing administrative remedies. The Commission will be filing a motion.
- The Attorney General's office filed a complaint in Superior Court related to the Artistic Materials matter in early January. Artistic Materials recently filed its answer.
- Staff is working with the Attorney General's Office on the matter where a property owner filed an appeal in the Appellate Division of a staff guidance letter. The correct process would have been to file the matter in the Office of Administrative Law upon the issuance of a final agency action (in this case, a Letter of Interpretation). The matter involves a resource extraction operation where accessory development is not permitted in the Pinelands management area.

Brad Lanute, Chief Planner, said staff will deliver a presentation on affordable housing at the February 28th P&I Committee meeting.

Paul Leakan, Communications Officer, provided a summary of the Commission's field trip with representatives from the United Nations Educational, Scientific and Cultural Organization. The group toured two farms, one in the Pinelands Area and one just outside the Pinelands Area at PPA's offices. He also reminded Commissioners that they can attend the annual Short Course free of charge, noting that the event will be held on Saturday, March 8th at Stockton University. He also noted that the Commission's 2024 Annual Report has been drafted and will be presented at the March Commission meeting.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution approving the construction of a potable water storage tank in Barnegat Township and road improvements in the City of Estell Manor.

Commissioner Pikolycky made a motion Approving With Conditions Applications for Public Development (Application Numbers 1996-1133.006 & 2024-0086.001) (See Resolution # PC4-25-03). Commissioner Avery seconded the motion.

Ernest Deman, Regulatory Specialist, said Barnegat Township is proposing a 144-foot tall, elevated storage tank to provide improved water supply to the western portion of Barnegat Township. He said it will be located in a Regional Growth Area and adjacent to an existing residential subdivision.

He said Estell Manor is proposing to pave two separate portions of road that are currently gravel. The goal is to improve safety and reduce road maintenance.

Commissioner Rittler Sanchez asked if the potable water storage tank was a new well or if it is for pressure and storage.

Mr. Deman confirmed that the water storage tank is for pressure and storage.

The resolution was adopted by a vote of 10 to 0.

Chair Matos introduced a resolution approving the construction of a replacement sanitary sewer pumping station at Stockton University's Galloway campus.

Commissioner Irick made a motion Approving With Conditions an Application for Public Development (Application Number 1981-1833.082) (See Resolution # PC4-25-04).
Commissioner Asselta seconded the motion.

Mr. Deman said this is a replacement sewer pumping station and will be installed adjacent to the existing station on a maintained grass road shoulder. He said this application has been waiting to be acted on but was held up due to a deed of conservation restriction. He said as of this week, Stockton University has provided an amended deed restriction to the county for recording. He noted that this project is located in a Rural Development Area, and the existing sewer pumping station pre-existed the Commission's rules. He said this application meets the standard for an expansion of a non-confirming use.

The resolution was adopted by a vote of 10 to 0.

Planning Matters

Chair Matos introduced a resolution certifying a Barnegat Township ordinance.

Commissioner Avery made a motion Issuing an Order to Certify Ordinance 2024-32, amending Chapter 55 (Land Use) of the Code of Barnegat Township (See Resolution # PC4-25-05).
Commissioner Asselta seconded the motion.

Mr. Lanute said this Ordinance amends the Neighborhood Commercial Zone, west of the Garden State Parkway (C-N Zone West) in the Regional Growth Area. He said in the past few years the C-N Zone West has seen a number of ordinance changes. He said Ordinance 2024-32 seeks to blend the existing standards to allow for a mixed-use development with a Continuing Care Retirement Community (CCRC) component.

He said the area is limited to within 1,000 feet of the parkway. The only eligible parcel is approximately 22.5 acres and consists of six contiguous lots in common ownership (displayed in yellow on the map).

He said the maximum density is 17 units per acre and PDCs will be required for 25% of multiple family apartments and 20% of CCRC independent living and assisted living units. He said the certification of this ordinance will result in a potential reduction of 68 units and an increase of three PDC rights.

The resolution was adopted by a vote of 10 to 0.

Chair Matos introduced a resolution to certify Berlin Township's 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15

Commissioner Pikolycky made a motion Issuing an Order to Certify Berlin Township's 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15, amending Chapter 340 (Zoning) of the Code of Berlin Township (See Resolution # PC4-25-06). Commissioner Asselta seconded the motion.

Mr. Lanute said this Ordinance recommends a number of changes to the zoning boundary and permitted uses in the C-3 Zone. The zoning map amendment, if certified, would rezone 22.5 acres currently in the C-2RD Zone to the C-3 Zone. The rezoning would also change the management area from a Rural Development Area to a Regional Growth Area.

He said the C-3 Zone was established in the 1990s and will be updated to include various commercial uses. He said the C-3 Zone would conditionally permit CCRCs on lots that are at least 10 acres size and have a maximum residential density of 18 units per acre. He said PDCs are required for 20% of the independent living units and assisted living units. The change in residential zoning capacity is 0 units to 441 units and an increase in PDC use by 80 rights based on CCRC use.

He concluded by noting that PDCs are required at a rate of 1 right per acre developed for non-residential uses, including associated improvements. He said this serves as an offsetting measure for the management area change because there wasn't an opportunity for downzoning or redesignation of other areas of the township.

The resolution was adopted by a vote of 10 to 0.

Public Comment on Development Applications and Items Where the Record is Open

Mr. Deman said there are four Public Development applications up for comment:

- Construction of a NJDEP maintenance building in Jackson Township;
- Widening of the Garden State Parkway (GSP) from three to four lanes for 2.9 miles in South Toms River Borough. Only ½ mile portion of the GSP is in the Pinelands Area;

- Construction of a paved driveway and vehicle storage area at an existing office building proposed by the NJDEP at the old Greenbank school in Washington Township; and
- Three lot resubdivision in Egg Harbor City.

Stephen Elliot of the Pinelands Preservation Alliance provided comment on the GSP project (Application No. 1997-0257.021). He said PPA was able to review the file. He acknowledged that the applicant overdesigned their stormwater management measures, consisting mostly of retention basins with manufactured treatment devices, which does not negate the permanent impacts to wetlands transition areas. He said PPA advocates for green infrastructure in all cases unless it's not feasible. He said he hopes the Commission will apply its wetlands and stormwater regulations rigidly.

General Public Comment

John Volpa of Evesham Township, NJ, described the potential impacts that the development of 256 single family dwellings could have should they be constructed in the headwaters of the Black Run. He said septic systems, wells, traffic and pesticides associated with residential development will have a negative effect on headwaters of the Black Run, T&E species and surrounding residents. He asked the Commission to protect the headwaters of the Black Run. See attached comments.

Fred Akers of the Great Egg Harbor Watershed Association thanked the Commission for their efforts to protect groundwater. He commended Mr. Lanute's detailed Finding of Facts in the Berlin Township report. He said he has been working with the NJDEP and the Department of Transportation to apply dredge materials from navigation channels to eroded coastal marsh lands in portions of the Coastal Area Facility Review Act (CAFRA) in an attempt save the marshes before they become water. He noted a loophole in which private development that involves dredging does not have to provide a beneficial reuse of the material.

Elizabeth Velasquez of Voorhees, NJ, urged the Commission to rezone the Black Run watershed to a Forest Area. She said this area is a sanctuary, and a housing development will destroy this pristine area.

Dr. Amy Golden of Voorhees, NJ, outlined a timeline beginning on April 2023 when she stated that she began attending Pinelands Commission meetings to express concern that development on private property in the vicinity of the Black Run watershed was forthcoming due to land surveys and T&E species studies being conducted. She said the Executive Director has continually promised that the Black Run rule proposal was almost complete and ready to be submitted to the Governor's office and delays were associated with staffing concerns and other Commission priorities. She asked that staff work with urgency to complete the Black Run rule proposal.

Stephen Elliot of PPA stated that he serves on other Boards and with other land stewards. He said he leads educational opportunities for local middle school children. He said he is alarmed about the delays with the Black Run Rule proposal and questioned why the Commission has not acted with urgency on a CMP amendment that is not new. He said the Black Run Preserve, a

Pinelands haven which has been showcased in the Commission's annual calendar, is at risk from upstream development. He suggested that local approvals be required for water allocation applications, especially in extremely stressed watersheds.

Carolyn Gallagher of Voorhees, NJ, said she is concerned about the potential for development on the private property situated next to the Black Run Preserve. She said this development will not serve the public. She said trees improve air quality and if the trees are destroyed, there will be an impact. She said protection of the watershed is crucial. She said the development of more homes will have a negative effect on the area, which is already experiencing a severe drought. She raised concern about additional traffic on surrounding roads.

Jason Howell of PPA said the main goal of everyone who attends these meetings is protect the Pinelands ecosystem and resources for the people that live in the Pinelands Area and those that travel here. He asked the Commission to "go easy" on the applicant proposing to reuse a portion of the former Cotton Mill textile building for residential units in Mays Landing. He said this is a proper redevelopment project. He said he is opposed to artificial turf because it is toxic, bad for the health of children and bad for the environment. He suggested that the Commission impose a moratorium on artificial turf and require the use of real native Pinelands turf. He said the Black Run Preserve is one of the most important properties in the Pinelands and said it's our duty to protect it.

Heidi Yeh of PPA suggested that the Commission's completeness document, Certificate of Filing (CF), be renamed. She said the current name is vague and causes confusion. She suggested renaming a CF to "preliminary application."

Adjournment

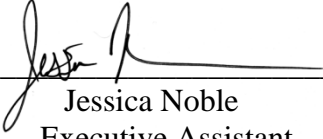
Commissioner Avery suggested that if the public does not want to see development near the Black Run Preserve, then the property will need to be publicly owned. He said the Commission cannot legally restrict development from occurring, noting that it must provide a beneficial use to property owners. He suggested reaching out to Burlington County, NJDEP Green Acres or nonprofit organizations interested in land preservation. He said preservation cannot be done by regulation.

ED Grogan noted that the Commission has money to contribute to the purchase and preservation of the property.

Commissioner Wallner said attempts to purchase the property have been on going for years, and the goal now is to limit development potential.

Commissioner Pikolycky moved to adjourn the meeting. Commissioner Irick seconded the motion. The Commission agreed to adjourn at 11:08 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: February 21, 2025

Pinelands Commission Meeting 2-14-25

John Volpa, Founder of the Black Run Preserve, speaking as a private citizen and resident of Evesham Township.

Certain recent events concerning the Headwaters of the Black Run Preserve got me thinking about what it would actually mean to build 256 houses with wells and septic systems in the approximately 728 acres identified by the 2024 Evesham Open Space and Recreation Plan as the *Evesham Headwaters*.

The property runs north and south along the west side of Kettle Run Road, the wetlands that feed the two Black Run streams are in the section flowing north, creating the southwest branch of the Rancocas Creek, which at this point the streams are class 1.

An upland ridge running basically east and west bisects the Headwaters property and the Aerohaven portion of the BRP. Anything built north of this ridge would negatively affect water quality, which I'm sure the PC is well aware of. It's obvious that no houses should ever be constructed in this protected area. The southern side of the ridge is the only logical location for development. The same ridge crosses the Aerohaven section enabling the Evesham MUA to construct new wastewater retention basins in 2011, thus decommissioning the original basins in the BRP in an effort to protect its pristine waters.

So, that means 256 houses would have to be constructed in the southern section of the Headwaters property, which is the Kettle Run stream subwatershed, as is the Marlton Lakes community. It's not difficult to imagine each new house having two cars which means adding 500+ cars onto the winding two lane Kettle Run Road. In 1999 a traffic study was conducted for the Aerohaven area when an ill conceived plan to build a sports complex with parking for 900 vehicles, was considered. Twenty-six years have passed since that study was conducted and the natural increase of traffic on the Kettle Run Road are easy to see, plus 500 more cars may not be the PC's realm of responsibility, that would be Evesham Township.

What if we consider what many Pine Barrens homeowners do once they have a Certificate of Occupancy; they pave the stone driveway that was required, cut down the trees, plant sod on sand then apply mass quantities of fertilizer, herbicides, pesticides, lime, and regular irrigation in order to keep sod alive instead of a forest. This mixture of chemicals runs off or enters the aquifer.

Consider what 256 wells could do to the Kettle Run stream hydrology over decades; especially if those wells pulled from the upper and shallow aquifer, the Kirkwood-Cohansey, which is the life-blood of the Pine Barrens ecosystem. The PC may recall that the federally endangered swamp pink calls the Kettle Run stream and Marlton Lakes its habitat which was once threatened with overdraw by the Berlin Well.

Considering the precarious nature of today's climate and being in a drought, how much more stress can the local flora and fauna endure? Or what if those new homeowners drill deeper, into the Mount Laurel Aquifer, which municipal wells are also tapped into; along with the oldest and deepest aquifer the PRM. Those two aquifers have been part of a, *borrow from Peter to pay Paul system* for quite awhile. How much more stress can they take?

Imagining the potential impact of 256 houses on the land and aquifers plus increased traffic affecting public safety are only three immediate issues that come to mind if the upland area of the Evesham Headwaters were ever developed. Therefore, please work to create a path to protect the whole Headwaters property keeping the Black Run watershed pristine enabling it to become part of the BRP.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 02

TITLE: Expressing the Commission’s Appreciation to Dan Christy for His Service as a Member of the Commission From February 20, 2019 to January 28, 2025

Commissioner Irick moves and Commissioner Pikolycky seconds the motion that:

WHEREAS, Dan Christy served as Gloucester County’s representative on the Pinelands Commission from February 20, 2019 to January 28, 2025; and

WHEREAS, Commissioner Christy brought a wealth of experience in public service to the Pinelands Commission. He served on the Gloucester County Board of Commissioners, where he oversaw the Department of Public Safety & Veterans Affairs. As a Carpenter for over 30 years, he has helped organize and has participated in various charitable projects through the Carpenters Union, including wheelchair ramps, VFW Post remodels and additions, and post hurricane Sandy relief projects. He also served on the Gloucester County Improvement Authority, the Washington Township Planning Board, and the Washington Township Environmental Committee; and

WHEREAS, during his tenure, the Pinelands Commission adopted three sets of amendments to the Pinelands Comprehensive Management Plan (CMP), including rule changes that strengthen the protection of the Kirkwood-Cohansey aquifer system while ensuring sufficient water supply for authorized development in the growth-oriented portions of the Pinelands Area; and

WHEREAS, during his tenure, the Commission took immediate steps to ensure the agency continued to accomplish its mission to safeguard the Pinelands during the COVID-19 pandemic; and

WHEREAS, during his tenure, the Commission successfully secured a National Scenic Byway designation for the 130-mile Pine Barrens Byway; and

WHEREAS, during his tenure, the Commission hired a new Executive Director, advanced the work of its Climate Committee, reviewed and acted on more than 160 public development applications, reviewed and certified more than 660 municipal master plan and ordinance amendments, completed and launched numerous scientific studies, and educated thousands of people about the region’s natural, cultural, and historic resources; and

WHEREAS, the members of the Commission want to recognize Commissioner Christy’s significant contributions and express their appreciation for the service that he performed; and

NOW, THEREFORE BE IT RESOLVED that the members of the Pinelands Commission hereby express our appreciation to our colleague and friend, Dan Christy, for his commitment to the Pinelands and for his service as a member of the Commission from February 20, 2019 to January 28, 2025.

Record of Commission Votes

| AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | |
|-----------------|---|--|--|--|-----------------|---|--|---|--|-----------------|---|--|---|--|
| Asselta | X | | | | Lettman | | | X | | Rittler Sanchez | X | | | |
| Avery | X | | | | Lohbauer | X | | | | Signor | | | X | |
| Buzby-Cope | X | | | | Mauriello | X | | | | Wallner | X | | | |
| Holroyd | X | | | | Meade | | | X | | Matos | X | | | |
| Irick | X | | | | Pikolycky | X | | | | | | | | |

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: February 14, 2025

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 03

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1996-1133.006 & 2024-0086.001)

Commissioner **Irick** **moves and Commissioner** **Pikolycky**
seconds the motion that:

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

| | |
|-----------------------|---|
| 1996-1133.006 | |
| Applicant: | Barnegat Township |
| Municipality: | Barnegat Township |
| Management Area: | Pinelands Regional Growth Area |
| Date of Report: | January 16, 2025 |
| Proposed Development: | Construction of an elevated potable water storage tank; and |
| 2024-0086.001 | |
| Applicant: | Estell Manor City |
| Municipality: | City of Estell Manor |
| Management Area: | Pinelands Forest Area |
| Date of Report: | January 16, 2025 |
| Proposed Development: | Paving of approximately 2,000 linear feet of the Linwood, Maryland and 13th Avenue rights-of-way. |

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1996-1133.006 & 2024-0086.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

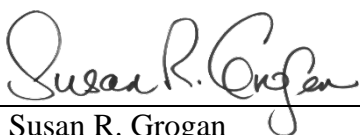
Record of Commission Votes

| AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | |
|--------------------------|---|--|--|--|--------------------------|---|--|---|--|--------------------------|---|--|---|--|
| Asselta | X | | | | Lettman | | | X | | Rittler Sanchez | X | | | |
| Avery | X | | | | Lohbauer | | | X | | Signor | | | X | |
| Buzby-Cope | X | | | | Mauriello | X | | | | Wallner | X | | | |
| Holroyd | X | | | | Meade | | | X | | Matos | X | | | |
| Irick | X | | | | Pikolycky | X | | | | | | | | |

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: February 14, 2025



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 16, 2025

Donna M. Manno, Municipal Clerk (via email)
Barnegat Township
900 West Bay Avenue
Barnegat NJ 08005

Re: Application # 1996-1133.006
Pancoast Road & Fox Run Boulevard rights-of-way
Block 90.34, Lots 66, 67 & 69
Barnegat Township

Dear Ms. Manno:

The Commission staff has completed its review of this application for the construction of an elevated potable water storage tank. 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 February 14, 2025 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, Barnegat Township Planning Board (via email)
Barnegat Township Construction Code Official (via email)
Barnegat Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Alan Dittenhofer, PE, PP, CME (via email)



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

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

January 16, 2025

Donna M. Manno, Municipal Clerk (via email)
Barnegat Township
900 West Bay Avenue
Barnegat NJ 08005

Application No.: 1996-1133.006
Pancoast Road & Fox Run Boulevard rights-of-way
Block 90.34, Lots 66, 67 & 69
Barnegat Township

This application proposes the construction of a 144 foot tall elevated potable water storage tank ("water storage tank") located on the above referenced 26.67 acre parcel in Barnegat Township. There is a portion of an existing residential development and stormwater management basins and recreational facilities accessory to that residential development located on the parcel.

The application also proposes the construction of a 720 linear foot long, 12 foot wide, gravel road to access the proposed water storage tank. In addition, the application proposes 1,030 linear feet of water main and 1,075 linear feet of sanitary sewer force main. The sanitary sewer will serve a restroom proposed within an enclosed area located beneath the water storage tank.

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 water storage tank, gravel road and water and sewer mains will be located in a Pinelands Regional Growth Area. The proposed water storage tank and associated development is a permitted use in a Pinelands Regional Growth Area.

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

The parcel contains a portion of an existing residential development and stormwater management basins and recreational facilities accessory to that residential development. The remaining balance of the parcel is forested. The proposed development will be located within the forested area, approximately 180 feet

from the existing recreational facilities. The proposed development will result in the clearing of 1.51 acres of forested area. The proposed forest clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to utilize a seed mixture which meets that recommendation.

Water Quality Standard (N.J.A.C. 7:50-6.83)

The application proposes a restroom within an enclosed area located beneath the water storage tank. To maintain consistency with the groundwater quality standard, the proposed restroom will be serviced by public sanitary sewer.

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

The proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the application proposes to construct four stormwater infiltration basins.

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. Notice to required landowners within 200 feet of the above referenced parcel was completed on August 6, 2024. Newspaper public notice was completed on August 8, 2024. The application was designated as complete on the Commission's website on December 6, 2024. The Commission's public comment period closed on January 10, 2025. 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 14 sheets, prepared by Remington & Vernick Engineers and dated as follows:

 Sheets 1-4, 6, 7, 9-11, 13 & 14 - August 16, 2023; last revised August 7, 2024
 Sheets 5, 8 & 12 - August 16, 2023; last revised October 1, 2024
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.



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

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

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 February 3, 2025 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.



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
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Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair

SUSAN R. GROGAN
Executive Director

January 16, 2025

Mayor Elizabeth Owen (via email)
Estell Manor City
148 Cumberland Ave.
Estell Manor NJ 08319

Re: Application # 2024-0086.001
Linwood, Maryland and 13th Avenues
City of Estell Manor

Dear Mayor Owen:

The Commission staff has completed its review of this application for paving of approximately 2,000 linear feet of the Linwood, Maryland and 13th Avenue rights-of-way. 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 February 14, 2025 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, City of Estell Manor Planning Board (via email)
City of Estell Manor Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
J. Michael Fralinger, Jr. PE (via email)
Lisa Marcolongo, City Clerk (via email)
David Kelton (via email)



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

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

January 16, 2025

Mayor Elizabeth Owen (via email)
Estell Manor City
148 Cumberland Ave.
Estell Manor NJ 08319

Application No.: 2024-0086.001
Linwood, Maryland and 13th Avenues
City of Estell Manor

This application proposes paving of approximately 2,000 linear feet within the Linwood, Maryland and 13th Avenue rights-of-way in the City of Estell Manor. The concerned roads are currently gravel and will be paved to a width of 12 feet to directly serve two existing single family dwellings.

This application proposes to pave a 1,050 linear foot section of Linwood Avenue between Cumberland Avenue and Seventh Avenue, a 250 linear foot section of Maryland Avenue between 12th and 13th Avenues and a 650 linear foot section of 13th Avenue between Walkers Forge Road and Maryland Avenue.

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. 7:50-5.23(b)12)

The proposed road paving will be located in a Pinelands Forest Area. Public service infrastructure, including roads, is a permitted use in a Pinelands Forest Area provided it is intended to primarily serve only the needs of the Pinelands. The proposed road paving will directly serve two existing single family dwellings that are located in the Pinelands. The proposed road paving is a permitted use in a Pinelands Forest Area.

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

There are wetlands located within 300 feet of the proposed development. The CMP prohibits most development in wetlands and requires a buffer of up to 300 feet to wetlands. The proposed road paving will occur over existing gravel roads and grassed road shoulders. Approximately 435 linear feet of the

approximately 2,000 linear feet of proposed road paving will be located within 300 feet of wetlands. The buffer to wetlands maintained by this approximately 435 linear feet of road paving ranges from approximately 90 to 275 feet.

The CMP permits linear improvements, including paving of roads, in the required buffer to wetlands provided the applicant demonstrates that certain CMP specified conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in the required buffer to wetlands or that will result in a less significant adverse impact to the required buffer to wetlands. In addition, the proposed development will not result in a substantial impairment of the resources of the Pinelands. With the conditions below, all practical measures are being taken to mitigate the impact on the required buffer to wetlands. The applicant has indicated that the proposed road paving will eliminate dust and large potholes, thereby improving traffic safety. The applicant has demonstrated that the need for the proposed development overrides the importance of protecting the required buffer to wetlands.

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

The proposed development will occur over existing gravel roadways and grassed road shoulders. The proposed 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. To stabilize disturbed areas, the applicant proposes a seed mixture which meets that recommendation.

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

Based upon the proposed removal of 0.17 acres (7,405 sf) of existing gravel road and the revegetation of that area with grasses, the proposed paving of the existing gravel roads will result in a decrease in the volume and rate of stormwater runoff than occurred prior to the proposed development. The proposed development is consistent with CMP stormwater management standards.

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

The Commission staff reviewed the application for evidence of cultural resources. 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 notice. Newspaper public notice was completed on November 23, 2024. The application was designated as complete on the Commission's website on December 11, 2024. The Commission's public comment period closed on January 10, 2025. The Pinelands Commission received one written comment (attached) regarding the application.

Public Commenter: The commenter expressed concern that the proposed development would result in a loss of woodland and wildlife habitat.

Staff Response: The Commission staff appreciates the commenter's interest in and concern for the Pinelands. This application proposes the paving of existing gravel roadways and

grass road shoulders. No disturbance to forest or essential wildlife habitat is proposed.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of five sheets, prepared by Fralinger Engineering and dated as follows:

Sheets 1 & 3-5 - May 15, 2024; revised to September 24, 2024
Sheet 2 - May 15, 2024; revised to November 20, 2024
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



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

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LAURA E. MATOS
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Executive Director

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

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 February 3, 2025 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.

From: amerisportsman@aol.com <amerisportsman@aol.com>
Sent: Thursday, June 20, 2024 8:57 AM
To: Info, PC [PINELANDS] <info@pinelands.nj.gov>
Subject: [EXTERNAL] app:20240086.001 Attn Keith

Good morning.

Here is a short letter opposing the installing of a paved road into a forest area.

Thank You

David Kelton

To Pinelands,

This letter is in reference to an application: 20240086.001
for paving a road from Walkers Forge Road up 13th Street and part of
Maryland Ave.

Pinelands is about the preservation of forest, wetlands, and the
animal/wildlife that live in them. There is only one small house (4 rooms
total) with one occupant that lives on that road and the dirt road
leading to that property is in good shape. The properties that lead up to
that house are deed restricted lots on both sides, DEP owned, city
property, and a small piece of farmland. Under current building codes
nothing can be built on that road due to not enough contiguous lots or
blocked by restrictions.

Everywhere it seems as if animals/wildlife is being forced to keep
moving from their natural environments as more modern structures are
added. Adding a road would make sense if there were a lot of houses
involved, but in this case, there is only one small house with one |
occupant. This request is so Pinelands NOT to approve this potential
road and let the wildlife keep its natural habitat.

Thank you



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 04

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1981-1833.082)

Commissioner Pikolycky moves and Commissioner Avery 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:

| | |
|-----------------------|--|
| 1981-1833.082 | |
| Applicant: | Stockton University |
| Municipality: | Galloway Township |
| Management Area: | Pinelands Regional Growth Area Pinelands Rural Development Area |
| Date of Report: | January 22, 2025 |
| Proposed Development: | Construction of a new replacement sanitary sewer pumping station. |

WHEREAS, the development subject of App. No. 1981-1833.082 is located on 1,586 acre Block 875.04, Lots 1.01 in Galloway Township; and

WHEREAS, on September 10, 2010, the Commission approved Stockton University’s 2010 Master Plan, which set forth a comprehensive plan for the future development and expansion of the campus in recognition of increased enrollment and projected future growth; and

WHEREAS, the 2010 Master Plan designated eight specific “Development Areas” on the campus and proposed the permanent protection of 1,257 acres on and proximate to the campus; and

WHEREAS, on November 5, 2010, Stockton University recorded a conservation deed restriction on the 1,257 acres located on and proximate to the campus; and

WHEREAS, on May 11, 2015, the Commission and Stockton University entered into a Memorandum of Agreement (MOA) establishing a streamlined Commission development application review and approval process for development proposed in the eight “Development Areas;” and

WHEREAS, subsequent to entering into the MOA, Stockton University paved Delaware Avenue, a sand road (App. No. 1981-1833.077), constructed a 49 space parking lot and pedestrian walkway (App. No. 1981-1833.078) and constructed a new sanitary sewer pumping station (App. No. 1981-1833.082) on the parcel prior to approval of the development in accordance with the provisions of the MOA; and

WHEREAS, the development that occurred and is subject of App. No. 1981-1833.077, App. No. 1981-1833.078 and App. No. 1981-1833.082 is located within the areas subject of the MOA conservation deed restriction area and constitutes a violation of the MOA application and approval requirements; and

WHEREAS, by letter dated August 31, 2016, the Commission suspended the MOA following a determination by Commission staff that development had occurred within the deed restricted conservation area; and

WHEREAS, the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.2(c)1ii) provides that no application to the Commission shall be deemed complete if an outstanding unresolved violation exists on a parcel until such time that the property owner agrees in writing to take all necessary measures to eliminate the violation in a time period acceptable to the Commission’s Executive Director; and

WHEREAS, by letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director; and

WHEREAS, the revised conservation deed restriction has been approved and signed by the New Jersey Department of Environmental Protection and forwarded to Stockton University on January 16, 2025 for

recording in the County Clerk’s Office; and

WHEREAS, recording of the revised conservation deed restriction will remove certain existing development, such as roads, an elevated potable water storage tank and the proposed replacement sanitary sewer pumping station subject of this application from the deed restricted conservation areas; and

WHEREAS, based upon the January 5, 2024 Stockton University letter and the revised conservation deed restriction being approved and signed by the New Jersey Department of Environmental Protection and forwarded to Stockton University on January 16, 2025 for recording in the County Clerk’s Office, the Executive Director has agreed that this application can be acted upon by the Commission; and

WHEREAS, no request for a hearing before the Office of Administrative Law regarding 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 the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1981-1833.082 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

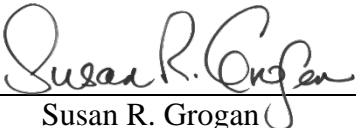
Record of Commission Votes

| AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | |
|--------------------------|---|--|--|--|--------------------------|---|--|---|--|--------------------------|---|--|---|--|
| Asselta | X | | | | Lettman | | | X | | Rittler Sanchez | X | | | |
| Avery | X | | | | Lohbauer | | | X | | Signor | | | X | |
| Buzby-Cope | X | | | | Mauriello | X | | | | Wallner | X | | | |
| Holroyd | X | | | | Meade | | | X | | Matos | X | | | |
| Irick | X | | | | Pikolycky | X | | | | | | | | |

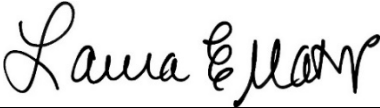
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: February 14, 2025



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



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SUSAN R. GROGAN
Executive Director

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

January 22, 2025

Charles West (via email)
Stockton University
101 Vera King Farris Drive
Galloway NJ 08205

Re: Application # 1981-1833.082
Block 875.04, Lot 1.01
Galloway Township

Dear Mr. West:

The Commission staff has completed its review of this application for construction of a new replacement sanitary sewer pumping station. 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 February 14, 2025 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, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Rick Ricciardi, PP (via email)



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

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



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

January 22, 2025

Charles West (via email)
Stockton University
101 Vera King Farris Drive
Galloway NJ 08205

Application No.: 1981-1833.082
Block 875.04, Lot 1.01
Galloway Township

This application proposes construction of a new replacement sanitary sewer pumping station located on the above referenced 1,586 acre parcel in Galloway Township.

The applicant has indicated that the proposed sanitary sewer pumping station will replace an existing pumping station that has been in operation for more than 40 years. The proposed sanitary sewer pumping station will be located immediately adjacent to the existing sanitary sewer pumping station proposed for replacement.

On May 11, 2015, the Commission and Stockton University entered into a Memorandum of Agreement (MOA) designating eight "Development Areas" and establishing a streamlined Commission development application review and approval process. As required by the MOA, Stockton University placed a conservation deed restriction on portions of the above referenced 1,586 acre parcel. The areas subject of the deed restriction are depicted on a plan referenced in the MOA.

Subsequent to entering into the MOA, Stockton University paved Delaware Avenue, a sand road (App. No. 1981-1833.077), constructed a 49 space parking lot and pedestrian walkway (App. No. 1981-1833.078) and constructed a new replacement sanitary sewer pumping station (App. No. 1981-1833.082) on the parcel. The development subject of these three applications was undertaken prior to approval of the development in accordance with the provisions of the MOA. By letter dated August 31, 2016, the Commission suspended the MOA. App. No. 1981-1833.082 for the new replacement sanitary sewer pumping station is subject of this Public Development Application Report.

The development that has occurred and is subject of App. No. 1981-1833.077, App. No. 1981-1833.078 and App. No. 1981-1833.082 constitutes a violation of the application and approval requirements of the Pinelands Comprehensive Management Plan (CMP). The development subject of App. No. 1981-1833.077 and App. No. 1981-1833.082 occurred within areas subject of the MOA conservation deed restriction. Based upon the development that occurred in the deed restricted areas constituting a violation on the parcel, the Commission has been unable to approve numerous Stockton University

development applications that are located both within and outside of the deed restricted areas.

The CMP (N.J.A.C. 7:50-4.2(c)1ii) provides that no application to the Commission shall be deemed complete if an outstanding unresolved violation exists on the parcel until such time that the property owner agrees in writing to take all necessary measures to resolve the violation(s) in a time period acceptable to the Commission's Executive Director.

By letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director. The revised conservation deed restriction has been approved and signed by the New Jersey Department of Environmental Protection and was forwarded to Stockton University on January 16, 2025 for recordation at the County Clerk's Office. Recordation of the revised deed restriction will remove certain existing development, such as roads, an elevated potable water storage tank and the location of the existing and proposed replacement sanitary sewer pumping station subject of this Public Development Application Report from the deed restricted conservation areas.

Based upon the January 5, 2024 Stockton University letter and the revised conservation deed restriction having been approved and signed by the New Jersey Department of Environmental Protection and forwarded to Stockton University on January 16, 2025 for recordation at the County Clerk's Office, the Executive Director has agreed that this application can be acted upon by the Commission.

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. 7:50-5.2(a) and (b))

The parcel is located partially in a Pinelands Rural Development Area (approximately 603 acres) and partially in a Pinelands Regional Growth Area (approximately 983 acres). The proposed development will be located in the Pinelands Rural Development Area portion of the parcel.

New wastewater treatment and collection facilities are not permitted in a Pinelands Rural Development Area unless proposed to serve an existing public health problem. The existing sanitary sewer pumping station was constructed prior to the January 14, 1981 effective date of the regulations contained in the CMP. The CMP permits the continuation of any nonconforming use constructed prior to 1981 in any management area. The CMP also permits an up to 50 percent expansion in the area or capacity of any such nonconforming use, provided the nonconforming use is not otherwise expressly limited by the regulations contained in Subchapter 6 the CMP. The proposed sanitary sewer pumping station represents a less than 50 percent expansion of the capacity of the existing sanitary sewer pumping station and the use is not expressly limited by Subchapter 6 the CMP. The proposed replacement of the sanitary sewer pumping station is permitted in a Pinelands Rural Development Area.

Wetlands Standards (N.J.A.C. 7:50-6.7)

There are wetlands located within 300 feet of the proposed development. The CMP prohibits most development within wetlands and the required buffer to wetlands. The existing sanitary sewer pumping station is located within an existing maintained grass area immediately adjacent to the intersection of

Farris Drive and Waterway Drive. The existing sanitary sewer pumping station is located approximately 95 feet from wetlands. The proposed sanitary sewer pumping station will be located within the same existing maintained grassed area and immediately adjacent to the existing sanitary sewer pumping station. The proposed sanitary sewer pumping station will be located approximately 75 feet from wetlands.

No development, including vegetation clearing or soil disturbance, is proposed within wetlands.

The CMP (N.J.A.C. 7:50-6.7) identifies nine specific criteria that must be addressed to determine whether a proposed buffer to wetlands of less than 300 feet will result in an irreversible adverse impact on the wetlands. Based upon the above described location of the proposed sanitary sewer pumping station compared to the location of the existing sanitary sewer pumping station, it has been demonstrated that the proposed development will not result in a significant adverse impact on the wetlands.

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

The proposed development will be located within existing maintained grassed areas. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission’s website on December 5, 2024. The Commission’s public comment period closed on January 10, 2025. 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 prepared by Marathon Engineering & Environmental Services and dated November 14, 2018.
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.



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

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

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 February 10, 2025 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. PC4-25- 05

TITLE: Issuing an Order to Certify Ordinance 2024-32, amending Chapter 55 (Land Use) of the Code of Barnegat Township

Commissioner Avery moves and Commissioner Asselta seconds the motion that:

WHEREAS, on April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Barnegat Township; and

WHEREAS, Resolution #PC4-83-29 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and codified 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 #PC4-83-29 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 December 3, 2024, Barnegat Township adopted Ordinance 2024-32, amending Chapter 55, Land Use, of the Code of Barnegat Township by, among other things, revising conditionally permitted uses and standards in the C-N (Neighborhood Commercial) Zone West of the Garden State Parkway; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 2024-32 on December 4, 2024; and

WHEREAS, by letter dated December 19, 2024, the Executive Director notified the Township that Ordinance 2024-32 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony concerning Barnegat Township’s application for certification of Ordinance 2024-32 was duly advertised, noticed and remotely conducted on January 15, 2025 at 9:30 a.m. with live broadcast on the Pinelands Commission’s public YouTube channel and an opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Executive Director has found that Ordinance 2024-32 is 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 Ordinance 2024-32, amending Chapter 55, Land Use, of the Code of Barnegat Township, is 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 Barnegat Township Ordinance 2024-32 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning Ordinance 2024-32 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 Ordinance 2024-32, amending Chapter 55, Land Use, of the Code of Barnegat Township, is in conformance with the Pinelands Comprehensive Management Plan.
- 2. Any additional amendments to Barnegat 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.

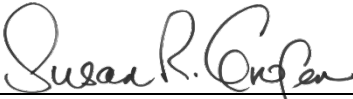
Record of Commission Votes

| AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | |
|-----------------|---|--|--|--|-----------------|---|--|---|--|-----------------|---|--|---|--|
| Asselta | X | | | | Lettman | | | X | | Rittler Sanchez | X | | | |
| Avery | X | | | | Lohbauer | | | X | | Signor | | | X | |
| Buzby-Cope | X | | | | Mauriello | X | | | | Wallner | X | | | |
| Holroyd | X | | | | Meade | | | X | | Matos | X | | | |
| Irick | X | | | | Pikolycky | X | | | | | | | | |


*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: February 14, 2025



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



State of New Jersey
THE PINELANDS COMMISSION
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NEW LISBON, NJ 08064
(609) 894-7300
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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

Report on Barnegat Township's Ordinance 2024-32, Amending Chapter 55 (Land Use) of the Barnegat Township Code

January 22, 2025

Barnegat Township
900 West Bay Avenue
Barnegat, NJ 08005

Findings of Fact

I. Background

The Township of Barnegat is located in southern Ocean County, within the eastern portion of the Pinelands Area. Adjacent Pinelands municipalities include Lacey, Ocean, Stafford and Little Egg Harbor Townships in Ocean County, as well as Bass River and Woodland Townships in Burlington County.

On April 8, 1983, the Pinelands Commission fully certified Barnegat Township's Master Plan and codified Land Use Ordinances.

On December 3, 2024, Barnegat Township adopted Ordinance 2024-32, amending Chapter 55 (Land Use) of the Barnegat Township Code. This ordinance revises district regulations for the Township's Neighborhood Commercial Zone West of the Garden State Parkway (C-N Zone West). It establishes conditional use standards for mixed-use developments containing a Continuing Care Retirement Community (CCRC), assisted living facilities, nursing and convalescent homes, congregate care facilities, or long-term care facilities. A certified copy of Ordinance 2024-32 was submitted to the Pinelands Commission on December 4, 2024.

By letter dated December 19, 2024, the Executive Director notified Barnegat Township that Ordinance 2024-32 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following ordinance has been submitted to the Pinelands Commission for certification:

- * Ordinance 2024-32, amending Chapter 55 (Land Use) of the Barnegat Township Code, introduced on November 7, 2024 and adopted on December 3, 2024.

This ordinance was reviewed to determine whether it conforms 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 (CMP). The findings from this review are presented below. The numbers used to designate the respective sections correspond to the numbers identifying 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 2024-32 amends Chapter 55 (Land Use) of the Barnegat Township Code by revising the district regulations for the Township's existing Neighborhood Commercial Zone West of the Garden State Parkway (C-N Zone West). The ordinance establishes conditional use standards for mixed-use developments that, in addition to commercial and residential uses, include a Continuing Care Retirement Community (CCRC), assisted living facilities, nursing and convalescent homes, congregate care facilities, or long-term care facilities. The C-N Zone West is located within a Regional Growth Area, a Pinelands Village, and a Forest Area.

In 2015, the Commission certified Barnegat Township Ordinance 2014-23, which conditionally permits mixed-use development (multi-family residential/commercial) in the portion of the C-N Zone West located in a Regional Growth Area. A maximum residential density of 11 units per acre is permitted, with Pinelands Development Credits (PDCs) required for 25% of all units.

In 2021, the Commission certified Barnegat Township Ordinance 2021-4, which conditionally permitted assisted living facilities, nursing and convalescent homes, congregate care facilities, and long-term care facilities in the Regional Growth Area portion of the C-N Zone West. This ordinance established a base density of 8 units per acre, a bonus density of up to 12 units per acre through the use of PDCs, and a maximum density of 20 units per acre. Long-term care beds within nursing and convalescent facilities are considered institutional uses under the CMP and are excluded from the density calculation.

In 2023, Barnegat Township adopted Ordinance 2023-23, which conditionally permitted CCRCs along with assisted living facilities, nursing and convalescent homes, congregate care facilities, and long-term care facilities in the Regional Growth Area portion of the C-N Zone West. The ordinance was found to raise no substantial issues with respect to the CMP since a CCRC is simply made up of a continuum of those previously certified uses.

Although both mixed-use development and CCRCs are conditionally permitted in the C-N Zone West, they have distinct conditional use standards. Applying these standards to a development proposal containing both a mixed-use component and a CCRC has proven challenging. Ordinance 2024-32 addresses this issue by clarifying how the standards apply to a development

that includes a mixed-use component (multi-family residential/commercial) and a CCRC component, which itself includes a mix of residential uses (independent living and assisted living units) and institutional uses (nursing and convalescent homes, congregate care facilities, or long-term care facilities). The ordinance now requires that any CCRC within the C-N Zone West must be part of a mixed-use development.

The maximum residential density for these uses is established at 17 dwelling units per acre. This includes multi-family residential units within the mixed-use component as well as independent living units and assisted living units within the CCRC component. The ordinance specifies that multi-family residential units cannot exceed 80% of the total residential units and that CCRC independent living units and assisted living units cannot exceed 25% of the total residential units.

As established under Ordinance 2021-4, such uses are limited to areas within 1,000 feet of the Garden State Parkway and with frontage on a county or state highway. This ensures that this type and intensity of development is limited to the Regional Growth Area portion of the C-N Zone West. The minimum lot area is increased from 5 acres to 10 acres. As was the case when Ordinance 2021-4 was adopted, only one parcel in the C-N Zone West meets these conditional use standards. This parcel is approximately 22.5 acres and consists of six contiguous lots in common ownership (see Exhibit 1).

Previously, CCRCs were allowed at a maximum density of 20 dwelling units per acre, permitting up to 450 units on the parcel noted above. Reducing the maximum density to 17 units per acre lowers the potential total to 382 units, with no more than 305 multi-family residential units and no more than 95 independent living and assisted living units. It is important to note that when Barnegat Township adopted Ordinance 2021-4, it elected to zone for higher densities than required by the CMP. The Township has now elected to reduce this density slightly to reflect the changes in permitted housing types and non-residential development.

Ordinance 2024-32 specifies that PDCs are required for 25% of the multi-family residential units and 20% of the independent living units and assisted living units. This allows for the use of up to 93 rights (23.25 Pinelands Development Credits), representing a slight increase from the opportunity to use 90 rights that was provided by Ordinance 2021-4. Therefore, the reduction in residential zoning capacity is not expected to impact the PDC Program.

The previously certified minimum area, yard, and building requirements that applied to CCRCs remain unchanged. The maximum building height is increased from 35 feet to four stories (50 feet), provided that additional setback requirements are met for buildings over 40 feet. The mixed-use component must also comply with standards established in Ordinance 2014-23, including a requirement that multi-family residential units be age-restricted and that at least 90,000 square feet of retail/commercial space be included on the first floor of any mixed-use buildings or as separate pad sites on the parcel.

The amendments adopted by Ordinance 2024-32 slightly reduce the residential zoning capacity of the C-N Zone West while slightly increasing opportunities for the use of PDCs to enable the development of a mixed-use project containing a CCRC.

Ordinance 2024-32 is 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

As outlined in Section 2, Ordinance 2024-32 clarifies the conditional use standards for mixed-use developments containing a Continuing Care Retirement Community (CCRC). Under the standards established by this ordinance, such developments are permitted a residential density of 17 units per acre. Additionally, the use of Pinelands Development Credits (PDCs) is required for 25% of all multi-family residential units and 20% of the independent living units and assisted living units within a CCRC.

Prior to the adoption of Ordinance 2024-32, CCRCs and assisted living facilities were conditionally permitted at a base density of 8 units per acre, which could be increased to 12 units per acre through the use of PDCs. Once a density of 12 units per acre was reached, CCRCs and assisted living facilities were eligible for a bonus density of up to 20 units per acre without requiring additional PDCs. In comparison, mixed-use developments were permitted a residential density of 11 units per acre, with a requirement that PDCs be redeemed for 25% of all units.

Ordinance 2024-32 establishes a mandatory PDC requirement for mixed use developments containing a CCRC. The approach maintains an approximate equivalency of potential PDC rights as previously certified. As noted in Section 2, the ordinance allows for the use of up to 93 rights, representing a slight increase from the potential use of 90 rights under Ordinance 2021-4.

Although the PDC requirements in Ordinance 2024-32 are lower than those under the traditional zoning approach, where PDCs would account for 33% of the total number of permitted units, it is

important to note that the traditional base density/bonus density approach merely provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach for PDCs to be used in any development project. Ordinance 2024-32 ensures that PDCs must be purchased and redeemed as part of the approval of any mixed-use development containing a CCRC within the C-N Zone West, regardless of the final density or number of units constructed. Sufficient and appropriate opportunities for the use of PDCs remain available in the C-N Zone West and throughout Barnegat's Regional Growth Area.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

Ordinance 2024-32 is 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

Ordinance 2024-32 is 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 Neighborhood Commercial Zone West of the Parkway (C-N Zone West) does not border any neighboring municipalities of Barnegat Township. As such, no intermunicipal conflicts are expected.

Therefore, this standard for certification is met.

Public Hearing

A public hearing to receive testimony concerning Barnegat Township's application for certification of Ordinance 2024-32 was duly advertised, noticed and held on January 15, 2025 at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcast 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 provided.

Written comments on Ordinance 2024-32 were accepted through January 17, 2025. No written comments were received.

Conclusion

Based on the Findings of Fact cited above, the Executive Director has concluded that Barnegat Township's Ordinance 2024-32, complies 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 Ordinance 2024-32 of Barnegat Township.

SRG/DBL/CBA
Attachments

Barneгат Township Neighborhood Commercial (C-N) Zone West of Parkway

Executive Director's Report
Barneгат Twp. Ord. 2024-32
Exhibit 1
1/22/2025

Pinelands Management Areas

Regional Growth Area

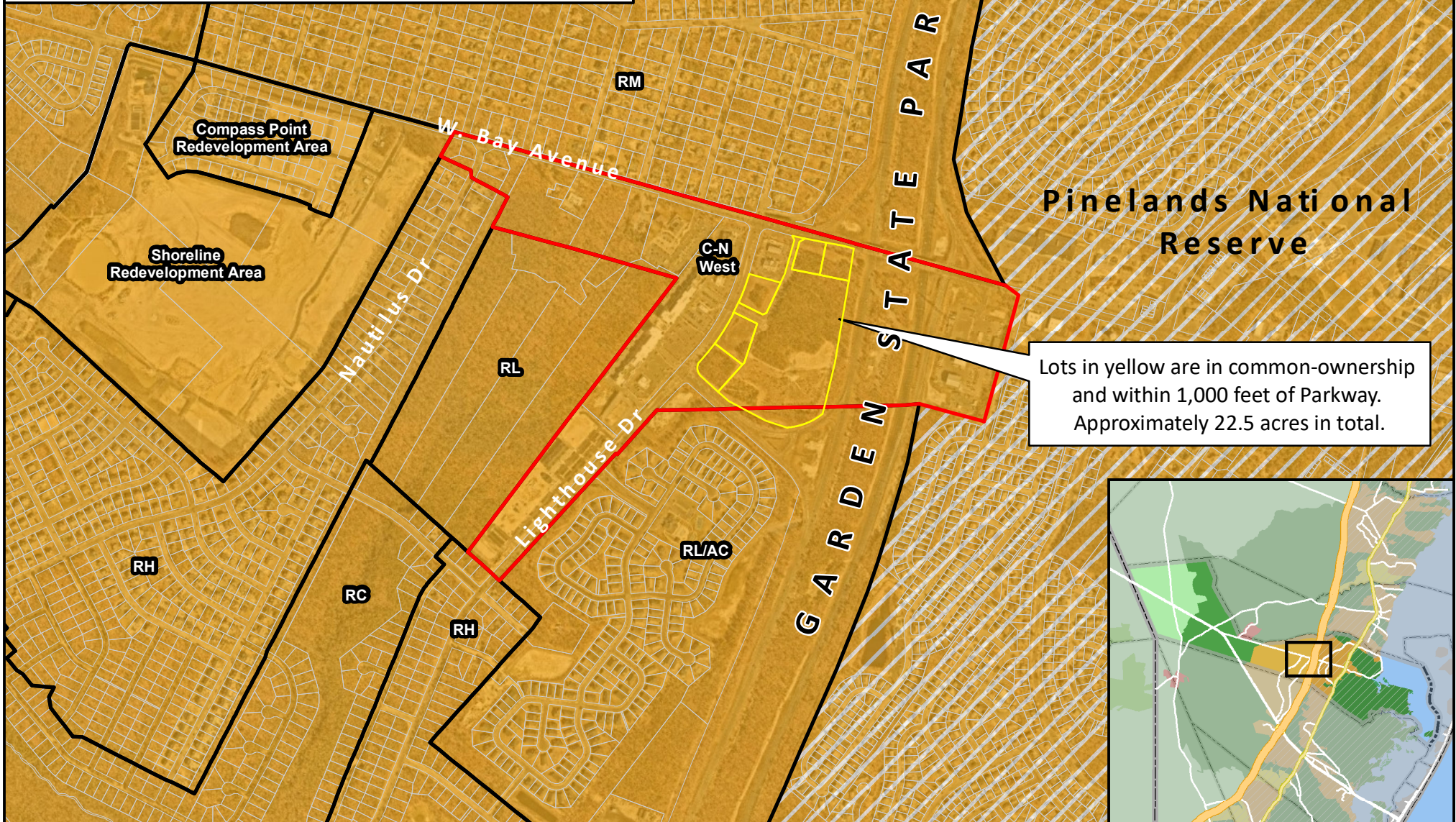


Parcels



Existing Zoning

0 0.25 0.5 Miles





RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 06

TITLE: Issuing an Order to Certify Berlin Township’s 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15, amending Chapter 340 (Zoning) of the Code of Berlin Township

Commissioner Pikolycky moves and Commissioner Asselta seconds the motion that:

- WHEREAS**, on June 3, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Berlin Township; and
- WHEREAS**, Resolution #PC4-83-51 of the Pinelands Commission specified that any amendment to the Township’s certified Master Plan and codified 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 #PC4-83-51 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 24, 2023, the Berlin Township Planning and Zoning Board adopted Resolution 2023-19, approving the Berlin Township Master Plan Reexamination Report and Amendment, dated October 2023; and
- WHEREAS**, the Pinelands Commission received a certified copy of Planning and Zoning Board Resolution 2023-19 and the Master Plan Reexamination Report and Amendment on December 4, 2023; and
- WHEREAS**, by letter dated December 18, 2023, the Executive Director notified Berlin Township that, in accordance with N.J.A.C. 7:50-3.32, the 2023 Master Plan Reexamination Report and Amendment would be deemed incomplete until such time that one or more necessary implementing ordinances were adopted and submitted to the Commission for certification; and
- WHEREAS**, on December 19, 2024, Berlin Township adopted Ordinance 2024-15, amending Chapter 340 (Zoning) of the Code of Berlin Township, to implement the recommendations of the 2023 Master Plan Reexamination Report and Amendment; and
- WHEREAS**, the Pinelands Commission received a certified copy of Ordinance 2024-15 on December 20, 2024; and
- WHEREAS**, by letter dated December 27, 2024, the Executive Director notified Berlin Township that the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 required formal review and approval by the Pinelands Commission; and
- WHEREAS**, a public hearing to receive testimony concerning Berlin Township’s application for certification of its 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 was duly advertised, noticed and remotely conducted on January 15, 2025 at 9:30 a.m. with live broadcast on the Pinelands Commission’s public YouTube channel and an opportunity for the public to call-in during the live broadcast; and
- WHEREAS**, the Executive Director has found that the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 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 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15, amending Chapter 340, Zoning, of the Code of Berlin Township is 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 Berlin Township’s 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 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 Berlin Township’s 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15, amending Chapter 340, Zoning, of the Code of Berlin Township, is in conformance with the Pinelands Comprehensive Management Plan.
- 2. Any additional amendments to Berlin 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* | | | | |
|-----------------|---|--|--|--|-----------------|---|--|---|--|-----------------|---|--|---|--|
| Asselta | X | | | | Lettman | | | X | | Rittler Sanchez | X | | | |
| Avery | X | | | | Lohbauer | | | X | | Signor | | | X | |
| Buzby-Cope | X | | | | Mauriello | X | | | | Wallner | X | | | |
| Holroyd | X | | | | Meade | | | X | | Matos | X | | | |
| Irick | X | | | | Pikolycky | X | | | | | | | | |

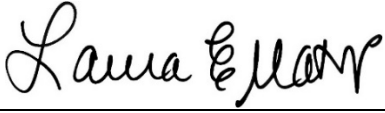
*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: February 14, 2025



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



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

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



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

Report on Berlin Township's 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15, Amending Chapter 340 (Zoning) of the Berlin Township Code

January 22, 2025

Berlin Township
135 NJ Route 73
West Berlin, NJ 08091

Findings of Fact

I. Background

The Township of Berlin is located in the western section of the Pinelands Area in Camden County. Pinelands municipalities adjacent to Berlin Township's Pinelands Area include Berlin Borough and Waterford Township in Camden County, and Evesham Township in Burlington County.

On June 3, 1983, the Pinelands Commission fully certified the Land Use Procedures and Zoning Ordinance of Berlin Township.

On October 24, 2023, the Berlin Township Planning and Zoning Board adopted Resolution 2023-19, approving the Berlin Township Master Plan Reexamination Report and Amendment, dated October 2023. The report recommends, among other things, revisions to the Township's zoning plan and zoning district regulations within the Pinelands Area. The Pinelands Commission received a certified copy of Planning and Zoning Board Resolution 2023-19 and the Master Plan Reexamination Report and Amendment on December 4, 2023.

By letter dated December 18, 2023, the Executive Director notified Berlin Township that, in accordance with N.J.A.C. 7:50-3.32, the 2023 Master Plan Reexamination Report and Amendment is deemed incomplete until necessary implementing ordinances were adopted and submitted to the Commission for certification.

On December 19, 2024, Berlin Township adopted Ordinance 2024-15, amending Chapter 340 (Zoning) of the Berlin Township Code, and implementing the recommendations of the 2023 Master Plan Reexamination Report and Amendment. The Pinelands Commission received a certified copy of Ordinance 2024-15 on December 20, 2024.

By letter dated December 27, 2024, the Executive Director notified Berlin Township that the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 required formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

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

- * Planning and Zoning Board Resolution 2023-19, approving the Berlin Township Master Plan Reexamination Report and Amendment, dated October 2023, adopted October 24, 2023; and
- * Ordinance 2024-15, amending Chapter 340 (Zoning) of the Berlin Township Code, introduced on November 25, 2024, and adopted on December 19, 2024.

This master plan reexamination report and ordinance were 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 (CMP). The findings from this review are presented below. The numbers used to designate the respective sections correspond to the numbers identifying 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

2023 Master Plan Reexamination Report and Amendment

The Master Plan Reexamination Report and Amendment includes updates on major problems and objectives related to land development identified in the Township's 2016 reexamination report. It also discusses changes in policy and objectives since 2016 and recommends changes to the master plan and land development regulations affecting areas inside and outside the Pinelands Area portion of the Township.

For the Pinelands Area, the report recommends rezoning four lots totaling approximately 22.5 acres from the Highway Commercial (C-2RD) Zone to the Regional Commercial Growth (C-3) Zone. This would constitute a change in Pinelands management area from a Rural Development Area to a Regional Growth Area. The report also recommends changes to the C-3 Zone district regulations, including conditionally permitting continuing care retirement communities (CCRCs) and light industrial uses, and changing warehouse facilities from a permitted use to a conditionally permitted use. Additionally, it recommends new development regulations for various types of warehouses. These recommendations are implemented by Ordinance 2024-15, discussed below.

The report further recommends investigating whether certain properties within the Township's Regional Growth Area along Cushman Avenue meet the criteria for designation as an area in need of redevelopment. Since the reexamination report's adoption, the Township has completed its investigation and formally designated the land as an area in need of redevelopment. The Township has yet to adopt a redevelopment plan for the area. Once adopted, the redevelopment plan must be submitted to the Pinelands Commission for review and approval before it can take effect.

Ordinance 2024-15

Ordinance 2024-15 amends Chapter 340, Zoning, of the Berlin Township Code and implements the 2023 Master Plan Reexamination Report recommendations for the Pinelands Area portion of the Township.

Zoning Map Amendments

The ordinance rezones approximately 22.5 acres to the Regional Commercial Growth (C-3) Zone (see Exhibit 1). Approximately 22.4 acres are rezoned from the Highway Commercial (C-2RD) Zone, eliminating the C-2RD Zone. The remaining area is composed of single lot that is rezoned from the Single Family Detached Residential (R-1) Zone.

The rezoned area, located between Chestnut Avenue and Edgewood Avenue along Cooper Road, is contiguous with the C-3, Multifamily Residential (R-3), and Institutional Use (INS) zones, which are all located in the Regional Growth Area. This area of Cooper Road serves as the Pinelands Area boundary. The rezoned area is composed entirely of uplands. One lot is farmland assessed, while the remaining lands are vacant and wooded. This zoning change constitutes a change in Pinelands management area from a Rural Development Area to a Regional Growth Area. While the C-2RD Zone permits a similar set of non-residential uses, the rezoning would allow future development to be served by sewer and built at higher intensities.

The ordinance also eliminates the E-1 Environmental Sensitive Area Overlay, which overlays a portion of the Industrial (I-1) District within a Rural Development Area (see Exhibit 1). This overlay predates Berlin Township's original certification in 1983 and recognizes wetlands present in the area. Discrepancies regarding the overlay's boundaries have arisen over time, prompting the Township to repeal it. Given the existing CMP environmental standards in the Township's land development regulations, there is no decrease in protections afforded to environmentally sensitive areas in the vicinity of the overlay.

C-3 Zone Amendments

The ordinance revises regulations for the C-3 Zone, which, inclusive of the lots proposed for rezoning, encompasses approximately 137 acres within a Pinelands Regional Growth Area. Originally established by Ordinance 1996-8, the C-3 Zone was certified by the Commission in 1996 and includes lands that were previously designated as a Rural Development Area. The 1996 zoning change and a subsequent 2012 zoning change expanded the C-3 Zone and the Township's Regional Growth Area by approximately 65 acres and 48 acres, respectively.

Under existing C-3 Zone regulations, a variety of business, office, service, and professional uses are permitted on lots of at least 20,000 square feet, with a maximum floor area ratio (FAR) of 1.8%. These standards were designed to allow sewer commercial development at Rural

Development Area intensities, while enabling property owners to build at typical Regional Growth Area intensities by redeeming Pinelands Development Credits (PDCs). Developers can increase the FAR from 1.8% to 36% through the use of PDCs, with each quarter-credit allowing an additional 7,360 square feet of commercial space. The PDC structure was intended to limit increased water demand potential to avoid adverse impacts to the Mullica River watershed. The redemption of PDCs provided an environmental offset when development occurred at higher intensities.

Ordinance 2024-15 revises the C-3 Zone's permitted uses, FAR requirements, and PDC provisions. It adds art, music, dance, and martial arts studios; fitness centers; indoor private recreation facilities; outpatient medical offices; and various business and service uses, while removing uses like animal hospitals; amusements; commercial greenhouses and nurseries; kennels; automobile body repair and painting; automobile repair, service or parts supply stations; drive-in eating establishments; and vehicle rental, sales and storage. All uses permitted by right are allowed an FAR of 20% for one-story buildings and 35% for two-story buildings.

Warehouse, distribution and storage facilities as well as light industrial uses are conditionally permitted on lots of at least 2 acres, with a maximum FAR of 40% and a building height limit of 44 feet. Noise evaluations and noise-reducing barriers are required for parcels within 200 feet of a residential use or residential zone, and buildings over 100,000 square feet must be designed to support rooftop solar installations in accordance with P.L. 2021, c290.

Continuing care retirement communities (CCRCs) are conditionally permitted on lots of at least 10 acres, with a maximum residential density of 18 units per acre. Residential density calculations include independent living units and assisted living units but exclude memory care and skilled nursing facilities. At least 30% of the residential units must be assisted living units, and at least 10% of the assisted living, memory care and skill nursing facilities must be made affordable to low- and moderate-income households. CCRC buildings are permitted to have a maximum FAR of 15% for one-story buildings, 30% for two-story buildings, and 45% for three story buildings (with a height limit of 40 feet).

The ordinance modifies the PDC requirements in the C-3 Zone. Non-residential developments (excluding CCRCs) must acquire and redeem PDCs at a rate of one-quarter credit per acre developed, including associated improvements. For CCRCs, PDCs are required for 20% of independent living units and assisted living units. Units made affordable to low- and moderate-income households to satisfy the 10% requirement are exempt from the PDC obligation.

The ordinance provides updated regulations for all uses permitted in the C-3 Zone, including permitted accessory uses, area and yard requirements, off-street parking, landscaping, building design, and waste storage. Development in the C-3 Zone must connect to public water and sewer systems. The ordinance also permits multiple principal buildings on a parcel and multiple uses within a principal building provided that the site is owned, managed, and maintained by one entity.

Regional Growth Area Impacts

The changes adopted by Ordinance 2024-15 provide for both a limited expansion of the Township's Regional Growth Area and increased development intensities, including residential development, throughout the C-3 Zone. The Commission has previously certified expansions of Berlin Township's Regional Growth Area on two separate occasions. The purpose of these

expansions was two-fold: to transition existing uses from onsite septic to sanitary sewer and to recognize the scale and intensity of existing development, which was similar to patterns of development in adjacent Regional Growth Areas. In these instances, the Commission exercised caution regarding potential impacts on the Mullica River watershed due to increased water demand arising from the zoning changes. This resulted in the FAR and PDC requirements described above. This also meant that larger undeveloped parcels were excluded from these prior zoning changes.

The new uses permitted in the C-3 Zone are consistent with those allowed by the CMP for Regional Growth Areas. The changes to the FAR and PDC provisions of the C-3 Zone are appropriate because the ordinance requires that development on all lots be connected to both public water and public sewer systems. This requirement prevents the development of individual wells that would draw from the Mullica River watershed. Furthermore, the Master Plan Reexamination Report identifies that public water servicing the C-3 Zone would be serviced by wells in Berlin Borough within the Lower Delaware watershed management area. Wastewater would be conveyed to the Camden County Municipal Utilities Authority (CCMUA). Importantly, the Berlin Borough wells are all located outside of the Pinelands Area. Since the water is sourced from outside the Pinelands Area, the conveyance of wastewater to the CCMUA treatment plant in Camden would not violate the CMP prohibition on exporting water from the Pinelands. Additionally, it is unlikely that further drawdowns from the Berlin Borough wells will impact Pinelands Area resources given their distance from the Pinelands Area border.

While the ordinance allows for increased development intensity in the C-3 Zone, it is important to note that the zone is largely built out, offering limited development opportunities. Currently, there are approximately six privately owned, vacant parcels, including those proposed for rezoning, which total 48 acres. The rezoning of 22.5 acres to the C-3 Zone is appropriate given the availability of suitable infrastructure as described above. The rezoned area spans an area between an existing Regional Growth Area and the Pinelands Area border. Land use patterns adjacent to these parcels have similar uses as what is permitted in the C-3 Zone. It is assumed that these lots were not considered during prior zoning changes due to the concerns over water consumption from the Mullica River watershed, which have since been resolved.

While the expansion of a Regional Growth Area is typically balanced by a reductions in the size of that management area elsewhere in the same municipality, such an offset is neither provided nor feasible because of the limited size and developed nature of the Township's existing Regional Growth Area. Nevertheless, Ordinance 2024-15 establishes requirements for the use of PDCs for all non-residential development in the C-3 Zone. These requirements create the potential for permanent land preservation elsewhere in the Pinelands Area.

Conditionally permitting CCRCs in the C-3 Zone increases the Township's Regional Growth Area residential zoning capacity. Analysis shows that only two vacant parcels meet the 10-acre minimum lot size requirement. Both parcels are part of the proposed rezoning, one totaling 13.5 acres and the other totaling 11 acres, allowing for a combined maximum of 441 independent living and assisted living units. It should be noted that the CMP contemplates assisted living facilities and CCRCs having relatively high densities compared to typical single-family and townhouse developments. While this represents a relatively high residential density, the Commission has previously certified densities of up to 20 units per acre for assisted living facilities in Barnegat and 15 units per acre in Medford Township. As described above, water and sewer infrastructure can be made available to these sites, and the intensity of use is consistent

with other uses in the vicinity. Furthermore, appropriate requirements for the use of Pinelands Development Credits have been included, which is described in further detail in Section 8 below.

Given the facts above, the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 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

Ordinance 2024-15 amends the Pinelands Development Credit (PDC) provisions within the C-3 Zone, conditionally permitting continuing care retirement communities (CCRCs) at a density of 18 units per acre. CCRCs and assisted living facilities may exceed a density of 8 units per acre in a Regional Growth Area only through the use of PDCs (N.J.A.C. 7:50-5.34(a)2).

The ordinance requires the acquisition and redemption of PDCs for 20% of the independent and assisted living units. Units designated as affordable housing for low- and moderate-income households, satisfying a 10% requirement, are exempt from this obligation. As noted in Section 2, only two vacant parcels in the C-3 Zone, totaling 22.5 acres, meet the lot size requirements for CCRCs. The PDC requirements for CCRCs will provide an opportunity to utilize up to 80 rights (20 PDCs).

The CMP requires Berlin Township to zone lands suitable for residential development at a base density of 2 units per privately held uplands acre, with an opportunity to achieve 3 units per acre

through the use of PDCs. Under the traditional base/bonus density structure, the two vacant lots meeting the CCRC lot size requirements could support the use of up to 23 rights. However, this approach does not guarantee PDC utilization in development. The CMP explicitly allows Pinelands municipalities to implement additional density bonus or incentive programs in Regional Growth Areas, provided these programs do not interfere with or impair PDC requirements (N.J.A.C. 7:50-5.28(a)7i).

In this instance, Berlin Township has chosen to allow CCRCs to be developed at a higher density while ensuring the use of PDCs to achieve these densities. Although the 20% PDC requirement is lower than the 33% required under the traditional approach, it guarantees a PDC redemption rate of 20% if a CCRC is developed in the C-3 Zone. This approach provides greater certainty that PDCs will be utilized in any CCRC development. Therefore, the Executive Director finds the PDC requirements for CCRCs under Ordinance 2024-15 consistent with Comprehensive Management Plan standards.

As described in Section 2, Berlin Township's certified C-3 Zone uniquely allowed developers to use PDCs to intensify non-residential development. While concerns about increased water demand from the Mullica River watershed have been resolved, Ordinance 2024-15 maintains a PDC requirement for non-residential development (excluding CCRCs). The ordinance replaces the base Floor Area Ratio (FAR)/bonus FAR PDC structure with a simplified requirement of one-quarter credit per acre of development, including associated improvements. With approximately six privately owned, vacant parcels totaling 48 acres remaining in the C-3 Zone, there is an opportunity for the use of up to 48 rights (12 PDCs).

Maintaining a PDC requirement for non-residential uses in the C-3 Zone is appropriate, given the limited opportunities for PDC utilization in the Township's Regional Growth Area. Prior to the certification of the C-3 Zone in 1996, Berlin Township was exempted from providing PDC opportunities in its Regional Growth Area due to its unsuitability for residential development and exclusively commercial zoning designation. Since then, the Township has expanded its Regional Growth Area, and the C-3 Zone remains the only area offering opportunities for PDC use.

By moving away from the base FAR/bonus FAR structure, the ordinance simplifies PDC requirement calculations and ensures PDC redemption for non-residential development, even at lower FARs. This provision guarantees that any development on the remaining vacant parcels in the C-3 Zone will require PDCs, including the two larger parcels rezoned under Ordinance 2024-15, which could be developed exclusively for non-residential uses. Without these provisions, the Township's Regional Growth Area could be fully developed without utilizing any PDCs.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

The 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 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

The 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 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

Berlin Township's C-3 Zone is contiguous with both Berlin Borough and Waterford Township. In each case, the C-3 Zone abuts long-standing non-residential zoning districts: the Planned Highway Business (PHB) District in Waterford Township and the Highway Commercial (PC-3) District in Berlin Borough. The changes in permitted uses and intensity of uses in the C-3 Zone are not anticipated to cause any intermunicipal conflicts. Therefore, this standard for certification is met.

Public Hearing

A public hearing to receive testimony concerning Berlin Township's application for certification of its 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 was duly advertised, noticed and held on January 15, 2025 at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcast 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 provided.

Written comments on the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 were accepted through January 17, 2025. No written comments were received.

Conclusion

Based on the Findings of Fact cited above, the Executive Director has concluded that Berlin Township's 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15, complies 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 the 2023 Master Plan Reexamination Report and Amendment and Ordinance 2024-15 of Berlin Township.

SRG/DBL/CBT
Attachments

Berlin Township Ordinance 2024-15

Executive Director's Report
Berlin Twp. Ord. 2024-15
Exhibit 1
1/22/2025

Pinelands Management Areas

- Rural Development Area
- Regional Growth Area



Rezoned Lots



Berlin Twp Zoning



Berlin Twp Parcels

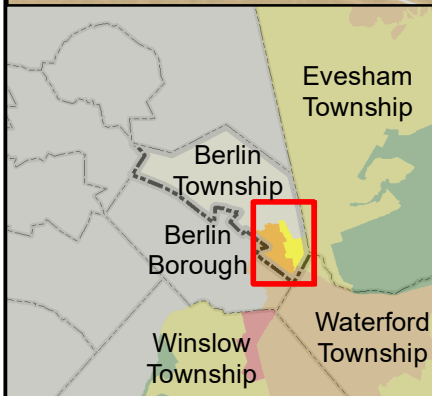
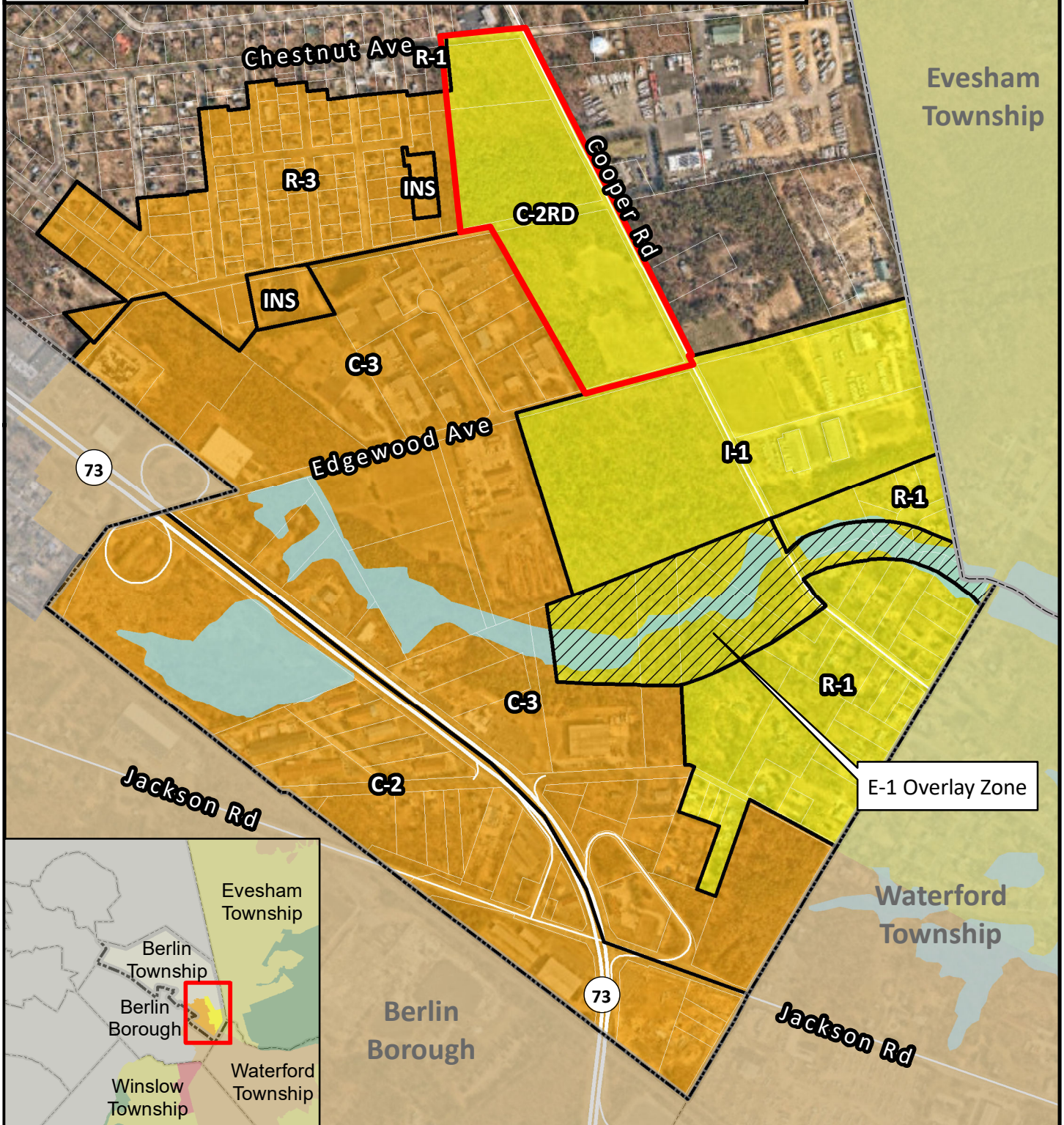


Pinelands
Wetlands

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RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25-_____

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1981-0809.013, 1997-0257.021, 2000-0637.006 & 2006-0247.002)

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

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

1981-0809.013
Applicant: **New Jersey Department of Environmental Protection, Office of Resource Development**
Municipality: Jackson Township
Management Area: Pinelands Forest Area
Date of Report: February 21, 2025
Proposed Development: Construction of a 1,370 square foot maintenance building;

1997-0257.021
Applicant: **NJ Turnpike Authority**
Municipality: Borough of South Toms River
Management Area: Pinelands Garden State Parkway Overlay District
Date of Report: February 21, 2025
Proposed Development: Improvements to a 0.52 mile section of the Garden State Parkway;

2000-0637.006
Applicant: **NJ Department of Environmental Protection**
Municipality: Washington Township
Management Area: Pinelands Village
Date of Report: February 20, 2025
Proposed Development: Construction of a paved driveway and vehicle storage area at an existing State of New Jersey office building; and

2006-0247.002
Applicant: **Egg Harbor City**
Municipality: Egg Harbor City
Management Area: Pinelands Town
Date of Report: February 20, 2025
Proposed Development: Three lot resubdivision and no further development.

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1981-0809.013, 1997-0257.021, 2000-0637.006 & 2006-0247.002 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

| AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | | AYE NAY NP A/R* | | | | |
|--------------------------|--|--|--|--|--------------------------|--|--|--|--|--------------------------|--|--|--|--|
| Asselta | | | | | Lettman | | | | | Rittler Sanchez | | | | |
| Avery | | | | | Lohbauer | | | | | Signor | | | | |
| Buzby-Cope | | | | | Mauriello | | | | | Wallner | | | | |
| Holroyd | | | | | Meade | | | | | Matos | | | | |
| 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

February 21, 2025

William C. White (via email)
New Jersey Department of Environmental Protection, Office of Resource Development
275 Freehold-Englishtown Rd
Englishtown NJ 07726

Re: Application # 1981-0809.013
Block 16001, Lot 1
Jackson Township

Dear Mr. White:

The Commission staff has completed its review of this application for the construction of a 1,370 square foot maintenance building. 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 March 14, 2025 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, Jackson Township Planning Board (via email)
Jackson Township Construction Code Official (via email)
Jackson Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Ocean County Health Department (via email)
Adam Warburton (via email)



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

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THE PINELANDS COMMISSION
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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

February 21, 2025

William C. White (via email)
New Jersey Department of Environmental Protection, Office of Resource Development
275 Freehold-Englishtown Rd
Englishtown NJ 07726

Application No.: 1981-0809.013
Block 16001, Lot 1
Jackson Township

This application proposes the construction of a 1,370 square foot maintenance building located on the above referenced 124.8 acre parcel in Jackson Township. The New Jersey Department of Environmental Protection Forest Resource Education Center, including a state nursery and interpretive center, is located on the parcel. The Forest Resource Education Center provides information to the public on forest succession, forestry, forest fires and native wildlife.

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. 7:50-5.2(b))

The proposed development is located in a Pinelands Forest Area.

On October 12, 2001, the Commission approved the development of the existing 4,200 square foot Forest Resource Education Center on the 124.8 acre parcel (App. No. 1981-0809.004). At that time, a portion of the parcel was located in a Pinelands Rural Development Area and a portion of the parcel was located in a Pinelands Forest Area. The approved Forest Resource Education Center was located in the Pinelands Rural Development Area portion of the parcel.

On April 15, 2005, the Pinelands Commission certified (approved) an amendment to the Jackson Township land use ordinance that changed the municipal zoning of the portion of the 124.8 acre parcel located in the Township's RD zoning district (Rural Development Area) to the FA-2 municipal zoning district (Forest Area). As a result, the entire parcel is now located in a Pinelands Forest Area.

The Forest Resource Education Center is a nonconforming use in a Pinelands Forest Area. The CMP permits the 50 percent expansion of any nonconforming use which was constructed based upon an approval granted pursuant to the CMP. The proposed maintenance building constitutes a less than 50 percent expansion of the Forest Resource Education Center. Therefore, the proposed maintenance building is permitted based upon this CMP 50 percent expansion provision.

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

There are wetlands located on the above referenced 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 adjacent to an existing parking area that serves the existing Forest Resource Education Center. The area proposed for development is comprised of gravel, grass and forest. The proposed development will disturb approximately 8,000 square feet of forested land. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to utilize a seed mixture which meets that recommendation.

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

The applicant performed a threatened and endangered (T&E) species survey for Northern pine snake and Timber rattlesnake on and in the vicinity of the proposed development. The results of the T&E species survey were negative for both species.

Water Quality Standard (N.J.A.C. 7:50-6.83)

The existing development on the parcel is serviced by an existing onsite septic system(s). The proposed maintenance building will be serviced by a proposed onsite septic system. The applicant has submitted information demonstrating that the proposed onsite septic system will be located in an area where the seasonal high water table is located at least five feet below natural surface of the ground.

The applicant has also demonstrated that the proposed development, in combination with the existing development on the parcel, will not exceed the CMP two parts per million nitrogen groundwater quality (septic dilution) standard on the 124.8 acre parcel.

The proposed development is consistent with the CMP water quality standard.

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant will be constructing an underground infiltration basin.

Water Management Standards (N.J.A.C. 7:50-6.86)

The existing Forest Resource Education Center is serviced by an existing well in the Kirkwood Cohansey aquifer. The proposed maintenance building will be serviced by a proposed well in the Kirkwood Cohansey aquifer. The applicant has represented that the combined existing and proposed diversions from the Kirkwood Cohansey aquifer will be 1,350 gallons per day, well below the 50,000 gallons per day threshold for applicability of CMP Kirkwood-Cohansey water management standards.

Scenic Standards (N.J.A.C. 7:50-6.104)

The CMP requires that all buildings proposed in a Pinelands Forest Area be set back at least 200 feet from the center line of a scenic corridor. The CMP defines all public paved roads in a Pinelands Forest Area as scenic corridors. The proposed maintenance building will be located at least 200 feet from the center line of any public paved road.

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 on the parcel, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on June 28, 2023. Newspaper public notice was completed on June 30, 2023. The application was designated as complete on the Commission's website on January 14, 2025. The Commission's public comment period closed on February 14, 2025. 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 10 sheets, prepared by Colliers Engineering & Design, all sheets dated August 10, 2022 and revised to January 15, 2025.
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. The proposed onsite septic system shall be located in an area on the parcel where the seasonal high water table is located at least five feet below the natural surface of the ground.
5. 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.



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

State of New Jersey
THE PINELANDS COMMISSION
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(609) 894-7300
www.nj.gov/pinelands



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

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 March 11, 2025 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.



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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

February 21, 2025

Michael Garofalo, P.E. (via email)
NJ Turnpike Authority
1 Turnpike Plaza
Woodbridge NJ 07095

Re: Application # 1997-0257.021
Garden State Parkway right-of-way
Borough of South Toms River

Dear Mr. Garofalo:

The Commission staff has completed its review of this application for improvements to a 0.52 mile section of the Garden State Parkway. 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 March 14, 2025 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
Public comment dated 2/14/2025

c: Secretary, Borough of South Toms River Planning Board (via email)
Borough of South Toms River Construction Code Official (via email)
Borough of South Toms River Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Brian Mausert (via email)
Stephen Elliott (via email)



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

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

February 21, 2025

Michael Garofalo, P.E. (via email)
NJ Turnpike Authority
1 Turnpike Plaza
Woodbridge NJ 07095

Application No.: 1997-0257.021
Garden State Parkway right-of-way
Borough of South Toms River

This application proposes road improvements to an approximately 0.52 mile section of the Garden State Parkway located in the Borough of South Toms River.

Specifically, this application proposes the expansion of a partial interchange to a full interchange at the intersection of the Garden State Parkway and Dover Road through the construction of a northbound exit ramp and southbound entrance ramp. The applicant has indicated that providing a full interchange at this location will reduce the number of vehicles utilizing the next full interchange to reach the local roadway network. The applicant also proposes the widening of the Garden State Parkway by a maximum of approximately 15 feet at several locations to improve vehicular movements. All proposed road improvements are located within the existing Garden State Parkway right-of-way.

The applicant is proposing approximately 2.9 miles of road improvements within this area of the Garden State Parkway right-of-way from Interchange 80 to Interchange 83. However, only approximately 0.52 miles of those road improvements are located in the Pinelands Area. The 2.9 mile section of the Garden State Parkway proposed for road improvement intersects the local roadway network at four closely spaced interchanges and exhibits high traffic volumes, accidents and operational deficiencies.

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. 7:50-5.35)

The proposed development is located within the existing Garden State Parkway right-of-way. The Garden State Parkway right-of-way is located within the CMP designated Parkway Overlay District. The proposed improvements to the existing roadway are not expected to induce changes in the location,

pattern or intensity of land use that would be inconsistent with the CMP. Therefore, the proposed road improvements are a permitted land use in the Parkway Overlay District.

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

Portions of the proposed development will occur within wetlands and the required buffer to wetlands.

The southbound entrance ramp will encroach upon an approximately 2,100 square foot isolated wetland. The proposed development will result in the disturbance of 1,942 square feet (0.045 acres) of this isolated wetland.

Portions of the proposed road widening will occur within approximately 25 feet of other wetlands located along the 0.52 mile section of the Garden State Parkway.

The CMP permits roads (linear improvements) in wetlands and the required buffer to wetlands upon a demonstration that certain CMP standards are met. Among these standards is a requirement that the development serve a need that overrides the importance of protecting the wetland. For this application, the applicant has represented that the proposed road improvements are necessary to improve traffic safety. The applicant has demonstrated that there is no feasible alternative that does not involve development in wetlands or the required buffer to wetlands, no other feasible alternative that results in less significant adverse impacts on wetlands and the proposed development will not result in substantial impairment of the resources of the Pinelands. Finally, with the conditions imposed below, all practical measures are being taken to mitigate any adverse impact on wetlands and the required buffer to wetlands. Therefore, the required demonstrations have been made and the application is consistent with the CMP's wetlands protection standards.

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

The proposed development will be located within maintained grassed areas, paved areas and forested areas. The proposed development of the stormwater management basins will disturb approximately 3.5 acres of forested lands. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize disturbed areas, the applicant proposes to utilize grass species which meet that recommendation.

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

The applicant performed threatened and endangered (T&E) species surveys for Pine Barrens treefrog and for T&E plant species for which habitat is present within the project area. The results of the T&E species surveys were negative for both Pine Barrens treefrog and T&E plant species on or in the vicinity of the proposed development.

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant will be

constructing five stormwater infiltration basins located along the 0.52 mile section of the project located within the Pinelands Area.

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

The Garden State Parkway is not listed on the State or National Register of Historic Places (NRHP). However, the New Jersey State Historic Preservation Office previously designated a Garden State Parkway Historic District as eligible for listing on the NRHP. According to the cultural resources surveys conducted for this application, no significant historic resources or historic resources contributing to the NRHP eligible Garden State Parkway Historic District will be impacted by that portion of the proposed development located within the Pinelands Area.

Since the proposed development will not have an adverse effect on any significant historic resources or contributing historic resources to the NRHP eligible Garden State Parkway Historic District, no Certificate of Appropriateness is required for this application.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on May 22, 2023. The application was designated as complete on the Commission's website on January 3, 2025. The Commission's public comment period closed on February 14, 2025. The Commission received one public comment regarding this application.

Public Commenter: The commenter requested that the Commission rigidly apply the CMP wetlands protection and stormwater management regulations to the proposed development. In particular, the commenter advocated for the green infrastructure requirements of the CMP stormwater management regulations.

Staff Response: The Commission appreciates the commenter's interest in protecting the Pinelands Area. For the reasons discussed above in this Report, the proposed development meets the CMP wetlands protection regulations. The proposed development also meets the CMP stormwater management regulations. Three of the proposed stormwater infiltration basins are small scale infiltration basins that qualify as "green infrastructure" stormwater management measures.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 24 sheets, prepared by Greenman-Pedersen, Inc. and dated (SIC) as follows:

Sheet 1 – November 11, 2024

Sheets 2, 3, 6, 9, 10, 16-18 & 21-23 – November 2024

Sheets 4 & 5 – November 2024; revised to September 9, 2024

Sheets 7 & 8 – November 2024; revised to August 15, 2024

Sheet 11 – November 2024; revised to August 27, 2024

Sheet 12 – November 2024; revised to October 31, 2024

Sheet 13 – November 2024; revised to August 28, 2024

Sheets 14, 15, 19, 20 & 24 – November 2024; revised to November 4, 2024

2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Prior to the construction of any portion of the proposed development which will result in the disturbance of any wetland area, a Freshwater Wetland Permit shall be obtained pursuant to the New Jersey Freshwater Wetlands Protection Act.
6. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

CONCLUSION

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



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

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



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

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 March 11, 2025 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.

From: Deman, Ernest [PINELANDS] (Ernest.Deman@pinelands.nj.gov)
Received: 2/14/2025 12:25:07 PM
To: AppInfo, PC [PINELANDS] (AppInfo@pinelands.nj.gov)
CC:
Subject: FW: re Comments.
Attachments: None

From: Stephen Elliott <Stephen@pinelandsalliance.org>
Sent: Friday, February 14, 2025 12:16 PM
To: Noble, Jessica [PINELANDS] <Jessica.Noble@pinelands.nj.gov>
Cc: Deman, Ernest [PINELANDS] <Ernest.Deman@pinelands.nj.gov>
Subject: [EXTERNAL] RE: re Comments.

Good Afternoon Jessica,

Of course, please find them below.

We [Pinelands Preservation Alliance] were able to briefly review the documents and seek an expert opinion on this proposal [Application No. 1997-0257.021]. While we acknowledge that the applicant has overdesigned their stormwater management, consisting mostly of retention basins with manufactured treatment devices, this does not negate the permanent impacts to wetlands transition areas. We, of course, advocate for green infrastructure (and BMPs in accordance with current regulations) in all cases unless absolutely infeasible. We hope the commission will apply wetlands and stormwater regulations rigidly.

Please let me know if there is anything else I can help with.

Respectfully,

Stephen Elliott

Director of Watershed Programs
Pinelands Preservation Alliance & Association of NJ Environmental Commissions
17 Pemberton Road
Southampton, NJ 08088
(609)-859-8860 x 127
www.PinelandsAlliance.org
[ANIEC – Local Environment Matters](#)

From: Noble, Jessica [PINELANDS] <Jessica.Noble@pinelands.nj.gov>
Sent: Friday, February 14, 2025 11:39 AM
To: Stephen Elliott <Stephen@pinelandsalliance.org>
Cc: Deman, Ernest [PINELANDS] <Ernest.Deman@pinelands.nj.gov>
Subject: re Comments.

Hi Stephen,

Can you please provide the written comment related to the public development application that you commented on at today's Commission meeting. Ernie Deman is requesting them as well and I have copied him here.

Thank you.

Jessica Noble
Executive Assistant
Pinelands Commission
15 Springfield Rd.
P.O. Box 359
New Lisbon, NJ 08064
ph: 609-894-7300 x119
Fax: 609-894-7338
email: Jessica.Noble@pinelands.nj.gov
www.nj.gov/pinelands/



New Jersey Pinelands Commission

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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

February 20, 2025

Kenneth Hayek (via email)
NJ Department of Environmental Protection
P.O. Box 420, Mail Code 401-041
Trenton NJ 08625

Re: Application # 2000-0637.006
Block 52.01, Lot 6.01
Washington Township

Dear Mr. Hayek:

The Commission staff has completed its review of this application for construction of a paved driveway and vehicle storage area at an existing State of New Jersey office building. 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 March 14, 2025 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, Washington Township Planning Board (via email)
Washington Township Construction Code Official (via email)
Secretary, Burlington County Planning Board (via email)
Kelley O'Such, PE (via email)



PHILIP D. MURPHY
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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

February 20, 2025

Kenneth Hayek (via email)
NJ Department of Environmental Protection
P.O. Box 420, Mail Code 401-041
Trenton NJ 08625

Application No.: 2000-0637.006
Block 52.01, Lot 6.01
Washington Township

This application proposes the construction of a paved driveway and a 14,650 square foot concrete vehicle storage area at an existing State of New Jersey office building located on the above referenced 15.9 acre parcel in Washington Township.

The Commission previously approved a change in the use of an existing 24,720 square foot public school building to an office for the New Jersey State Park Police and the New Jersey Department of Environmental Protection, Bureau of Marine Water Monitoring (App. Nos. 2000-0637.004 & .005).

The existing State office building fronts on Green Bank Road. Lovers Lane is an existing municipal roadway located behind the parcel. This application proposes the development of a 350 foot long by 25 foot wide paved driveway that will provide access to Lovers Lane. This application also proposes an approximately 300 square foot concrete pad for a vehicle fueling station. The proposed vehicle fueling station will be located immediately adjacent to the proposed 14,650 square foot concrete vehicle storage area.

The submitted plan depicts the location of a proposed replacement onsite septic system. The proposed replacement onsite septic system was previously approved by the Commission in App. No. 2000-0637.005.

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. 7:50-5.27)

The parcel is located in the Pinelands Village of Green Bank. Offices are a permitted use in a Pinelands

Village. The proposed development is permitted as an accessory use to the existing office.

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

The proposed development will be located within maintained grassed areas and a forested area. The proposed development will disturb approximately 0.91 acres of forested lands. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize disturbed areas, the applicant proposes to utilize grass species which meet that recommendation.

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

The applicant performed a threatened and endangered (T&E) species survey for Northern pine snake. The results of the T&E species survey were negative for Northern pine snake on or in the vicinity of the proposed development.

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

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the application proposes a stormwater infiltration basin. To manage stormwater runoff from the proposed vehicle fueling station, the application proposes to provide additional treatment through an oil/water separator device and a native meadow vegetation filter strip prior to directing stormwater runoff to the infiltration basin.

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 on 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. Notice to required land owners within 200 feet of the above referenced parcel was completed on December 3, 2024. Newspaper public notice was completed on December 7, 2024. The application was designated as complete on the Commission's website on January 17, 2025. The Commission's public comment period closed on February 14, 2025. 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 ten sheets, prepared by E&LP Associates, Inc., all sheets dated August 20, 2024 and revised to November 8, 2024.
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.



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

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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

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 March 10, 2025 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.



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NEW LISBON, NJ 08064

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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

February 20, 2025

Meg Steeb, Municipal Clerk (via email)
Egg Harbor City
500 London Avenue
Egg Harbor City NJ 08215

Re: Application # 2006-0247.002
Block 709, Lots 1, 5.01, 5.02 & 14
Egg Harbor City

Dear Ms. Steeb:

The Commission staff has completed its review of this application for a three lot re-subdivision and no further development. 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 March 14, 2025 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, Egg Harbor City Planning Board (via email)
Egg Harbor City Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Ryan McGowan, PE, PP, CME (via email)



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PHILIP D. MURPHY
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Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

February 20, 2025

Meg Steeb, Municipal Clerk (via email)
Egg Harbor City
500 London Avenue
Egg Harbor City NJ 08215

Application No.: 2006-0247.002
Block 709, Lots 1, 5.01, 5.02 & 14
Egg Harbor City

This application proposes a three lot re-subdivision and no further development of the above referenced 2.07 acre parcel in Egg Harbor City. The parcel is vacant and owned by Egg Harbor City.

The applicant has indicated that the proposed re-subdivision is to create three lots which conform to the minimum lot size requirement of the Commission certified (approved) Egg Harbor City land use ordinance.

STANDARDS

The Commission staff has reviewed the proposed re-subdivision 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. 7:50-5.27)

The parcel is located in the Pinelands Town of Egg Harbor City. The parcel is located in the City's R-11 zoning district. The proposed lots conform to the 11,250 square foot minimum lot area requirement for single family dwellings serviced by public sanitary sewer in the City's R-11 zoning district. The proposed re-subdivision is permitted in a Pinelands Town Management Area.

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

There are wetlands located on and within 300 feet of the parcel. Any future development of the proposed lots must maintain a buffer of up to 300 feet to those wetlands.

PUBLIC COMMENT

The CMP defines the proposed re-subdivision resulting in three lots and no further development as 'minor' development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on January 13, 2025. The Commission's public comment period closed on February 14, 2025. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. The proposed re-subdivision shall adhere to the plan, consisting of one sheet, prepared by Remington & Vernick Engineers, dated November 1, 2021 and revised February 14, 2023.
2. The applicant shall obtain any other necessary permits and approvals for the re-subdivision.
3. This application is for the proposed three lot re-subdivision only. Any other proposed development of the above-referenced parcel requires completion of an application with the Pinelands Commission and shall be governed by Egg Harbor City's certified land use ordinance and the CMP.

CONCLUSION

As the proposed re-subdivision 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.



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

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



LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

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 March 10, 2025 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.



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

State of New Jersey
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LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

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

MEMORANDUM

To: Members of the Pinelands Commission

From: Katie Elliott *KE*
Planning Specialist

Date: March 3, 2025

Subject: No Substantial Issue Findings

During the past month, the Land Use Programs Office reviewed six ordinance amendments and one master plan amendment that were found to raise no substantial issues with respect to the standards of the Pinelands Comprehensive Management Plan (CMP). They included the following:

Hamilton Township Ordinance 2093-2024 – adopts the Redevelopment Plan for Block 1134, Lot 3.02, dated November 2024. The redevelopment area consists of a 0.46-acre lot containing an abandoned one-story commercial building and an off-street parking area. It is located in the Township's Design Commercial (DC) Zone, a nonresidential zone located within a Pinelands Regional Growth Area. The redevelopment plan establishes an overlay zone that applies to the entire redevelopment area. All uses permitted and conditionally permitted in the DC Zone are also permitted in the overlay zone. Additionally, the redevelopment plan sets forth lot and area requirements, as well as standards for off-street parking, buffers, screening, fencing and landscaping. The redevelopment plan explicitly states that the existing use, bulk, design and performance standards, and all other standards as currently set forth in the Township's development regulations and zoning ordinances, as amended, and as adopted in the future, shall apply to the redevelopment area, except as set forth in the redevelopment plan.

Hammonton Town Ordinance 21-2024 – amends Chapter 175, Land Development, of the Code of the Town of Hammonton by revising the definition of the term "Lot Area." Specifically, the definition is updated to include lands located within a public road right-of-way, provided that these lands are part of the legal description in the property deed and that the public road right-of-way has never been vacated. Additionally, the revised definition specifies that no more than 10% of the minimum lot area required can be credited from eligible lands within the public road right-of-way. No land within the public road right-of-way credited to lot area will count toward any acreage required for septic dilution to meet CMP groundwater quality standards.

Monroe Township Ordinance O:58-2024 – amends Chapter 175, Land Development, of the Code of Monroe Township. The ordinance amends Section 175-11, Definitions, to include a definition for

“Home Occupation.” The ordinance also amends Section 175-111, Home Occupations, by stating that home occupations are permitted accessory uses where associated with any residential use within any zone. The ordinance revises the limit on the number of employees working on the premises from one to two. Additionally, the ordinance revises the percentage of square footage that may be utilized for the home occupation from 30% to 40% of the total livable square footage on the lot. The ordinance also revises standards regarding signs and outdoor storage and removes standards allowing off street parking.

Pemberton Township Ordinance 43-2024 – amends the Browns Mills Town Center Redevelopment Plan, dated March 2018. The amendment allows supermarkets and other specialty grocery stores, which are permitted in the Town Center Mixed Use (TC-MU) and Town Center Retail (TC-R) zones, to have a drive-thru service window and motorized fuel sales. The amendment also revises vehicular access standards for banks, pharmacies and restaurants with drive-thru windows, which are also permitted in the TC-MU and TC-R zones. The TC-MU and the TC-R zones are located in a Regional Growth Area.

Upper Township Ordinance 010-2024 – amends Chapter 19, Land Subdivision, Site Plan, and Land Use Administration, and Chapter 20, Zoning, of the Code of Upper Township. The ordinance repeals and replaces Section 19-8.1, Performance Guarantee Estimate, to require the provision of performance and maintenance guarantees in accordance with standards pertaining to final subdivision plats and final site plan approval. The ordinance additionally creates Section 20-14.5, Percentage of Mandatory Affordable Housing Set-Asides for All Residential Developments. The section includes provisions pertaining to the requirement that all new construction of multifamily or single-family attached residential unit developments with five or more units have a mandatory 20% set-aside for affordable housing.

Vineland City Ordinance 2024-78 – amends Chapter 425, Land Use of the Code of the City of Vineland. The ordinance clarifies the conditions under which a Temporary Use Permit may be issued by the zoning officer. Said permits may only be issued if necessitated by public emergency or personal hardship created by a catastrophic event and that there will be no detrimental impact on adjoining properties. Such permits are valid for a period of six-months, with one six-month extension.

Weymouth Township 2024 Master Plan Reexamination Report – includes: an update on the major problems and objectives related to land use development identified in the Township’s Master Plan (2011); updated demographic information; a discussion of the changes in assumptions, policies, and objectives since the prior plan; a summary of recommended changes to the Township’s Master Plan and land development regulations. Recommendations impacting the Pinelands Area portion of the Township include adopting a Housing Element and Circulation Element. Drafts for both are included as appendices. The report also contains draft ordinances regarding domestic farm animals and clarifications to the Township’s existing Homestead Exchange Program. Lastly, it recommends that the Township consider updating the list of permitted uses in the Pinelands Village Commercial (PVC) Zone.



TITLE: To Approve the Pinelands Commission's 2024 Annual Report

WHEREAS, in September 2006, then Governor Corzine issued Executive Order #37; and

WHEREAS, Executive Order #37 called for the preparation and approval of a comprehensive report concerning the operations of each State authority; and

WHEREAS, the report shall set forth the significant actions of the Commission; and

WHEREAS, because the report is to be done on an annual basis and it includes much of the same information as the Commission's Annual Report, which is required by the Pinelands Protection Act, the two reports have been combined every year since 2007 as a cost savings measure to eliminate waste and promote efficiency as called for in Executive Order #37; 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 attached 2024 Annual Report be approved, submitted to the Governor's Authorities Unit and posted on the Commission's website.

AYE NAY NP A/R*

AYE NAY NP A/R*

AYE NAY NP A/R*

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission Date: _____

Laura E. Matos
Chair



2024 Annual Report

New Jersey Pinelands Commission



Protecting the New Jersey Pinelands

The New Jersey Pinelands Commission is an independent state agency whose mission is to preserve, protect, and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose.

The Commission was created by the passage of the Pinelands Protection Act in 1979.

To accomplish its mission, the Commission implements a comprehensive plan that guides land use, development and natural resource protection programs in the 938,000-acre Pinelands Area of southern New Jersey. The Commission's 15-member board consists of state, county and federal appointees who volunteer their time and expertise. The panel meets monthly and receives guidance from its Executive Director and staff.



Above: The state Pinelands Area is a million-acre mosaic of forests, farms, and towns, crisscrossed by streams and teeming with wildlife. It also boasts extraordinary scenic beauty, as shown in this photo of Wharton State Forest, which spans more than 122,000 acres. Photo/Paul Leakan

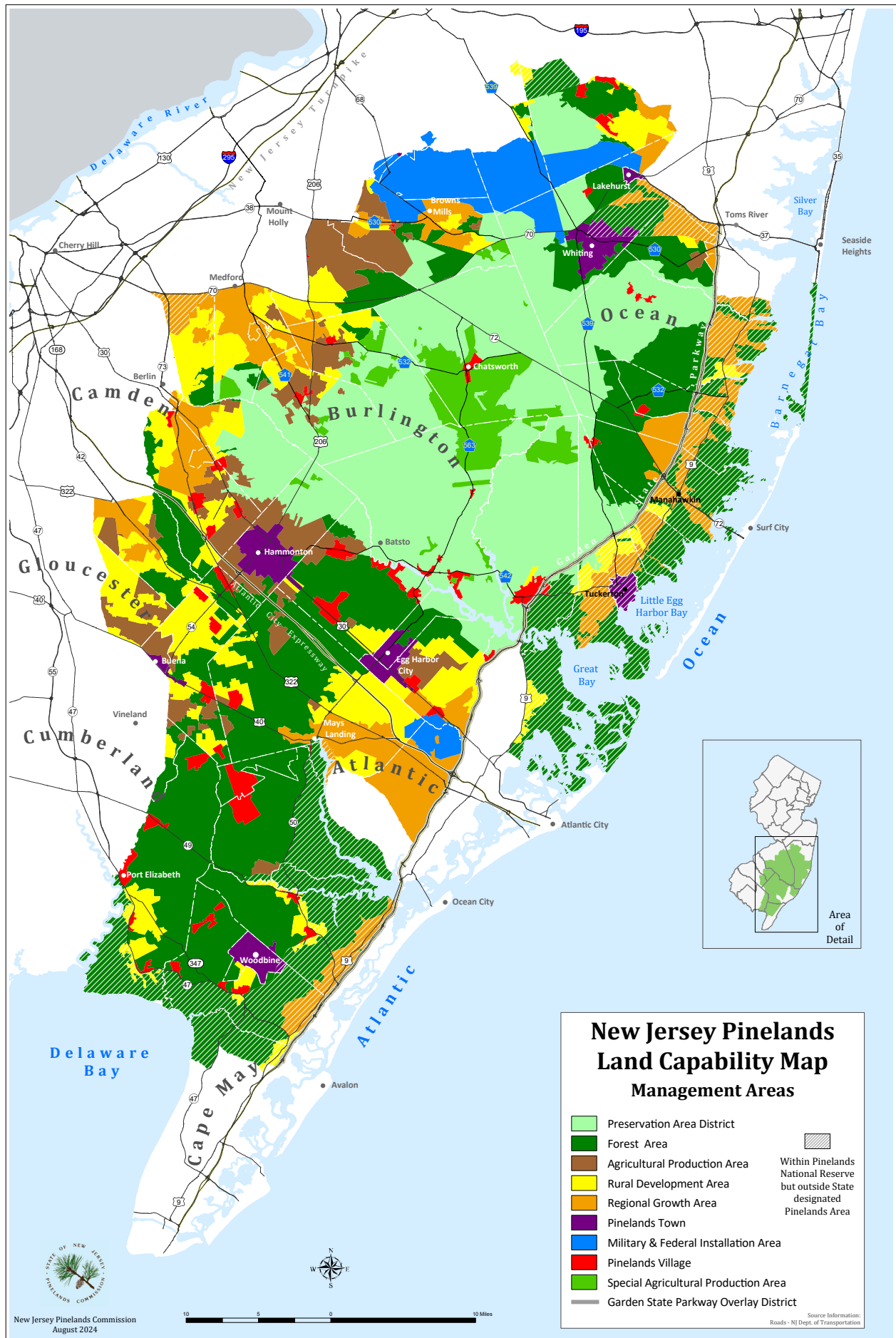
Commissioners:

Laura E. Matos, Chair
Alan W. Avery, Jr., Vice Chairman
Nicholas Asselta
Deborah Buzby-Cope
Daniel Christy
John Holroyd, Jr.
Jerome H. Irick
Theresa Lettman
Mark S. Lohbauer
Mark Mauriello
Jonathan Meade
William Pikolycky
Jessica Rittler Sanchez
Doug Wallner

Susan R. Grogan, Executive Director

Pinelands Commission
P.O. Box 359
New Lisbon, NJ 08064
Phone: (609) 894-7300
Fax: (609) 894-7330
Website: www.nj.gov/pinelands





Executive Director's Message

The Commission made great strides to advance its mission to preserve, protect, and enhance the resources of the Pinelands in 2024.

We welcomed two new Commissioners, along with several new employees in our Land Use Programs, Regulatory Programs, Science, and Information Systems offices. The Commission also began implementing new rules in 2024 that strengthen protections of the Pinelands ecology, in particular the Kirkwood-Cohansey aquifer, a freshwater reservoir that underlies the Pinelands and contains an estimated 17

trillion gallons of water. We completed a comprehensive review of Pinelands management area boundaries to identify areas designated for growth that are vulnerable to climate change. We executed Memoranda of Agreement with Pemberton Township and Stafford Township, enabling both municipalities to surface existing trails in order to provide accessibility for those with ambulatory challenges. We continued to administer the Pinelands Development Credit Program (PDC), which saw average sales prices of PDCs increase significantly over the prior year. We received and reviewed 186 municipal master plan and ordinance amendments and received 348 new applications for development in 2024. We continued our efforts to permanently preserve land in the Pinelands, with 1,166 acres preserved in the Pinelands Area from July 2023 to June 2024. We held our second annual Land Preservation Summit with our land preservation partners, and we provided an in-depth training session for 70 municipal staff members who are involved with the land development process in the Pinelands. We undertook numerous scientific research projects, including water-level monitoring, frog and toad surveys, the radio-tracking of native snakes and box turtles, and studies on snake fungal disease and adenovirus monitoring. We responded to public inquiries and educated thousands of people about the Pinelands through in-class education programs, the annual spring and summer Pinelands Short Course events, the annual Pinelands-themed World Water Monitoring Challenge, and the Pinelands Speaker Series. We also raised awareness and appreciation of the Pinelands through hundreds of postings and videos on Instagram, X, and YouTube.

We are excited about all that we accomplished in 2024 and look forward to another successful year of safeguarding the Pinelands.



Above: Fall foliage reflecting off Atsion Lake in Wharton State Forest in the Pinelands.

Photo/Paul Leakan

Susan R. Grogan
Executive Director

Commission Gains Two New Members in 2024

The Pinelands Commission gained two new members on its 15-member board in 2024, including gubernatorial appointees Jessica Rittler Sanchez and Dr. Deborah Buzby-Cope.

Ms. Rittler Sanchez took the oath of office during the Commission's regular meeting on January 12, 2024.

A resident of the Pinelands for nearly two decades, Ms. Rittler Sanchez was appointed as a gubernatorial representative on the Commission in December 2023. She filled the seat that became vacant when Bob Barr resigned as a Commission member in 2019.

Ms. Rittler Sanchez is a regional planner who believes that a healthy environment and healthy economy are inextricably linked. She retired from the Delaware River Basin Commission (DRBC) after two decades in government service, including 16 years in water resource planning and management at the Delaware River Basin Commission and four years with the NJ Office of State Planning. Prior to joining the DRBC, Ms. Rittler Sanchez was an Environmental Projects Coordinator with the New Jersey Office of State Planning, where she was responsible for reviewing a wide array of environmental initiatives and coordinating with appropriate agencies to ensure integration with the State Development and Redevelopment Plan. Included in her purview were wastewater, stormwater, watershed management and water supply planning. She participated in the Brownfields Redevelopment Task Force and New Jersey's Comparative Risk Project and co-authored the original policy that guaranteed protection for the Highlands in the NJ State Plan. Ms. Rittler Sanchez was a Marion Johnson Fellow at Rutgers, where she pursued an interest in the successful joining of science, policy, and planning. She was awarded a Master of City & Regional Planning and a Ph.D.

A lifelong resident of the Pinelands community of Bass River Township, Dr. Buzby-Cope was appointed as a gubernatorial representative on the Commission in December 2024. She filled the seat that became vacant when Davon McCurry resigned from the Commission on January 30, 2023.

Dr. Buzby-Cope served as the Mayor of Bass River Township from May 2008 - May 2024, as the Township's Deputy Mayor from May 2004 – May 2008 and as a Township Commissioner from May 2000 – May 2004. Dr. Buzby-Cope holds a Doctor of Chiropractic from Life University and a Bachelor of Science from the University of the State of New York – Regents College, along with certifications from Rutgers University, the International Association of Veterinarian Practitioners, American Veterinary Chiropractic Association, and education as a Veterinarian Assistant. She has worked as a chiropractor at Buzby Chiropractic since 1995, and she has served on the Pinelands Municipal Council, Tuckerton Seaport Board of Directors, the National Foundation of Women Legislators, the New Jersey League of Municipalities, the New Jersey Conference of Mayors, and the American Veterinarian Chiropractic Association's Board of Directors. Dr. Buzby-Cope also owns and operates a horse farm.



**Commissioner Jessica
Rittler Sanchez**



**Commissioner Deborah
Buzby-Cope**

The Commission's 15-member board consists of seven members who are appointed by the New Jersey Governor, one member appointed by each of the seven Pinelands counties, and one member appointed by the U.S. Secretary of the Interior. The gubernatorial appointees are subject to the review and consent of the New Jersey Senate. Commission members are unpaid volunteers who dedicate countless hours of their time and expertise while serving on the Commission.

Planning Activities

Amendments to the Pinelands Comprehensive Management Plan

The Pinelands Commission began implementing new rules in 2024 that strengthen protections of the Kirkwood-Cohansey aquifer, a freshwater reservoir that underlies the Pinelands and contains an estimated 17 trillion gallons of water.

The rules took effect at the end of December 2023 after years of study for purposes of enhancing the protection of the aquifer and the Pinelands ecology as a whole. Another goal of the rules was to ensure sufficient water supply for authorized development in the growth-oriented portions of the Pinelands Area.



Above: In 2024, the Commission began implementing rules that strengthen protections of the Kirkwood-Cohansey aquifer and the Pinelands ecology as a whole. Photo/Paul Leakan

The Commission now has clear, quantifiable standards in place to address potential adverse, local, and regional impacts.

Climate resilience

The Commission's Climate Committee met three times in 2024, focusing its discussion on the potential impact and applicability of other state agency rulemaking in the Pinelands Area.

In particular, the New Jersey Board of Public Utilities' dual use solar pilot program, the New Jersey Department of Environmental Protection's (NJDEP) 2024 Statewide Water Supply Plan and NJDEP's proposed Resilient Environments and Landscapes (REAL) amendments were considered.

The Committee also completed a comprehensive review of Pinelands management area boundaries to identify areas designated for growth that are vulnerable to climate change. Staff recommendations to address these vulnerabilities through increased protection in the future were also reviewed, including land preservation prioritization and increased wetlands buffer requirements. Finally, Commission staff attended the monthly and senior staff meetings of the Interagency Council on Climate Resilience, and participated as a member of the Vulnerability Assessment work group, including making a presentation on the Commission's management area boundary assessment project. The Commission also contributed to the Council's agency accomplishments report and upcoming Extreme Heat Resilience Action Plan.

Pinelands Commission Agreements Authorize Accessibility Improvements in Pemberton Township and Stafford Township

In 2024, the Commission executed memoranda of agreement (MOA) with Pemberton Township, Burlington County, and Stafford Township, Ocean County, to facilitate surfacing of existing trails on public lands, in the Pinelands Area.

The goal was to provide a stable surface for those with ambulatory challenges and recognize the grant funding that has been provided by other state departments for such projects. The trails are located in wetlands and/or required wetlands buffer areas; therefore, a deviation from the Commission's rules needed to be approved in order for the proposed surfacing (paving) to be permitted.

The [MOA with Pemberton Township](#) enables the Township to improve a portion of the Pemberton Lake Trail in the Pemberton Lake Wildlife Management Area. The [MOA with Stafford Township](#) enables the Township to undertake accessibility improvements on existing trails next to Forecastle Lake. Both MOAs require the municipalities to complete onsite restoration and revegetation projects.



Above: In 2024, the Commission approved a Memorandum of Agreement that enables Stafford Township to undertake accessible improvements on the trails next to Forecastle Lake. Photo/Paul Leakan

Commission Issues Latest Report Charting the Economic Health of Municipalities in the Pinelands

In July 2024, the Commission issued its 2022 Long Term Economic Monitoring Report, which provides economic data and describes key trends in the areas of population, real estate, economic growth, and municipal finance.

The [2022 Report](#) includes data from 2018-2022 applicable to the Pinelands Area and surrounding communities in South Jersey. The report shows that Pinelands municipalities have recovered well from the COVID-19 pandemic, in terms of unemployment and wage rates, and are faring similarly to other parts of New Jersey in several economic indicators. The Commission also issued the [2022 Municipal Fact Book](#), which presents data by municipality and provides a summary of economic conditions in each Pinelands municipality, while placing each municipality in a broader context by displaying average values for the eight South Jersey counties and municipal ranks for a large number of variables.

The report is funded by the National Park Service. The Commission released its first Long Term Economic Monitoring Report in 1997, and the reports include much of the same economic data, so the agency can identify changes or trends over time.

New Jersey Pinelands Commission Long Term Economic Monitoring Program



2018-2022 Report

Laura E. Matos, Chair

Susan R. Grogan, Executive Director

Pinelands Development Credit Program

The Pinelands Development Credit Program is a regional transfer of development rights program that preserves important agricultural and ecological land. Pinelands Development Credits (PDCs) are allocated by the Commission to landowners in the Preservation, Agricultural Production and Special Agricultural Production Areas, which are the sending areas. PDCs can be purchased by property owners and developers who are interested in developing land in Regional Growth Areas, which serve as the receiving areas. PDCs are most often used for residential development, either to increase permitted density, allow development on an undersized lot or as a required component of a residential subdivision or redevelopment project. Each PDC transfers the right to build four homes and can be bought and sold in $\frac{1}{4}$ credit increments.

Once PDCs are “severed” from a sending area property, the property is permanently protected by a conservation or agricultural deed restriction and the PDCs allocated to that property can be sold on the private market.

During 2024, 72.12 PDCs were allocated by the Commission to 28 sending area properties. A total of 12 PDCs were severed, protecting a total of 281 acres of land in the Preservation Area District and Agricultural Production Area on properties located in the Town of Hammonton and Franklin, Galloway, Southampton, Tabernacle and Winslow townships.



Above: Part of a larger cranberry farming operation in Woodland Township, this 404-acre property in the Special Agricultural Production Area was permanently preserved through the severance of 19.50 Pinelands Development Credits in October 2023. Photo/Paul Leakan

Since 1982, 58,351 acres in the Pinelands Area have been permanently preserved through the PDC Program.

In 2024, a total of 10.25 PDCs were sold, with an average sales price of \$86,758 per PDC. This represents a significant increase over the 2023 average sales price of \$73,242. A total of 14.25 PDCs were redeemed for 10 residential projects ranging in size from one to 657 units and involving a variety of housing types, including single-family detached dwellings, townhouses and apartments. These projects are located in Dennis, Egg Harbor, Galloway, Jackson, Monroe, Stafford and Winslow townships, as shown on the map on page 8.



Above: 0.50 Pinelands Development Credits were redeemed for the development of five single-family homes in Jackson Township, Ocean County, in August 2021. Photo/Paul Leakan

Reviewing Municipal Ordinances

The master plans and land use ordinances of all 53 Pinelands municipalities and seven counties must align with the Pinelands Comprehensive Management Plan (CMP). This consistency is ensured through the conformance process, in which municipalities and counties submit any amendments to their master plans and ordinances to the Commission for review and certification.

In 2024, the Commission received and reviewed 186 municipal master plan and ordinance amendments. Many of these amendments revised water management standards in response to updates to the CMP that strengthened protections for the Kirkwood-Cohansey Aquifer. The Commission also observed



a continued trend of municipalities adopting redevelopment plans to regulate development in designated redevelopment areas. In 2024, the Commission reviewed and approved 12 ordinances that either adopted, amended, or rescinded redevelopment plans. As in 2023, these plans aimed to support various local planning objectives, including the development of affordable housing, warehouses, and cannabis-related land uses, as well as the revitalization of underutilized commercial sites. Additionally, the Commission approved a redevelopment plan in Manchester Township requiring the acquisition and redemption of Pinelands Development Credits for any warehouse development within the designated redevelopment area.

Permanent Land Protection Summit, Update & Priorities

Land Preservation Summit

A total of 11 public and non-profit organizations involved in permanent land protection participated in the Pinelands Commission's second annual Land Preservation Summit, held on April 4, 2024.

Participants learned about planned funding rule amendments from the NJDEP Green Acres Program and the New Jersey Conservation Blueprint from Rowan University.

Pinelands Commission staff also discussed stewardship monitoring visits to five sites that were permanently preserved with grants from the Commission's Pinelands Conservation Fund, along with and plans for further activities intended to support partners with stewardship challenges.



Above: Eleven land organizations involved in permanent land protection participated in the Commission's second annual Land Preservation Summit in April 2024. Martha Sullivan Sapp, Director of the NJDEP Green Acres Program, is shown to the left.

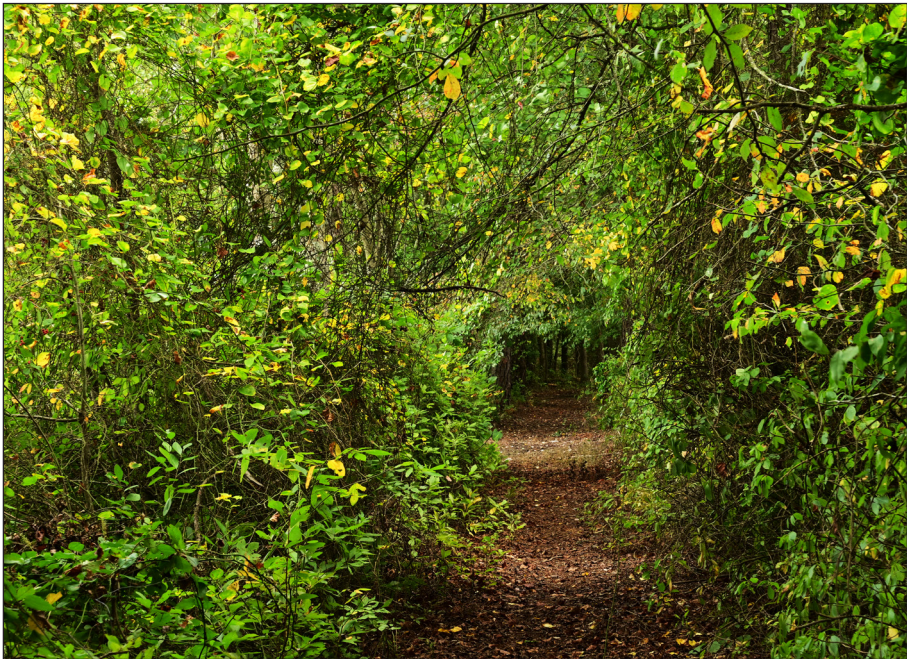
Photo/Paul Leakan

Permanent Land Protection Update

The Commission’s staff delivered the annual update on permanent land protection in the Pinelands on October 11, 2024.

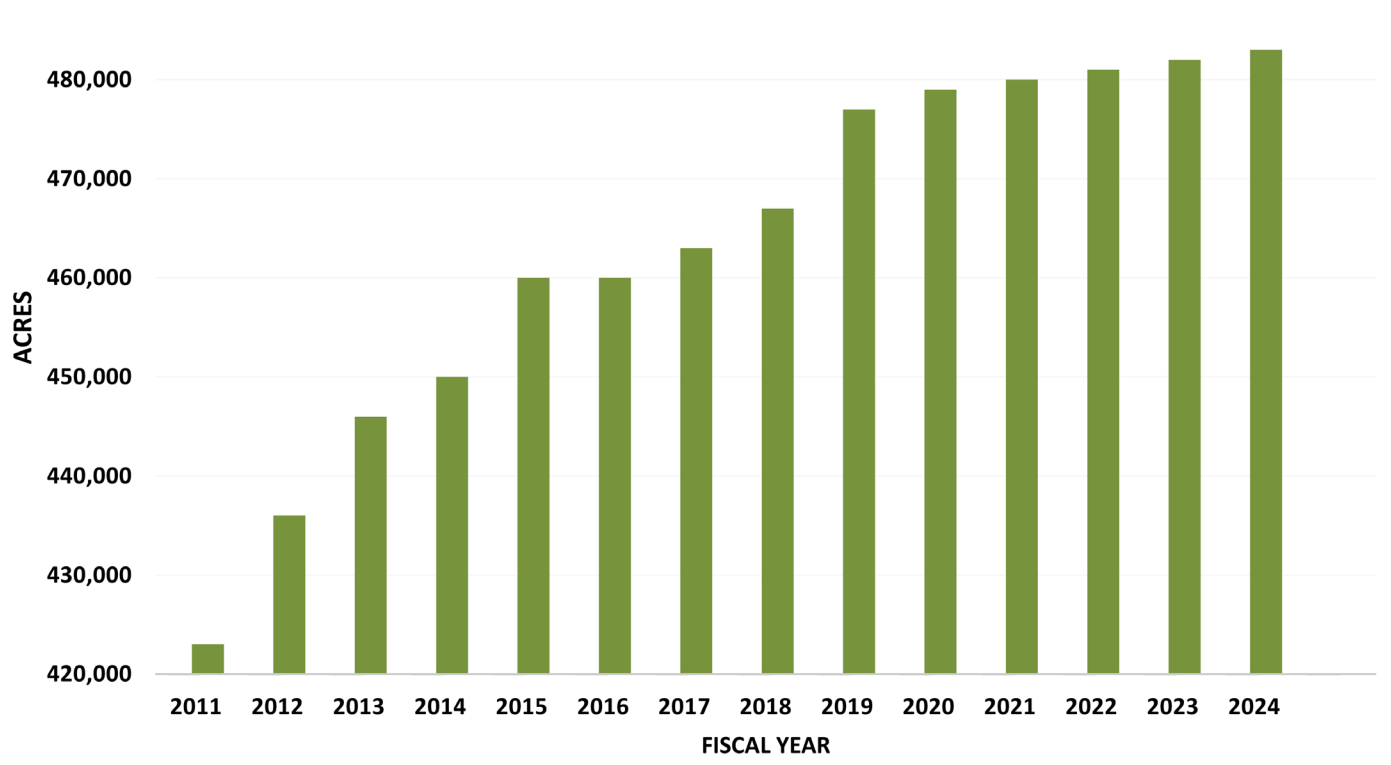
A total of 1,166 acres of land were preserved in the Pinelands Area from July 2023 to June 2024. Of that total, 324 acres were preserved through Pinelands programs, along with 465 acres of land through the Pinelands Development Credit Program.

As of June 30, 2024, 51 percent of the Pinelands Area (483,000 acres) has been permanently protected. Importantly, 94% of the protected land is located within the Preservation Area District, Special Agricultural Production Area, Forest Area and Agricultural Production Area, the conservation areas of the Pinelands that the Commission is charged with preserving and enhancing.



Above: As of June 2024, 51% of the land in the Pinelands Area has been permanently preserved, including the 222-acre Piney Hollow Preservation Area in Franklin Township, Gloucester County. Photo/Paul Leakan

Acres Preserved in the Pinelands Area
(Rounded to the nearest thousand)



Regulatory Activities

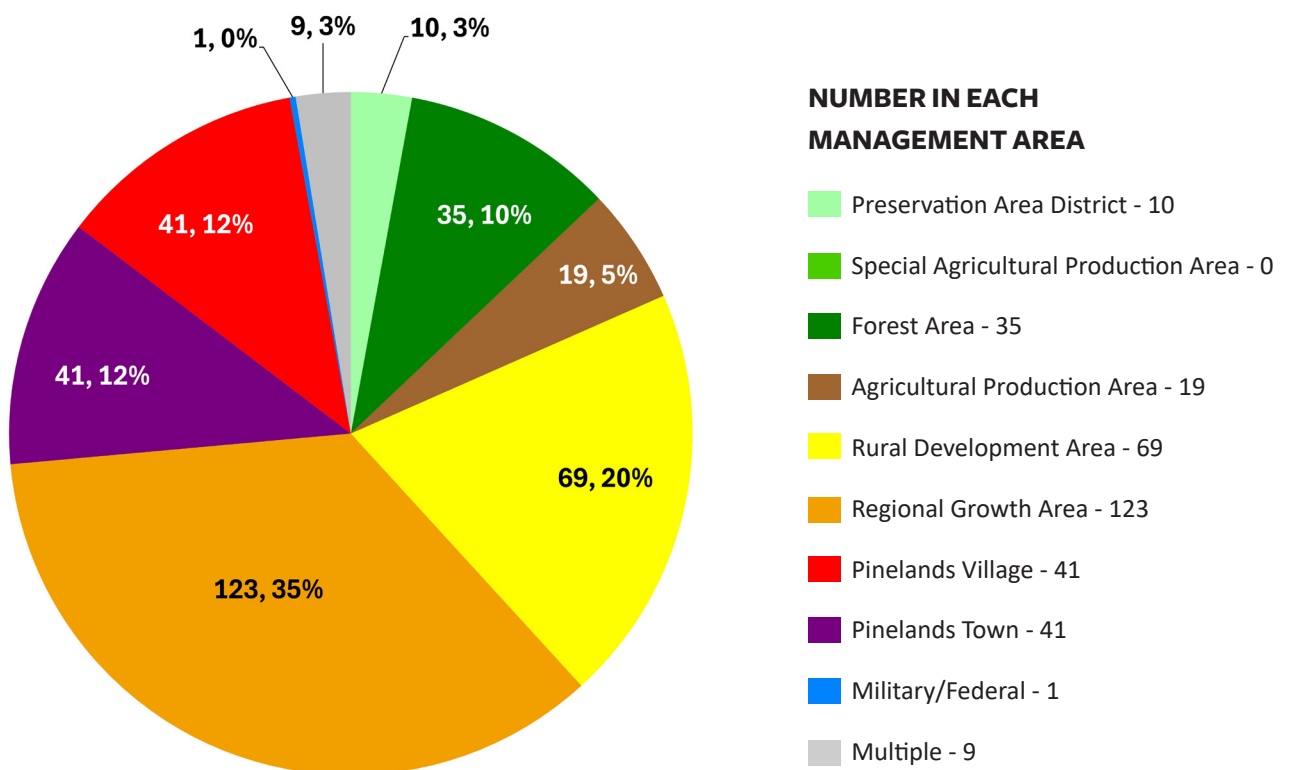
Applications

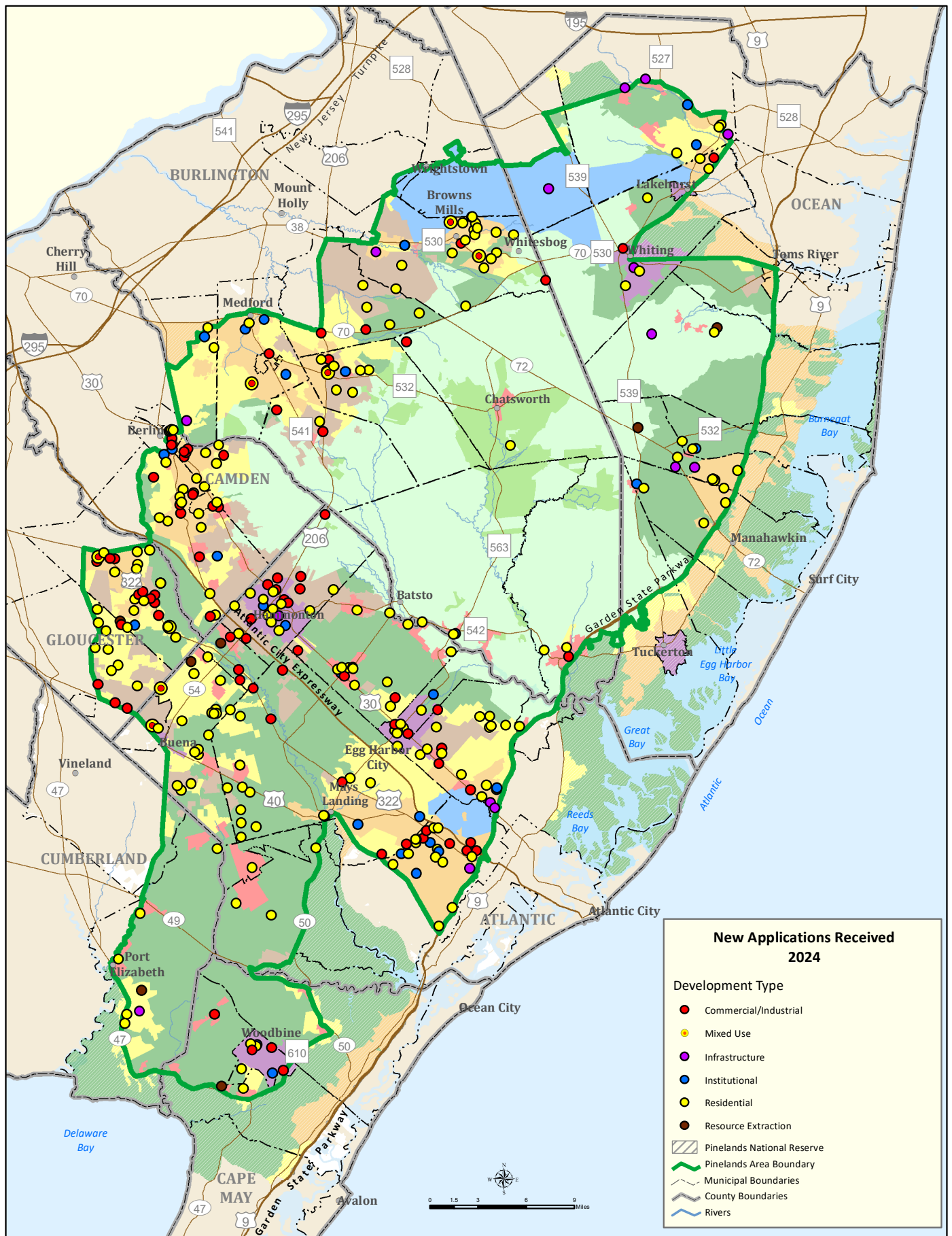
The Pinelands Commission reviews applications for development by evaluating proposals to ensure that they meet the regulations contained in the Pinelands Comprehensive Management Plan. Development proposals must meet a series of environmental standards, including those that protect water quality, wetlands, and threatened and endangered species.

The Commission's development approval process varies, depending on whether the application is submitted by a public agency or a private landowner. The Commission's staff reviews private development proposals, such as single-family dwellings, subdivisions, and commercial projects.

The Commission received a total of 348 new applications for development in 2024, with the highest percentage of the applications (35%) proposing new development in Pinelands Regional Growth Areas (or RGAs). There are 24 municipalities with RGAs in the 938,000-acre state Pinelands Area. RGAs make up 8% of the land in the Pinelands Area, and they are generally located on the fringes of the Pinelands boundary. The RGAs include areas of existing development and adjacent lands that have the infrastructure such as sewers, roads and other utilities needed to accommodate new development while protecting the essential character and environment of the Pinelands. The Pinelands CMP encourages future growth in the RGAs as a way to prevent scattered and piecemeal development in other more sensitive portions of the Pinelands Area. Applications for development in the other development-oriented Pinelands management areas (Pinelands Towns and Villages) account for an additional 24% of the total. The pie chart below illustrates the number and percentages of applications received by management area in 2024.

Development Applications Received in 2024 by Management Area





A full listing of applications received by development type in 2024 is shown to the right. A majority of the development applications received were for residential development (59%), followed by commercial/industrial development (22.7%), institutional uses (8.6%), infrastructure (5.2%), mixed use development (2.6%) and resource extraction (2%). Of the 205 residential applications received, nearly 94% proposed four or fewer units, defined as “minor” development by the CMP. The remaining 13 residential applications proposed development ranging in size from 5 to 99 units. Applications received for commercial/industrial development proposed a multitude of uses, including new and expanded retail stores, offices, restaurants, day care centers, gas stations, storage yards and facilities, vehicle maintenance

facilities, warehouses, and solar energy facilities. Notably, applications for commercial/industrial development in the Pinelands Agricultural Production Area primarily involved conversion of existing farm structures (barns, storage buildings) to seasonal agricultural employee housing. Infrastructure applications involved roads, bridges, sanitary sewer mains and pump stations, sidewalks, parking lots and wells. Applications for institutional uses included schools, churches, public parks, and government buildings. A small number of projects involving both residential and nonresidential components were also proposed and are categorized as mixed use development.

After applicants provide all of the necessary information, the Commission issues a Certificate of Filing (or CF), signifying completion of an application and allowing an applicant to seek all municipal and county approvals for the proposed development. Other completeness documents include Preliminary Zoning Permits (PZPs) and Notices of Filing, which are issued under alternative permitting programs in accordance with the CMP. These documents certify completeness of development applications and are equivalent to CFs. A total of 209 Completeness Documents were issued in 2024, including CFs, PZPs and Notices of Filing. Most Completeness Documents issued in 2024 (93 or 44.5%) were for proposed development in RGAs, with another 21% in Pinelands Towns and Villages (as shown in the chart on page 14).

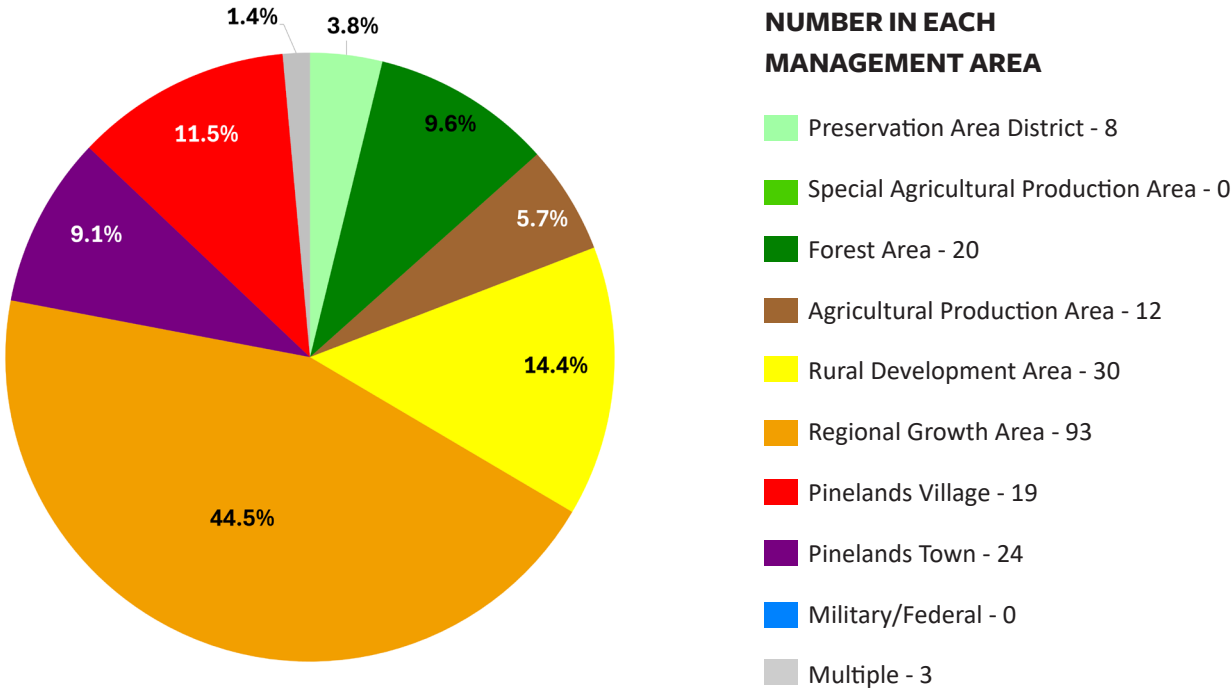
Of the 209 Completeness Documents that were issued in 2024, most involved proposals for residential development (136 or 65%). The majority of these residential projects were for development of only one single-family detached home; however, Completeness Documents were issued for six larger residential projects ranging in size from 20 to 235 units. These larger subdivisions, all located in the RGA, proposed a variety of housing types, including single family detached homes, manufactured housing, townhomes, and apartments.

Applications for commercial or industrial development account for the next highest percentage of Completeness Documents issued in 2004 at 25.4% of the total. These applications involve a wide variety of uses, including restaurants, offices, daycare facilities, retail stores, parking lots, campgrounds, storage yards, warehouses, self-storage facilities, cell towers, and solar energy facilities. Nearly two-thirds were issued for projects in development-oriented management areas (RGAs, Towns and Villages).

**Development Applications Received in 2024
by Development Type**

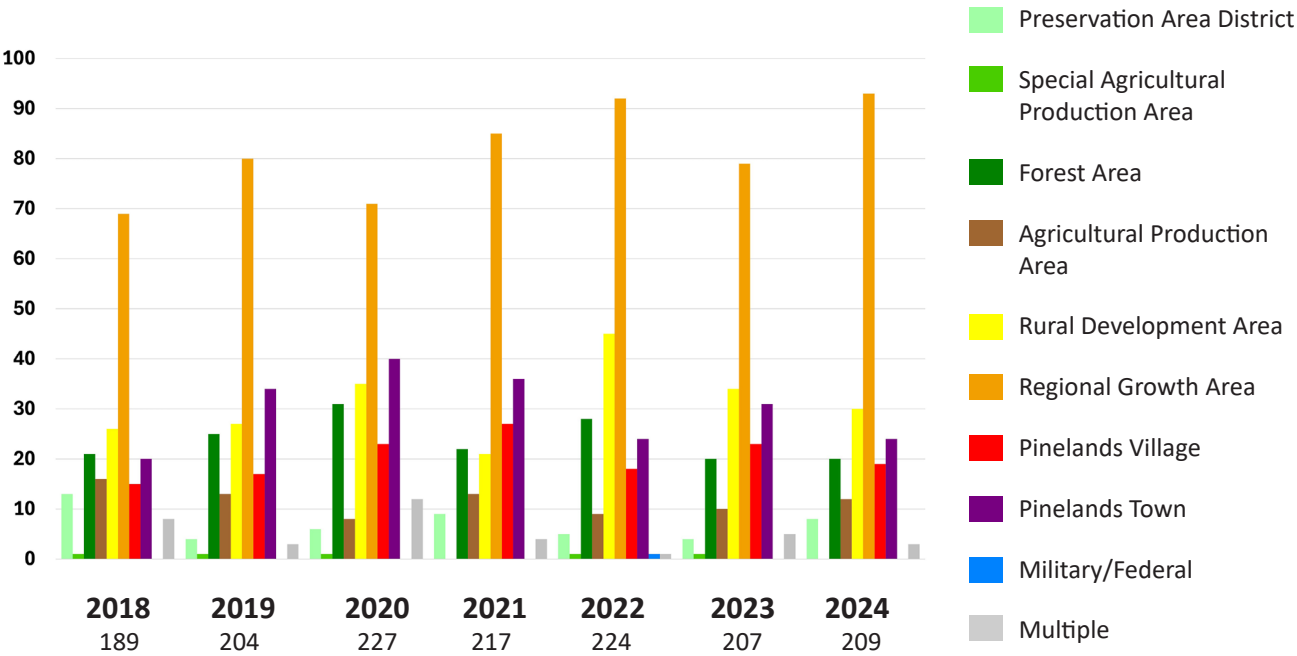
| Development Type | Total |
|-----------------------|-------|
| Residential | 205 |
| Commercial/Industrial | 79 |
| Institutional | 30 |
| Infrastructure | 18 |
| Mixed Use | 9 |
| Resource Extraction | 7 |
| Total | 348 |

Completeness Documents Issued in 2024 by Management Area



As indicated on the bar graph below, the number of Completeness Documents issued annually has been somewhat variable over time; however, the RGA consistently sees the most application activity. On average, between 2018-2024, 211 Completeness Documents were issued each year.

Completeness Documents Issued by Management Area (2018 - 2024)



Completeness Documents Issued in 2024 by Management Area and Type of Development

| Management Areas | Commercial | Forestry | Infrastructure | Institutional | Residential | Resource Extraction | Mixed Use | Total |
|--------------------------------------|------------|----------|----------------|---------------|-------------|---------------------|-----------|------------|
| Preservation Area District | 3 | 0 | 0 | 0 | 3 | 2 | 0 | 8 |
| Special Agricultural Production Area | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Forest Area | 3 | 0 | 0 | 0 | 15 | 2 | 0 | 20 |
| Agricultural Production Area | 4 | 1 | 0 | 0 | 7 | 0 | 0 | 12 |
| Rural Development Area | 2 | 1 | 1 | 1 | 22 | 2 | 1 | 30 |
| Regional Growth Area | 25 | 0 | 2 | 4 | 60 | 0 | 2 | 93 |
| Pinelands Village | 4 | 0 | 0 | 0 | 15 | 0 | 0 | 19 |
| Pinelands Town | 9 | 0 | 1 | 1 | 13 | 0 | 0 | 24 |
| Military/Federal Installation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Multiple | 2 | 0 | 0 | 0 | 1 | 0 | 0 | 3 |
| Totals | 53 | 2 | 4 | 5 | 136 | 6 | 3 | 209 |

After an applicant receives any required municipal or county approvals for private development in the Pinelands Area, copies of those approvals must be sent to the Commission. The Commission staff then reviews the approved development and determines whether it meets all Pinelands standards. If it does, the Commission staff will send the applicant a letter confirming that the agency's review is complete and the permit or approval can take effect.

The Commission staff issued such determinations for 63 development projects in 2024, allowing the associated final municipal site plan and subdivision approvals to take effect. Twenty-nine of these applications (or 46%) were for residential development. In total, 280 residential units were approved, in projects ranging in size from 1 to 80 units. Most approved residential projects were for single-family detached dwellings; however, several of the larger residential subdivisions included townhouses, multifamily (apartment) units or a mixture of housing types.

The Commission staff reviewed and allowed final subdivision or site plan approvals to take effect for 30 commercial or industrial projects. These applications included retail commercial buildings, offices, cell towers, a brewery, a pet crematory, a bed and breakfast, hotels, warehouses, storage yards, and solar energy facilities. The final four approved projects were for institutional uses, infrastructure, and a subdivision involving a large farm and several existing dwellings (deemed "mixed use" for purposes of this report).

The 63 approved applications are located in 23 Pinelands municipalities. The table on page 15 provides a full list of municipalities. Two projects are listed as being located in multiple municipalities. Both proposed the construction of floating solar energy facilities at the site of an existing resource extraction operation located in Franklin and Monroe

Final Municipal Site Plan/Subdivision Approvals Allowed to Take Effect in 2024 By Development Type

| Development Type | Total |
|-------------------------|--------------|
| Commercial/Industrial | 30 |
| Residential | 29 |
| Mixed Use | 1 |
| Infrastructure | 2 |
| Institutional | 1 |
| Total | 63 |

townships, Gloucester County. The pie chart at the bottom of the page indicates the Pinelands Management Area in which the approved development will be located.

The Commission staff reviewed approvals for significantly more private development applications than the 63 discussed above during 2024. For example, four municipal permits for resource extraction and 27 municipal demolition permits, most involving demolition of existing homes at least 50 years old, were reviewed and allowed to take effect. Many preliminary site plan and subdivision approvals were similarly reviewed and allowed to take effect, along with numerous municipal building permits, municipal zoning permits, municipal variances, county septic permits, and other types of approvals. Still other approvals were reviewed but determined to be inconsistent with Pinelands standards. Such approvals cannot take effect until the inconsistencies have been addressed.

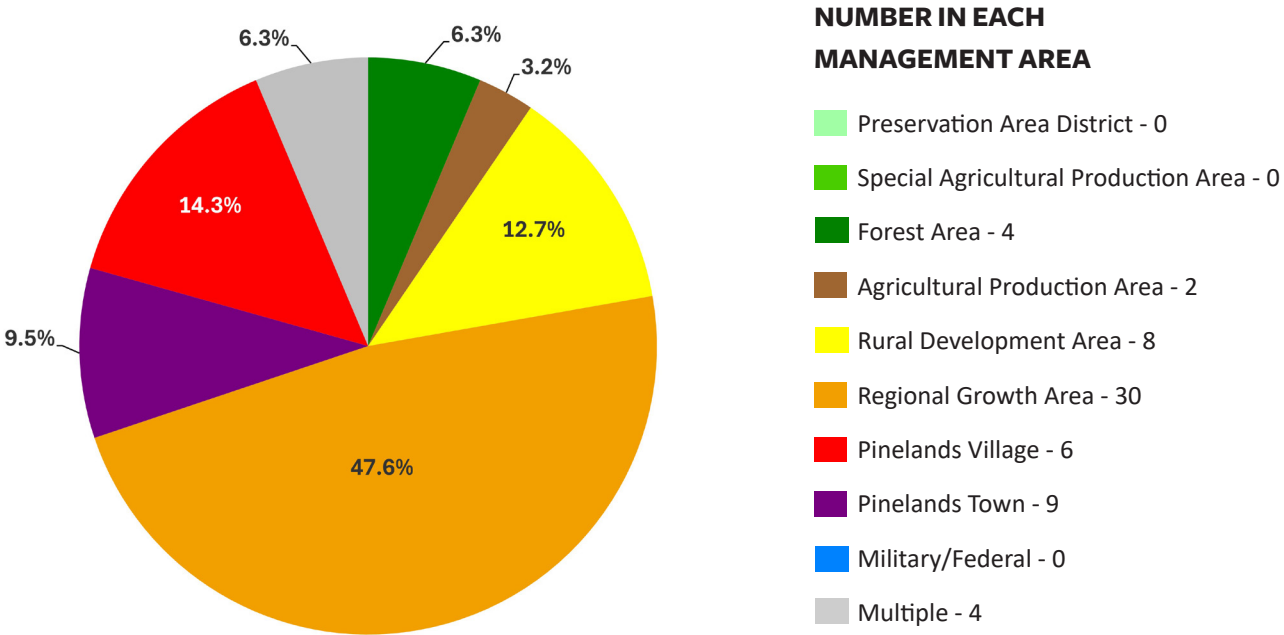
The Pinelands Commission is also responsible for reviewing and approving development applications that are submitted by public entities, such as a municipality, county or a State agency. The full, 15-member Commission votes on whether to approve these applications during its monthly meetings. The Commission received 27 new applications for public development in 2024 for a variety of infrastructure projects, recreational facilities, schools and other public facilities.

A total of 16 applications for public development were approved in 2024, including: installation of an artificial turf athletic field at Cedar

**Final Municipal Site Plan/
Subdivision Approvals Allowed
To Take Effect in 2024**

| Municipality | Number of Applications |
|---------------------------|------------------------|
| Barnegat Township | 4 |
| Bass River Township | 2 |
| Berkeley Township | 1 |
| Buena Vista Township | 4 |
| Egg Harbor City | 1 |
| Egg Harbor Township | 6 |
| Folsom Borough | 2 |
| Galloway Township | 6 |
| Hammonton Town | 5 |
| Jackson Township | 2 |
| Manchester Township | 1 |
| Medford Township | 2 |
| Monroe Township | 2 |
| Pemberton Township | 1 |
| Shamong Township | 2 |
| Southampton Township | 2 |
| Stafford Township | 3 |
| Upper Township | 1 |
| Washington Township | 1 |
| Waterford Township | 4 |
| Winslow Township | 7 |
| Woodbine Borough | 2 |
| Multiple | 2 |
| Total Applications | 63 |

**Final Municipal Site Plan/Subdivision Approvals Allowed to Take Effect
in 2024 by Management Area**



Creek High School in Egg Harbor City; construction of a local communications facility (cell tower) in Stafford Township; realignment of the intersection at Routes 530 and 70 by the New Jersey Department of Transportation; construction of a new public safety building in Mullica Township; development of a new County recreational facility consisting of athletic fields and trails in Manchester Township; and construction of a Juvenile Justice Commission Secure Facility at the site of the existing Ancora Psychiatric Hospital in Winslow Township.

Recreation Permits

In 2024, the Commission issued 12 Recreation Permits for organized, off-road vehicle events in the Pinelands Area. In order to receive a Recreation Permit, groups must submit a completed “Off- Road Vehicle Event Application” for each proposed event. In addition to the application form, the group must submit the course route in electronic format, an application review fee, proof of insurance, property owner permission and proof that the township and New Jersey State Police have been notified. Commission staff reviews the course route to determine if there are any issues with wetlands, threatened and endangered species, deed-restricted land and private and public ownership. Any portions of the route that have potential issues are site inspected by a member of the Commission’s staff. If any route changes are necessary, a revised route is required and must again be submitted for review.

Letters of Interpretation

Applicants may request the Commission’s interpretation of any standard in the Pinelands Comprehensive Management Plan through issuance of a formal Letter of Interpretation (LOI). LOIs are most commonly issued in response to an applicant’s request for an allocation of PDCs or a determination involving wetlands on a particular parcel. Wetlands LOIs include applications submitted for wetlands presence/absence determinations and verification of wetlands boundaries and required wetland buffers. Once issued, LOIs are valid for five years.

In 2024, 54 new applications for LOIs were submitted to the Commission. The majority of these applications (46 or 85%) were for PDC allocations. Seven of the eight remaining applications were for determinations involving the extent of wetlands and/or required wetlands buffers. The final LOI application requested a determination as to whether a specific accessory use was permitted on a parcel in the Pinelands Forest Area. The Commission issued a total of 31 LOIs in 2024, 28 allocating PDCs and three verifying the extent of wetlands.

Waivers

Some applications may not be able to meet all of the Commission’s land use or environmental standards. In these instances, applicants may elect to apply for a “Waiver of Strict Compliance.” If granted, a waiver typically allows for development of one single-family home. No waivers were approved by the Commission in 2024, which marks the first year in the Commission’s history that no such approvals were issued.

Online Enhancements to Further Assist Applicants

In late 2023, the Commission launched a portal that enables applicants to pay application fees online. Previously, applicants could only submit their application fees by paying via check or money order. Of the total 441 application fee payments that the Commission received in 2024, approximately 39% were paid online.

Training Session for Municipal Officials

The Commission's staff provided an in-depth training for municipal officials on May 15, 2024. Commission staff members delivered six presentations during the 3.5- hour event, which was designed for zoning officers and other municipal staff who are involved with the land development process in the Pinelands. Fifteen people attended the training session at Stockton University's Kramer Hall in downtown Hammonton, with an additional 55 participants attending virtually. Following the event, Commission staff prepared and sent each participant a personalized, signed Certificate of Attendance. Attendees can send the certificate to Rutgers University, which will grant them three technical hours toward the renewal their Rutgers Planning/Zoning Board Secretary, Zoning Official, and Land Use Administrator certificate(s).



Above: April Field, the Commission's Chief Permit Administrator, was among the staff members who delivered presentations during the Commission's training session for municipal staff at Stockton University's Kramer Hall in May 2024. Photo/Paul Leakan

Science & Research Activities

Long-term Environmental Monitoring Program

Rare Snake Monitoring

Long-term data for assessing rare snake population trends in natural areas of the Pinelands are lacking. Therefore, the Commission is establishing a network of natural snake hibernacula, shed areas, and nest sites to monitor long-term changes in two species of rare snakes. As part of ongoing snake studies that were initiated in late 2016, numerous winter hibernacula have been identified for corn snakes and northern pine snakes. Corn snakes are listed as endangered in New Jersey and pine snakes are listed as threatened in the state. From 2018 to 2024, corrals were built around most hibernacula



Above: A corral fence installed with metal posts and zip ties that surrounds a snake hibernaculum. Photo/John Bunnell

to capture snakes as they emerge from hibernation in the spring. The corrals offer an effective, non-invasive method to census snakes each spring without physically disturbing hibernacula or hibernating snakes. In the spring of 2024, a total of 83 pine snakes, corn snakes, garter snakes, and black racers emerged from hibernacula

enclosed by corrals.

During rare snake monitoring from 2016 to 2024, 2,408 snakes representing 14 species were found. These include 1,250 corn snakes, 628 northern pine snakes, 193 eastern king snakes, 183 northern black racers, 89 eastern hognose snakes, and 65 snakes of several other species. All snakes were weighed, measured, and tagged with Passive Integrated Transponders (PIT tags). A PIT tag is a tiny, glass-coated microchip commonly used in wildlife research that allows for the permanent identification of an animal through the use of a special scanner that reads the unique tag number. A total of 425 of these processed and tagged snakes were recaptured at least once. Captured snakes that are unaffiliated with a known hibernacula are typically outfitted with surgically implanted transmitters for radio tracking to find new hibernacula, as well as shed sites and nest sites. In 2024, Commission scientists radio tracked 23 corn snakes, 19 pine snakes, and two hognose snakes. These transmitter-outfitted snakes led to the discovery of several new snake hibernation sites late in the year.

The Tea Time Hill wildfire, which started in early July 2024, removed substantial tree and shrub canopy and damaged snake monitoring infrastructure such as corrals, cover boards, and shed logs in portions of Wharton State Forest. All radio tracked snakes survived the fire, likely avoiding harm by utilizing the porous duff layer beneath the ground surface. A more complete assessment of the impact of this wildfire on snakes will be made in the spring of 2025 after snakes in burned and corralled hibernacula are counted. Science staff were able to replace or repair some of the snake monitoring infrastructure.



Above: The Tea Time Hill wildfire burned and collapsed hibernacula corral fencing and scorched the forest. Radio tracked corn snakes survived the fire.
Photo/John Bunnell

Snake Disease Monitoring

Snake Fungal Disease: In 2018, Commission scientists began collaborating with Dr. Joanna Burger of Rutgers University, Mr. Robert Zappalorti of Herpetological Associates, Inc., and Dr. Jeffrey Lorch of the United States Geological Survey (USGS) to conduct research on snake fungal disease in the Pinelands. Snake fungal disease is an emerging disease found in populations of captive and wild snakes and is caused by the fungus *Ophidiomyces ophiodiicola*. Although snakes can show signs of fungal disease just after spring emergence from hibernation, it was previously unknown if *O. ophiodiicola* was present inside the hibernacula.

Dr. Burger and Mr. Zappalorti have been excavating a group of northern pine snake hibernacula annually for almost 40 years. Their long-term study provides a unique opportunity to sample inside snake hibernacula to determine if the fungus is present in the soil or on the hibernating snakes. Initial sampling in 2018 indicated that *O. ophiodiicola* was present on snakes and in the soil inside the hibernacula, therefore all hibernating snakes were swabbed for snake fungal disease annually beginning in 2019.



Above: Northern pine snake with snake fungal disease. Photo/John Bunnell

In 2024, all hibernating snakes were sampled again for fungal infections. Results assessing the relationship between sores present on a snake and the clinical evaluation of sores by an investigator and whether the snake is infected were published in the *Journal of Fungi*. This paper and other publications describing the fungal disease results obtained from the artificial hibernacula excavations, are listed below. Science staff continue to maintain and service continuous PIT tag readers at these long-term pine snake hibernacula.

Campbell, L.J.; Burger, J.; Zappalorti, R.T.; Bunnell, J.F.; Winzeler, M.E.; Taylor, D.R.; Lorch, J.M. Soil reservoir dynamics of *Ophidiomyces ophiodiicola*, the causative agent of snake fungal disease. *Journal of Fungi* 2021, 7, 461.

Burger, J.; Gochfeld, M.; Zappalorti, R.; Bunnell, J.; Jeitner, C.; Schneider, D.; Ng, Kelly, DeVito, E.; Lorch, J. M. Prevalence of *Ophidiomyces ophiodiicola* and epizootiology of snake fungal disease in free-ranging Northern Pine Snakes (*Pituophis melanoleucus melanoleucus*) in New Jersey. *Environmental Monitoring and Assessment* 195, 662 (2023) <https://doi.org/10.1007/s10661-023-11259-w>.

Burger, J.; Jeitner, C.; Zappalorti, R.T.; Bunnell, J.F.; Ng, K.; DeVito, E.; Schneider, D.; Gochfeld, M. Snake fungal disease in free-ranging northern pine snakes (*Pituophis melanoleucus melanoleucus*) in New Jersey: lesions, severity of sores and investigator's perceptions. *Journal of Fungi* 2024, 10, 125. <https://doi.org/10.3390/jof10020125>.

Building on the fungal disease results obtained from the artificial hibernacula excavations, Commission scientists began collaborating with researchers at Virginia Tech to swab for fungal disease from snakes that were collected from the natural hibernacula, nest sites, and shed sites discovered as part of the Rare Snake Monitoring component. In 2023, swab samples from 164



Above: Snake eggs and hatchlings, such as these emerging pine snakes, were also tested for the presence of snake fungal disease. Photo/Patrick Burritt

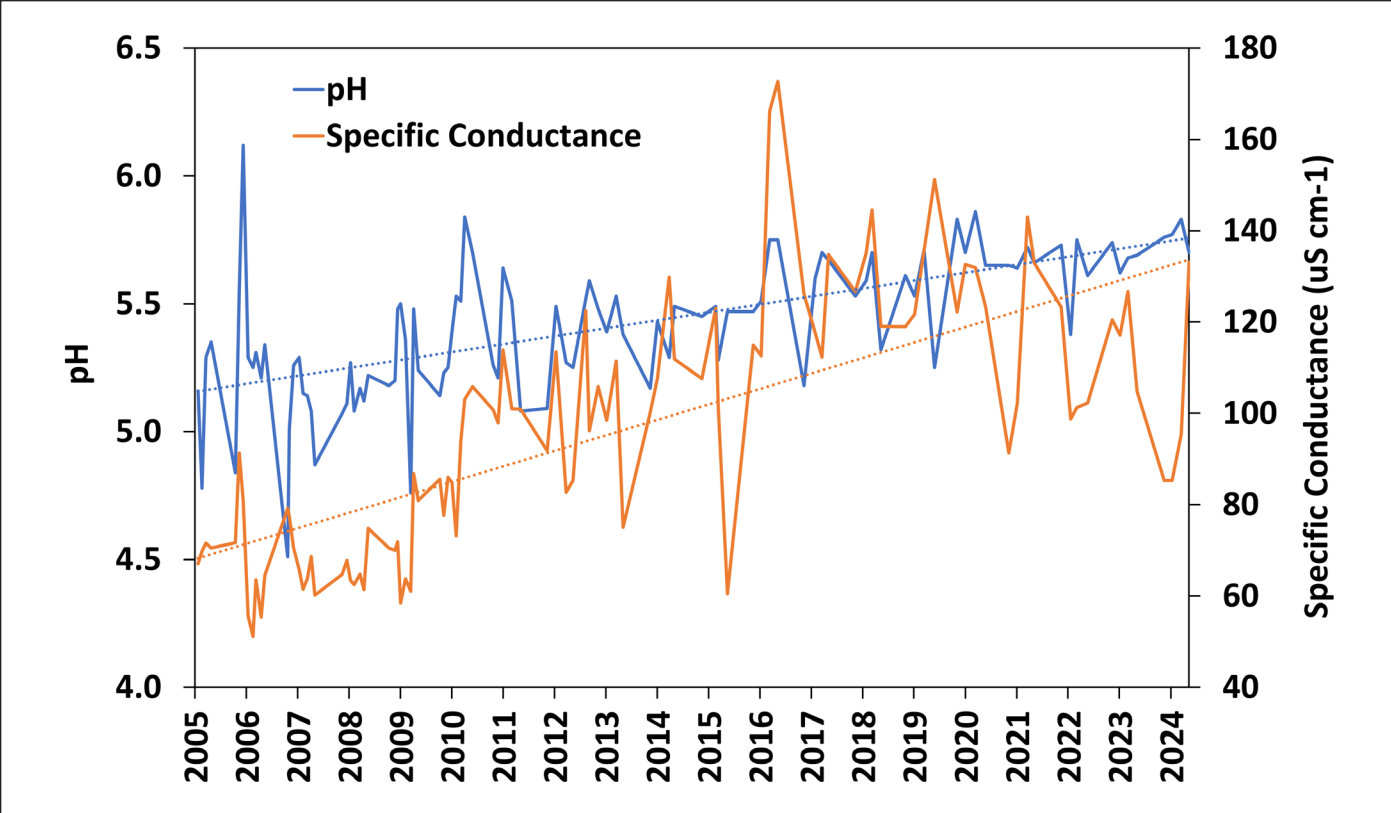
snakes were sent to Virginia Tech for analysis. Results for the first batch of 80 swab samples indicated that 30% of the sampled snakes tested positive for *O. ophidiicola*, the fungus associated with snake fungal disease.

In 2024, staff continued to collect samples for snake fungal disease analysis by swabbing 292 snakes representing 11 species. Commission scientists also began snake fungal disease sampling of egg clutches that were incubated in the lab. Swab samples were collected from eggs, hatchlings, and nesting materials associated with 12 clutches of corn snake eggs and 12 clutches of pine snake eggs.

Adenovirus Monitoring: As part of a collaboration with Dr. Anthony Geneva of Rutgers University, Commission scientists swabbed Pinelands snakes to test for the presence of adenovirus. Adenoviruses affect the gastrointestinal tract and liver of some reptile species, including snakes. In 2023, swab samples from 216 snakes were sent to Rutgers University for analysis. An additional 276 snakes, representing 10 species, were swabbed for adenovirus analysis in 2024.

Other Environmental Monitoring: Other 2024 environmental monitoring activities included surveying calling frogs and toads in March and April at a group of ponds that are surveyed annually, measuring water quality at 37 ponds, measuring bimonthly water quality at 47 stream sites, recording monthly water levels at 35 forest plots and 30 ponds, and maintaining continuous water-level recorders installed in seven other ponds and in a shallow observation well installed within a pine lowland forest. At two of the ponds equipped with continuous water-level recorders, science staff installed solar-powered weather stations to collect water level, water and air temperature, precipitation, and humidity data. The weather stations enable staff to view and download the data remotely. Staff also met with law enforcement and visited ponds in the Commission monitoring program in Brendan T. Byrne State Forest that were damaged by trucks or other types of off-road vehicles.

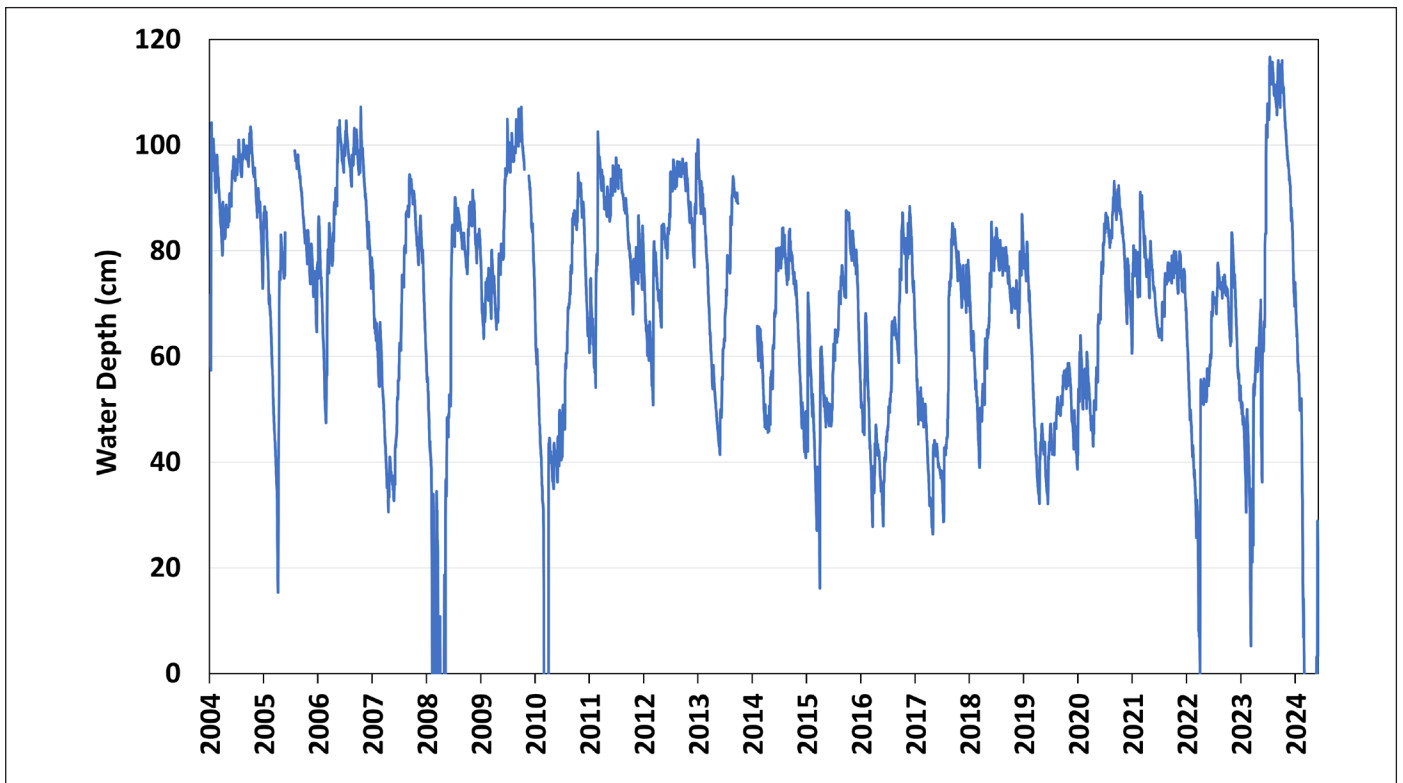
Long-term environmental monitoring research is being funded by the National Park Service.



Above: Median pH and specific conductance values from 2005 - 2024 at Four Mile Branch at Lighthouse Road, one of 47 stream sites where water quality is monitored. Increasing trends for both parameters reflect the high percentage of developed land in the Four Mile Branch watershed.



Above: In 2024, all water level monitoring ponds dried due to a prolonged drought. Drought conditions are evident at this typically inundated pond in Colliers Mills Wildlife Management Area. Photo/Chris Jeitner



Above: Water-level data from June 2004 – December 2024 for Butterworth Pond in Brendan T. Byrne State Forest. Values of zero indicate this pond dried only four times in the past two decades.

Joint Corn Snake Radio-tracking and Drift Fence Study

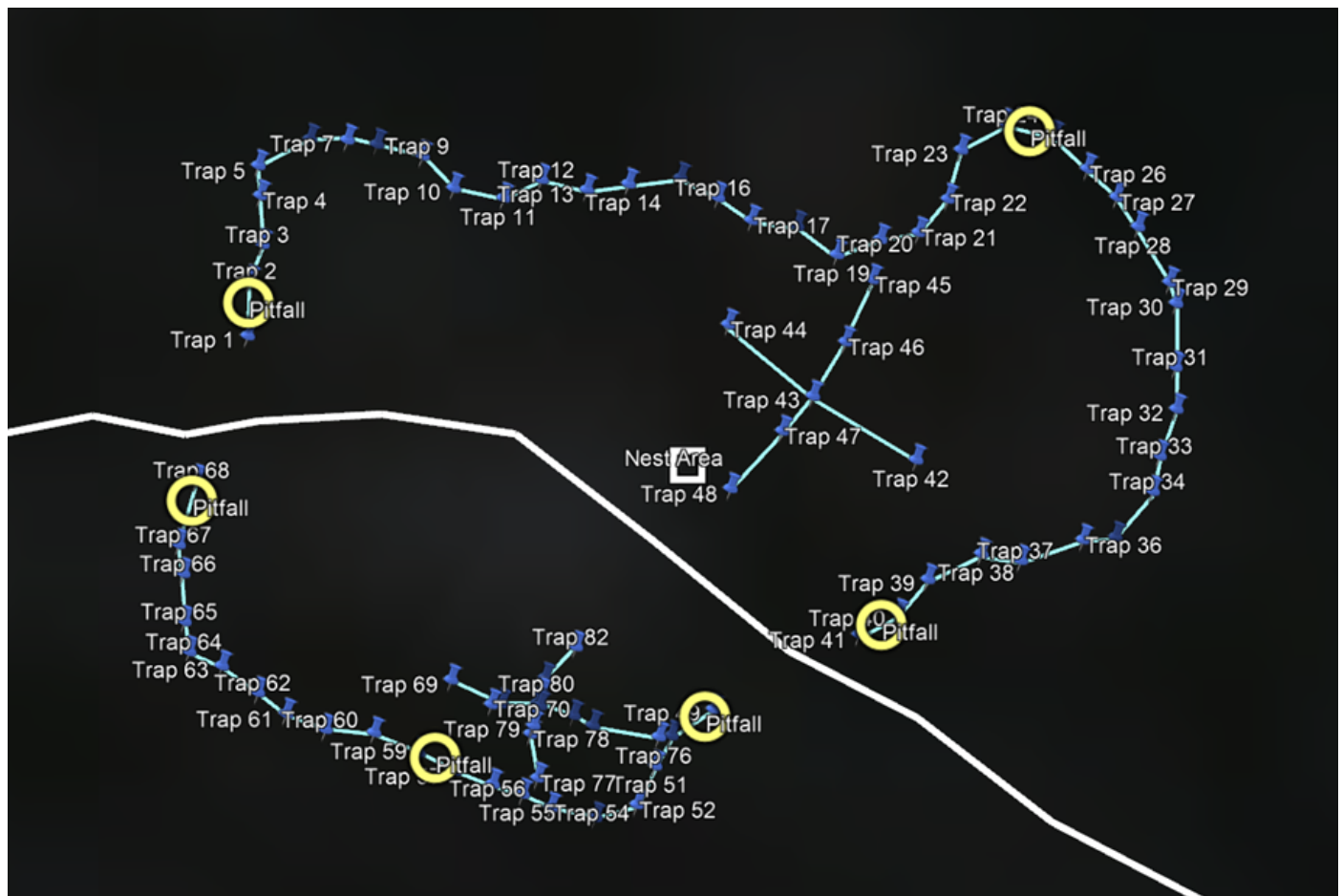
In 2016, Commission scientists began to collaborate with Dr. Howard Reinert of The College of New Jersey, Mr. Robert Zappalorti of Herpetological Associates, and the NJDEP Endangered and Nongame Species Program staff to conduct an intensive research project on the corn snake in the Pinelands. As mentioned previously, the corn snake is listed as an endangered species in New Jersey. The goals of the corn snake research are to better understand the habitat requirements and life history of this secretive serpent to develop meaningful

conservation management programs for the species and ensure its continued survival in the Pinelands.

The research includes two components: radio-telemetry and headstarting, which is a conservation technique where vulnerable young animals are raised in captivity until they attain a larger size and then released into the wild. For the telemetry aspect, researchers surgically implant small radio-transmitters in adult corn snakes and locate the snakes on a regular basis to collect data on their activity range; types of habitats used; and the locations for nesting, shedding, and hibernation. In 2019, scientists completed radio-tracking of 29 corn snakes, which concluded the telemetry component of the study. Corn snake telemetry data will be analyzed by Commission scientists.

For the headstarting component of the study, researchers collected corn snake eggs from nest areas and transported them to a laboratory for incubation and hatching. The hatchlings were PIT tagged and one-half of them were released back to the primary nest area as cold released snakes. The other group of hatchlings were kept in the laboratory over the winter and released the following spring as headstarted snakes. The goal is to recapture as many of these snakes as possible to assess growth and survivorship of the cold released and headstarted hatchlings over time.

In 2019, a drift fence array was established at the primary nest area to help recapture corn snake hatchlings to assess the survival of headstarted and cold released hatchlings. An equally important goal was to assess the effectiveness of using a drift fence outfitted with box traps and artificial wood and metal cover to detect corn snakes and other species of snakes. During the final year of the study, a series of pitfall traps were installed in the ground along the fence. A total of 7,644 animals were found along the drift fence, under the artificial cover associated with the fence, or in the traps. These 7,644 animals included 15 species of snakes and 22 species



Above: Schematic of drift fence and trap array that was installed to recapture corn snakes and to assess survey methodology.



Above: Portion of drift fence array showing box trap and metal and wood cover used to capture snakes. Photo/John Bunnell

of other animals, including toads, frogs, salamanders, lizards, turtles, mammals, and birds. The drift fence was removed from the area at the end of 2022. In 2023, the headstarting component of the study was completed. For the 2016 – 2023 period, a total of 225 corn snake hatchlings, including 120 cold released and 105 head started hatchlings, were released. Ten cold released and 19 head started snakes were recaptured during that time period.

In 2024, Commission scientists began analyzing the drift fence data to determine the relative and combined effectiveness of box traps, wood cover, metal cover, and pitfall traps in detecting the presence of snakes. Scientists also continued to monitor corrals and strategically place cover in nearby areas to survey for new and previously pit tagged snakes. During the 2024 nesting season, two head started female corn snakes that were released as hatchlings in 2019 and 2020 returned to the nest area to lay eggs and were recaptured. These snakes each gave birth to clutches of seven eggs, and the hatchlings were pit tagged and released at the nest area.



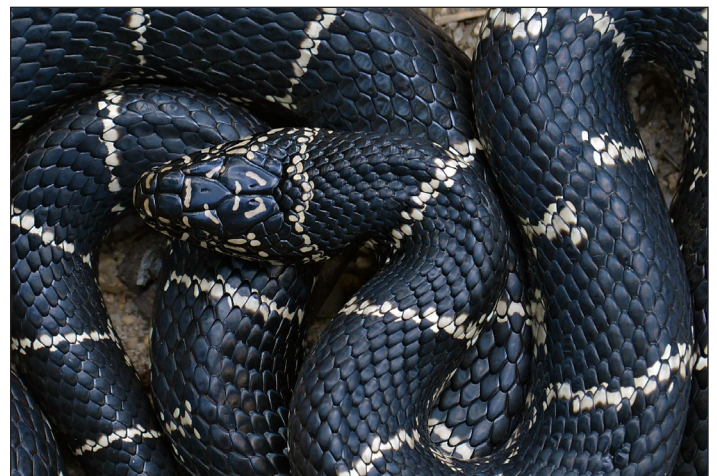
Above: One of 82 box traps installed as part of the drift fence array. This trap captured a timber rattlesnake. Photo/John Bunnell

| The number of snakes found at the drift fence array in pitfall traps, under metal and wood board cover, along the fence, and in box traps. | | | | | | |
|---|---------|-------|-------|-------|----------|---------------|
| Species | Pitfall | Metal | Board | Fence | Box trap | # individuals |
| Northern brown snake | | | | | 1 | 1 |
| Northern scarlet snake | | | | | 1 | 1 |
| Eastern king snake | | | | | 2 | 2 |
| Eastern worm snake | | 1 | | | 2 | 3 |
| Timber rattlesnake | | 1 | | | 2 | 3 |
| Eastern hognose snake | | 1 | | 1 | 7 | 9 |
| Northern pine snake | | | 1 | | 8 | 9 |
| Eastern garter snake | | 1 | | 2 | 16 | 19 |
| Northern water snake | 1 | | | 1 | 21 | 23 |
| Eastern ribbon snake | 1 | | | 2 | 29 | 32 |
| Rough green snake | | | 1 | 18 | 23 | 42 |
| Northern black racer | | 1 | 7 | 6 | 48 | 62 |
| Corn snake | 4 | 15 | 22 | 3 | 23 | 67 |
| Southern ringneck snake | 3 | | 1 | | 72 | 76 |
| Northern redbelly snake | 1 | | | | 125 | 126 |
| Total # of individuals | 10 | 20 | 32 | 33 | 380 | 475 |

This Joint Corn Snake Study is being funded by the Pinelands Commission and the New Jersey Department of Environmental Protection.

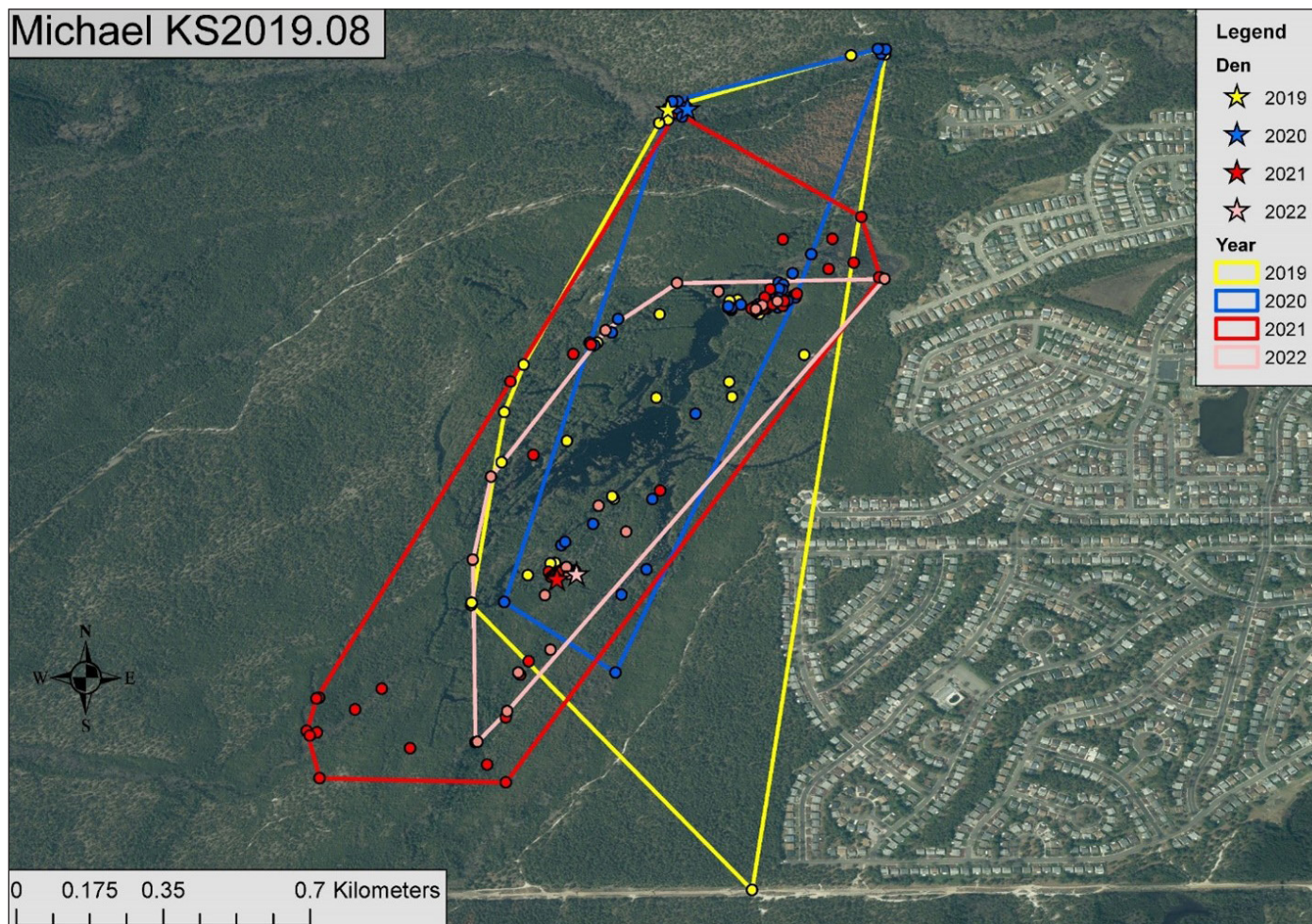
Eastern King Snake Study

In 2019, the Commission was awarded funding for a grant proposal, titled “Activity range, habitat use, shedding, denning, and nesting of the wetland-dependent eastern kingsnake.” The eastern king snake is listed as a species of special concern In New Jersey because it is vulnerable to multiple threats, is potentially declining, and its distribution and population status are not known. Commission scientists collaborated with Mr. Robert Zappalorti of Herpetological Associates and Dr. Howard Reinert of The College of New Jersey on this four-year study. Scientists used radio-telemetry to determine the activity range; upland and wetland habitat use; and timing of shedding, denning, and nesting of the eastern king snake.



Above: Eastern king snake. Photo/John Bunnell

From 2019 to 2022, scientists radio-tracked 47 king snakes, including 23 females and 24 males. Of the 47 king snakes, 22 snakes hibernated, 20 died, four were released, and one went missing. Radio-tracking was completed in 2022. Science staff characterized the habitat structure and forest type of 52 king snake hibernacula identified



Above: Activity ranges of a single eastern king snake that was radio tracked from 2019 to 2022.

during the study.

In 2024, a request for supplemental funding and a no-cost project extension received approval by the U.S. Environmental Protection Agency (EPA). Science staff began to analyze the king snake study data in preparation for completing a final report. One of the first steps in the analysis is to compile telemetry statistics for each of the 47 king snakes, such as the size of activity area, maximum distance traveled from hibernaculum, and the number of days spent in the hibernaculum.

This research is being funded by a grant from the EPA and a match by the Commission through the Pinelands Conservation Fund.

Eastern Box Turtle Study

In 2021, the Commission began to radio-track eastern box turtles. This species is listed by the NJDEP as a species of special concern because it is vulnerable to multiple threats, its distribution and population status in the state are not well understood, and it is potentially declining throughout its range. One goal of this research on box turtles is to gather data on turtle behavior, habitat use, movement, and use of nest sites and hibernacula in the Pinelands. Another goal is to monitor turtles in burned and unburned areas to better understand the relationship between turtles and prescribed fire. In 2021, a total of 20 box turtles were captured and outfitted with external transmitters and radio-tracked about once each week. The turtles were tracked to their winter hibernation areas.

In 2022, Commission scientists checked the box turtles frequently in spring to detect when they emerged from hibernation burrows. New turtles found at existing study sites were captured, processed, and tracked. In November 2022, 36 turtles were tracked to hibernation burrows, and geographic coordinates were collected at these locations.

In 2023, Commission scientists characterized the overwintering location of the 36 turtles by measuring the thickness of the leaf litter, thickness of the partially decomposed organic layer, depth to the sand, and depth of the hibernating turtles. Additional turtles found while radio-tracking the 36 turtles after spring emergence were measured and weighed, and radio-transmitters were glued on their shells to track them as part of the study. A total of 68 box turtles were radio-tracked in 2023. In the fall, staff affixed iButtons to the shells of 26 of these turtles to collect temperature data of the turtle before, during, and after the hibernation period. Staff also assessed the overlap of box turtle activity ranges and overwintering locations with areas approved for prescribed burning by the New Jersey Forest Fire Service in preparation for the upcoming burn season. An agreement between the Commission and the NJDEP for the NJDEP to provide some funding for the box turtle study was executed.



Above: Female box turtle with attached radio transmitter on the right and iButton to collect temperature data on the left. Photo/John Bunnell

In 2024, staff installed iButtons to monitor the air temperature above the hibernacula of the 26 turtles equipped with shell iButtons. Temperature data collected from the iButtons will enable staff to more accurately determine



Above: Aftermath of a prescribed fire that occurred in March over a hibernating box turtle. The duff layer was peeled back so staff could assess the condition of the turtle. Photo/John Bunnell

when turtles emerge from hibernation burrows in the spring. Staff continued to work with the New Jersey Forest Fire Service to coordinate prescribed burning where there are clusters of radio-tracked turtles. In March, prescribed burns occurred in the vicinity of two of the radio-tracked box turtles. Both turtles were hibernating at the time of the fires and, though leaf litter was burned away at the surface, the turtles had no visual wounds or marks from the fires. In July, the Tea Time Hill wildfire burned in the vicinity of seven radio-tracked box turtles. All turtles survived, although one turtle had a radio transmitter antenna burn off and some of the turtles made large movements across the landscape in apparent response to the fire.

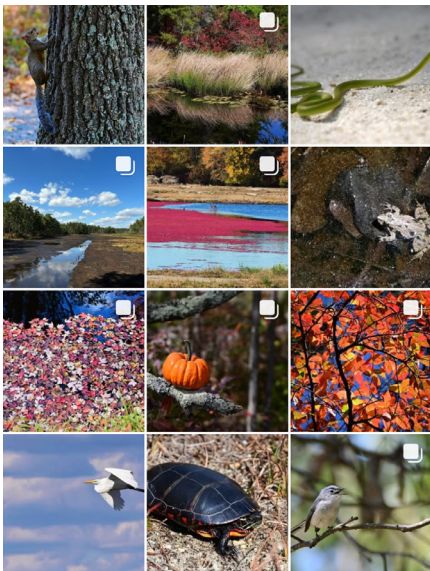
During 2024 radio-tracking, additional turtles were captured and incorporated into the study by attaching transmitters and radio-tracking them. Currently, 80 box turtles (42 females and 38 males) are being radio-tracked. Prior to hibernation, all turtles large enough to bear additional weight were equipped with iButtons for collecting body temperature data.

Public Information, Education & Outreach

Raising Awareness, Fostering Stewardship

The Commission continued to raise awareness and appreciation of the Pinelands in 2024, educating thousands about the region's resources.

The Commission co-sponsored and carried out the 35th annual Pinelands Short Course at Stockton University's main campus in Galloway Township on March 9, 2024. More than 500 people attended the event, which offered 30 presentations, including 14 new programs. Event evaluations were overwhelmingly positive, with more than 96% of survey respondents rating the event as excellent or good.



Above: The Commission's Instagram site has more than 4,700 followers.

More than 100 people attended the 8th annual Pinelands Summer Short Course on June 28, 2024. The daylong, educational event was held at Stockton University's Kramer Hall in downtown Hammonton. The event featured 11 classroom sessions at Kramer Hall and four field trips. (Please see the photos on page 29.)

Staff educated almost 100 students from Hammonton Middle School during the

annual, Pinelands-themed World Water Monitoring Challenge at Batsto Lake on October 25, 2024. Students wore waders and used nets to catch fish from Batsto Lake while learning about the Pinelands. The event was co-organized and staffed by the Commission, NJDEP, New Jersey Division of Parks & Forestry, and Americorps Ambassadors. (Please see the photo on page 29).

The Commission also organized and hosted three educational presentations at its headquarters in 2024. The first presentation, "Wildlife of the Pinelands," was delivered by the staff of the Woodford Cedar Run Wildlife Refuge and included live animals. The second presentation, "If You Plant It, They Will Come: The Importance of Native Plants in the Landscape,"

By the Numbers:

In 2024, the Commission's staff:

- Responded to nearly 1,000 public inquiries about recreation, general information about the Pinelands and the Commission, and other non-development application questions;
- Organized and carried out the 35th annual Pinelands Short Course, the 8th Pinelands Summer Short Course, the annual, Pinelands-themed World Water Monitoring Challenge events. The events educated a total of more than 700 people;
- Organized, promoted and staffed three educational presentations that were held at the agency's headquarters as part of the Pinelands Speaker Series. The presentations educated a total of approximately 100 people;
- Educated more than 1,500 people while delivering more than 20 programs;
- Took and shared 2,307 photos and 55 videos on the agency's Instagram site and shared 804 tweets on X (formerly known as Twitter);
- Uploaded/archived 35 videos that on the Commission's YouTube Channel, garnering 123 new subscribers, 437 shares and 22,300 views for the year;
- Maintained, updated and enhanced the Pinelands Commission's website; and
- Maintained and oversaw the Commission's online store, which netted more than \$2,189.40 in sales for the year. (See pages 31 - 32).

was delivered by Randi V. Wilfert Eckel, PhD, and included a tour of the Commission's native gardens. The third presentation focused on the "Hidden Kingdom of Fungi," and it was delivered by Keara R. Giannotti.

Commission staff also educated hundreds of students during dozens of presentations in schools, libraries, and other venues in 2024.

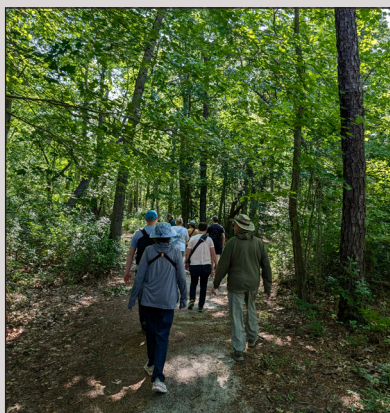
Meanwhile, Commission staff sought to heighten appreciation of the Pinelands and the Commission's work by posting daily on its social media sites. Staff shared 55 videos, 2,307 photographs, links to meetings and the agency's monthly management reports, press releases, public notices, job postings, and interactive Pinelands trivia contests on its Instagram account. SJ Magazine recognized the Commission's Instagram account in its 2024 Best of SJ Awards. Staff also shared 804 tweets on its X account, including direct links to livestream Commission meetings and numerous messages about wildfires and safety precautions related to wildfires in



Above: Almost 100 students donned waders and used nets to catch fish during the Commission's annual, Pinelands-themed World Water Monitoring Challenge at Batsto Lake.
Photo/Paul Leakan

2024. Staff also uploaded dozens of additional videos to the agency's YouTube channel, which now has over 1,300 subscribers.

Lastly, the Commission continued to educate the public by promoting visitation of the Candace McKee Ashmun Education Exhibits at its office in Pemberton Township.



On the left:

Scenes from the 8th annual Pinelands Summer Short Course in Hammonton.

Photos/Katie Elliott

Pinelands National Reserve Calendar

The Pinelands Commission issued its eighth edition of the Pinelands National Reserve wall calendar in early December 2024.

The calendar features a theme of “Happy Trails,” and it includes 38 photos that highlight a variety of trails in State Parks and Forests, County Parks, Municipal Preserves, a National Wildlife Refuge, and on lands owned/managed by non-profit conservation organizations in the Pinelands National Reserve.

The Commission worked with Rowan College at Burlington County to design and print the calendar. All of the photos were taken by members of the Commission’s staff.

In addition to the photos of the region’s resources, the calendar includes State holidays, dates of Pinelands Commission meetings, important dates in Pinelands history, and a new map that shows the featured trail sites and can be downloaded via a QR code. A total of 1,200 copies of the calendar were printed and distributed free of charge at Bass River State Forest, Batsto



Above: The front cover of the 2025 Pinelands National Reserve wall calendar shows a section of the 53-mile Batona Trail, which traverses Brendan T. Byrne State Forest, the Franklin Parker Preserve, Wharton State Forest, and Bass River State Forest.

Village, Belleplain State Forest, Brendan T. Byrne State Forest, Cloverdale Farm County Park, Estell Manor Park, Jakes Branch County Park, the Richard J. Sullivan Center, Wells Mills County Park, and Whitesbog Village.

The project was funded by the National Park Service.



Above: Dr. Randi V. Wilfert Eckel educated more than 30 people about the importance of native plants during a presentation hosted by the Commission in 2024.

Photo/Paul Leakan

Finances

Fiscal & Budget

The Commission's Operating Budget for Fiscal Year 2024 totaled \$6,896,895. Of this, \$6,034,330, or 87.5% percent, was budgeted for personnel expenses.

Budgeted revenue sources included \$390,500 in federal grants, a \$3,549,000 State appropriation, \$782,000 in State grants and other State funding, \$700,000 in application fees and \$1,475,395 from the Commission's fund balance and reserves.

The budget for the Pinelands Conservation Fund was \$964,866.

During 2024, the State Auditor completed the Commission's Audit Report for Fiscal Year 2021 and began work on the Audit Report for Fiscal Year 2022.

Pinelands Application Fees

Since April 2004, the Pinelands Commission has received application fees to partially underwrite the direct costs associated with reviewing development applications in the Pinelands Area. During Fiscal Year 2024, unaudited application fee revenues actually collected totaled \$1,085,112.12 (\$69,573.82 less) than Fiscal Year 2023.

Pinelands Merchandise & Online Store

The Commission netted \$2,189.40 in sales of Pinelands merchandise in 2024, while processing a total of 68 transactions.

The agency started selling Pinelands merchandise after launching its online store in 2023, with all proceeds from sales benefiting a fund that supports native plantings and raises awareness of native vegetation. The [online store is accessible via the Commission's website](#), and it enables the public to purchase mugs that feature a photo and information about the iconic Pine Barrens treefrog, Pine Barren Gentian or the Jersey Devil, along with reusable grocery/market tote bags and note cards.

All proceeds from sales go to the Kathleen M. Lynch-van de Sande Fund. The fund was established in memory of Ms. Lynch-van de Sande, a NJ Pinelands Commission Environmental Specialist who died in a car accident in June 1989. Sales and donations will support the planting of native Pinelands plants and projects that raise awareness about native Pinelands plants.

Over the years, thousands of dollars have been dedicated to the fund's mission. To date, three arboretums were funded at area schools and over 35 scholarships were awarded to a senior majoring in the environmental field



Above: The Commission sold Pinelands-themed mugs and Jersey Devil tote bags at the Pinelands Short Course and during Pinelands Speaker Series presentations at the agency's headquarters in 2024.

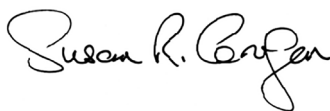
Photo/Paul Leakan

from each high school in the Pinelands. It also funded the creation of a rain garden that serves as a model for rain gardens in the Pinelands.

Proceeds from sales and donations to the fund will support future rounds of grant funding for projects that focus on native plants in the Pinelands.

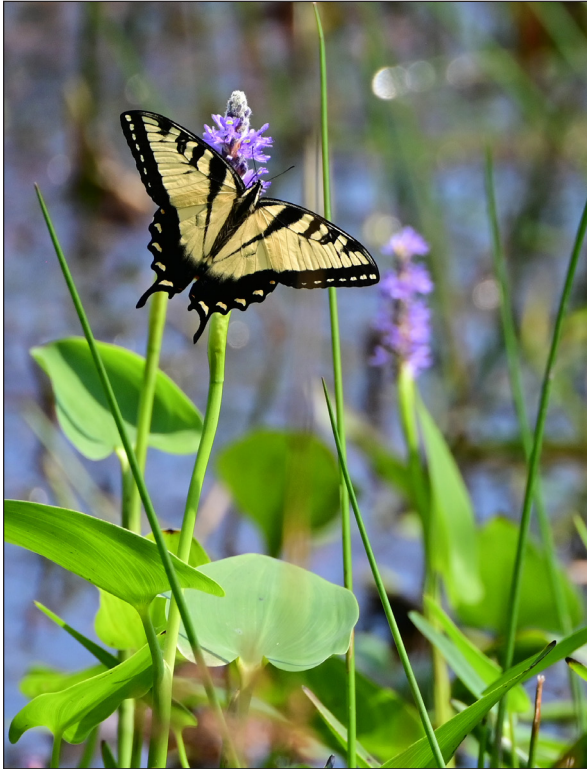
Certification

As required by State Executive Order #37, all State authorities are required to certify that during the preceding year the authority has, to the best of its knowledge, followed all of the authority's standards, procedures, and internal controls. I hereby certify to the best of my knowledge that, during the 2024 calendar year, all of the Commission's standards, procedures, and internal controls were followed.



Susan R. Grogan
Executive Director

Scenes around the Pinelands in 2024



Above: Native pickerelweed attracts pollinators like a super magnet, including this native eastern tiger swallowtail butterfly. This photo was captured in Wharton State Forest.



Above: Hikers can walk through a corridor of Atlantic white cedars along the 1.9-mile Nature Trail at Double Trouble State Park, which covers more than 8,000 acres in Berkeley and Lacey townships.



Above: The leaves of native sassafras trees transform into vibrant hues of orange, yellow, red and purple in the Pinelands each fall. This photograph was captured in Whitesbog Village.



Above: Snowy egrets forage in great abundance at the Edwin B. Forysthe National Wildlife Refuge in the Pinelands National Reserve. They sport a wingspan of over three feet and a slender, black bill.

**Photos by Paul Leakan
NJ Pinelands Commission**