



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-13- 27

TITLE: Approving With Conditions Applications for **Public Development** (Application Numbers 1981-1833.067 & 1995-1289.004)

Commissioner Gallella moves and Commissioner Witt seconds the motion that:

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

App. No. 1981-1833.067 Applicant: RICHARD STOCKTON COLLEGE OF NEW JERSEY

Municipality: Galloway Township
Management Areas: Regional Growth Area and Rural Development Area
Proposed Development: Construction of a 103-space parking lot (Date of Report: July 22, 2013);

App. No. 1995-1289.004 Applicant: BUENA VISTA TOWNSHIP

Municipalities: Buena Vista Township and Franklin Township
Management Areas: Agricultural Production Area and Rural Development Area
Proposed Development: Removal of the remains of the Unexpected Road dam (Date of Report: July 19, 2013).

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 Findings of Fact and Conclusion of the Executive Director for each of the proposed developments; and

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

NOW, THEREFORE BE IT RESOLVED that the following applications for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

App. No. 1981-1833.067 Applicant: RICHARD STOCKTON COLLEGE OF NEW JERSEY

Municipality: Galloway Township
Management Areas: Regional Growth Area and Rural Development Area
Proposed Development: Construction of a 103-space parking lot (Date of Report: July 22, 2013);

App. No. 1995-1289.004 Applicant: BUENA VISTA TOWNSHIP

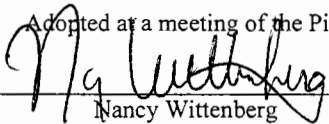
Municipalities: Buena Vista Township and Franklin Township
 Management Areas: Agricultural Production Area and Rural Development Area
 Proposed Development: Removal of the remains of the Unexpected Road dam (Date of Report: July 19, 2013).

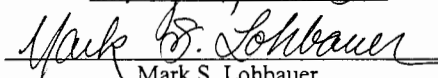
Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Galletta	X				Prickett	X			
Brown	X				Haas	X				Quinn			X	
DiBello	X				Jackson			X		Rohan Green	X			
Earlen	X				Lloyd	X				Witt	X			
Ficcaglia			X		McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: Aug. 9, 2013


 Nancy Wittenberg
 Executive Director


 Mark S. Lohbauer
 Chairman



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Chris Christie
Governor
Kim Guadagno
Lt. Governor

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman
Nancy Wittenberg
Executive Director

July 22, 2013

Charles West, Director of Facilities
The Richard Stockton College of New Jersey
Office of Facilities Planning and Construction
101 Vera King Farris Drive, Building 70
Pomona, NJ 08240

Re: Application # 1981-1833.067
Block 875.04, Lots 1.01 - 1.08
Galloway Township

Dear Mr. West:

The Commission staff has completed its review of this application for the construction of a 103 space parking lot. 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 August 9, 2013 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
Galloway Township Environmental Commission
Atlantic County Department of Regional Planning and Development
Jason Sciuillo





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Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT
APPLICATION REPORT

July 22, 2013

Charles West, Director of Facilities
 The Richard Stockton College of New Jersey
 Office of Facilities Planning and Construction
 101 Vera King Farris Drive, Building 70
 Pomona, NJ 08240

Application No.: 1981-1833.067

Location: Block 875.04, Lots 1.01 - 1.08
 Galloway Township

This application proposes the construction of a 103 space parking lot at the Richard Stockton College located on the above referenced 1,586 acre parcel in Galloway Township. The parcel is located partially in a Pinelands Regional Growth Area (983 acres) and partially in a Pinelands Rural Development Area (603 acres). The proposed development is located entirely in a Pinelands Regional Growth Area.

On September 10, 2012, the Pinelands Commission approved a “Facilities Master Plan, The Richard Stockton College of New Jersey,” dated April 2010. The Master Plan designated ten “development areas,” totaling 586 acres, where future development is proposed to occur. The Master Plan also designated 1,000 acres as “preserved areas.” Preserved areas are wetlands, wetlands buffers and areas to be preserved to avoid irreversible adverse impacts on the survival of any threatened or endangered plant and animal species. The “preserved areas” are permanently protected from most types of development by a deed of conservation restriction. The development proposed in this application will be located in an area that was designated in the Master Plan as a “development area.”

On June 13, 1997, the Commission approved the construction of four tennis courts on the above referenced parcel (App. No. 1981-1833.027). The applicant proposes to demolish the existing tennis courts to accommodate the construction of the proposed parking lot.

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(a))

The project is located in a Pinelands Regional Growth Area. The proposed parking lot is a permitted land use in a Regional Growth Area.

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

There are wetlands located on the above referenced parcel. It was previously determined for App. No. 1981-1833.027 that development at this location would not result in a significant adverse impact on the wetlands if a buffer of at least 175 feet was maintained. The proposed development will be located at least 175 feet from the wetlands.

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

The proposed development will be located within existing developed areas, maintained grassed areas and forested areas. The proposed development will disturb approximately 0.38 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 a seed mixture which meets that recommendation.

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

As part of developing the Master Plan, the applicant completed a comprehensive threatened and endangered plant and animal species survey on the above referenced parcel. The survey documented the presence of populations of threatened and endangered plant and animal species on the parcel. The applicant demonstrated that development proposed within the designated "development areas" would not result in an irreversible adverse impact on the survival of any local populations of threatened or endangered plant species or on habitat critical to the survival of a local population of threatened or endangered animal species.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards contained in the CMP. To meet the stormwater management standards, the applicant will be constructing a stormwater infiltration basin, utilizing an existing underground stormwater infiltration trench and enlarging an existing stormwater basin and swale.

Air Quality Standards (N.J.A.C. 7:50-6.94)

The applicant has demonstrated that the proposed development is consistent with the state ambient air quality standards

PUBLIC COMMENT

This applicant has provided the requisite public notice. Newspaper public notice was completed on May 7, 2013. The application was designated as complete on the Commission's website on June 28, 2013.

The Commission's public comment period closed on July 12, 2013. The Pinelands Commission has not received any public comments regarding the application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of eleven sheets, prepared by Marathon Engineering & Environmental Services, Inc., all sheets dated May 1, 2013 and revised to June 19, 2013.
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. The proposed development shall be located at least 175 feet from wetlands.

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.



Chris Christie
Governor
Kim Guadagno
Lt. Governor

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Mark S. Lohbauer
Chairman
Nancy Wittenberg
Executive Director

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

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 the by 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 within eighteen days of the date of the Executive Director's determination and must 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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Kim Guadagno
 Lt. Governor

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 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

July 19, 2013

Mayor Sue Barber
 Buena Vista Township
 P.O. Box 605
 Buena, NJ 08310

Re: Application # 1995-1289.004
 Unexpected Road Dam
 Block 2701, Lot 3
 Block 2101, Lot 1
 Buena Vista Township
 Block 6602, Lot 13
 Franklin Township

Dear Mayor Barber:

The Commission staff has completed its review of this application to remove the remains of the Unexpected Road dam. 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 August 9, 2013 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, Buena Vista Township Planning Board
- Buena Vista Township Environmental Commission
- Secretary, Franklin Township Planning Board
- Franklin Township Environmental Commission
- Atlantic County Department of Regional Planning and Development
- Gloucester County Planning Board
- Wayne Lippincott





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Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT
APPLICATION REPORT

July 19, 2013

Mayor Sue Barber
 Buena Vista Township
 P.O. Box 605
 Buena, NJ 08310

Application No.: 1995-1289.004

Location: Unexpected Road
 Block 2701, Lot 3
 Block 2101, Lot 1
 Buena Vista Township
 Block 6602, Lot 13
 Franklin Township

This application proposes to remove the remains of the Unexpected Road dam located within the above referenced right-of-way and on the above referenced 133.83 acre parcel. This application also proposes grading, the installation of rip-rap and other improvements to stabilize the stream channel and the banks at the location of the former dam.

The embankments to the dam failed in 2007 and then another failure to the dam occurred in 2008 which resulted in the draining of the adjacent former cranberry bog. The dam does not currently impound water. Unexpected Road formerly traversed the dam.

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. 7:50-5.24 and 7:50-5.26)

The proposed development is partially located in a Pinelands Agricultural Production Area (70.41 acres) and partially in a Pinelands Rural Development Area (63.42 acres). The removal of the remains of the dam and proposed improvements are a permitted use as a modification of an existing facility.

Wetlands Standards (N.J.A.C. 7:50-6.6 & 6.13)

The proposed development will occur in wetlands and the required buffer to wetlands. The proposed development will result in the disturbance of approximately 1,640 square feet of wetlands.

The CMP permits dams (linear improvements) in wetlands and wetland buffers provided the applicant demonstrates that certain conditions are met. The applicant has demonstrated that there is no feasible alternative to the proposed development that does not involve development in wetlands and wetland buffers or that will result in a less significant adverse impact to the wetlands or wetland buffers. 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 wetlands and wetland buffers. It has been demonstrated that the need to remove the remains of the existing dam and the proposed improvements for the stabilization of the stream channel and banks overrides the importance of protecting the wetland.

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

The proposed development will be located within a stream channel and an existing sand road. 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.

PUBLIC COMMENT

Public notice is not required by the CMP for “minor” development. The application was designated as complete on the Commission’s website on June 27, 2013. The Commission’s public comment period closed on July 12, 2013. The Pinelands Commission has not received any public comments regarding the application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of seven sheets, prepared by Lippincott Jacobs Consulting Engineers and dated December 15, 2010 and revised to June 7, 2013.
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

a disturbance of any wetland, the applicant shall obtain a Freshwater Wetlands Permit pursuant to the New Jersey Freshwater Wetlands Protection Act.

6. Silt fencing, hay bales or other appropriate measures shall be installed prior to construction to preclude sediment 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.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Application Specific Information: AppInfo@njpines.state.nj.us



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

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 the by 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 within eighteen days of the date of the Executive Director's determination and must 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. PC4-13- 20

TITLE: Approving With Conditions an Application for a **Public Development** (Application Number 1988-0706.018)

Commissioner McGlinchey moves and Commissioner Haas seconds the motion that:

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

App. No. 1988-0706.018 **Applicant: Town of Hammonton**
Municipality: Town of Hammonton
Management Area: Pinelands Town
Proposed Development: Construction of an overland recharge system to assist in infiltration of treated wastewater at the Town of Hammonton's Boyer Avenue land application site (Date of Report: July 17, 2013).

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

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director; and

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

NOW, THEREFORE BE IT RESOLVED that the following application for Public Development is hereby **approved** subject to the conditions recommended by the Executive Director.

App. No. 1988-0706.018 **Applicant: Town of Hammonton**
Municipality: Town of Hammonton
Management Area: Pinelands Town
Proposed Development: Construction of an overland recharge system to assist in infiltration of treated wastewater at the Town of Hammonton's Boyer Avenue land application site (Date of Report: July 17, 2013).

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Galletta			X	Prickett	X		
Brown	X			Haas	X			Quinn			X
DiBello	X			Jackson			X	Rohan Green	X		
Earlen	X			Lloyd	X			Witt	X		
Ficcaglia			X	McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: Aug 9, 2013
Mark S. Lohbauer
Mark S. Lohbauer
Chairman



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Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

July 19, 2013

Steve DiDonato, Mayor
Town of Hammonton
100 Central Avenue
Hammonton, NJ 08037

Re: Application # 1988-0706.018
Block 4204, Lots 11 - 13 & 15
Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application for the construction of an overland recharge system to assist in infiltration of wastewater at the Town of Hammonton's Boyer Avenue land application site. 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 August 9, 2013 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, Town of Hammonton Planning Board
Town of Hammonton Environmental Commission
Atlantic County Department of Regional Planning and Development
John Helbig





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Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT
APPLICATION REPORT

July 17, 2013

Steve DiDonato, Mayor
 Town of Hammonton
 100 Central Avenue
 Hammonton, NJ 08037

Application No.: 1988-0706.018

Location: Block 4204, Lots 11 - 13 & 15
 Town of Hammonton

This application proposes the construction of an overland recharge system for treated wastewater on the above referenced 98 acre parcel. The existing Town of Hammonton's Boyer Avenue land application site for treated wastewater, including one existing wastewater storage lagoon and five infiltration trenches, is located on the parcel. There are also existing municipal recreational fields located on the parcel.

The Boyer Avenue land application site accepts treated wastewater from Hammonton's wastewater treatment facility on County Rt. 542. Although designed to accommodate 1.6 million gallons per day of treated wastewater, the land application site has been accommodating approximately 807,000 gallons per day of treated wastewater. As a result of the current limitation on the quantity of wastewater that can be infiltrated at the Boyer Avenue facility, treated wastewater continues to be discharged into Hammonton Creek during periods of unusually high sewage flow. Such discharge constitutes a violation of the water quality standards of the Pinelands Comprehensive Management Plan (CMP).

The proposed development includes the installation of approximately 4,900 linear feet of twelve inch distribution piping within existing access roadways on the parcel. The proposed recharge system will be located within 26.18 acres of wooded uplands. Within these wooded uplands, six inch infiltration piping will be connected to the distribution pipe and placed on two foot centers on the soil surface. The infiltration piping will have emitting holes every three feet for the discharge of treated wastewater. The proposed drip irrigation system will be fed from the existing treated wastewater storage lagoon by an existing pump station. A series of soil probes will control the flow rate to the proposed drip irrigation system depending on soil moisture, permeability and precipitation. The applicant anticipates that the proposed drip irrigation system will permit the infiltration of an additional 650,000 gallons of treated wastewater per day.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the CMP. The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.27(a))

The parcel is located in the Pinelands Town of Hammonton. The proposed development is a permitted land use in a Pinelands Town.

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

The proposed development will be located within an existing forested area. The applicant proposes to mow understory shrubs to facilitate placement of the infiltration piping. 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 does not propose any revegetation.

PUBLIC COMMENT

This applicant has provided the requisite public notices. Newspaper public notice was completed on June 5, 2013. Legal notice to required land owners within 200 feet of the above referenced parcel was completed on June 7, 2013. The application was designated as complete on the Commission's website on June 27, 2013. The Commission's public comment period closed on July 12, 2013. The Pinelands Commission received one verbal public comment regarding the application at its July 12, 2013 Commission meeting.

Public Comment One: The commenter expressed support for the application.

Staff Response: The Commission appreciates the commenter's support of the application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, prepared by Adams, Rehmann & Heggan Associates, Inc., dated May 28, 2013 and revised to July 9, 2013.
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. On a monthly basis, the applicant shall submit a report to the Commission documenting the amount of treated wastewater that has been recharged by the proposed overland recharge system.

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.



State of New Jersey

THE PINELANDS COMMISSION

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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

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 within eighteen days of the date of the Executive Director's determination and must 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. PC4-13- 29

TITLE: Issuing an Order to Certify the December 2011 Amendments to the Master Plan of Manchester Township and Ordinances 11-025 and 12-015, Amending Chapter 245 (Land Use and Development) of the Code of Manchester Township

Commissioner Haas moves and Commissioner Leff seconds the motion that:

WHEREAS, on December 3, 1982, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Manchester Township; and

WHEREAS, Resolution #PC4-82-93 of the Pinelands Commission specified that any amendment to the Township's certified Master Plan and Land Use Ordinances be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 (Submission and Review of Amendments to Certified Master Plans and Land Use Ordinances) of the Comprehensive Management Plan to determine if said amendment raises a substantial issue with respect to conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, Resolution #PC4-82-93 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 January 16, 2009, the Pinelands Commission adopted amendments to the Comprehensive Management Plan related to mandatory residential cluster development in the Pinelands Forest and Rural Development Areas; and

WHEREAS, on October 9, 2009, the Pinelands Commission adopted amendments to the Comprehensive Management Plan related to wetlands management; and

WHEREAS, on November 13, 2009, the Pinelands Commission adopted amendments to the Comprehensive Management Plan related to forestry; and

WHEREAS, these three sets of amendments took effect on April 6, 2009, December 21, 2009 and March 1, 2010, respectively; and

WHEREAS, municipalities located within the Pinelands Area are required to adopt ordinance amendments necessary for conformance with any Comprehensive Management Plan amendments within one year of the effective date of any such amendments; and

WHEREAS, on June 11, 2010, the Pinelands Commission adopted Resolution PC4-10-27, extending the time period for response to the clustering and wetlands management amendments to March 1, 2011 in order to provide municipalities with sufficient time for consideration, preparation and adoption of master plan and ordinance amendments to address the three sets of Comprehensive Management Plan amendments simultaneously; and

WHEREAS, Commission staff subsequently provided a model ordinance and other guidance to Manchester Township to assist the municipality in completing its response to the three sets of Comprehensive Management Plan amendments; and

WHEREAS, by email dated October 25, 2011, Manchester Township notified the Commission of the need for an extension of the March 1, 2011 deadline for adoption and submission of the necessary ordinance amendments; and

WHEREAS, by letter dated October 25, 2011, the Executive Director notified the Township that an extension was granted until November 30, 2011; and

WHEREAS, by letter dated November 9, 2011, Manchester Township notified the Commission of the need for a further extension, due to the need for additional discussion by the Planning Board of proposed amendments to the municipality's Master Plan; and

WHEREAS, by letter dated November 15, 2011, the Executive Director notified the Township that a second extension was granted until December 16, 2011 to accommodate the Township's revised adoption schedule; and

WHEREAS, on December 5, 2011, the Manchester Township Planning Board adopted amendments to the Township's Master Plan, consisting of revisions to Chapter IV (Population) and Chapter VII (the Land Use Plan Element); and

WHEREAS, included in the revised Land Use Plan Element are recommendations for a number of zoning changes in the Pinelands Area as well as a discussion of the need to respond to the three sets of recently adopted amendments to the Pinelands Comprehensive Management Plan; and

WHEREAS, on December 12, 2011, Manchester Township adopted Ordinance 11-025, amending Chapter 245 (Land Use and Development) of the Township's Code in response to the forestry, wetlands management and residential clustering amendments to the Pinelands Comprehensive Management Plan; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 11-025 on December 13, 2011; and

WHEREAS, on December 19, 2011, the Pinelands Commission received a copy of the Planning Board's December 5, 2011 resolution approving the December 2011 Master Plan Amendments, as well as a copy of the amendments themselves; and

WHEREAS, by letter dated January 5, 2012, the Executive Director notified the Township that the December 2011 Master Plan Amendments and Ordinance 11-025 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the December 2011 Master Plan Amendments and Ordinance 11-025 was duly advertised, noticed and held on February 1, 2012 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, subsequent to the public hearing, Commission staff review of Ordinance 11-025 revealed inconsistencies in the ordinance with respect to the lot size requirements for cluster development in the Township's PFA-R and PFA-S Zones; and

WHEREAS, on June 25, 2012, Manchester Township adopted Ordinance 12-015, amending Chapter 245 (Land Use and Development) of the Township's Code by establishing special meeting fees, setting an expiration date of one year for zoning permits and revising the lot size requirements for cluster development in the Township's PFA-R and PFA-2 Zones; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance 12-015 on July 26, 2012; and

WHEREAS, by letter dated August 2, 2012, the Executive Director notified the Township that the Ordinance 12-015 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on Ordinance 12-015 was duly advertised, noticed and held on September 10, 2012 at the Richard J. Sullivan Center, 15C Springfield Road, New Lisbon, New Jersey at 9:30 a.m.; and

WHEREAS, the Executive Director has found that Ordinances 11-025 and 12-015 sufficiently implement the forestry, wetlands management and cluster development amendments to the Comprehensive Management Plan; and

WHEREAS, the Executive Director has further found that the December 2011 Master Plan Amendments and Ordinances 11-025 and 12-015 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 Manchester Township's December 2011 Master Plan Amendments and Ordinances 11-025 and 12-015, amending Chapter 245 (Land Use and Development) of the Code of Manchester Township, are in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee reviewed the Executive Director's report at its October 26, 2012 meeting and recommended that the December 2011 Master Plan Amendments and Ordinances 11-025 and 12-015 be certified; and

WHEREAS, Commission action on the Township's amendments was postponed in order to provide the Executive Director with an opportunity to further review issues related to the boundary between the Preservation and Forest Areas in the vicinity of one of the Township's PFA-R (Forest-Receiving) Zones; and

WHEREAS, in the past, multiple versions of the boundary between the Preservation and Forest Areas have been produced based on different interpretations of the location of the underlying ridge line; and

WHEREAS, after discussion with other State agencies, the Township and other interested parties, the Executive Director has concluded that the boundary between the Preservation and Forest Areas depicted on Manchester Township's previously certified zoning map, the Pinelands Land Capability Map and Ordinance 11-025 is the most appropriate management area boundary upon which the Commission should base its certification action and any future planning analyses or review of applications for development; and

WHEREAS, the Executive Director has therefore recommended that the Commission proceed with its certification of Manchester's amendments on that basis; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the December 2011 Master Plan Amendments and Ordinances 11-025 and 12-015 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 the December 2011 Amendments to the Master Plan of Manchester Township and Ordinances 11-025 and 12-015, amending Chapter 245 (Land Use and Development) of the Code of Manchester Township, are in conformance with the Pinelands Comprehensive Management Plan.
2. Any additional amendments to Manchester 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 ABS				AYE NAY NP ABS				AYE NAY NP ABS				
Ashmun	X			Galletta	X			Prickett		X		
Brown	X			Haas	X			Quinn			X	
DiBello	X			Jackson			X	Rohan Green				X
Earlen	X			Lloyd	X			Witt	X			
Ficcaglia			X	McGlinchey	X			Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: Aug. 9, 2013

Nancy Wittenberg
 Nancy Wittenberg
 Executive Director

Mark S. Lohbauer
 Mark S. Lohbauer
 Chairman



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-13- 30

TITLE: To approve the Pinelands Commission's 2012 Annual Report

Commissioner Prickett moves and Commissioner Lloyd seconds the motion that:

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, since 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 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 2012 Annual Report be approved, submitted to the Governor's Authorities Unit and posted on the Commission's web site.

Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Galletta	X				Prickett	X			
Brown	X				Haas	X				Quinn				X
DiBello	X				Jackson			X		Rohan Green	X			
Earlen	X				Lloyd	X				Witt	X			
Ficcaglia			X		McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: Aug 9, 2013
Mark S. Lohbauer
Mark S. Lohbauer
Chairman