



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-21-13

TITLE: **Approving** With Conditions Applications for **Public Development** (Application Numbers 1986-0944.007 & 2006-0160.003)

Commissioner Lloyd moves and Commissioner Lohbauer 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:

1986-0944.007

Applicant: **Town of Hammonton**
Municipality: Town of Hammonton
Management Area: Pinelands Town
Date of Report: April 20, 2021
Proposed Development: Demolition of a 3,000 square foot abandoned industrial building, 50 years old or older; and

2006-0160.003

Applicant: **New Jersey Department of Military & Veterans Affairs**
Municipality: Jackson Township
Management Area: Pinelands Military/Federal Installation Area
Date of Report: April 22, 2021
Proposed Development: Construction of a 37,325 square foot New Jersey National Guard Readiness building at Joint Base McGuire-Dix-Lakehurst.

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 and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Numbers 1986-0944.007 & 2006-0160.003 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*
Avery	X				Irick	X				Pikolycky	X			
Christy			X		Jannarone			X		Quinn	X			
Higginbotham	X				Lloyd	X				Rohan Green			X	
Howell			X		Lohbauer	X				Prickett	X			

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: May 14, 2021

Nancy Wittenberg
Executive Director

Richard Prickett
Chairman



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



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

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

April 20, 2021

Stephen DiDonato, Mayor (via email)
Town of Hammonton
100 Central Avenue
Hammonton, NJ 08037

Re: Application # 1986-0944.007
Block 2811, Lot 6
Town of Hammonton

Dear Mayor DiDonato:

The Commission staff has completed its review of this application for demolition of a 3,000 square foot abandoned industrial building, 50 years old or older. 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 May 14, 2021 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 (via email)
Town of Hammonton Construction Code Official (via email)
Town of Hammonton Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Marianne Risley (via email)



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PUBLIC DEVELOPMENT APPLICATION REPORT

April 20, 2021

Stephen DiDonato, Mayor (via email)
Town of Hammonton
100 Central Avenue
Hammonton, NJ 08037

Application No.: 1986-0944.007
Block 2811, Lot 6
Town of Hammonton

This application proposes demolition of a 3,000 square foot abandoned industrial building, 50 years old or older, located on the above referenced 0.18 acre parcel in the Town of Hammonton. The submitted Pinelands application form indicates that the parcel is owned by the Town of Hammonton.

STANDARDS

The Commission staff has reviewed the proposed demolition 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 Hammonton. The demolition of a building is permitted in the Pinelands Area.

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

The Commission staff reviewed the application for evidence of cultural resources on the parcel. Based upon the lack of potential for significant cultural resources on the parcel, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed demolition 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 March 29, 2021. The Commission’s public comment period closed on April 9, 2021. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.
3. This application is for the proposed demolition only. Any other future development of the above-referenced parcel shall be governed by the Town of Hammonton's certified land use ordinance and the CMP.

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 demolition subject to the above conditions.



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PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received by the Commission's office no later than 5:00 PM on May 7, 2021 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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Chairman
NANCY WITTENBERG
Executive Director

April 22, 2021

Michael Lyons (via email)
New Jersey Department of Military & Veterans Affairs
101 Eggert Crossing Road
Lawrenceville, NJ 08648-2805

Re: Application # 2006-0160.003
Block 23601, Lot 1
Jackson Township

Dear Mr. Lyons:

The Commission staff has completed its review of this application for construction of a 37,325 square foot New Jersey National Guard Readiness building at Joint Base McGuire-Dix-Lakehurst. 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 May 14, 2021 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)
Marianne G. Risley (via email)



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RICHARD PRICKETT
 Chairman
 NANCY WITTENBERG
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

April 22, 2021

Michael Lyons (via email)
 New Jersey Department of Military & Veterans Affairs
 101 Eggert Crossing Road
 Lawrenceville, NJ 08648-2805

Application No.: 2006-0160.003
 Block 23601, Lot 1
 Jackson Township

This application proposes construction of a 37,325 square foot New Jersey National Guard Readiness building at Joint Base McGuire-Dix-Lakehurst located on the above referenced 6,464 acre parcel in Jackson Township.

An application for the construction of a New Jersey National Guard Consolidated Logistic and Training Facility comprised of a 109,000 square foot building and associated site improvements on a 140 acre project site on the above referenced parcel was approved with conditions by the Commission on April 6, 2006 (App. No. 1991-0836.023). The applicant indicated that the purpose of the facility was to consolidate New Jersey National Guard logistical support functions within close proximity to Fort Dix training ranges and facilities. The applicant represented that App. No. 1991-0836.023 was phase one of a four phase development.

On June 12, 2009, the Commission approved an application for the construction of an 82,340 square foot building addition and an 11,130 square foot building addition, both to the existing Consolidated Logistic and Training Facility, on the same 140 acre project site (App. No. 2006-0160.002). The applicant represented that App. No. 2006-0160.002 was phase two of the development.

The proposed 37,325 square foot building proposed in the current application will be located within the previously approved 140 acre project site and is identified as a portion of phase three of the development.

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. 7:50-5.29)

The Pinelands Protection Act delineates the boundaries of the 938,000 acre Pinelands Area. Within the boundaries of the Pinelands Area, the Pinelands Protection Act also delineates the 366,000 acre Pinelands Preservation Area and the 572,000 acre Pinelands Protection Area. The CMP establishes management areas such as Regional Growth Area, Forest Area and Military and Federal Installation Area that overlay the entire Pinelands Area.

The parcel subject of this application is located in a Military and Federal Installation Area. Provided certain conditions are met, the CMP permits any use associated with the function of a Federal Installation in a Military and Federal Installation Area. The proposed New Jersey National Guard Readiness building is associated with the function of this Federal Installation.

One of the required CMP conditions is that, where feasible, proposed development in a Military and Federal Installation Area shall be located in the Pinelands Protection Area portion of the Pinelands Area. The development proposed in this application is located in the Pinelands Preservation Area portion of the Pinelands Area. As part of the previously approved application for the Consolidated Logistic and Training Facility (App. No. 1991-0836.023), the applicant demonstrated that there was no feasible location for the Facility that would not require development in the Pinelands Preservation Area. Specifically, the applicant indicated that based on the size of the proposed project site (140 acres), the need to readily access existing training and range areas, the availability of lands not encumbered by existing uses and environmental standards, the proposed development could not be located in the Pinelands Protection Area portion of the Pinelands Area.

A second required CMP condition is that, where feasible, the proposed use shall not require any development in a Forest Area or Pinelands Preservation Area District. The Pinelands Preservation Area District is that portion of the Pinelands Preservation Area that is not otherwise overlain by another management area such as a Military and Federal Installation Area. The New Jersey National Guard Readiness building proposed in this application is located in the Pinelands Preservation Area and overlain by a Military and Federal Installation Area. Accordingly, this application does not propose development in a Forest Area or the Pinelands Preservation Area District.

As the proposed New Jersey National Guard Readiness building is associated with the function of this Federal Installation and meets the two above conditions, the proposed development is a permitted land use in a Military and Federal Installation Area.

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

The proposed development will occur within an existing stone and grass vehicle storage area. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Re-vegetation 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 proposed facility will utilize an existing on-site septic system. Based on the size of the parcel and the number of personnel using the facility, the applicant has demonstrated that the total nitrogen concentration in the groundwater will not exceed two parts per million at the property line of the parcel.

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. The applicant proposes to direct stormwater runoff from the proposed development to an existing stormwater infiltration basin approved as part of App. No. 2006-0160.002.

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

The Commission staff reviewed the application for evidence of cultural resources on the parcel. 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 notice. Newspaper public notice was completed on July 21, 2020. The application was designated as complete on the Commission's website on March 10, 2021. The Commission's public comment period closed on April 9, 2021. 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 17 sheets, prepared by Adams, Rehmann & Heggan Associates, Inc. and dated as follows:

Sheet 1 - July 7, 2020; revised to December 11, 2020
Sheets 2-17 - July 1, 2020; revised to December 11, 2020
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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PINELANDS COMMISSION **APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made 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 and received by the Commission's office no later than 5:00 PM on May 10, 2021 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.

Disclaimer

These minutes reflect the actions taken by the Commission during its May 14, 2021 meeting. Although these minutes have been approved by the Commission, no action authorized by the Commission during this meeting, as reflected in these minutes, shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of these minutes has been delivered to the Governor for review, unless prior to expiration of the review period the governor approves same, in which case the action shall become effective upon such approval. These minutes were delivered to the Governor on May 26, 2021

PINELANDS COMMISSION MEETING

MINUTES

May 14, 2021

The May 14, 2021 Pinelands Commission meeting was conducted remotely. All participants were present via Zoom conference and the meeting was livestreamed through YouTube: <https://www.youtube.com/watch?v=Afcol6RFICc>

Commissioners Participating in the Meeting

Alan W. Avery Jr., Shannon Higginbotham, Jerome H. Irick, Ed Lloyd, Mark Lohbauer, William Pikolycky, Gary Quinn and Chairman Richard Prickett. Also participating were Executive Director Nancy Wittenberg and Deputy Attorney General (DAG) Kristina Miles and Governor's Authorities Unit representative Rudy Rodas.

Commissioners Absent

Daniel Christy, Jordan P. Howell, Jane Jannarone and D'Arcy Rohan Green.

Call to Order

Chairman Prickett called the meeting to order at 9:35 a.m.

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

Executive Director Wittenberg called the roll and announced the presence of a quorum.

The Commission pledged allegiance to the Flag.

Minutes

Chairman Prickett presented the minutes from the Commission's April 9, 2021 meeting. Commissioner Lloyd moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The minutes from the April 9, 2021 Commission meeting were adopted by a vote of 8 to 0.

Committee Reports

Chairman Prickett provided an update of the April 30, 2021 Policy & Implementation Committee meeting:

The Committee adopted the minutes of its March 26, 2021 meeting.

The Committee received a presentation by representatives of the South Jersey Transportation Authority (SJTA) regarding its recently acquired grassland conservation and management area in Hamilton Township. The site was acquired to satisfy SJTA's obligations under its amended MOA with the Commission. The Committee reviewed four alternatives for creating the required amount of habitat, focusing on the amount of tree removal that would be necessary. The Committee agreed that Alternative #4 would best provide for the required acreage to accommodate the birds while minimizing environmental impacts and mitigation costs. The Committee asked SJTA to confirm that Alternative #4 will also provide more carbon sequestration than other alternatives.

The Committee reviewed and approved the updated deed language for properties acquired through the upcoming round of acquisitions through the Pinelands Conservation Fund. A press release and invitations will be released in late May.

The Committee met in closed session to receive advice from DAG Miles regarding the Commission's authority to impose a moratorium on horizontal directional drilling (HDD) for linear projects.

In open session, the Committee agreed on a three track approach to address concerns with the impacts of HDD: repeal of the exemptions in 7:50-4.1(a)5 and 6; new standards to govern the use of HDD; and consultation with the Governor's office on the necessary CMP amendments.

Commissioner Lohbauer provided an update on the April 21, 2021 Climate Committee meeting.

The Committee discussed and decided to change its name from the Land Use, Climate Impacts and Sustainability Committee to the Pinelands Climate Committee.

Staff provided an update on five forestry stewardship bills that are pending before the Legislature. Commissioner Lohbauer said he has to recuse from any further discussion of

the forestry bills because of his affiliation with the New Jersey Highlands Coalition, which took a formal position on the bills.

Staff delivered a presentation on solar energy facilities. The Committee started to discuss possible changes to the solar rules. Commissioner Lohbauer said that discussion will continue at the Climate Committee's next meeting on May 19th.

Commissioner Avery said the audit for Fiscal Year 2019 and 2020 has begun. Staff is currently providing financial information to the state audit team.

Executive Director's Report

ED Wittenberg said that staff and Commissioners are scheduled to meet with the New Jersey Department of Environmental Protection (NJDEP) new Commissioner, Shawn LaTourette. She noted it will be a good opportunity to discuss the Off-Road Vehicle issue.

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

- Staff continues to assist both the Waterford Township Engineer and the applicant proposing a change of use at the Atco Dragway.
- Staff participated in two different meetings this past month regarding sanitary sewer extension to two existing schools in Pemberton Township.
- During the past few months, staff has mentioned issues related to older subdivision approvals in areas where zoning changes have occurred. Staff continues to assist towns who are under the impression that the subdivision approval remains valid indefinitely and not subject to current zoning
- Regulatory Programs and Planning staff continue to meet with applicants interested in developing solar facilities on landfills. The Commission's regulations require that if the landfill stopped accepting waste prior to the 1981 date outlined in the Comprehensive Management Plan, the landfill does not have to be capped. If the landfill continued to accept waste after the 1981 effective date, the landfill is required to be capped or an alternative measure must be undertaken to ensure that groundwater quality standards are met. Staff is currently working with Pemberton Township, Manchester Township and Berkeley Township to determine the necessary measures.
- Staff held a pre-application conference on April 27th with an applicant interested in constructing 1.5 million square feet of office warehouse space on a 250 acre parcel in Manchester Township. The property is currently zoned residential. The applicant was advised that a zoning change is necessary and it must be initiated by the township. The parcel was a former resource extraction operation.

Director Horner said in certain instances applicants are required to impose a deed restriction on their parcel. He said certain activities are still permitted within the deed-restricted portion, however sometimes activities may inadvertently be included as unpermitted activities in the deed. He said the NJDEP is the grantee of the deed since the Commission cannot hold property rights.

Stacey Roth, Chief of Legal and Legislative Affairs said when the Legislature enacted the Pinelands Protection Act, the Commission was not given the authority to own property, and therefore the Commission cannot be the grantee on a conservation restriction. She explained that many years ago an arrangement with the NJDEP was created which specified the Department as the grantee and the Commission as a third party beneficiary with enforcement rights. She said situations arise that require a modification to a deed and although rare, deeds are sometimes even lifted. She said any modification must follow a specific process with NJDEP Green Acres and because of the New Jersey Conservation Restriction and Historic Preservation Restriction Act requires sign off from the NJDEP Commissioner.

Commissioners further discussed landfills and the dates associated with capping requirements in the Comprehensive Management Plan (CMP).

Commissioner Lloyd asked if the Commission has good landfill data.

Director Grogan said the Commission has information from the Rapid Landfill Assessment and added that an applicant is required to provide evidence as to when a landfill stopped accepting waste.

Commissioner Irick suggested that the Commission consider requiring applicants to use the ballasted mounting system for solar projects on landfills to eliminate drilling into the ground.

Director Horner said past applicants have proposed this installation technique.

Commissioner Lohbauer suggested continuing the conversation at the next Climate Committee meeting.

Director Grogan provided an update on the following Planning matters:

- The Commission is accepting applications for new technologies to participate in the Alternate Design Septic Pilot Program. Invitations have been mailed and a notice was filed in the New Jersey Register. The program can accept up to five new technologies.
- A new round of land acquisition grants totaling \$1 million from the Pinelands Conservation Fund will be available to county and municipal partners, including non-governmental organizations. This round of grant money will prioritize existing grassland bird habitat, including climate change factors. The NJDEP recently announced its new round of Green Acres funds.
- The Pinelands Development Credit Bank processed a large severance (a separation of Pinelands Development Credits, or PDCs, from a property for a permanent deed restriction). The 480-acre parcel is located in a Special Agricultural Production Area in Bass River Township and had 67 rights. The PDCs from that property will be used for a project in a Regional Growth Area in Ocean County.

Stacey Roth thanked Commissioners for filing their Financial Disclosure Statements in a timely manner. She said the April Management Report includes a synopsis of the Appellate Division's decision involving the New Jersey Natural Gas Company's Southern Reliability Link (SRL) Project. She said the Appellate Division recently issued a decision in favor of the NJDEP regarding a property rights matter with Phoenix Pinelands, a mining operation in the Pinelands Area.

Paul Leakan, Communications Officer, said the first-ever virtual Pinelands Short Course panel discussion was held on April 24th. He said over 100 people livestreamed the event, and the recording is available on the Commission's YouTube channel. The Pinelands Summer Short Course is scheduled for July 15th and additional details will be announced soon. He said the Commission's Instagram account just celebrated its first birthday. Since the site was launched one year ago, staff has shared 1,301 photos and 72 videos in 547 posts, while gaining 1,500 followers. He noted that staff took the vast majority of those photos and videos during lunch hours, before work, after work or on weekends. Lastly, he said a new Pine Barrens Byway brochure will be printed soon, and it will include a QR code that is linked to the Byway's StoryMap/trip planner.

Public Development Projects and Other Permit Matters

Chairman Prickett presented a resolution recommending approval for the demolition of an industrial building in the Town of Hammonton and the construction of a large New Jersey National Guard building at the Joint Base.

Commissioner Lloyd made a motion Approving With Conditions Applications for Public Development (Application Numbers 1986-0944.007 & 2006-0160.003) (See Resolution # PC4-21-13). Commissioner Lohbauer seconded the motion.

Chairman Prickett asked if Hammonton has a Historic Commission and, if so, whether it would be reviewing the application.

Director Horner said he was unsure if Hammonton has a Historic Commission but the application was reviewed by Commission staff for cultural significance. He said if the development is in a known historic district, the CMP outlines certain requirements.

The Commission adopted the resolution by a vote of 8 to 0.

Public Comment on Public Development Applications and Items where the record is open

Chairman Prickett read the list of Public Development Applications. No one provided comment on the applications.

Ordinances Not Requiring Commission Action

Chairman Prickett read the list of ordinances not requiring Commission action.

- Egg Harbor Township Ordinance 11-2021

- Weymouth Township Ordinance 573-2021
- Hamilton Township Ordinance 1945-2021

No questions were raised.

General Public Comment

Rhyan Grech of the Pinelands Preservation Alliance (PPA) said that Ocean County and Burlington County Commissioners recently passed resolutions opposing the rate increase that New Jersey Natural Gas (NJNG) has requested from the Board of Public Utilities (BPU). She said the cost of the (SRL) pipeline increased significantly over time due to the 13 confirmed Inadvertent Returns. She said she hoped the Commission would pursue a reprimand against NJNG for the damage in the Pinelands. She said the NJDEP is considering a penalty or fine for NJNG. She said PPA is hosting a virtual forum on June 2nd that will focus on damage caused by Off-Road Vehicle use. She said the event will be livestreamed on PPA's YouTube channel and the keynote speaker is George Wuerthner, author of Thrillcraft.

Other

Commissioner Lohbauer said maybe the Commission should consider doing its own review of the SRL pipeline project to determine if the applicant conducted itself in a responsible manner and if there was anything the Commission could have done differently.

Commissioner Lohbauer asked about the progress of filling staff vacancies, especially with the upcoming retirement of a Planning Office staff member.

ED Wittenberg said the hiring memo is about 80% complete.

Commissioners agreed that this was an urgent matter and requested that the positions be advertised and interviews be conducted to fill the six vacant positions.

Ms. Roth confirmed that the Commission's By-laws allow the Executive Director to hire in accordance with the personnel policies of the Commission.

Chairman Prickett asked that he be kept updated on the hiring progress.

Commissioner Avery said the Commission has asked a lot of the Planning Office in the past six months and he would like to see positions in that office filled first.

Closed Session

Commissioner Lloyd made a motion to enter into Closed Session. Commissioner Higginbotham seconded the motion. All were in favor.

Ms. Roth advised that in Closed Session the Commissioner would receive advice related to the Open Public Meeting Act, Open Public Records and Conflicts of Interest.

The Commission retired into Closed Session at 10: 52 a.am.

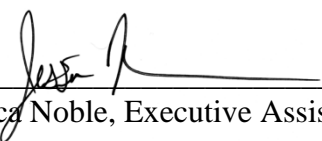
Return to Open Session

The Commission returned to open session at 11:34 a.m. Ms. Roth provided a summary of the discussion.

Adjournment

Commissioner Lohbauer moved to adjourn the meeting. Commissioner Avery seconded the motion. The Commission agreed to adjourn at 11:35 a.m.

Certified as true and correct:



Jessica Noble, Executive Assistant

Date: May 21, 2021