

RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

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NU.	PC4-22-	18	

TITLE: Expressing the Commission's Appreciation to Shannon Higginbotham for her Service as a Member of the Commission From December 13, 2020 to April 9, 2022

Commissioner	Pikolycky	moves and Commissioner	Lohbauer	
seconds the mot	tion that:			

WHEREAS, Shannon Higginbotham served as Burlington County's representative on the Pinelands Commission from December 13, 2020 to April 9, 2022; and

WHEREAS, Ms. Higginbotham brought a wealth of experience and knowledge about agriculture to the Commission. She has been farming for over 25 years, including growing more than 50 different crops on 900 acres across six different municipalities throughout Burlington County; and

WHEREAS, Commission members are unpaid volunteers who dedicate countless hours of their time and expertise while serving on the Commission; and

WHEREAS, during her tenure on the Commission, Ms. Higginbotham served on the Commission's Pinelands Climate Committee, which has worked to identify and implement measures to mitigate the effects of climate change; and

WHEREAS, during her tenure, the Commission adopted amendments to the Pinelands Comprehensive Management Plan (CMP) that will better protect Pinelands resources by requiring the use of green infrastructure and other more stringent standards to manage stormwater; and

WHEREAS, during her tenure, the Commission laid the groundwork for future CMP amendments pertaining to the Kirkwood-Cohansey aquifer system and the maintenance of electronic transmission rights-of-way; and

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

WHEREAS, during her tenure, the Pinelands Development Credit (PDC) program saw increased activity, as evidenced by the Commission's allocation of 84.25 PDCs and the permanent preservation of 1,780 acres in the Agricultural Production Area and Special Agricultural Production Area through the severance of PDCs; and

WHEREAS, the members of the Commission want to recognize Ms. Higginbotham's significant contributions and express their appreciation for the service that she performed; 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 members of the Pinelands Commission hereby express our appreciation to our colleague and friend, Shannon Higginbotham, for her commitment to the Pinelands and for her service as a member of the Commission from December 13, 2020 to April 9, 2022.

Record of Commission Votes

AYE NAY NP A/R*

AYE NAY NP A/R*

AYE NAY NP A/R*

Avery	X		Lettman	X		Pikolycky	X		
Christy		X	Lloyd		X	Quinn		X	
Holroyd	X		Lohbauer	X		Matos	X		
Irick	X		McCurry		X				
Jannarone		X	Meade	X					

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: May 13, 2022

Susan R. Grogan Acting Executive Director Laura E. Matos Chair



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-22	2- <u>19</u>								
TITLE:	Approving With 1997-0045.013)	Conditions	an	Application	for	Public	Development	(Application	Number
Commissione	er Pikolycky			moves and (Com	mission	er Lohbauer		

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

1997-0045.013

seconds the motion that:

Applicant: Lenape Regional High School District

Municipality: Tabernacle Township

Management Area: Pinelands Rural Development Area

Date of Report: April 22, 2022

Proposed Development: Installation of a synthetic turf athletic field at the Seneca High

School.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Acting 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 Acting Executive Director are imposed; and

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1997-0045.013 for public development is hereby **approved** subject to the conditions recommended by the Acting Executive Director.

Record of Commission Votes

AYE NAY NP A/R* AYE NAY NP A/R* AYE NAY NP A/R* Pikolycky Avery X Lettman X X Christy X Lloyd X Quinn X Holroyd Lohbauer X Matos X X X Irick McCurry X X Jannarone Meade

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: May 13, 2022

Laura & May

Laura E. Matos Chair

Susan R. Grogan Acting Executive Director

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

State of New Jersey

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LAURA E. MATOS Chair SUSAN R. GROGAN Acting Executive Director

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

April 22, 2022

Constance L. Stewart, Business Administrator (via email) Lenape Regional High School District 93 Willow Grove Road Shamong NJ 08088

Re: Application # 1997-0045.013

Block 401, Lot 12.01 Tabernacle Township

Dear Ms. Stewart:

The Commission staff has completed its review of this application for installation of a synthetic turf athletic field at the Seneca High School. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Acting Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its May 13, 2022 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 Acting 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.

Na stan M. Hannan D.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Tabernacle Township Planning Board (via email)
Tabernacle Township Construction Code Official (via email)
Tabernacle Township Environmental Commission (via email)
Secretary, Burlington County Planning Board (via email)
Joseph Gray, PE (via email)



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

State of New Jersey

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LAURA E. MATOS Chair SUSAN R. GROGAN Acting Executive Director

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

PUBLIC DEVELOPMENT APPLICATION REPORT

April 22, 2022

Constance L. Stewart, Business Administrator (via email) Lenape Regional High School District 93 Willow Grove Road Shamong NJ 08088

Application No.: 1997-0045.013

Block 401, Lot 12.01 Tabernacle Township

This application proposes installation of a synthetic turf athletic field at the Seneca High School located on the above referenced 46.97 acre parcel in Tabernacle Township.

The application proposes to replace an existing grassed athletic field with a synthetic turf athletic field. The replacement athletic field will be in the same location as the existing athletic field.

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. 7:50-5.26(a)11)

The proposed development is located in a Pinelands Rural Development Area. Institutional uses, including accessory athletic fields, are a permitted land use in a Pinelands Rural Development Area.

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

There are wetlands located within 300 feet of the parcel. The proposed synthetic turf athletic field will be located greater than 300 feet from wetlands.

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

The proposed development will be located within the limits of the existing grassed athletic field. The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas beyond the limits of the proposed synthetic turf athletic fields, the application proposes to utilize a seed mixture which meets that recommendation.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the application proposes to construct a subsurface stormwater infiltration system beneath the proposed synthetic turf athletic field.

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 December 14, 2021. Newspaper public notice was completed on February 6, 2022. The application was designated as complete on the Commission's website on March 28, 2022. The Commission's public comment period closed on April 8, 2022. 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 six sheets, prepared by CME Associates, all sheets dated January 27, 2021.
- 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 SHEILA Y. OLIVER Lt. Governor

State of New Jersey

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LAURA E. MATOS Chair SUSAN R. GROGAN Acting 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 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 9, 2022 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.	PC4-22-	20	
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Issuing an Order to Certify the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004, Amending Chapter 296 (Zoning Within Pinelands Area) of the Code of Winslow Township

Commissioner _	Lohbauer	moves and Commissioner	Avery	
seconds the mot	ion that:			

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

WHEREAS, Resolution #PC4-83-30 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 #PC4-83-30 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 August 15, 2019, the Winslow Township Planning Board adopted Planning Board Resolution PR-2019-031, approving the 2019 Master Plan Reexamination Report Phase II, dated July 1, 2019; and

WHEREAS, the Pinelands Commission received a certified copy of Planning Board Resolution PR-2019-031 and the 2019 Master Plan Reexamination Report Phase II on August 16, 2019; and

WHEREAS, the 2019 Master Plan Reexamination Report Phase II recommends various zoning boundary amendments within the Township's Regional Growth Area requiring the adoption of one or more implementing ordinances; and

WHEREAS, pursuant to N.J.A.C. 7:50-3.32 of the Comprehensive Management Plan, the Executive Director cannot accept a master plan amendment for formal review and certification without an adopted ordinance that implements said master plan, unless no such ordinance is necessary; and

WHEREAS, by letter dated August 29, 2019, the Executive Director notified the Township of Winslow that the 2019 Master Plan Reexamination Report Phase II would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification; and

WHEREAS, on February 20, 2020, the Winslow Township Planning Board adopted Planning Board Resolution PR-2020-015, approving the First Addendum to the 2019 Master Plan Reexamination Report, dated February 4, 2020; and

WHEREAS, the Pinelands Commission received a certified copy of Planning Board Resolution PR-2020-015 and the First Addendum to the 2019 Master Plan Reexamination Report on February 24, 2020; and

WHEREAS, the First Addendum to the 2019 Master Plan Reexamination Report recommends various zoning boundary amendments within the Township's Regional Growth Area and Pinelands Village of Blue Anchor requiring the adoption of one or more implementing ordinances; and

WHEREAS, by letter dated March 27, 2020, the Executive Director notified the Township of Winslow that the First Addendum to the 2019 Master Plan Reexamination Report would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification; and

WHEREAS, on January 21, 2021, the Winslow Township Planning Board adopted Planning Board Resolution PR-2021-19, approving the Second Addendum to the 2019 Master Plan Reexamination Report, dated December 2, 2020; and

WHEREAS, the Pinelands Commission received a certified copy of Planning Board Resolution PR-PR-2021-19 and the Second Addendum to the 2019 Master Plan Reexamination Report on November 1, 2021; and

WHEREAS, the Second Addendum to the 2019 Master Plan Reexamination Report recommends additional amendments to the Township's Regional Growth Area zoning boundaries and zoning district standards requiring the adoption of one or more implementing ordinances; and

WHEREAS, on October 12, 2021, Winslow Township adopted Ordinance O-2021-023, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance O-2021-023 on October 20, 2021; and

WHEREAS, Ordinance O-2021-023 implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda including amendments to zoning boundaries and zoning district standards applicable to the Pinelands Area portion of the Township; and

WHEREAS, by letter dated November 4, 2021, the Acting Executive Director notified the Township that the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 was duly advertised, noticed and remotely held on December 8, 2021 at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, by email dated January 20, 2022, Commission staff notified the Township of a substantial issue with Ordinance O-2021-023 requiring further amendments in order to be in conformance with the Pinelands Comprehensive Management Plan.

WHEREAS, on March 8, 2022, Winslow Township adopted Ordinance O-2022-004, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township; and

WHEREAS, the Pinelands Commission received a certified copy of Ordinance O-2022-004 on March 10, 2022; and

WHEREAS, Ordinance O-2022-004 supersedes Ordinance O-2021-023 and implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda including amendments to zoning boundaries and zoning district standards applicable to the Pinelands Area portion of the Township; and

WHEREAS, by letter dated March 28, 2022, the Acting Executive Director notified the Township that Ordinance O-2022-004 would require formal review and approval by the Pinelands Commission; and

WHEREAS, a public hearing to receive testimony on the Winslow Township Ordinance O-2022-004 was duly advertised, noticed and remotely held on April 13, 2022 at 9:30 a.m. with live broadcast on the Pinelands Commission's public YouTube channel and opportunity for the public to call-in during the live broadcast; and

WHEREAS, the Acting Executive Director has found that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are consistent with the standards and provisions of the Pinelands Comprehensive Management Plan; and

WHEREAS, the Acting Executive Director has submitted a report to the Commission recommending issuance of an order to certify that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are in conformance with the Pinelands Comprehensive Management Plan; and

WHEREAS, the Commission's CMP Policy and Implementation Committee has reviewed the Acting Executive Director's report and has recommended that the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 be certified; and

WHEREAS, the Pinelands Commission has duly considered all public testimony submitted to the Commission concerning the Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 and has reviewed the Acting Executive Director's report; and

WHEREAS, the Pinelands Commission accepts the recommendation of the Acting 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 Winslow Township 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004, Amending Chapter 296 (Zoning Within Pinelands Area) of the Code of Winslow Township are in conformance with the Pinelands Comprehensive Management Plan.
- 2. Any additional amendments to Winslow Township's certified Master Plan and Land Use Ordinances shall be submitted to the Executive Director in accordance with N.J.A.C. 7:50-3.45 to determine if said amendments raise a substantial issue with respect to the Comprehensive Management Plan. Any such amendment shall become effective only as provided in N.J.A.C. 7:50-3.45.

Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery	X				Lettman	X				Pikolycky	X			
Christy			X		Lloyd			X		Quinn			X	
Holroyd	X				Lohbauer	X				Matos	X			
Irick	X				McCurry			X						
Jannarone			X		Meade	X			•					

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Laura E. Matos Chair

Date: May 13, 2022

Susan R. Grogan Acting Executive Director



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

State of New Jersey

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LAURA E. MATOS Chair SUSAN R. GROGAN Acting Executive Director

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

REPORT ON THE WINSLOW TOWNSHIP 2019 MASTER PLAN REEXAMINATION REPORT PHASE II, THE FIRST ADDENDUM TO THE MASTER PLAN REEXAMINATION REPORT, THE SECOND ADDENDUM TO THE MASTER PLAN REEXAMINATION REPORT, AND ORDINANCE O-2022-004, AMENDING CHAPTER 296 (ZONING WITHIN PINELANDS AREA) OF THE CODE OF WINSLOW TOWNSHIP

April 29, 2022

Winslow Township 125 South Route 73 Winslow Township, NJ 08037

FINDINGS OF FACT

I. <u>Background</u>

The Township of Winslow is located on the western fringe of the Pinelands Area in Camden County. Pinelands municipalities adjacent to Winslow Township's Pinelands Area include the Boroughs of Berlin and Chesilhurst and the Township of Waterford in Camden County, the Township of Monroe in Gloucester County, and the Town of Hammonton and the Borough of Folsom in Atlantic County.

On April 8, 1983, the Pinelands Commission fully certified the Master Plan and Land Use Ordinances of Winslow Township.

At the April 27, 2018 meeting of the Commission's CMP Policy and Implementation Committee, Winslow Township representatives presented a proposal for comprehensive amendments to its Regional Growth Area (RGA) zoning plan. The objective of the Township's rezoning proposal was to increase residential density within the Township's RGA to support increased commercial development along the Route 73 highway corridor.

On August 15, 2019, the Winslow Township Planning Board adopted Planning Board Resolution PR-2019-031, approving the 2019 Master Plan Reexamination Report Phase II, dated July 1, 2019. The report recommends various amendments to the Township's RGA zoning plan requiring the adoption of one or more implementing ordinances. The Pinelands Commission received a certified copy of Planning Board Resolution PR-2019-031 and the 2019 Master Plan Reexamination Report Phase II on August 16, 2019.

By letter dated August 29, 2019, the Executive Director notified the Township that, in accordance with N.J.A.C. 7:50-3.32, the 2019 Master Plan Reexamination Report Phase II would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification.

On February 20, 2020, the Winslow Township Planning Board adopted Planning Board Resolution PR-2020-015, approving the First Addendum to the 2019 Master Plan Reexamination Report, dated February 4, 2020. The First Addendum recommends additional amendments to the Township's RGA zoning plan and to the Pinelands Village of Blue Anchor requiring the adoption of one or more implementing ordinances. The Pinelands Commission received a certified copy of Planning Board Resolution PR-2020-015 and First Addendum on February 24, 2020.

By letter dated March 27, 2020, the Executive Director notified the Township of Winslow that, in accordance with N.J.A.C. 7:50-3.32, the First Addendum to the 2019 Master Plan Reexamination Report would be deemed incomplete until such time that the necessary implementing ordinances were adopted and submitted to the Commission for certification.

On January 21, 2021, the Winslow Township Planning Board adopted Planning Board Resolution PR-2021-19, approving the Second Addendum to the 2019 Master Plan Reexamination Report, dated December 2, 2020. The Second Addendum recommends additional amendments to the Township's RGA zoning plan as well as amendments to various RGA zoning district regulations related to standards for maximum density, minimum lot size, maximum floor area ratio, and Pinelands Development Credit use. The Pinelands Commission received a certified copy of Planning Board Resolution PR-2021-19 and the Second Addendum on November 1, 2021.

On October 12, 2021, Winslow Township adopted Ordinance O-2021-023, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township. The Ordinance implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda. The Pinelands Commission received a certified copy of Ordinance O-2021-023 on October 20, 2021.

By letter dated November 4, 2021, the Acting Executive Director notified the Township that the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 would require formal review and approval by the Pinelands Commission.

By email dated January 20, 2022, Pinelands Commission staff notified the Township of a substantial issue with Ordinance O-2021-023 requiring further amendments in order to be in conformance with the Pinelands Comprehensive Management Plan.

On March 8, 2022, Winslow Township adopted Ordinance O-2022-004, amending Chapter 296 (Zoning Within the Pinelands Area) of the Code of Winslow Township. The ordinance supersedes Ordinance O-2021-023 and implements the recommendations of the 2019 Master Plan Reexamination Report Phase II and two subsequent addenda. The Pinelands Commission received a certified copy of Ordinance O-2022-004 on March 10, 2022.

By letter dated March 28, 2022, the Acting Executive Director notified the Township that Ordinance O-2022-004 would require formal review and approval by the Pinelands Commission.

II. Master Plans and Land Use Ordinances

The following Master Plans and ordinance have been submitted to the Pinelands Commission for certification:

- * Planning Board Resolution PR-2019-031, adopting the Township's 2019 Master Plan Reexamination Report Phase II, adopted on August 15, 2019.
- * Planning Board Resolution PR-2020-015, adopting the First Addendum to the 2019 Master Plan Reexamination Report, adopted on February 20, 2020.
- * Planning Board Resolution PR-2021-19, adopting the Second Addendum to the 2019 Master Plan Reexamination Report, adopted on January 21, 2021.
- * Ordinance O-2022-004, amending Chapter 296 (Zoning within the Pinelands Area), introduced on February 8, 2022 and adopted on March 8, 2022.

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

1. Natural Resource Inventory

Not applicable.

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

2019 Master Plan Reexamination Report and addenda

Winslow Township's 2019 Master Plan Reexamination Report Phase II specifically addresses the Pinelands Area portion of the Township. It reviews the problems and objectives identified in the Township's most recent Master Plan (2000) and Master Plan Reexamination Report (2007) covering the Pinelands Area portion of the Township, discusses the extent to which they have been addressed or remain valid, and identifies changes in conditions, policies, and objectives at the local, county and state level relevant to the Township.

A primary finding of the report is that the Township's 2002 amendments to its Regional Growth Area (RGA) zoning plan have not generated the commercial or mixed-use development that the Township's master plan has envisioned for the Route 73 highway corridor. The report suggests that this is due in part to the zoning standards of the Pinelands Town Center (PTC) District, a mixed-use zone, as well as to a lack of households in the area to support the level of commercial development envisioned. Therefore, the report recommends eliminating the PTC District and greatly reducing the Pinelands Industrial (PI-1) District in favor of existing residential and commercial RGA districts. The amended RGA zoning plan would be configured to concentrate

commercial uses along Route 73 and residential uses along other county and local roads. The report includes maps and corresponding lists of blocks and lots to be rezoned. The report also recommends modifying residential density in all existing RGA residential zones and eliminating Pinelands Development Credit (PDC) requirements for non-residential uses in non-residential RGA zones.

The First Addendum to the 2019 Master Plan Reexamination Report additionally recommends that 12 lots within the Pinelands Village of Blue Anchor be rezoned to enable the development of medical use marijuana cultivation, manufacturing, and testing facilities. The Pinelands Village of Blue Anchor is situated south of the Township's RGA and adjacent to the Route 73 highway corridor. The addendum states that the rezoning will support the Township's ongoing effort to spur economic growth along the corridor. The addendum also provides for various revisions to the list of lots to be rezoned in the Township's RGA.

The Second Addendum to the 2019 Master Plan Reexamination Report recommends amendments to the district regulations of various residential and non-residential RGA zones. These detailed recommendations specify changes to residential and non-residential PDC requirements, permitted housing types, maximum residential density, minimum lot sizes, and maximum floor area ratios. The addendum also provides for various revisions to the list of lots to be rezoned in the Township's RGA.

Ordinance 0-2022-004

Ordinance O-2022-004 amends Chapter 296 (Zoning Within Pinelands) of the Code of Winslow Township. The ordinance implements the recommendations of the 2019 Master Plan Reexamination Report and supplemental addenda.

Zoning Plan Amendments

The ordinance adopts an updated zoning map, dated September 14, 2021, implementing the recommended amendments to the Township's zoning plan for its RGA and the Pinelands Village of Blue Anchor (see Exhibits A, B, C, D.; Tables 1 and 2). None of the proposed amendments to the Township's zoning plan necessitate changes to underlying Pinelands management areas.

In the Township's RGA, the PTC District is eliminated, and the PI-1 District is vastly reduced. Both zones were established as part of the Township's 2002 amendments to its RGA zoning plan. The PTC District permits single family dwellings and townhouses as well as professional offices and regional shopping centers. The district was intended to facilitate mixed used development. The PI-1 District permitted agricultural processing facilities, Pinelands resource-related industries and other light industries, including research and development operations, wholesaling and distribution operations, light manufacturing and public utility and service activities. These areas both exhibit large deep lots that the Township has deemed appropriate to split zone PC-2/PR-4. While the Commission typically discourages the practice of split zoning lots, Commission staff recognize the Township's intention to target commercial uses near Route 73 and residential uses in areas not fronting Route 73. In both areas, land fronting Route 73 is rezoned Major Commercial (PC-2) with the remaining land rezoned to High Density Residential (PR-4). Appropriate standards have been included in the ordinance for calculating residential density and floor area ratios where lots are split by zone.

The amended RGA zoning plan also rezones all land within the Minor Commercial (PC-1) District to PC-2, effectively eliminating the PC-1 District. The PC-2 District permits all the same commercial uses as the PC-1 in addition to hotels, motels, hospitals, medical offices, and research facilities. As discussed below, the PC-2 District has also permitted a greater intensity of commercial development than the PC-1 District based on higher permitted maximum floor area ratios (FAR).

The amended RGA zoning plan rezones approximately 69 acres of Low Density Residential (PR-2) and Medium Density Residential (PR-3) land fronting Route 73 to PC-2. Many of these lots contain existing residential uses. While the Township maintains that these lands are more appropriately zoned commercial given the Township's long-term vision for the Route 73 corridor, Ordinance O-2022-004 grandfathers existing residential uses zoned PC-2 to avoid burdening residential property owners with a non-conforming use status.

Lastly, approximately 334 acres within the existing PR-2 and PR-3 districts were identified by the Township as appropriate for upzoning to the PR-4 District. These lands are located east of Route 73 between Tomwells Road and Pump Branch Road consisting of uplands containing a mix of residential, agricultural, and vacant wooded areas.

It is noted that the previously certified Randevco Redevelopment Plan and Maressa Redevelopment Plan remain in effect as overlay zones overlapping with approximately 155 of the 227 acres of the existing PTC District.

Table 1. Summary of RGA Zoning Changes in Acres

	Proposed Zo	ning District		
Certified Zoning District	Major Commercial (PC-2)	High Density Residential (PR-4)	Total	
Pinelands Town Center (PTC)	104	123	227	
Industrial (PI-1)	124	150	274	
Minor Commercial (PC-1)	280	0	280	
Low-Density Residential (PR-2)	55	78	133	
Medium Density Residential (PR-3)	14	256	270	
Total	577	607	1,184	

In the Pinelands Village of Blue Anchor, 12 lots approximating 58 acres are rezoned to the Pinelands Village Industrial (PI-2) District. Lots to be rezoned contain a mix of vacant, commercial, and agricultural land with frontage along Route 73. The PI-2 District permits agricultural processing facilities, Pinelands resource-related industries, various light industrial uses as well as uses related to medical marijuana cultivation, manufacturing, testing and treatment centers.

Table 2. Summary of Pinelands Village of Blue Anchor Zoning Changes in Acres

	Proposed Zoning District
Certified Zoning District	Pinelands Village Industrial (PI-2)
Pinelands Village Minor Commercial (PC-3)	38
Pinelands Village Low-Density Residential (PR-6)	20
Total	58

Regional Growth Area Development Intensity and PDC Use

During the Township's major RGA rezoning effort in 2002, the Commission deemed it necessary to place controls on the increased non-residential development potential enabled by the 2002 amendments due to concerns over potential water supply impacts. Those controls came in the form of maximum floor area ratios (FAR) established for the PC-1, PC-2, PTC and PI-1 districts. The Township further elected to create a base FAR/bonus FAR scheme where bonus FAR would be achieved using PDCs. Each 0.25 PDC equated to an additional 3,000 square feet of permitted floor area.

Ordinance O-2022-004 eliminates the base FAR/bonus FAR scheme and establishes a single maximum FAR without any required PDC use. Table 3 summarizes the certified FARs as well as the proposed FAR. It is noted that the Township elected to incorporate this novel approach to permitting FAR bonuses through PDC use, and therefore, it is at their option to eliminate. Furthermore, as detailed below, the water supply concerns that led to the establishment of FAR standards have been more comprehensively addressed by the amended Memorandum of Understanding (MOU) between the Commission, Winslow Township and the Camden County Municipal Utilities Authority. The continued use of a maximum FAR is appropriate, and the small increase in FAR in the PC-2 District is acceptable given the additional protections to the Kirkwood-Cohansey water supply ensured by the 2017 Amended MOU.

Table 3. Summary of RGA Non-Residential FAR Standards

	Maxim	um Floor Ar	rea Ratio
Zoning District	Cer	D	
_	Base	PDC	Proposed
Major Commercial (PC-2)	0.15	0.225	0.30
Industrial (PI-1)	0.25	0.375	0.375
Minor Commercial (PC-1)	0.10	0.15	N/A
Pinelands Town Center (PTC)	0.22	0.33	N/A

The Township has also opted to replace the traditional base density/bonus density scheme in its RGA residential zones in favor of a single maximum density with a mandatory 25% PDC

requirement. No PDCs are required for the development of a single dwelling unit on a lot existing as of the adoption date of Ordinance O-2022-004 that conforms to the lot size requirements of the zone it is located within. The newly established densities for the Township's three residential zones area summarized in the Table 4 below. The ordinance also adopts a revised Schedule of Area, Yard and Bulk Requirements for Residential Uses. This schedule provides minimum lot area requirements for existing lots, minor subdivisions, cluster development, and major subdivisions. All lot area requirements have been carefully structured to ensure that it will be feasible to achieve the permitted densities in the three residential zones in most cases, as is required by N.J.A.C. 7:50-3.39(a)2vii.

Table 4. Summary of RGA Residential Density Standards

	Max Density (du/acre)			
Zoning District	Certified		— Duamagad	
	Base	PDC	Proposed	
Low-Density Residential (PR-2)	0.7	1.45	1.5	
Medium-Density Residential (PR-3)	1.4	2.55	2.5	
High-Density Residential (PR-4)	2.25	5.25	4.25	
Pinelands Town Center (PTC)	2.0	5.25	N/A	

Residential Zoning Capacity

The amendments made to the Township's RGA zoning plan and maximum residential density increase the theoretical residential zoning capacity of the Township's Regional Growth Area by 1,203 units (see table 5). Given the vacant acres identified using 2012 data, the overall density for developable lands within the Township's Regional Growth Area has increased from 1.9 to 2.6 units per acre.

Table 5. Summary of Changes to RGA Residential Zoning Capacity

Zoning District	Certified Zoning Plan		Proposed Zoning Plan	
	Vacant Acres	Zone Capacity (units)	Vacant Acres	Zone Capacity (units)
Low-Density Residential (PR-2)	1,102	1,598	1,022	1,575
Medium-Density Residential (PR-3)	239	610	15	38
High-Density Residential (PR-4)	118	620	642	2,731
Pinelands Town Center (PTC)	193	314	N/A	N/A
Total	1,652	3,142	1,679	4,345

The 2.6 units per acre density for the developable lands within the Township's RGA is higher than the 1.125 units per acre prescribed by the CMP. However, the CMP does provide municipalities with the ability to zone portions of their Regional Growth Areas for higher

densities, provided that the lands in question are appropriate for more intensive development, infrastructure exists or can be provided to support the increased density and sufficient opportunities for the use of Pinelands Development Credits are provided (N.J.A.C. 7:50-5.28(a)7). As detailed below, the amended zoning adopted by this ordinance meets these standards for increased density.

With respect to the appropriateness for the intensity of development permitted, the amended zoning plan aligns with the Township's long-term goals of planning for increased residential densities in proximity to NJ Route 73 in order to support commercial development along NJ Route 73.

With respect to the availability of infrastructure to serve the Township's RGA, both water and sewer are available. It is important to note that the Township's RGA is served by public sewers that discharge to the Camden County Municipal Utilities Authority wastewater treatment plant on the Delaware River. The public water supply is supported, in part, by wells developed in the Kirkwood-Cohansey aquifer. To protect the Kirkwood-Cohansey aquifer and address the export of water from the Pinelands contrary to the CMP, a 2017 amended Memorandum of Understanding (MOU) between the Commission, Winslow Township and the Camden County Municipal Utilities Authority limits withdrawals from the Township's Kirkwood-Cohansey wells and requires the Township to acquire water from alternative sources once the limit on withdrawals has been reached. Based on the MOU, the Township submits annual reports to the Commission detailing water use. The most recent report submitted for the period March 2021 through February 2022 shows that the Township has not yet reached the Kirkwood-Cohansey withdrawal limit.

The third condition for approval of increased densities and zoning capacity relates to the accommodation of Pinelands Development Credit opportunities. As discussed in more detail in Section 8 of this report, all residential zoning districts in the Township's Regional Growth Area will require the acquisition and redemption of Pinelands Development Credits (PDCs) for 25% of all residential units. Thus, Pinelands Development Credit use has not only been accommodated, but also guaranteed if any residential units are developed in these residential zoning districts.

Other Amendments

Ordinance O-2022-004 repeals portions of Sections 296-84.1, Groundwater withdrawal and zoning density. The repealed provisions permitted the Pinelands Commission to restrict the use of PDCs to achieve bonus FAR in the PC-1, PC-2, PTC, and PI-1 zones if certain findings were made based on annual reports provided by the Township to the Commission. These provisions are no longer relevant as the Township has eliminated its bonus FAR provisions. Additionally, since the time these regulations were adopted, greater protection of the Kirkwood-Cohansey aquifer has been achieved through the terms of the 2017 Amended MOU discussed above.

The 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 are consistent with the land use and development standards of the Comprehensive Management Plan. Therefore, this standard for certification is met.

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

Not applicable.

4. Requirement for Municipal Review and Action on All Development

Not applicable.

5. Review and Action on Forestry Applications

Not applicable.

6. Review of Local Permits

Not applicable.

7. Requirement for Capital Improvement Program

Not applicable.

8. Accommodation of Pinelands Development Credits

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

Based on the densities assigned to Winslow Township's Regional Growth Area by the CMP (N.J.A.C. 7:50-5.28), the Township is required to provide an opportunity for the development of residential units at a base-density of 1.125 units per acre, with a bonus-density of up to 1.69 units per acre achievable through the use of PDCs. Given the developable acres within RGA residential zones, Winslow Township is required to permit up to 1,189 residential units and the opportunity for an additional 949 units through the use of PDCs. In other words, the municipality would have to allow for the opportunity to use 949 rights (237.25 PDCs). This traditional approach requires that municipalities provide the *opportunity* for use of PDCs for 33% of the total number of residential units permitted in their Regional Growth Areas.

Ordinance O-2022-004 replaces the traditional base density/bonus density scheme in its three RGA residential zones in favor of a single maximum density for each zone and a mandatory 25% PDC requirement. No provisions are included in the ordinance to exempt affordable housing units. The PDC requirements adopted by the ordinance will result in an opportunity for the use of up to 1,087 rights (271.75 Pinelands Development Credits). As described in Section 2 above, the Township has elected to zone at a higher density than required by the CMP in order to support

future commercial development along Route 73. As a result, far greater opportunities for the use of PDCs are provided than what is required.

While the 25% PDC requirement is not as high a number as would be provided through the more traditional approach described above requiring 33%, it is important to remember that the traditional base-density/bonus-density approach utilized throughout the Pinelands Area only provides an *opportunity* for the use of PDCs. There is no requirement under the traditional approach that any PDCs be used in any particular development project. Ordinance O-2022-004 *guarantees* a PDC redemption rate of 25% for the residential component of any project within the Township's Regional Growth Area. Given the greater certainty provided by this approach, the Acting Executive Director finds that the amended PDC requirements for RGA zoning districts adopted by Ordinance O-2022-004 are consistent with CMP standards.

Ordinance O-2022-004 also eliminates the opportunity for the use of PDCs in association with non-residential development in Winslow's non-residential RGA zones. The use of PDCs to achieve bonus FAR was adopted, at the option of the Township, in 2002 as a means for providing development flexibility while limiting water supply impacts from non-residential development via FAR standards. The Township has opted to no longer provide this bonus FAR opportunity, which is the prerogative of the Township to decide.

This standard for certification is met.

9. Referral of Development Applications to Environmental Commission

Not applicable.

10. General Conformance Requirements

The 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 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 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 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

Winslow Township's Regional Growth Area (RGA) borders the Borough of Chesilhurst and the Township of Waterford. Chesilhurst Borough is designated entirely RGA, and the vicinity of Waterford Township bordering Winslow Township's RGA is also designated RGA. Given the compatible management area designations, intermunicipal conflicts are not anticipated. This standard for certification is met.

PUBLIC HEARING

A public hearing to receive testimony concerning Winslow Township's application for certification of the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 was duly advertised, noticed and held on December 8, 2021, at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2021-023 were accepted through December 13, 2021. However, no written comments were received.

A public hearing to receive testimony concerning Winslow Township's application for certification of Ordinance O-2022-004 was duly advertised, noticed and held on April 13, 2022, at 9:30 a.m. Mr. Lanute conducted the hearing, which was held remotely and broadcasted live on the Pinelands Commission's public YouTube channel. The public was provided the opportunity to call-in during the public hearing to provide testimony. No testimony was received.

Written comments on Ordinance O-2022-004 were accepted through April 15, 2022. However, no written comments were received.

CONCLUSION

Based on the Findings of Fact provided above, the Acting Executive Director has concluded that the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 comply with the Comprehensive Management Plan standards for the certification of municipal master plans and land use ordinances. Accordingly, the Acting Executive Director recommends that the Commission issue an order to certify the 2019 Master Plan Reexamination Report Phase II, the First Addendum to the Master Plan Reexamination Report, the Second Addendum to the Master Plan Reexamination Report, and Ordinance O-2022-004 of Winslow Township.

SRG/DBL/CWI Attachments







