

Disclaimer

These minutes reflect the actions taken by the Commission during its August 8, 2025 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 August 14, 2025.

PINELANDS COMMISSION MEETING

MINUTES
August 8, 2025

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

Commissioners Participating in the Meeting

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

Commissioners Absent

Alan W. Avery Jr., John Holroyd, Theresa Lettman and Jonathan Meade.

Call to Order

Chair Matos called the meeting to order at 9:31 a.m.

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

Executive Director (ED) Grogan called the roll and announced the presence of a quorum. Ten Commissioners participated in the meeting.

The Commission pledged allegiance to the Flag.

Minutes

Chair Matos presented the minutes from the Commission's July 11, 2025 meeting. Commissioner Irick moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

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

Committee Reports

Chair Matos provided a summary of the July 25, 2025 Policy and Implementation (P&I) Committee meeting:

The Committee approved the minutes of the June 27, 2025 meeting.

The Committee heard two presentations from staff.

The first presentation focused on proposed projects and initiatives for Fiscal Year 26 through the lens of the Policy and Implementation Committee. It also discussed the Fiscal Year 25 accomplishments, including Comprehensive Management Plan (CMP) amendment implementation and other ongoing projects. Executive Director Grogan asked for Committee suggestions for additional project priorities.

The second presentation from staff provided an overview of the use of Ground Penetrating Radar (GPR) for archaeological surveys. Staff archaeologist Marc Paalvast reviewed projects conducted by the Commission using GPR survey methods, including the detection of potential unmarked burials at two historical church sites and in-progress work at Whitesbog Historic Village.

Committee Assignments

Chair Matos announced that Commissioner Buzby-Cope will be a member of the P&I Committee and Commissioner Lettman will serve as an alternate member on that Committee. She said Commissioner Signor will serve as a member on the Personnel and Budget (P&B) Committee.

Executive Director's Report

ED Grogan provided information on the following items:

- The Fiscal Year (FY) 2026 state budget is now available to view online. The Commission received an additional \$150,000 as part of the state appropriation. In addition, the Office of Management and Budget (OMB) has allocated \$95,000 for Commission salary increases that were negotiated as part of the Communications Workers of America (CWA) union contract. A special appropriation of \$69,000 was provided to the Commission based on the year-long delay of the Fenwick Manor Rehabilitation project

stemming from the Request for Proposal process. Language was included in the state budget that notes additional funds are appropriated for necessary structural and safety repairs of Fenwick Manor.

- A sign was purchased and delivered to the Commission noting that Fenwick Manor is being preserved (see attached photo of the sign). The sign is a condition of the capital grant from the New Jersey Historic Trust and includes active partners' logos and required specific dimensions. Connelly & Hickey conducted two site inspections at Fenwick Manor during the month of July. Staff released a request for qualifications packet on the Commission's website that will allow contractors interested in pre-qualifying to bid on the construction phases. The New Jersey Historic Trust will assist in the determination of pre-qualified candidates. Construction on the project is expected to begin in early 2026.
- The P&B Committee will meet remotely on August 19th. Staff will present the FY 26 Commission draft budgets. The FY 26 budgets will be on the September 12th Commission meeting agenda.

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

- Staff had a discussion with the Hamilton Township attorney regarding vacant lots that the municipality owns in the Hamilton Business Park. The municipality is interested in selling the lots to increase ratables. Staff discussed potential approaches to address a threatened and endangered (T&E) animal species at the business park. A question posed during that discussion was how long a T&E species survey remains valid. The Commission's rules don't address how long a T&E species survey is valid. It was noted that this generally does not create issues. One exception was an application that remained inactive for 17 years. T&E species had previously been found on the parcel. In that instance, Commission staff required updated T&E survey work to be completed.

April Field, Chief Permitting Officer, provided an update on two applications:

- Staff completed its field work related to the verification of a wetlands delineation at an 800-acre site in Evesham Township, adjacent to the Black Run Preserve. On July 2nd, that property owner indicated that they are seeking permanent preservation of the land. Staff encouraged the applicant to continue with the application for the wetlands delineation, which will be necessary for the appraisal process. On July 24, 2025, staff issued a letter that indicated revisions would be necessary to the wetlands mapping.
- At the July Commission meeting, a member of the public called in during the public comment portion and asked about the status of an application for maintenance dredging at Walden Glen Pond. After the meeting, staff provided a copy of a letter dated July 27, 2023 to the member of the public that outlined a number of items that needed to be submitted. On July 23, 2025, the applicant submitted information, which is currently under review.

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

- Two presentations have been scheduled for the upcoming August P&I Committee meeting: one is related to heat islands and heat impacts on ecosystems and the other is on agrivoltaics.
- A public hearing for the rule proposal for the redesignation of the Black Run Watershed and the expiration of Certificates of Filing was held on July 15th. Approximately 300 comments have been received so far. The comment period closes on August 15th. Staff will draft responses to the comments, which will be shared and reviewed with the P&I Committee at its September meeting.
- The Land Use Programs office is working on standards for accessible trails and a variety of annual reports: Septic Pilot Program, Permanent Land Protection and the Pinelands Development Credit Bank.

Stacey Roth, Chief, Legal and Legislative Affairs, said that Clayton Sand Company appealed the Commission's Kirkwood-Cohansey Rules and Winslow Township is a Friend of the Court as it relates to this litigation. Briefing on this matter was completed in February of 2025. Winslow Township recently filed a motion to supplement the record with the Commission's most recent rule proposal. The Attorney General's office filed a motion in opposition. The Court issued an Order denying Winslow's motion and reminded them as a Friend of the Court that they do not have the authority to supplement the record. It's important to note that the litigation and the rule proposal have nothing to do with one another.

She added that we still have no decision from the Appellate Division. Based on the length of time between filing the briefs and now, it seems unlikely that oral argument will occur.

Brad Lanute, Chief Planner, provided an update on the following:

- The Commission has been receiving adopted Housing Elements and Fair Share Plans. Pinelands municipalities have been working to meet the July 1st deadline to adopt plans compliant with the fourth round of affordable housing obligations. At this time, the Commission has received 33 adopted plans: 15 have raised no substantial issue with respect to the CMP. Eight have been deemed incomplete pending the adoption of implementing ordinances. Three of those include proposed zoning changes in Regional Growth Area that will likely require the review of the full Commission later this year or early next year. Ten plans are pending staff review. Staff will provide a more comprehensive summary of the housing plans reviewed at the September P&I Committee meeting.
- The State Planning Commission is nearing completion of the Cross-Acceptance Process for the update to the State Plan. They have completed all the negotiation sessions with each of the New Jersey Counties. The Office of Planning Advocacy has released information on the issues discussed at these sessions. There were no issues of concern as

it relates to our regulations or land within the Pinelands Area. The state plan will be revised based on feedback from those sessions. They continue to remain on track for adoption of a final plan by the end of the year.

Paul Leakan, Communications Officer, provided an update on the following:

- The Summer Short Course had 110 attendees and event evaluations are overwhelmingly positive.
- On August 21st the Pinelands Speaker Series returns with a program on the state's Connecting Habitats Across New Jersey program.
- The Commission has generated \$4,500 in net sales since launching its online store in August 2023. Staff is looking to sell other Pinelands themed merchandise this fiscal year.

Public Development Projects and Other Permit Matters

Chair Matos introduced a resolution for a parking lot at Shires Park in Egg Harbor Township.

Commissioner Pikolycky made a motion Approving With Conditions an Application for Public Development (Application Number 1984-1339.033) (See Resolution # PC4-25-22). Commissioner Irick seconded the motion.

Mr. Ernest Deman, Environmental Specialist, said this application is for a 64-space parking lot at an existing recreational park (see attached site plan). A one acre-wooded portion of the parcel will be disturbed. Recently, the U.S. Fish and Wildlife Service declared the Northern long-eared bat as an endangered species. The New Jersey Department of Environmental Protection (NJDEP) added it to its endangered species list; therefore, it is now automatically protected under the CMP as well. A Northern long-eared bat maternity roost area is located in the vicinity of the parcel. Therefore, a prohibition on tree clearing between April 1st through September 30th is being imposed.

Commissioner Asselta asked where the roost area is located.

Mr. Deman said that specific information cannot be disclosed. He noted that the park is surrounded by existing development as seen in the attached aerial, and the roost area is within a one-mile radius of the park.

Commissioner Rittler Sanchez asked if the stormwater rules require depressions between rows in parking lots to facilitate infiltration.

Mr. Deman said the CMP requires multiple smaller stormwater facilities to improve infiltration and water quality when feasible and suitable for the site. He said in this instance, where there is limited area available, there will only be one stormwater facility.

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

Chair Matos introduced a resolution for a Waiver of Strict Compliance.

Commissioner Buzby-Cope made a motion Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 1988-0589.001) (See Resolution # PC4-25-23). Commissioner Lohbauer seconded the motion.

Director Horner said the application proposes the development of a single family dwelling to be served by public sanitary sewer in Hamilton Township. The parcel is located in a Pinelands Regional Growth Area. The applicant is seeking a waiver from the 300-foot wetland buffer requirement. The development will maintain at least a 155-foot buffer to wetlands. He noted that when a waiver is granted, applicants are required to purchase and redeem a quarter Pinelands Development Credit (PDCs). He said through the redemption of PDCs, land elsewhere in the Pinelands is preserved.

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

Ms. Roth said this application has been submitted by the Borough of Woodbine and Commissioner Pikolycky serves as the Borough's Mayor, which requires that he recuse himself from voting on the application.

Commissioner Pikolycky left the room.

Chair Matos introduced a resolution for a three-lot subdivision in Woodbine Borough.

Commissioner Asselta made a motion Approving With Conditions an Application for Public Development (Application Number 1986-1408.014) (See Resolution # PC4-25-24). Commissioner Mauriello seconded the motion.

Mr. Deman said this is a three-lot resubdivision of a 4.28-acre parcel in Woodbine Borough. Woodbine's potable water treatment plant is located on the parcel. See attached aerial.

There is existing contamination on the site associated with a previous use. NJDEP's Licensed Site Remediation Professional required the placement of a stone permeable cap over the contaminated area. He said during the review of this application, staff found that a private company has been storing and parking vehicles on the stone area associated with the groundwater contamination. At this time, all but three vehicles have been removed. The public development report requires that the remaining vehicles must be removed by September 1, 2025.

Mr. Deman said currently the water treatment plant is served by an onsite septic system and does not meet the groundwater quality (septic dilution) standards due to the size of the lot. The applicant is proposing to deed restrict additional acreage on the adjacent vacant parcel in order to meet groundwater quality until sewer is available or an alternate design septic system is installed.

Commissioner Mauriello said he believes there is a provision in the Site Remediation Reform Act that prohibits or discourages the subdivision of contaminated properties.

Director Horner said staff would follow up with the NJDEP.

The resolution was adopted by a vote of 9 to 0. Commissioner Pikolycky recused from the vote.

Commissioner Pikolycky returned to the meeting.

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

Director Horner said the following two public development projects are up for comment:

- NJDEP is proposing the demolition and reconstruction of a restroom at Bass River State Forest.
- Egg Harbor Township is proposing grass athletic fields and the installation of sidewalks.

Commissioner Lohbauer asked if the bathroom will be reconstructed in the existing footprint.

Director Horner said the restrooms will be reconstructed very close to the existing footprint.

Ordinances Not Requiring Commission Action

Chief Planner Lanute said a lengthy memo was included in the Commission packet that detailed the 10 Housing Elements and Fair Share Plans reviewed by staff and a few other ordinances related to affordable housing and cannabis.

General Public Comment

John Volpa of Evesham Township, NJ, said he supports the Commission's rule proposal to redesignate the Black Run Watershed and limit development. He said he believes that the 800 acres will be preserved and suggested that the new property owner should be Evesham Township, so the headwaters can become part of the existing Black Run Preserve. He said he recommends an additional Memorandum of Agreement between the Commission and Evesham Township for a future trail system in the headwaters portion. See attached comments.

Closed Session

DAG Stypinski read a resolution to retire into closed session. Commissioner Pikolycky made a motion to enter into closed session. The motion was seconded by Commissioner Buzby-Cope and all voted in favor. The Commission met in closed session beginning at 10:20 a.m.

Return to Open Session

Ms. Roth said during closed session Commissioners were briefed on a longstanding litigation matter that is moving towards mediation.

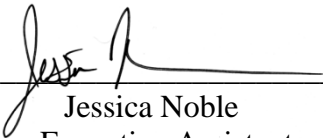
Ms. Roth said the Commission is seeking an oral motion that would authorize its staff members and DAG to engage in mediation and to present positions consistent with the parameters outlined during the closed session.

Commissioner Pikolycky made the motion. The motion was seconded by Commissioner Buzby-Cope. The motion passed by a vote of 9-0. While present via Zoom, Commissioner Lohbauer was muted and therefore his vote has not been included.

Adjournment

Commissioner Buzby-Cope moved to adjourn the meeting. Commissioner Rittler Sanchez seconded the motion. The Commission agreed to adjourn at 11:09 a.m.

Certified as true and correct:



Jessica Noble
Executive Assistant

Date: August 14, 2025

Fenwick Manor

This Historic Site is being

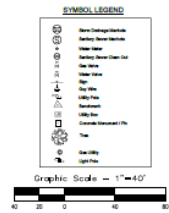
P R E S E R V E D

with a Matching Grant through the




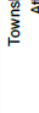
Preserve New Jersey Historic Preservation Fund



Department of Community Affairs
State of New Jersey



1) ON-SITE TREE CLEARING/REMOVAL IS PROHIBITED BETWEEN APRIL 1ST AND SEPTEMBER 30TH OF EACH YEAR. PROPOSED DEVELOPMENT IS LOCATED WITHIN PINELANDS DESIGNATED AREAS FOR THE NORTHERN LONG EARED BAT, AN ENDANGERED ANIMAL SPECIES.

 MOTT WATKINS & ASSOCIATES, LLC CONSULTING ENGINEERS & PLANNERS 9120 New Road, Suite 400 Egg Harbor Township, New Jersey 08224 Phone: (609) 395-1551 Fax: (609) 395-1521 State Board of Professional Engineers & Land Surveyors Certificate of Registration No. 21472025	
  Robert A. Watkins P.E., P.L., CML, CMAA Professional Engineer New Jersey License No. 0000000000	
ALL DOCUMENTS PREPARED BY OR UNDER THE CLOSE PERSONAL SUPERVISION OF THE PROFESSIONAL ENGINEER OR ARCHITECT ARE HEREBY CERTIFIED TO BE CORRECT AND TO COMPLY WITH ALL CITY, STATE AND FEDERAL REQUIREMENTS. THE PROFESSIONAL ENGINEER OR ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE PROFESSIONAL ENGINEER OR ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE PROFESSIONAL ENGINEER OR ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.	
<p>Shires Park Parking Lot</p> <p>Township of Egg Harbor</p> <p>Atlantic County</p> <p>SITE & GRADING PLAN</p> <p>BLOCK 1602, LOT 103</p>	
	
Date	Revision - Description
8/1/2025	FINAL DMS REVIEW (4/2025)
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—	—
—	—
—	—
Drawn by	Checked by
STAFF	STAFF
Checked by	Date
RAW	3/14/2025
Job No.	Drawn by
15103	SITE/UTIL
Sheet	of
3	10





Pinelands Commission Meeting
John Volpa's Comments August 8, 2025

John Volpa, Founder of the Black Run Preserve, speaking as a private citizen of Evesham Township. I'm advocating for the passage the PC's proposed Amendment to the CMP as it will limit major development in the Black Run Headwaters area, but it will not ensure that perhaps 30 to 40 multi-million dollar houses will not be built on its upland areas. Even that smaller number of houses will be devastating to the Pine Barrens nature that now exists.

Hopefully, the owner will work with the local nonprofits and Evesham Township to agree upon a fair market value for the whole 800 acres, then give the parties involved ample time to raise the funds needed to ensure the whole property is protected. This is what Ms. Samost says she would like, the whole 800 acres to be conserved. As I recently said to Evesham Mayor Veasy and Town Council, I believe Ms. Samost.

Of course, identifying the next owner of the Headwaters property is key to its survival. That's why I'm advocating for Evesham Township to become the owner, as it's only natural for the BRP's Headwaters to become part of the existing BRP. Many people are hoping this will be the case, but they are assuming that this land will be accessible for an extended trail network supporting sustainable outdoor recreation and education. But I can see the Evesham Township leadership being hesitant, not knowing what trails & infrastructure the PC will allow in the future.

Since September 2023, both Evesham and the PC have been working out an MOA for the BRP. simply begin planning for the next stage so Evesham knows what will be allowed upfront. If a price for the 800 acres can be agreed upon, then planning for the next stage will help Evesham know what will be allowed upfront. I believe that the Pinelands Commission can help Evesham Township see the value of ownership if it is willing to begin working with the Township to create a future Headwaters MOA as soon as the price is set.

I suggest a MOA that would allow boardwalks in the Headwaters section just like the one recently installed in Wharton State Forest near Batsto. This would allow for the creation of a trail loop, simply by extending existing BRP trails on what is known as the Hamilton-Georgetown Tract on the BRP's west side. This is also a location where a proposed pedestrian bridge to connect both sides of that Tract was discussed in a preapplication meeting (Application #1989-0719.027) with the Pinelands Commission staff in 2017. The FBRP raised funds for the Peace Bridge (See info below*) and Evesham Township passed a Resolution to install it. (Also see the CMP excerpt below**)

Therefore, I respectfully request that if efforts are made to purchase the Headwaters that frank and open discussion between Evesham and the PC to develop a new MOA for the area include the Peace Bridge and an accessible loop trail.

Respectfully,