



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-25- 01

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1981-1833.080)

Commissioner Irick moves and Commissioner Lohbauer seconds the motion that:

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

1981-1833.080

Applicant:	Stockton University
Municipality:	Galloway Township
Management Area:	Pinelands Regional Growth Area Pinelands Rural Development Area
Date of Report:	December 20, 2024
Proposed Development:	Construction of 1,250 linear feet of six foot wide pedestrian walkways.

WHEREAS, the development subject of App. No. 1981-1833.080 is located on 1,586 acre Block 875.04, Lots 1.01-1.08 in Galloway Township;

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

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

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

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

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

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

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

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

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

WHEREAS, as of January 2, 2025, Stockton University is in the process of recording a revised conservation deed restriction that will remove certain existing development, such as roads and an

elevated potable water storage tank from the deed restricted conservation areas; and

WHEREAS, based upon the January 5, 2024 Stockton University letter and its progress in recording a revised conservation deed restriction, the Executive Director has agreed that this application can be acted upon by the Commission and

WHEREAS, the proposed pedestrian walkway subject of this application is not located within the conservation deed restricted areas; and

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

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

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

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

NOW, THEREFORE BE IT RESOLVED that Application Number 1981-1833.080 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

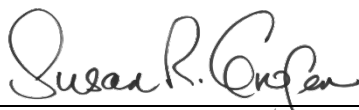
Record of Commission Votes

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

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: January 10, 2025



Susan R. Grogan
Executive Director



Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

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PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

December 20, 2024

Charles West
Office of Facilities Planning and Construction (via email)
Stockton University
101 Vera King Farris Drive
Galloway NJ 08205

Re: Application # 1981-1833.080
Block 875.04, Lots 1.01 - 1.08
Galloway Township

Dear Mr. West:

The Commission staff has completed its review of this application for the construction of 1,250 linear feet of six foot wide concrete pedestrian walkways. 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 January 10, 2025 meeting.

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

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

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

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

By letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director. Stockton University is in the process of recording a revised conservation deed restriction. The revised deed restriction will remove certain existing development, such as roads and an elevated potable water storage tank from the deed restricted conservation areas.

The proposed pedestrian walkway subject of this application is not located within the deed restricted areas. Based upon the January 5, 2024 Stockton University letter and its progress in recording a revised conservation deed restriction, the Executive Director has agreed that this application can be acted upon by the Commission.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,



Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)
Galloway Township Construction Code Official (via email)
Atlantic County Department of Regional Planning and Development (via email)
Kyle Humphreys (via email)



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

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

December 20, 2024

Charles West
Office of Facilities Planning and Construction (via email)
Stockton University
101 Vera King Farris Drive
Galloway NJ 08205

Application No.: 1981-1833.080
Block 875.04, Lots 1.01 - 1.08
Galloway Township

This application proposes construction of 1,250 linear feet of six foot wide concrete pedestrian walkways located on the above referenced 1,586 acre parcel in Galloway Township.

The proposed pedestrian walkways will connect existing student dormitories to the main campus building.

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

Subsequent to entering into the MOA, Stockton University paved Delaware Avenue, a sand road (App. No. 1981-1833.077), constructed a 49 space parking lot and pedestrian walkway (App. No. 1981-1833.078) and constructed a new sanitary sewer pumping station (App. No. 1981-1833.082) on the parcel. This development was undertaken prior to approval of the development in accordance with the provisions of the MOA. On August 31, 2016, the Commission suspended the MOA.

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

The CMP (N.J.A.C. 7:50-4.2(c)1ii) provides that no application to the Commission shall be deemed

complete if an outstanding unresolved violation exists on the parcel until such time that the property owner agrees in writing to take all necessary measures to resolve the violation(s) in a time period acceptable to the Commission's Executive Director.

By letter dated January 5, 2024, Stockton University proposed to take all measures necessary to eliminate the violation(s), including revising the conservation deed restriction, in a time period acceptable to the Executive Director. Stockton University is in the process of recording a revised conservation deed restriction. The revised deed restriction will remove certain existing development, such as roads and an elevated potable water storage tank from the deed restricted conservation areas.

The proposed pedestrian walkway subject of this application is not located within the deed restricted areas. Based upon the January 5, 2024 Stockton University letter and its progress in recording a revised conservation deed restriction, the Executive Director has agreed that this application can be acted upon by the Commission.

STANDARDS

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

Land Use (N.J.A.C. 7:50-5.26 & 5.28)

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

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

There are wetlands located on the above referenced parcel. The proposed development will be located at least 300 feet from wetlands.

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

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

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

The proposed 1,250 linear feet of six foot wide concrete pedestrian walkways will result in an increase of 7,525 square feet of impervious surfaces.

As indicated above, a 49 space parking lot and pedestrian walkway proposed in App. No. 1981-1833.078 were constructed prior to Commission approval. Subsequently, App. No. 1981-1833.078 was completed with the Commission. However, the Commission has been unable to act on App. No. 1981-1833.078 due to the violations associated with development that occurred within the areas subject of the MOA conservation deed restriction.

Stockton University is currently resolving the violations associated with development that occurred within the areas subject of the MOA conservation deed restriction by recording a revised conservation deed restriction. However, due to the length of time required to resolve the conservation deed restriction issue, the public notice previously completed for App. No. 1981-1833.078 must be redone.

To construct the proposed 49 space parking lot and pedestrian walkway subject of App. No. 1981-1833.078, Stockton University removed approximately 10,000 square feet of paved parking areas and concrete pedestrian walkways.

The removal of the approximately 10,000 square feet of paved parking areas and concrete pedestrian walkways resulted in a reduction in impervious surfaces of approximately 10,000 square feet. App. No. 1981-1833.078 and the 1,250 linear feet of six foot wide concrete pedestrian walkways subject of this Report are located within the same drainage area. In combination, the two applications will result in an overall decrease in impervious surfaces of approximately 2,475 square feet.

There will be no increase in the volume and rate of stormwater runoff after the development of the proposed 1,250 linear feet of six foot wide concrete pedestrian walkways than occurred prior to the proposed development.

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

The Commission staff reviewed available information to determine the potential for any significant cultural resources that could be affected by the proposed development. Based upon the lack of potential for significant cultural resources within the area to be developed, a cultural resource survey was not required.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on November 5, 2024. The application was designated as complete on the Commission's website on November 12, 2024. The Commission's public comment period closed on December 13, 2024. 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 20 sheets, prepared by Marathon Engineering & Environmental Services, all sheets dated March 28, 2018.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

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



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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 January 7, 2025 and include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.