



NEW JERSEY PINELANDS COMMISSION

MONTHLY REPORT



Pinelands Commission staff reported this adult bald eagle and nest to the state Department of Environmental Protection in January. The nest and nesting pair have been added to the state's list.

JANUARY 2026

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in January.
- **Policy & Implementation (P&I) Committee:** The Committee met on January 30th and heard staff presentations on Jackson Township's affordable housing plan and a summary of conformance activity in 2025. Staff also delivered a presentation on the state's recently adopted public notice legislation and resulting need for consideration of CMP amendments, website changes and revisions to various Commission documents and procedures.

1.1B RULEMAKING

- **Rule Package #1 (Black Run Watershed; Application Fees; Expiration of Completeness Documents and old Waivers; Regional Growth Area Density and Pinelands Development Credit Program):** Adopted amendments to the Pinelands Comprehensive Management Plan (CMP) were published in the New Jersey Register and took effect on January 5, 2026. Importantly, the amendments changed the management area designation from Rural Development Area to Forest Area for the headwaters of the Black Run watershed in Evesham Township. To remain in conformance with the amended land capability map, Evesham Township has initiated the process of re-zoning the area and will have one year from the effective date of the rule adoption to complete that process. The effective date of the amendments also triggers expiration of very old Certificates of Filing and certain Waivers of Strict Compliance issued by the Commission. The expiration is expected to provide applicants who have not obtained any local permits or approvals with a clearer path forward to address development standards, such as stormwater management requirements, that may have changed significantly in the decades since an application initially received a Certificate of Filing. The updated land capability map has been posted to the Commission's website and guidance materials have been distributed to municipalities and posted to assist applicants with changes to the application fees and other amendments to the CMP.

1.1C OPEN PUBLIC RECORDS ACT

- A total of ten Open Public Records Act (OPRA) requests were received in January. Four were sent responsive material, two were advised that the requests was overly broad and did not contain the specificity required by OPRA, one request was withdrawn and three requests will be responded to in February.

1.1D OTHER

- The Executive Director met with members of Governor Sherrill's transition team on January 15, 2026 to discuss the Pinelands Commission's mission and key upcoming challenges and priorities.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LITIGATION

- **In Re Challenge of Clayton Sand Company to December 4, 2023 Amendments to N.J.A.C. 7:50-1.1 et seq., A-001476-23** – Clayton Sand Company filed a Notice of Appeal of the amendments to the Water Management Rules at N.J.A.C. 7:50-6.86(d)2 of the Pinelands CMP (i.e. the Kirkwood-Cohansey rules). The appeal challenges the rule adoption as procedurally and substantively defective. Briefing of this appeal concluded on February 14, 2025 with the filing of Clayton's reply to the Pinelands Preservation Alliance's brief. On July 10, 2025, Winslow Township filed a motion to supplement the record. Opposition to the Township's Motion was filed on behalf of the Commission on July 18, 2025. The Court issued an Order denying Winslow's motion on July 28, 2025. Oral argument occurred on October 29, 2025. We continue to await the Court's decision.
- **Hovsons, Inc. et.al. v. Babbit, et. al., Civil Action No. 00-3943 (MLC/TJB)** – In 2024, Hovsons, Inc. filed a motion with the Federal Court seeking to enforce the terms of the 2004 settlement agreement between Hovsons, the New Jersey Department of Environmental Protection (NJDEP), the Pinelands Preservation Alliance (PPA) and the Commission related to development of the Heritage Minerals tract in Manchester Township. The tract is located in the Pinelands National Reserve, outside the Pinelands Area. Mediation sessions occurred on September 5, 2024, September 10, 2024, December 12, 2024, April 9, 2025, July 8, 2025 and July 25, 2025. On October 24, 2025, Hovsons submitted a revised concept plan for development of the site and a draft of updated settlement terms. Hovsons submitted the same concept plan to the court as part of its challenge to Manchester Township's Housing Element and Fair Share Plan to satisfy the municipality's fourth round affordable housing obligation. Mediation sessions were conducted on December 8, 2025, January 5, 2026 and January 12, 2026 to discuss Hovsons' proposed settlement terms and changes made by NJDEP and the Commission. Additionally, PPA, which was a participant in the 2004 litigation but not a signatory to the settlement, requested to participate in the mediation. We are waiting for a decision on PPA's request.
- **Southampton Twp., N.J., Letter of Interpretation #2256, Block 1903, Lots 40 & 40.01 - OAL Docket No. EPC-17684-2024S** - This is an appeal of a Letter of Interpretation (LOI) regarding a wetlands boundary determination for Block 1903, Lots 40 and 40.01 in Southampton Township. The matter has been placed on the inactive list, pending resolution of the Chancery matter involving Artistic Materials (see below).
- **Artistic Materials, Inc. and Michael J. Finnegan, Southampton Township (App. No. 1997-0010.002)**: This litigation involves a parcel in the Pinelands Agricultural Production Area that is subject to a Pinelands Development Credit (PDC) deed restriction. On January 2, 2025, the Attorney General's office filed a complaint in Superior Court on behalf of the Commission and the NJDEP. The two agencies are jointly seeking: (1) declaratory judgement finding that the current industrial and commercial use of the property and wetlands disturbances violate the PDC deed restriction and the CMP; (2) an order enforcing the PDC deed restriction and the CMP, specifically requiring the defendants to immediately cease non-agricultural industrial and commercial activity on the parcel and to restore the property in accordance with the PDC deed restriction and the CMP; (3) an order compelling the defendants to restore wetlands on the parcel in compliance with the Freshwater Wetlands Protection Act

and pay civil penalties; and (4) an order compelling the defendants to remove the stockpiled solid waste and properly dispose of it in accordance with the Solid Waste Management Act and pay civil penalties. The defendants filed their answer on February 12, 2025. A Case Management Conference was conducted on May 27, 2025. Discovery was served by both parties and responses exchanged. The Court ordered that the parties engage in mediation and a mediator was retained. The first mediation session occurred on October 14, 2025. At that session, the parties agreed to exchange updated settlement proposals. Settlement proposals were exchanged in mid-November, after which the Chancery Court allowed the parties another week and a half to continue settlement discussions. A case management conference with Judge Nocella was conducted on December 2, 2025. The parties advised the Judge that the mediation had failed and that the litigation would need to proceed. The Court issued a new Case Management Order on December 4, 2025, extending the time limits within the original July 21, 2025 Case Management Order and allowing the parties to exchange a small number of additional interrogatories and requests for production of documents. This additional discovery was served on the Commission on December 8, 2025 and the Commission's responses were sent to the Defendants on or about December 19, 2025. Commission and NJDEP staff conducted another site inspection on January 7, 2026. During that site inspection, Commission staff took 17 soil borings and numerous photographs. Additionally, depositions of Pinelands Commission and NJDEP staff as well as of the Finnegans occurred in mid-January. During the depositions of the Finnegans, it became apparent that business documents requested by the Commission during written discovery had not been provided. Additionally, counsel for the Finnegans directed Mr. Finnegan not to answer questions about real property he owns outside New Jersey. The DAGs representing the Commission and NJDEP filed a Motion to Compel Deposition Testimony. Argument on this motion will occur in February.

1.2B LEGISLATION

The 222nd Legislature was sworn in on January 13, 2026 and resumed sessions. All bills which were not passed by both houses of the Legislature and signed by Governor Murphy before the end of his term must be relisted to be considered during the new legislative term.

A summary of any legislation specific to the Pinelands Area or Commission is provided below. A summary of other pending legislation potentially related to the Pinelands is attached at the end of the document (Attachment 1).

Pinelands Specific Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
No Items			

1.2C INTERGOVERNMENTAL AGREEMENTS

- **Evesham Township:** The Township is proposing a Memorandum of Agreement (MOA) that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black Run Preserve. The MOA also proposes to address a number of outstanding violations in the Preserve, where development was undertaken without application to, or approved by, the Commission. Staff met with Township representatives in mid-January 2025 to discuss the status of grant funding associated with the trail project. On March 24, 2025, Evesham Township submitted a revised threatened and endangered species (T&E) survey protocol for the proposed accessible trail and associated parking areas. Additionally, the Township indicated that it had reduced the size of the proposed accessible trail. Commission staff sent a letter to the Township in early May, providing comments on the revised T&E survey protocol and guidance on additional survey work that should be undertaken at the Preserve. Evesham Township submitted a revised T&E protocol on July 2, 2025. Staff reviewed the revised protocol and issued an incomplete letter on August 11, 2025, providing additional revisions that need to be made to the T&E protocol. Staff also spoke with the Township to discuss continuing concerns with the T&E protocol and reiterate the Commission's commitment to working with the Township to complete the MOA process.
- **South Jersey Transportation Authority (SJTA):** Future development at the Atlantic City International Airport is the subject of a 2004 MOA between the Commission and SJTA. An amendment to that MOA was executed in 2019. Both the MOA and the 2019 Amendment allow deviations from the CMP's threatened and endangered species protection standards. Additional development is now being proposed on the Airport property, necessitating discussion of another MOA Amendment. At the Executive Director's request, a meeting was held on July 7, 2025 with SJTA and Federal Aviation Administration (FAA) staff to discuss the proposed project and anticipated timeline. Subsequently, SJTA requested a meeting with the Commission Chair and Executive Director as the first step in consideration of an amendment to the MOA. That meeting was held on July 21, 2025. Upon SJTA's submission of a concept plan and related information about the project, including proposed offsetting measures that might be incorporated in the MOA Amendment, a presentation will be scheduled at a P&I Committee meeting. On October 8, 2025, SJTA advised that it would provide a detailed proposal to the Commission after gathering additional information through a habitat assessment study as part of the Environmental Impact Statement required by FAA. At FAA's request, staff participated in a coordination meeting with SJTA representatives on November 20, 2025.

1.3 HUMAN RESOURCES

- **Recruitment:** In January, recruitment continued for the Environmental Specialist and Business Assistant positions. Additionally, Tyler Christensen joined the Science Office as Research Scientist 3, effective January 26, 2026.
- **Employee Benefits:** The 2026 healthcare and dental plan rates were implemented for employee health and dental deductions. Flexible Spending Account renewals for 2026 were also processed.
- **Benefit Time Records:** Employee benefit time records were reviewed and adjusted as necessary.

- **Interim Evaluations:** Interim Evaluations were due January 31, 2026. The electronic evaluation system continues to streamline the process, with additional improvements to be implemented moving forward.

2 INTERAGENCY COORDINATION

- **Interagency Council on Climate Resilience (IAC):** Commission staff attended the IAC monthly meeting. Updates were provided on the progress of the IAC annual report, and a staff member of the Housing and Mortgage Finance Agency gave a presentation on the Resilient Multifamily Housing Program. Commission staff attended the IAC Vulnerability Assessments Workgroup monthly meeting where NJDEP staff members presented on the evolving efforts to provide resilience planning support to municipalities by the agency.
- **South Jersey Transportation Planning Organization (SJTPO):** The SJTPO coordinated a meeting attended by Commission staff, Atlantic County representatives, NJDEP Fish and Wildlife staff, and others to roll out a concept plan for an approximately 21-mile long bike path extending from Gloucester County through Buena Vista and Hamilton Townships. The SJTPO noted that the project is only in a conceptual phase with final widths, surfacing materials and alignment to be determined at a later date after stakeholder input. Commission staff requested that the concept plan be sent in digital format to the Commission so that we could provide more accurate feedback on potential issues with respect to the Pinelands Comprehensive Management Plan.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	3	3
5Drafted or Introduced	3	3
Total ¹	6	6
Substantial Issue Finding ²	0	0

¹The total accounts for unique master plans and ordinances received (i.e., it does not double count drafted, introduced, or adopted submissions for the same ordinance).

² Ordinances and Master Plans that are found to raise substantial issues with respect to the standards of the CMP require formal review and approval by the full Commission.

No Substantial Issue Finding	0	0
No Issue Finding	2	2
Total	2	2
Finding Letters Issued³	1	1

Notable Activity:

- **Jackson Township Affordable Housing Ordinances:** In late December 2025, Jackson Township submitted its adopted 2025 Master Plan, 2025 Housing Element and Fair Share Plan, and Ordinances 2025-31, 2025-47, and 2025-48 for review and certification. On December 4, 2025, prior to the adoption of Ordinances 2025-47 and 2025-48, Commission staff issued a letter to the Township outlining its concerns with the overlay zones established by Ordinance 2025-47 and 2025-48, particularly regarding areas within the Pinelands Village of Cassville and the Rural Development Area. The Township requested, and was granted, a 90-day extension of the Commission's review period, through May 3, 2026 in order to provide an opportunity for Township representatives and Commission staff to discuss the concerns raised in the December 4, 2025 letter. The aforementioned meeting was scheduled to be held on February 5, 2026. Commission staff will continue to engage with the Township to address the identified issues in the weeks ahead.

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	8	8
Surveys Required	0	0
Surveys Reviewed	1	1
Certificates of Appropriateness Required	0	0

Notable Activity:

- **Fenwick Manor Rehabilitation:** Commission staff performed an archaeological survey within the footprint of proposed underground drainage system upgrades around the perimeter of Fenwick Manor. A total of 12 shovel test pits were excavated, and the soil was screened for artifacts. A few historic artifacts were recovered during the survey, but no structural remains or potentially significant archaeological resources were discovered. The report on the survey is nearly complete and will be submitted to the New Jersey Historic Trust for its review and approval.

³ A single finding letter can pertain to multiple master plans/ordinances from the same municipality.

3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated ⁴	0	0
PDCs Severed ⁵	0	0
Acres Protected	0	0
PDCs Extinguished ⁶	8.50	8.50
Acres Protected	204.68	204.68
PDCs Sold	3.00	3.00
Average Sales Price per PDC	\$99,667	\$99,667
Average Sales Price per right	\$24,917	\$24,917
PDCs Redeemed ⁷	0.50	0.50

Notable Activity:

- **PDCs Extinguished:** Three farms in the Agricultural Production Area of Southampton Township were preserved through recordation of farmland preservation easements. A total of 8.5 PDCs (34 rights) were extinguished across the three farms, and 204.68 acres were permanently protected.
- **Redemptions:** In January, PDCs were redeemed for development of a single family home in Southampton Township in accordance with a waiver of strict compliance and for a change of use from a single family home to a duplex in Monroe Township's Regional Growth Area.

3.4 SPECIAL PROJECTS

- **Permanent Land Protection:** State Agriculture Development Committee (SADC) Farmland Preservation Program and Commission staff met with a landowner to discuss opportunities and constraints of land preservation through either the Pinelands Development Credit program or the SADC farmland preservation program. The landowner had previously severed PDCs from a portion of land he farms but sought information about how PDC preserved lands would be

⁴ **PDC Allocations** are official calculations done by the Commission to determine the number of PDCs to which a parcel of land is entitled. The allocation is identified in a Letter of Interpretation.

⁵ **Severance** is the act of formally separating PDCs from a parcel of land. This occurs after recordation of a deed restriction that permanently preserves the parcel and is documented through issuance of one or more PDC Certificates.

⁶ PDCs are considered **extinguished** when the State purchases a farmland easement or parcel of land to which PDCs have been allocated by the Commission.

⁷ **Redemption** occurs when the owner of one or more PDC Certificates designates them for use in association with a specific development application. The signature of the municipality in which the development project is located is required. Once redeemed, the PDCs can not be sold or reused.

evaluated for farmland preservation purposes. Commission and SADC staff also discussed potential opportunities for PDC allocation or farmland preservation on other lands the landowner currently farms.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	10	10
Certificates of Filing	14	14
Public Development Reports	0	0
NJDEP Forestry Enrollment Notices	0	0
PDC Letters of Interpretation	0	0
Non-PDC Letters of Interpretation	0	0
MOA Consistency Determinations	2	2
Review of Agency Determinations	54	54

4.2 NOTABLE APPLICATIONS

- **Potable Water Replacement Well, Borough of Folsom (Applicant: South Jersey Gas Company, App. No. 1984-0874.008):** On January 5, 2026, the South Jersey Gas Company advised the Commission that an existing well providing potable water service and fire suppression capabilities to an existing South Jersey Gas Office building fronting on State Highway Rt. 54 had failed. The South Jersey Gas Office building parcel is located partially within the Pinelands Village of Folsom (49.55 acres) and partially within a Pinelands Agricultural Production Area (99.85 acres). The existing office building and the proposed replacement well are located in the Pinelands Village of Folsom portion of the parcel. The South Jersey Gas Company requested that the staff authorize the immediate emergency installation of the replacement well. The CMP contains a provision that authorizes the Commission's Executive Director to take whatever action is minimally necessary to remedy or prevent a danger to life, health or safety. After consultation with the Commission's Chair, the Executive Director issued a letter on January 16, 2026 authorizing the immediate installation of the proposed replacement well. Since the proposed replacement well will be located approximately 90 feet from the failed well, the January 16, 2026 letter required that an after-the-fact application be completed with the Commission for the proposed well by May 1, 2026.
- **Office Warehouse, Monroe Township (Applicant: Hexa Builders, App. No. 1987-0276.012):** This application proposes the development of a 1,100,000 square foot office/warehouse building

and a 522,000 square foot office/warehouse building on a 162-acre parcel. The parcel is located partially in a Regional Growth Area (115 acres) and partially in a Rural Development Area (47 acres). Approximately 90% of the proposed development will be located in the Pinelands Regional Growth Area portion of the parcel. The proposed development will be serviced by public sanitary sewer and public water. On December 18, 2024, the staff issued a Certificate of Filing for the proposed development. No further information was submitted to the Commission regarding this application until two written public comments were received in January of 2026. The public comments expressed concern about the development of data centers and large scale warehouses. In addition, at the January 30, 2026 Policy and Implementation Committee meeting, several members of the public expressed concerns with the potential establishment of a data center on the parcel. The Township subsequently advised the staff that an application proposing two warehouse buildings received preliminary site plan approval from the Planning Board on January 8, 2026. The Township Planning Board is scheduled to adopt a resolution memorializing that approval on February 2, 2026. The Township further advised that the application was not for a data center. Upon receipt of official notice of the approval for the two proposed warehouses, the staff will review the approval for consistency with the regulations contained in the Township land use ordinance and the CMP.

- **Commercial Building, Maurice River Township (Applicant: Rama Kinjal, App. No. 1991-1046.003):** This application proposes the development of a 2,266 square foot Dunkin fast food restaurant on a 3.95-acre lot. The lot is located in a Pinelands Rural Development Area. The Commission certified a Township redevelopment plan for the lot in 2017. The redevelopment plan allows for the use of an onsite septic wastewater treatment system intended to reduce the level of nitrate/nitrogen in the wastewater in a Pinelands Rural Development Area. This wastewater treatment system will allow the proposed development to meet the groundwater quality (septic dilution) standard on the 3.95-acre lot. The redevelopment plan also requires that vacant non-contiguous lands elsewhere in the Township's Rural Development Area be deed restricted against future development. The amount of land that must be deed restricted is determined based on the projected wastewater flow from the proposed commercial use and the total land area necessary to dilute that wastewater down to the 2 ppm total nitrogen concentration using a conventional septic system. On January 14, 2026, the staff issued a Certificate of Filing for the proposed development.
- **New Egypt Raceway Commercial Development, Plumsted Township (Applicant: Fred Vahlsing, App. No. 1985-0035.016):** By letter dated March 24, 2022, the staff advised the property owner that extensive development had occurred on the 42-acre New Egypt Raceway parcel without application to or approval by Plumsted Township or the Pinelands Commission. The development included surfacing of approximately 12 acres for the establishment of a commercial trailer storage area, the construction of two buildings that appear to be associated with the commercial vehicle storage area, the construction of racetrack, roads and parking area improvements within the grassed infield of the existing racetrack and the expansion of other parking areas on the parcel. The parcel is located in a Pinelands Rural Development Area. On July 1, 2025, the Commission received an application from the New Egypt Raceway. The application indicated that no new development was proposed on the parcel and that the application was being submitted to clarify the various uses taking place on the parcel. By letter dated September 24, 2025, the staff indicated that our March 24, 2022 itemized the development that had occurred on the parcel without application to the Commission. On January 5, 2026, the staff received a request from the owner's representative to schedule a

meeting to discuss the development that had occurred on the New Egypt Raceway parcel. A meeting was scheduled for January 29, 2026. By letter dated January 9, 2026, the staff advised New Egypt Raceway that the Commission had been informed in late December of 2025 of a proposed exchange of land in the Pinelands Area between New Egypt Raceway and the NJDEP. The proposal involves exchanging approximately 4.54 acres currently owned by NJDEP that is located immediately adjacent to the existing New Egypt Raceway for 21.5 noncontiguous acres currently owned by New Egypt Raceway. A commercial vehicle storage yard had been established by New Egypt Raceway on the 4.54 acres owned by NJDEP. The 4.54 acres is located in a Pinelands Forest Area. The commercial vehicle storage yard was developed without application to Plumsted Township and the Pinelands Commission. The January 9, 2026 staff letter reminded the property owner of the need to complete an application with the Commission for all development that had occurred on the parcel without application to the Commission. On January 29, 2026, the staff met with representatives of the New Egypt Raceway. It is the staff's understanding that the New Egypt Raceway will be proposing a restoration plan for the commercial vehicle storage yard that had been established on the 4.54 acres and completing an application for the remaining development on the parcel that occurred without application to the Township and the Commission.

- **Two Lot Subdivision, Lacey Township (Applicant: Ground Swipers Rod and Gun Club, App. No. 1988-0072.006):** On May 14, 2025, the staff issued a Certificate of Filing for a proposed two lot subdivision of a 7.0-acre lot and no further development. There is an existing single family dwelling on the 7.0-acre lot. The lot is located in the Pinelands Preservation Area District. The subdivision proposed to create a 4.45-acre lot containing the existing single family dwelling and a vacant 2.55-acre lot. An existing gun club is located on an adjacent acre lot. It is intended that the proposed 2.55-acre lot will contain all area on the residential lot with a positive lead test reading resulting from target shooting that occurred on the adjacent gun club lot. The applicant proposed to impose a conservation deed restriction on the proposed 2.55-acre lot. By letter dated January 6, 2026, the staff advised that Ocean County and Township subdivision approvals raised two substantial issues with the minimum standards of the Township land use ordinance and the CMP. The staff's January 6, 2026 letter scheduled a Commission public hearing for February 11, 2026 to review the two issues. The first substantial issue pertains to the need for the applicant to provide a recorded copy of the proposed conservation deed restriction for the proposed 2.55-acre lot to the Commission. The second substantial issue pertains to the need for the applicant to submit a written determination from either the applicant's Licensed Site Remediation Professional or the NJDEP. The determination must address whether the proposed subdivision is consistent with any applicable NJDEP site remediation regulations. The determination must also address whether the proposed subdivision will impede any required site remediation or related activities that may be necessary to address the lead issue on the proposed 2.55-acre lot.
- **Demolition of a Building. Upper Township (Tuckahoe Volunteer Fire Company, App. No. 2000-0702.002):** On November 24, 2025, the Commission received an application proposing the demolition of a 1,500 square foot building on a 1.23 acre lot. The lot contains a second building that houses the Tuckahoe Volunteer Fire Company. The lot is located in the Pinelands Village of Tuckahoe. The building proposed for demolition dates from approximately 1851 and is commonly known as the "Presbyterian Church-Daughters of America Hall." The building is located within the South Tuckahoe Historic District. The South Tuckahoe Historic District is listed on the National Register of Historic Places. By letter dated January 9, 2026, the staff advised the

applicant that the proposed demolition of the Presbyterian Church-Daughters of America Hall building required the Township to issue a document known as a Certificate of Appropriateness. A Township Certificate of Appropriateness identifies the required treatment of a significant historic resource from three alternatives: preservation in place; preservation at another location; or recordation.

- **Single Family Dwelling, Evesham Township (Applicant: Ilotbuyer, App. No. 1989-0719.005);** This application proposes the development of a single family dwelling on an approximately 12-acre lot. The lot is located in a Pinelands Rural Development Area. The lot is divided by approximately 600 linear feet of an existing paved municipal road (Kenilworth Road). The paved road is not located within a municipal right-of-way. The location of the existing paved road on the parcel presents zoning and environmental (wetlands) challenges for the siting of the proposed dwelling. The staff is working with both the applicant and the Township attempting to overcome these challenges. On January 29, 2026, the staff spoke with the Township Zoning Officer. The Township is considering a proposed two lot subdivision that would result in the location of Kenilworth Road within a proposed Township right-of-way, the development of a single family dwelling on an approximately one-acre lot located on the south side of the proposed right-of-way and the deed restriction of acreage of the north side of the proposed right-of-way to meet the Township's 3.2-acre zoning requirement.
- **Commercial Training Yard, Borough of Folsom (Applicant: IBEW Local Union 351, App. No. 1993-0233.006);** This application proposes the development of an approximately 5.5- acre training yard for electrical trade apprentices on a 22-acre parcel. The training yard will be accessory to an existing 30,000 square foot commercial trade training building located on the parcel. The parcel is located in a Pinelands Forest Area. The existing building on the parcel was previously approved in accordance with the provisions of the CMP. A T&E animal species survey conducted in 2010 for the development of the 30,000 square foot commercial trade training building identified a particular non-T&E animal species on the parcel. In January 2025, the NJDEP designated that particular animal species as a T&E animal species. The CMP provides that any animal species designated by the NJDEP as a T&E animal species is also a Pinelands designated T&E animal species. By letter dated March 17, 2025, the staff requested the information necessary to complete the application for the training yard, including the need to conduct a survey for the concerned T&E animal species. The staff discussed with the applicant the option of submitting the remaining information to complete the Commission application and receiving a Certificate of Filing while the T&E species survey was being conducted. The Certificate of Filing would note the need for the T&E animal species survey to demonstrate consistency with the T&E animal species protection regulations prior to any development. The staff indicated that while such an approach has an inherent risk, it would enable the applicant to proceed to the municipality for any necessary site plan approval while the T&E survey was being conducted. On July 28, 2025, the staff received a proposed protocol for undertaking the required spring and fall two season survey for the concerned T&E animal species. On August 19, 2025, the applicant submitted supplemental protocol information. On August 21, 2025, the applicant submitted a revised T&E species survey protocol. The staff sent a letter on August 28, 2025 requesting minor revisions and clarifications to the proposed protocols but indicating general agreement with the proposed T&E protocols. On January 12, 2026, the applicant submitted the fall 2025 T&E survey results. That information is currently under review.

- **Residential Development, Manchester Township (2590 Ridgeway NJ, App. No. 1981-1963.005):** On March 20, 2025, an application was initiated with the Commission proposing 293 dwellings on a 36.57-acre parcel. The parcel is located in a Pinelands Regional Growth Area. By letter dated May 9, 2025, the staff advised of the information necessary to complete the application. The staff's May 9, 2025 letter addressed the presence of a T&E plant species on the parcel. On August 4, 2025, the applicant submitted additional information. By letter dated September 24, 2025, the staff advised of the information necessary to complete the application. The applicant submitted stormwater management information on October 3, 2025 and October 6, 2025. In response to the applicant's concern that the staff's September 24, 2025 letter was unclear with respect to the T&E plant species information that was required, the staff issued a follow up letter on October 22, 2025. In response to the applicant's continuing concern that the staff's October 22, 2025 letter was also unclear with respect to the required T&E plant species information, on November 7, 2025 the staff issued another letter delineating the critical habitat that must be protected for the proposed development to meet the T&E plant species protection standard. By letter dated December 2, 2025, the applicant appeared to advise of their agreement with the staff's delineation of the critical habitat for the T&E plant species and submitted additional stormwater management information. On January 27, 2026, the staff issued a Certificate of Filing for the application. The Certificate of Filing noted that the design of the proposed development as depicted on the current plan remained inconsistent with the T&E species protection standards. It is the staff's understanding that the applicant will be revising the design of the proposed development as the application proceeds through the municipal approval process.
- **Communications Tower, Manchester Township (Applicant: Manchester Township, App. No. 2021-0084.002):** This application proposes a 170-foot-high communications tower for the Manchester Township Police Department on a vacant 2.07-acre parcel. The proposed development is located in the Pinelands Town of Whiting. Originally, the application also included the proposed development of 650 linear feet of road improvements within the unimproved Jefferson Avenue right of-way, 120 linear feet of onsite driveway, a five-car parking lot and other associated development. There are numerous sightings of a T&E animal species in the immediate vicinity of the proposed development. Based upon guidance provided by the staff, the applicant subsequently revised the application to propose only the communications tower and the minimum forest clearing necessary to accommodate the tower. On November 20, 2025, the Commission staff issued a Public Development Application Report recommending approval with conditions of the proposed development. One of the conditions required that a conservation deed restriction be recorded on the 2.07-acre parcel. The conservation deed restriction would prohibit any additional development, including vegetation clearing on the parcel, unless a T&E animal species survey was completed and the staff determined that any such further development would not have a significant adverse impact on habitat critical to the survival of any local population of T&E snake species. On December 12, 2025, the Commission voted to approve the application for just the communications tower and the minimum forest clearing necessary to accommodate the tower. A subsequent application must be completed with the Commission for the balance of the proposed development. On December 18, 2025, the applicant submitted a draft conservation deed restriction. By email dated December 24, 2025, the staff provided guidance on the submitted draft conservation deed restriction. The Township's consultant submitted emails on January 13, 2026 and January 21, 2026 inquiring as to whether any additional Commission requirements must be met prior to commencement of

construction. By email dated January 21, 2026, the staff advised that upon receipt of the recorded conservation deed restriction, construction could commence.

- **Improvements to an Existing Agricultural Access Driveway, Agricultural Production Area, Pemberton Township (App. No. 1983-9180.004):** On February 7, 2024, the staff received a report that an existing driveway providing access to an existing agricultural operation was being improved and widened. On February 21, 2024, the Commission staff issued a letter to the property owner indicating that any widening of the existing driveway would be inconsistent with the wetlands protection standards contained in the Pemberton Township land use ordinance and the CMP. The February 21, 2024 staff letter also indicated that although the CMP provides that improvements to a driveway exclusively for agricultural purposes do not require application to the Commission, the proposed driveway improvements must still meet the wetlands protection standards of the Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also inquired as to the source of the fill/soil material that was brought to the parcel for the purpose of improving the driveway. The Township land use ordinance and the CMP prohibit the placement of fill/soil material on a parcel that would result in the degradation of ground or surface water quality. The staff letter further advised that if any fill/soil material placed on the parcel contains contaminants that would degrade surface or groundwater, it must be removed from the parcel. By letter dated December 11, 2024, the staff wrote to the property owner seeking clarification of their intent to complete removal of the deposited fill/soil material by December 31, 2024. On January 30, 2025, the staff received an email from the property owner advising the NJDEP that all “unauthorized fill” had been removed from the parcel and requesting that a site visit be scheduled. By email dated April 2, 2025, the NJDEP advised that a site inspection had been completed and that some fill/soil material remained on the parcel. On April 15, 2025, the staff sent a letter to the property owner advising of the outstanding issues regarding the placement of fill/soil material on the parcel. Those issues include wetlands and wetland buffer encroachments, limitations on proposed clearing of wetlands or the required buffer to wetlands for agricultural purposes and agricultural buildings, potential T&E species issues with any proposed clearing for agriculture and forestry activities that may be occurring on the parcel. The April 15, 2025 letter reiterated that, in those instances when the Commission’s regulations are more restrictive, the Commission’s regulations supersede those of other agencies. The staff letter also requested permission to site inspect the parcel. By email dated April 16, 2025, the property owner advised that the majority of the soil/fill material had been removed from the parcel, no forestry is being conducted, no clearing for agriculture has occurred and no agricultural structure or buildings have been constructed on the parcel. In the email, the property owner denied the staff permission to site inspect the parcel. By letter dated May 20, 2025, the staff requested further clarification regarding the status of removal of the fill/soil material from the parcel. That letter also advised the property owner of the Township’s and Commission’s wetlands regulations and non-degradation water quality regulations that must be met if it is proposed to retain any of the fill/soil material on the parcel. On June 6, 2025, the staff received a request from an adjacent property owner for a joint meeting with the Commissioner of the NJDEP and the Commission’s Executive Director. By email dated June 12, 2025, the NJDEP advised the adjacent property owner that most of the remaining fill/soil on the parcel was contained within an approximately 6,000 square feet on the parcel and that the NJDEP was continuing its efforts to address the matter. The staff held a meeting on July 16, 2025 to discuss the status of the violation with the adjacent property owner’s representatives and NJDEP staff. The staff will be following up with NJDEP staff to discuss requirements for testing of fill/soil impacted areas on the parcel for possible contaminants. The staff sent an email to NJDEP

and the Township on December 22, 2025 requesting any update that may be available from the two agencies. By email dated December 29, 2025, the Township advised that the matter was scheduled for Municipal Court, but that the property owner did not attend the hearing. By email dated January 12, 2026, the NJDEP advised that they approved a restoration proposal that included removal of the remaining fill from regulated areas on the parcel by March 30, 2026. The staff requested and received a copy of the approved restoration plan from NJDEP on January 21, 2026. That plan is currently under review by the staff.

4.3 OTHER ITEM OF INTEREST

- On January 15, 2026, the staff conducted a pre-application conference with representatives of the Frog Rock Golf Course located in Hammonton. The primary purpose of the pre-application conference was to discuss the reconstruction of the golf course club house that was destroyed by fire in October of 2025.
- On January 29, 2026, the staff met with representatives of Ocean County, including two County Commissioners, to discuss certain proposed development projects at the Robert Miller Air Park. The Airport parcel is located in the Pinelands Preservation Area District and a Pinelands Forest Area. In 2012, the Commission entered into a Memorandum of Agreement (MOA) with Ocean County to allow for certain MOA-specified development projects at the Airport. The County is currently proposing three airplane hangars and the relocation of an aircraft fueling station. The staff is reviewing the proposed development to determine whether it is covered by the existing MOA.
- A meeting has been scheduled for February 2, 2026 at the Commission office with the Southampton Township Mayor and Township Administrator. The Township is interested in developing a new municipal building and associated facilities to replace its existing municipal building. After construction, the old municipal building would be demolished. The existing municipal building is located at the intersection of State Highway Route 206 and Retreat Road. The proposed municipal building and associated facilities would be located on the same parcel as the existing municipal building.

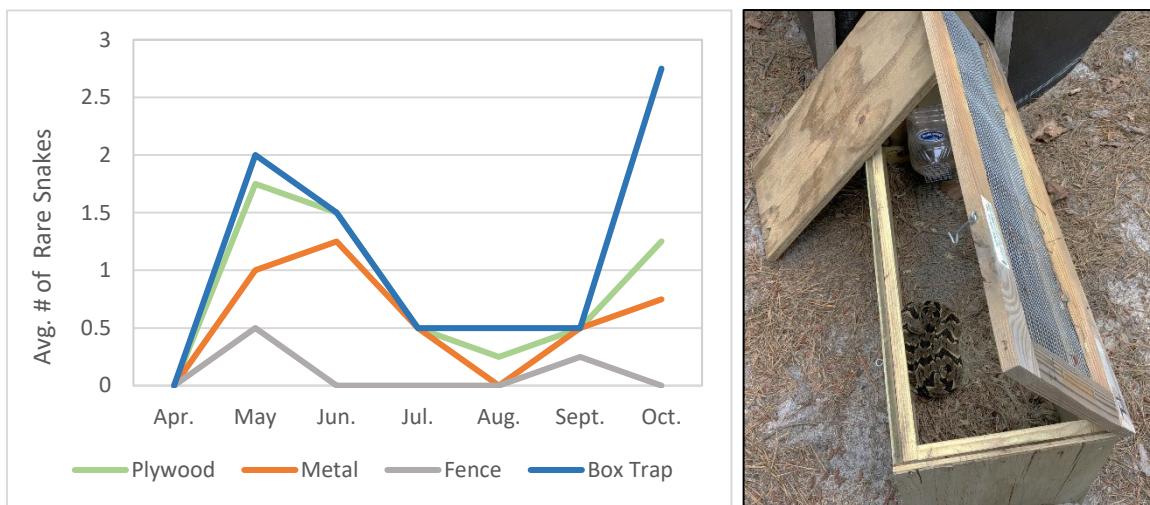
5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In January, staff downloaded water level data from two continuous data loggers and measured the water level at 33 forest plots in the Commission's network of long-term monitoring sites. The 30 long-term monitoring ponds were frozen and could not be measured.
- **Rare Snake Monitoring:** The science staff tracked all monitored individuals to finalize den locations for the upcoming installation of hibernacula corrals, which offer a non-invasive method to census overwintering snakes in the spring. Staff performed maintenance on automatic PIT tag readers that are installed at pine snake hibernacula that have been studied for decades.

5.2 LONG TERM STUDIES

- **Drift Fence Study:** Science staff are working on the discussion section of the final manuscript for a study that compared the detectability of snakes using box traps, plywood cover, metal cover, and incidental observations along a drift fence. The graph (below) shows the average number of state-listed snakes that were located during each month of the active season using the various detection techniques. Snakes were in brumation (hibernation) between November – March and therefore the drift fence was closed down.



Above left: A graph showing the 4-year average number of northern pine snakes (NJ state threatened), corn snakes and timber rattlesnakes (both NJ state endangered) that were detected during each active month by the fence, plywood cover, metal cover, and box traps.

Above right: A timber rattlesnake that was found in a box trap during the study.

- **Kingsnake Study:** Science staff are preparing the final report for the radio telemetry study of eastern kingsnakes. The report is a deliverable due to the U.S. Environmental Protection Agency for providing the funding for the study.
- **Box Turtle Study:** The temperature of each monitored turtle is recorded at four-hour increments by iButtons, dime-sized devices that are affixed to the back portion of the shell. This month, the science team tracked all 101 turtles to their dens and installed additional iButtons to record the temperature at 10 cm above and 10 cm below the soil level. Emergence can be determined as the date when shell temperature begins to oscillate with the iButton recordings of air temperature, rather than the temperature below ground. This information, coupled with habitat composition and hibernation depth, will be important considerations for future box turtle conservation and management.



Far left: iButtons were housed within PVC stakes and affixed at 10 cm above and below the center line. The stake was driven into the ground near turtle dens, so the line was even with the top of the soil. This will capture the ground and air temperature. **Left:** A PVC stake that was deployed next to a hibernating turtle, which was concealed under leaf litter.

5.3 OTHER SCIENCE

- In January, Tyler Christensen joined the Science Office as a Research Scientist. Tyler recently earned his PhD in Ecology and Evolution from Rutgers University, where his research focused on Eastern copperheads.

6 COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 48 inquiries from the public in January, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website in January. Staff also contacted the state Office of Information Technology to discuss options for changing the Commission's website to meet the requirements of a new law pertaining to posting and archiving legal notices. The website edits will be completed by mid-February.



Above: The Commission shared 226 photos on Instagram in January, including this photo of an American beaver nibbling on plants in a bog in the Pinelands.

- **Annual Report:** Throughout January, Commission staff compiled information, wrote numerous chapters, and generated charts, tables, and graphs for the 2025 Annual Report. Staff will continue to write, design, and edit the report in early February, then finalize the draft report by mid-month. The draft report will be presented to the full Commission for its approval in March.
- **Social Media:** In January, staff shared 226 photos and two videos on the Commission's Instagram site, 96 posts on X, and 83 posts on Bluesky. The Commission's content (photos and videos) garnered more than 126,000 views on Instagram (while adding 38 followers for the month) and 1,300 views (for a watch time of 216 hours) on YouTube in January. Four of the Commission's photos were featured on other Instagram sites in January.
- **2026 Pinelands National Reserve Wall Calendar:** The Commission continued to distribute wall calendars in January. The calendars were funded by the National Park Service, and they are being distributed free of charge.



Above: The Commission shared 96 posts on X in January, including this photo of a highly secretive American bittern blending in with its environment while foraging in the Pinelands National Reserve.



Above: The Commission shared 83 posts on Bluesky in January, including this photo of snow-covered trees along the Batona Trail in the Pinelands.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Short Course:** Registration for the 37th annual Pinelands Short Course opened in mid-January. The event will be held at Stockton University's main campus in Galloway Township on March 7, 2026. It will feature 39 education presentations, including 20 programs. Commission staff promoted the event heavily in January by sending e-mails to thousands of recipients, preparing and distributing a press release, and sharing numerous social media posts. More than 350 people have registered for the event thus far.
- **Education Programs:** Joel Mott, Principal Public Programs Specialist for the Commission, educated more than 125 people during several educational programs in January. He presented Climate Change and Our Community: How Climate Change Impacts our Pinelands, as part of the Climate Change Learning Collaborative (CCLC) program through the New Jersey Department of Education and Stockton University. He also participated in a Zoom interview with Readington Middle School's 8th grade civics class and presented Pinelands Flora and Fauna to two classes while leading an additional class in a discussion of John McPhee's *The Pine Barrens* at Pinelands Regional High School.
- **Pinelands Merchandise:** Commission staff processed six transactions while garnering a total of \$198 in sales of Pinelands merchandise in January. The Pinelands-themed playing cards continue to be a top seller. All proceeds from the sales of the Commission's merchandise go to the Kathleen M. Lynch-van de Sande Fund. The fund was established in memory of Ms. Lynch-van de Sande, a Pinelands Commission Environmental Specialist who died in a car accident in June 1989. Sales and donations will support the planting of native Pinelands plants and projects that raise awareness about native Pinelands plants.

7 INFORMATION SYSTEMS

- **Pinelands Commission Information System Upgrades:** The Pinelands Commission Information System (PCIS) is the internal system of record for all applications to the Pinelands and associated transactions. In January, staff oversaw the smooth transition of all systems to the new calendar year. This included publishing all internal and external updates of template documents, the online fee calculator, website pages, and PCIS logic required to support the amendments to the CMP.
- **Pinelands Commission Annual Report:** The Pinelands Commission produces an annual report each year, published in March, to highlight major accomplishments and trends in applications and related work. In January, staff completed draft counts, charts, and graphs related to development application activity to be included in the report. Staff worked closely with the Regulatory Programs office to ensure all methodologies were properly vetted and approved. Staff also spent considerable time documenting organizational knowledge and processes required to generate the reports and encapsulated this into the internal PC Web online portal.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. The Information Systems staff participated in

the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). The meeting highlighted new emphasis areas the incoming administration would be focusing on related to security and new reporting requirements that agencies would be observing.

- **Geographic Information Systems (GIS):** Staff participated in the New Jersey Geospatial Forum monthly meeting to facilitate GIS collaboration with other state agencies. Staff provided all relevant information maintained by the Commission on Threatened and Endangered plant data to the Regulatory Programs and Science offices for review. Staff also created all maps to be included in the Annual Report.
- **Technology Enhancements:** In January, staff continued configuring new desktops and laptops to replace outdated workstations and comply with the state's mandate to migrate to Windows 11. Staff also worked on the audiovisual equipment in the TDM room; unexpected compatibility issues with the existing HDMI hardware required postponing the laptop replacement and gathering of more detailed specifications. Staff replaced a failed redundant hard drive in our Oracle server to maintain fault tolerance. Staff then invested time in preparing for a final migration of all Oracle databases to a newly installed server to replace the aging hardware completely.

8 BUSINESS OFFICE

8.1 FINANCIAL MANAGEMENT

- **Application Fees:** January 2026, Net Total: \$36,210.24 Fiscal Year to Date Total: \$461,296.19. This equates to 54.27% of the Fiscal Year 2026 anticipated fee revenue of \$850,000. The net total for January includes 32 online application payments totaling \$22,858.62.

8.2 FACILITIES MANAGEMENT

- The Fire Department was dispatched to Fenwick Manor for a faulty heat detector in the basement. The unit has been replaced with an updated unit.
- The HVAC contractor was on-site multiple times during January to address aging HVAC unit issues in the Richard J. Sullivan Center and Fenwick Manor.

Attachment 1:

Pinelands Related Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A682/S699	Kean/Singer, Burzichelli	Establishes program in SADC for acquisition of development easements on privately-owned woodlands.	Signed by the Governor (P.L. 2025, c. 287) on 1/20/26.
A4137/S1029	Calabrese, Conway, Atkins/ Greenstein, Smith	Prohibits sale, distribution, import, export or propagation of certain invasive species without permit from Department of Agriculture; Establishes NJ Invasive Species Council	Signed by the Governor (P.L. 2025, c.290) on 1/20/26.
A5901/S4690	Bailey, Karabinchak DeAngelo/ Burzichelli	Authorizes construction, installation and operation of certain energy project components on preserved farms	Signed by Governor (P.L. 2025, c.390) on 1/20/26.