

Disclaimer

These minutes reflect the actions taken by the Commission during its December 14, 2018 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 December 24, 2018.

PINELANDS COMMISSION MEETING  
Richard J. Sullivan Center  
Terrence D. Moore Conference Room  
15 Springfield Road  
New Lisbon, New Jersey

MINUTES

**December 14, 2018**

Commissioners Present

Alan W. Avery Jr., Candace Ashmun, Giuseppe Chila, Paul E. Galletta, Jordan P. Howell, Ed Lloyd, Mark Lohbauer, William Pikolycky, Richard Prickett, and Chairman Sean Earlen. Also present were Executive Director Nancy Wittenberg, Governor's Authorities Unit representative Craig Ambrose and Deputy Attorney General (DAG) Kristina Miles.

Commissioners Absent

Bob Barr, Jane Jannarone, Gary Quinn and D'Arcy Rohan Green.

Chairman Earlen called the meeting to order at 9:50 a.m.

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

Executive Director Nancy Wittenberg called the roll and announced the presence of a quorum. (There were 10 Commissioners present at the meeting.)

The Commission and public in attendance pledged allegiance to the Flag.

Dedication of the Exhibit

Chairman Earlen said the Commission will take action by formally dedicating and naming the new exhibit the Candace McKee Ashmun Pinelands Education Exhibit.

He read the resolution into the record and congratulated Commissioner Ashmun. Commissioner Lloyd moved the resolution Formally Dedicating the New Candace McKee Ashmun Pinelands Education Exhibit (See Resolution # PC4-18-41). Commissioner Lohbauer seconded the resolution. The resolution passed by a vote of 9 to 0, with Commissioner Ashmun abstaining.

Chairman Earlen said at this time the Commission is going to take a break to look at the exhibit. He asked for a motion to temporarily close the meeting. Commissioner Prickett moved the motion and Commissioner Lloyd seconded the motion. At 9:56 a.m., the meeting was placed on hold.

Commissioner Lohbauer made a motion to reopen the meeting, seconded by Commissioner Lloyd. The Commission meeting was reopened at 10:28 a.m.

Commissioner Ashmun said she found out about the Pinelands while she was working to stop a jetport that was going to be located at the Great Swamp. She said someone had mentioned that they were attempting to build a jetport at McGuire Air Force Base. She said her first visit to the Pinelands was a bus trip with The Garden Club of America. She said Governor Brendan Byrne passed the Pinelands Act and asked her to be on the Commission and she has been on the Commission ever since.

Commissioners took a moment to thank Commissioner Ashmun for her leadership, expertise and knowledge of the Comprehensive Management Plan and the Pinelands. They all agreed that the name of the exhibit could not be more fitting.

#### Minutes

Chairman Earlen presented the open session minutes from the November 9, 2018 Commission meeting. Commissioner Galletta moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The November 9, 2018 Commission meeting minutes were adopted by a vote of 8 to 0. Commissioner Ashmun and Commissioner Chila both abstained from voting on the minutes.

Chairman Earlen presented the closed session minutes from the November 9, 2018 Commission meeting. Commissioner Avery moved the adoption of the minutes. Commissioner Lohbauer seconded the motion.

The November 9, 2018 closed session Commission meeting minutes were not adopted (vote of 7 to 0). Commissioner Ashmun, Commissioner Chila and Commissioner Howell abstained from the vote and there were not enough votes to carry the minutes. The closed session minutes will need to be re-voted on at a future Commission meeting.

#### Committee Chairs' Reports

Chairman Earlen provided an update on the November 30, 2018 Policy and Implementation Committee meeting:

The Committee adopted the minutes of the September 28, 2018 meeting.

The Committee recommended Commission certification of Medford Township's Housing Element and Fair Share Plan and Ordinance 2018-16.

The Committee recommended that the Commission approve the eligibility of a 0.57 acre parcel in Buena Vista Township's Rural Development Area to participate in the Limited Practical Use land acquisition program.

The Committee granted an extension request to the Rancocas Conservancy for a Pinelands Conservation Fund project, the 200-acre Katz project in Pemberton Township.

The Committee reviewed a draft amendment to the Pinelands Infrastructure Trust Fund Master Plan and requested that staff proceed with a public hearing on the proposal.

The Committee received an update on the Long-Term Economic Monitoring Program. Staff suggested a schedule for future reports including the development of an interactive web-based reporting tool, the addition of perhaps seven new variables to the existing 23, and the selection of a special study next summer.

Chairman Earlen added that the newly formed Committee that will address climate change, stormwater and sustainability will include the following members: Commissioner Howell, Commissioner Lohbauer, Commissioner Lloyd and Commissioner Avery. Commissioner Barr will serve as an alternate. He said he will also serve on the Committee. Chairman Earlen requested that the Executive Director send out dates to the members for an initial meeting.

#### Executive Director's Reports

ED Wittenberg said an open house was held for the new exhibits on December 11<sup>th</sup>. She said it was an opportunity for the individuals who either donated an artifact or a photo or helped with the project in some way to get a first glance at the finished product. She said there are some remaining permitting issues that are currently being resolved. She said Jonathan Meade from the National Park Service attended the open house. She said staff was able to meet with Mr. Meade about the status of on-going monitoring projects.

ED Wittenberg said that the Burlington County Board of Chosen Freeholders recently approved a road closure permit for the New Jersey Natural Gas (NJNG) pipeline. She noted that the applicant has met all the conditions of the Executive Director's Recommendation Report that the Commission approved.

ED Wittenberg directed her last comment to Commissioner Ashmun. She said Commissioner Ashmun is a dedicated Commissioner whose understanding of the CMP is unsurpassable. She said staff is very happy that the exhibit center is named after Commissioner Ashmun.

Director Larry Liggett updated the Commission on the following:

- The Commission will conduct a hearing on proposed amendments to the Pinelands Infrastructure Trust Fund (PITF) Master Plan. The hearing is scheduled for January 3, 2019 at 7:00 p.m. He said the funding is only available for Regional Growth Areas.
- As part of the review that was undertaken for the Long Term Economic Monitoring program, it was suggested that the data be available earlier or on a rolling basis, using the website to post data.

Director Chuck Horner provided information on the following regulatory matters:

- On December 4<sup>th</sup>, staff including the Executive Director, met with the Mayor of Mullica to discuss economic development opportunities along the White Horse Pike. At that meeting, alternate design septic systems (including a community waste water facility) were discussed as potential options for permitting growth in that area.
- Staff has almost completed the review of a large residential development in Barnegat Township that proposes 777 dwelling units. The development requires the purchase of 50 full Pinelands Development Credits.
- Commission staff is involved a matter in Winslow Township where an agricultural operation has removed soil from the site. The CMP requires an application to the Commission if a certain volume of soil is proposed to be removed. The matter is currently in municipal court.

Communications Director Paul Leakan thanked Commissioners, staff, the public and sister agencies who helped the exhibit come to fruition. He added that Phil Correll from the National Parks Service and who has since retired was instrumental in providing a \$50,000 grant that paid for the exhibit assessment and design.

Mr. Leakan added that the 3<sup>rd</sup> edition of the Pinelands National Reserve wall calendar is now available and can be found at Bass River State Forest, Brendan Byrne State Forest and Batsto.

#### Public Development Projects and Other Permit Matters

Chairman Earlen presented a resolution recommending approval for the construction of a salt storage building in Folsom Borough.

Commissioner Galletta moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 1994-0552.003) (See Resolution # PC4-18-42). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

Chairman Earlen presented a resolution for the installation of 294 linear feet of sanitary sewer in Galloway Township.

Commissioner Lohbauer moved the adoption of a resolution Approving With Conditions an Application for Public Development (Application Number 2018-0169.001) (See Resolution # PC4-18-43). Commissioner Avery seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

#### Planning Matters

Chairman Earlen presented a resolution regarding Medford Township Ordinance 2018-16 and its housing and fair share plan.

Commissioner Lloyd moved the adoption of a resolution Issuing an Order to Certify the 2017 Housing Element and Fair Share Plan and Ordinance 2018-16 of Medford Township (See Resolution # PC4-18-44). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

Chairman Earlen presented a resolution regarding an application for the Limited Practical Use program.

Commissioner Lloyd moved the adoption of a resolution Determining the Eligibility of a Parcel of Land for Acquisition by the Department of Environmental Protection Pursuant to the Limited Practical Use Program (See Resolution # PC4-18-45). Commissioner Galletta seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

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

No one from the public spoke.

#### Ordinances Not Requiring Commission Action

Chairman Earlen asked if any Commissioners had questions regarding the ordinances not requiring Commission action:

- Barnegat Township Ordinance 2018-33
- Berlin Borough Ordinance 2018-7
- Buena Vista Township Ordinances 63-2018 and 64-2018
- Chesilhurst Borough Ordinance 2018-8
- Dennis Township Ordinance 2018-11
- Eagleswood Township Ordinances 2018-006 and 2018-007
- Egg Harbor City Ordinances 12-2018, 13-2018 and 14-2018
- Estell Manor City Ordinance 04-2018
- Hammonton Town Ordinance 042-2018
- Monroe Township Ordinance O:28-2018
- Stafford Township Ordinances 2017-22, 2017-24, 2017-25, 2017-27, 2018-12, 2018-16, 2018-17 and 2018-20
- Tabernacle Township Ordinance 2018-5

- Winslow Township Ordinance O-2018-021

No members of the Commission had questions.

#### Other Resolutions

Chairman Earlen presented a resolution adopting the 2019 meeting schedule.

Commissioner Lloyd moved the adoption of a resolution Scheduling Regular Pinelands Commission Meeting dates for 2019 (See Resolution # PC4-18-46). Commissioner Lohbauer seconded the motion.

The Commission adopted the resolution by a vote of 10 to 0.

#### General Public Comment

Jonathan Peters, an Economist for City University said that monitoring recreational use in the Pinelands, including public access, is very important.

Benjamin Breslan said he was impressed with the new exhibit center and hoped that there was a way to create awareness of the Pinelands in Camden County.

Emily Mohr said she appreciates the new exhibit center and hopes it will inform the residents of New Jersey about the Pinelands.

Carleton Montgomery of the Pinelands Preservation Alliance congratulated the Commission on the new exhibit. He thanked Commissioner Ashmun for her wisdom. He said she has been an invaluable asset to the Commission.

Michele Byers, Executive Director of the New Jersey Conservation Foundation, congratulated Commissioner Ashmun on the naming of the exhibit. She said Commissioner Ashmun had a large influence on her career. She said she hopes that Commissioner Ashmun's public service will have a lasting effect on the next generation.

Jessica Pikolycky of Woodbine said she is a first grade teacher in Woodbine and looks forward to bringing her students to the new exhibit. She thanked the Commission for its leadership.

Jason Howell of the Pinelands Preservation Alliance said he appreciates the Commission's efforts to help history and culture continue to survive in the Pinelands.

Former Commissioner Robert Jackson said Commissioner Ashmun's consistent dedication to the Pinelands is remarkable. He said everyone needs to share Commissioner Ashmun's vision or the Pinelands will not be here for the generations to come. He said he hopes the new Committee can address the effects of climate change.

Fred Akers of the Great Egg Harbor Watershed Association said the new Committee to address climate change is a good idea. He said he was in Trenton this past Monday to

observe Commissioner Ashmun receive the Richard J. Sullivan award. He congratulated her on her accomplishments.

Michael Flynn, a student at Rutgers Camden, thanked Commissioner Ashmun for her good work. He said he recently read an article that noted Governor Murphy has not been to the Pinelands. He asked if the Commission had any plans to invite the Governor to a meeting in the Pines. He said that protecting the Pinelands from wildfires is just as important as overdevelopment.

Commissioner Ashmun said most Governors have visited the Pinelands.

Commissioner Chila said inviting the Governor to tour the Pinelands is a great idea.

### Adjournment

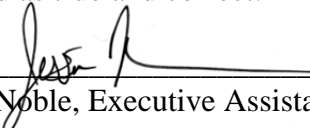
Commissioner Prickett said the Commission does a lot to educate the residents of New Jersey about the Pinelands. He asked about the upcoming Short Course.

Joel Mott said the Short Course will be celebrating its 30<sup>th</sup> anniversary in 2019. He said the Short Course is scheduled for March 9, 2019 at Stockton University. There are 36 presentations scheduled, 25 of which are new. He said after the classes are done, cake and coffee will be served and people can reminisce about years past.

Commissioner Lohbauer thanked the public, former Commissioners, and environmental groups who attended today's meeting to honor Commissioner Ashmun.

Commissioner Avery moved to adjourn the meeting. Commissioner Prickett seconded the motion. The Commission agreed to adjourn at 11:17 a.m.

Certified as true and correct:

  
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Jessica Noble, Executive Assistant

Date: December 21, 2018