



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 12

**TITLE:** Approving With Conditions Applications for Public Development (Application Numbers 1985-0619.013 & 2015-0047.001)

Commissioner Mc Glinchey moves and Commissioner Barr 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 applications for Public Development be approved with conditions:

**1985-0619.013**

**Applicant:** Evesham Township  
**Municipality:** Evesham Township  
**Management Area:** Pinelands Regional Growth Area  
Pinelands Rural Development Area  
**Date of Report:** May 22, 2015  
**Proposed Development:** Installation of a synthetic turf athletic field and sidewalk; and

**2015-0047.001**

**Applicant:** Hamilton Township  
**Municipality:** Hamilton Township  
**Management Area:** Pinelands Forest Area  
**Date of Report:** May 22, 2015  
**Proposed Development:** Demolition of a single family dwelling, 50 years old or older.

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

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

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform 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 Numbers 1985-0619.013 & 2015-0047.001 for public development are hereby approved subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn	X		
Barr	X			Jannarone	X			Rohan Green	X		
Brown	X			Lloyd	X			Witt			X
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: June 12, 2015

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Mark S. Lohbauer  
Mark S. Lohbauer  
Chairman



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 THE PINELANDS COMMISSION  
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Chris Christie  
 Governor

Kim Guadagno  
 Lt. Governor

General Information: Info@njpinelands.state.nj.us  
 Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

May 22, 2015

Nancy Jamanow, P.E., C.M.E., P.P., Director of Community Development  
 Evesham Township  
 984 Tuckerton Road  
 Marlton, NJ 08053

Re: Application # 1985-0619.013  
 Evesham Township Memorial Park Complex  
 Block 44, Lot 6  
 Evesham Township

Dear Ms. Jamanow:

The Commission staff has completed its review of this application for the installation of a synthetic turf athletic field and sidewalk. 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 June 12, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the 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, Evesham Township Planning Board (via email)  
 Evesham Township Construction Code Official (via email)  
 Evesham Township Environmental Commission (via email)  
 Secretary, Burlington County Planning Board (via email)  
 Trevor Taylor, CME





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Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

**PUBLIC DEVELOPMENT APPLICATION REPORT**

May 22, 2015

Nancy Jamanow, P.E., C.M.E., P.P., Director of Community Development  
Evesham Township  
984 Tuckerton Road  
Marlton, NJ 08053

Application No.: 1985-0619.013

Location: Evesham Township Memorial Park Complex  
Block 44, Lot 6  
Evesham Township

This application proposes the installation of a synthetic turf athletic field and sidewalk at the Evesham Township Memorial Park Complex located on the above referenced 65.27 acre parcel in Evesham Township.

This application proposes an 81,600 square foot synthetic turf athletic field in the location of an existing grassed athletic field. This application also proposes the installation of 1,338 linear feet of sidewalk ranging between six and twenty feet in width.

**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. 7:50-5.28(a)1)

The parcel is located partially in a Pinelands Regional Growth Area (40.57 acres) and partially in a Pinelands Rural Development Area (24.7 acres). The proposed development will be located on the portion of the parcel located in a Regional Growth Area. Intensive recreational facilities 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. All proposed development will maintain a 175 foot buffer to wetlands.

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

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

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

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

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the application proposes to construct a stormwater management basin.

There are multiple existing stormwater management basins on the parcel. These basins were constructed so that prior recreational development on the parcel, approved by the Commission, would meet the stormwater management standards of the Township land use ordinance and the CMP. One of the existing basins located immediately south of existing tennis courts on the parcel is not functioning properly. To address this issue, the applicant proposes to drain the concerned basin and conduct a soil investigation. The applicant has indicated that the soil investigation and a remediation plan will be completed and submitted to the Commission staff by June 30, 2015. Upon Commission staff approval, the remediation plan will be implemented no later than by December 31, 2015.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on February 27, 2015. Newspaper public notice was completed on March 2, 2015. The application was designated as complete on the Commission's website on April 27, 2015. The Commission's public comment period closed on May 8, 2015. 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 10 sheets, prepared by CME Associates and dated as follows:  
  
Sheets 1-10 - February 27, 2015; last revised April 10, 2015
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.

5. Any discharge from dewatering of the existing stormwater basin that will be subject of the remediation plan shall not occur in wetlands or the required 175 foot buffer to wetlands.
6. The applicant shall submit a report to the Commission staff detailing the results of the soil investigation and a proposed remediation plan for the existing stormwater basin by June 30, 2015. Upon Commission staff approval, the applicant shall implement the remediation plan no later than by December 31, 2015.

#### 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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Governor  
Kim Guadagno  
Lt. Governor

General Information: [Info@njpinelands.state.nj.us](mailto:Info@njpinelands.state.nj.us)  
Application Specific Information: [AppInfo@njpinelands.state.nj.us](mailto:AppInfo@njpinelands.state.nj.us)

Mark S. Lohbauer  
Chairman  
Nancy Wirtenberg  
Executive Director

**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 within eighteen days of the date of the Executive Director's determination and must 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.



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 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

May 22, 2015

Philip C. Sartorio, Director of Community Development  
 Hamilton Township  
 6101 Thirteenth Street  
 Mays Landing, NJ 08330

Re: Application # 2015-0047.001  
 Block 611, Lot 17  
 Hamilton Township

Dear Mr. Sartorio:

The Commission staff has completed its review of this application for demolition of a single family dwelling, 50 years old or older, on the above referenced parcel. 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 June 12, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the 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, Hamilton Township Planning Board (via email)  
 Hamilton Township Construction Code Official (via email)  
 Atlantic County Department of Regional Planning and Development (via email)





Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)



Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

May 22, 2015

Philip C. Sartorio, Director of Community Development  
Hamilton Township  
6101 Thirteenth Street  
Mays Landing, NJ 08330

Application No.: 2015-0047.001

Location: Block 611, Lot 17  
Hamilton Township

This application proposes the demolition of a single family dwelling, 50 years old or older, located on the above referenced 1.91 acre parcel in Hamilton Township.

### 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. 7:50-5.23)

The parcel is located in a Pinelands Forest Area. The demolition of a single family dwelling is permitted in the Pinelands Area.

#### Cultural Resource Standards (N.J.A.C. 7:50-6.155)

The application proposes the demolition of a dilapidated single family dwelling constructed in 1961. A cultural resource survey was not required.

### PUBLIC COMMENT

The CMP defines the proposed demolition as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on April 27, 2015. The Commission's public comment period closed on May 8, 2015. No public comment was submitted to the Commission regarding this application.



**CONDITIONS**

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
3. In accordance with the CMP (N.J.A.C. 7:50-4.1(a)1), the reconstruction of this single family dwelling, within five years of its demolition, does not require application to the Commission.

**CONCLUSION**

As the proposed demolition 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 demolition subject to the above conditions.



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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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 within eighteen days of the date of the Executive Director's determination and must include the following information:

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

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



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 13

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1995-1659.003)

Commissioner Avery moves and Commissioner Barr 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:

**1995-1659.003**

<b>Applicant:</b>	<b>Buena Vista Township</b>
<b>Municipality:</b>	Buena Vista Township
<b>Management Area:</b>	Pinelands Forest Area
<b>Date of Report:</b>	May 22, 2015
<b>Proposed Development:</b>	Recreational improvements at the Michael Debbi Park.

WHEREAS, the recreational improvements subject of this application occurred without application to, and approval by, the Commission and constitute a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, completion of this application is intended to address this violation; 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 1995-1659.003 for public development is hereby approved subject to the conditions recommended by the Executive Director.

### Record of Commission Votes

AYE				NAY				NP				ABS			
AYE	NAY	NP	ABS	AYE	NAY	NP	ABS	AYE	NAY	NP	ABS	AYE	NAY	NP	ABS
Ashmun	X			Earlen	X			Prickett	X						
Avery	X			Galletta	X			Quinn	X						
Barr	X			Jannarone	X			Rohan Green	X						
Brown	X			Lloyd	X			Witt						X	
DiBello	X			McGlinchey	X			Lohbauer	X						

Adopted at a meeting of the Pinelands Commission  
Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Date: June 12, 2015  
Mark S. Lohbauer  
Mark S. Lohbauer  
Chairman



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 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

May 22, 2015

Chuck Chiarello, Mayor  
 Buena Vista Township  
 890 Harding Highway  
 Buena Vista Township, NJ 08310

Re: Application # 1995-1659.003  
 Block 5102, Lots 12 & 13  
 Buena Vista Township

Dear Mayor Chiarello:

The Commission staff has completed its review of this application for recreational improvements at the Michael Debbi Park. This application also proposes to develop two stormwater management basins. 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 June 12, 2015 meeting.

**Other than the two proposed stormwater management basins, the recreational improvements subject of this application occurred without application to, and approval by, the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.**

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

- c: Secretary, Buena Vista Township Planning Board (via email)
- Buena Vista Township Construction Code Official (via email)
- Atlantic County Department of Regional Planning and Development (via email)



Atlantic County Division of Public Health (via email)  
David Scheidegg, P.E.  
Mark Demitroff



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Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

### PUBLIC DEVELOPMENT APPLICATION REPORT

May 22, 2015

Chuck Chiarello, Mayor  
Buena Vista Township  
890 Harding Highway  
Buena Vista Township, NJ 08310

Application No.: 1995-1659.003

Location: Michael Debbi Park  
Block 5102, Lots 12 & 13  
Buena Vista Township

This application is for recreational improvements at the Michael Debbi Park located on the above referenced 36.45 acre parcel in Buena Vista Township.

The recreational improvements consist of the paving of a 36,000 square foot parking lot, the installation of 2,431 linear feet of sidewalk and paved pedestrian path, the construction of a car port, four storage sheds and a 720 square foot restroom facility, the placement of a 306 square foot storage trailer and gazebo and the installation of field lighting. This application also proposes to develop two stormwater management basins.

**Other than the two proposed stormwater management basins, the recreational improvements subject of this application occurred without application to, and approval by, the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.**

On September 13, 2002, an application for the development of an 820 linear foot woodchip walking trail on the above referenced parcel was approved by the Commission (App. No. 1995-1659.002). The applicant constructed a portion of the approved woodchip walking trail at a location other than that approved by the Commission. The concerned portion of the walking trail was constructed in wetlands in violation of the wetland protection standards of the Buena Vista Township land use ordinance and the CMP. As part of the current application, it is proposed to relocate the walking trail outside of wetlands.

### STANDARDS

The Commission staff has reviewed the development for consistency with all standards of the CMP. The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.23)

The development is located in a Pinelands Forest Area. The park existed prior to January 14, 1981, the date the CMP was adopted. The park is a pre-existing nonconforming use in a Forest Area. The CMP (N.J.A.C. 7:50-5.2(b)) permits a fifty percent expansion of a nonconforming use in a Forest Area provided the area of the expansion does not exceed fifty percent of the area of the use or the capacity of the use, whichever is applicable, existing on January 14, 1981. Prior to January 14, 1981, the park occupied approximately 19 acres of the 36.45 acre parcel. The development subject of this application will be located in the 19 acre portion of the parcel that was developed as a park as of January 14, 1981 and constitutes a less than fifty percent expansion of the area of the use as of January 14, 1981. The area of the development subject of this application meets this fifty percent expansion provision and is a permitted land use.

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

There are wetlands located on the above referenced parcel. Development and clearing were located immediately adjacent to the wetlands prior to the adoption of the CMP in 1981. The development that has occurred is maintaining an appropriate buffer to the wetlands.

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

The development subject of this application was, and will be, located over existing stone and grassed areas. The clearing and soil disturbance was, and will be, limited to that which is necessary to accommodate the development. No clearing is proposed for the relocation of the walking trail.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. This application does not propose any revegetation.

Water Quality Standard (N.J.A.C. 7:50-6.84(a)4)

The park is serviced by onsite septic system. The applicant has demonstrated that the development is consistent with the groundwater quality (septic dilution) standard of the CMP.

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

The applicant has demonstrated that the development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the application proposes to construct two stormwater infiltration basins on the parcel.

**PUBLIC COMMENT**

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on October 20, 2014. Newspaper public notice was completed on October 17, 2014. The application was designated as complete on the Commission's website on April 15, 2015. The Commission's public comment period closed on May 8, 2015. The Commission received one written public comment letter dated October 1, 2010 regarding this application.

**Public Comment One:**

This commenter raised concerns that a proposed athletic field would be located within wetlands and the required buffer to wetlands. The commenter was also concerned that the athletic field would be located in Barred owl habitat. Lastly, the commenter was concerned that development, resulting in two acres of additional impervious surfaces, has already occurred on the parcel without completion of an application with the Commission.

**Response to Public Comment One:**

The proposed athletic field subject of the public comment was eliminated from the application. The additional development subject of the public comment that occurred on the parcel without application to the Commission is subject of the current application.

**CONDITIONS**

1. Except as modified by the below conditions, the development shall adhere to the plan, consisting of five sheets, prepared by Schaeffer Nassar Scheidegg Consulting Engineers, LLC and dated as follows:  
  
Sheets 1-4 - June 21, 2011; revised to March 17, 2015  
Sheet 5 - December 14, 2010; revised to March 17, 2015
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
4. Any 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.

**CONCLUSION**

As the 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 development subject to the above conditions.





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Mark S. Lohbauer  
 Chairman

Nancy Wittenberg  
 Executive Director

**PINELANDS COMMISSION**  
**APPEAL PROCEDURE**

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

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2. the application number;
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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.

app # 1995-1659,003  
DocType 110

OCT - 5 2010

✓ signed  
VIO reported 9/28/10

MARK DEMITROFF  
822 MAIN AVENUE, VINELAND (RICHLAND), NJ 08360-9346

**RE: PROPOSED ATHLETIC FIELDS  
MICHAEL DEBBI PARK**

October 1, 2010  
Ms. Rhonda Ward  
NJ Pinelands Commission  
PO Box 359  
15 Springfield Road  
New Lisbon, NJ 08064

Application #8000.24, Richland Village,

Rhonda,

I am writing in response to a letter from David Scheidegg to Ernest Deman dated September 16, 2010 (*addenda*). Within, the Township expressed interest in developing an additional athletic field upon the site of the Environmental Commission's nature trail. Please be aware that:

- 1) the proposed field expansion location is primarily classified as hydric soils (Figure 1), requires a 300-foot wetlands buffer from the Debbi Pond and Abbott's Branch of the South River (Figure 2), and that its terrain ranks 3 on the NJDEP Landscape Project for barred owl occurrence (Figure 3); and
- 2) I estimate that over 2 acres of impervious surface has been added when projects A-G were built (Figure 5; Table 1). Please provide evidence that A-G have been Pinelands approved.

There appears to be a pattern of blatant disregard for the Pinelands Comprehensive Management Plan rules and the Pinelands Commission's authority. Buena Vista Township has little incentive to break old habits if your response is passive at best, enabling at worst. I await your response.

Sincerely,



Mark Demitroff

cc: Candace Ashmun, Acting Chair Commissioner  
cc: Theresa Lettman, Pinelands Preservation Alliance

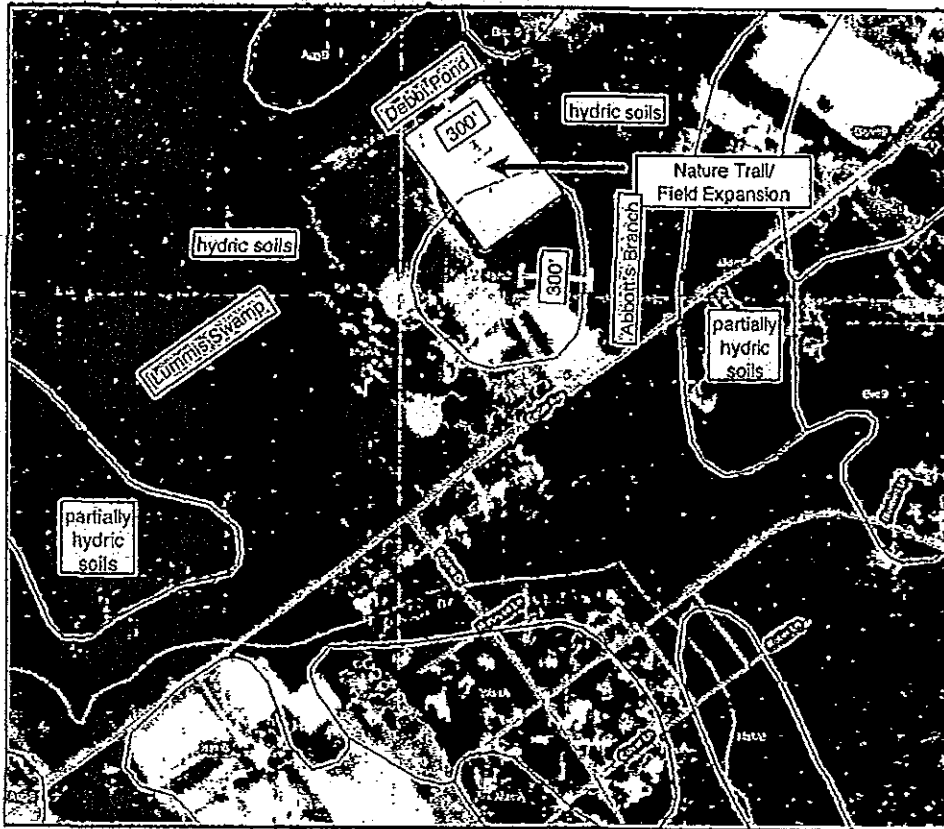


Figure 1 Diagram indicating that the proposed field expansion (yellow rectangle) will be on hydric soils (NRCS, 2008). Even if the soil were suitable for development, 300-foot buffers to the Debbi Pond and Abbot's Branch will leave insufficient room for practical use (see Figure 2).

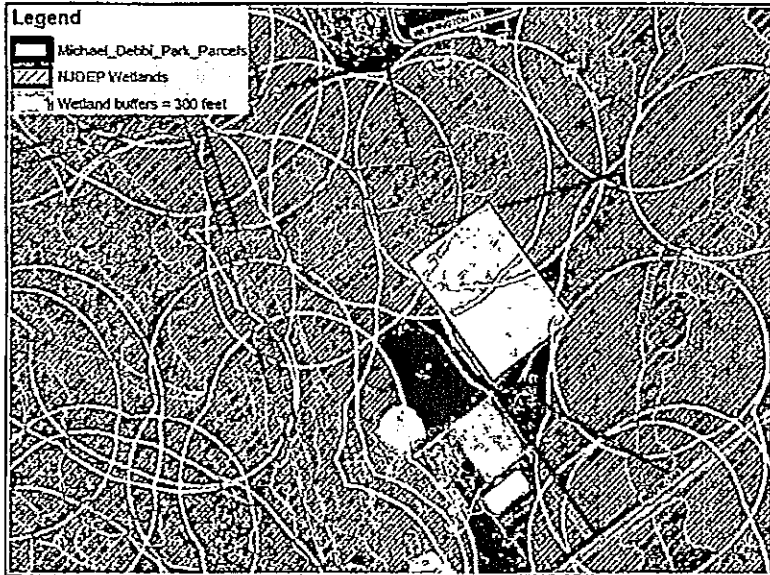


Figure 2 Diagram showing 300-foot buffers to NJDEP designated wetlands (courtesy Great Egg Harbor Watershed Association) with field expansion in yellow rectangle.

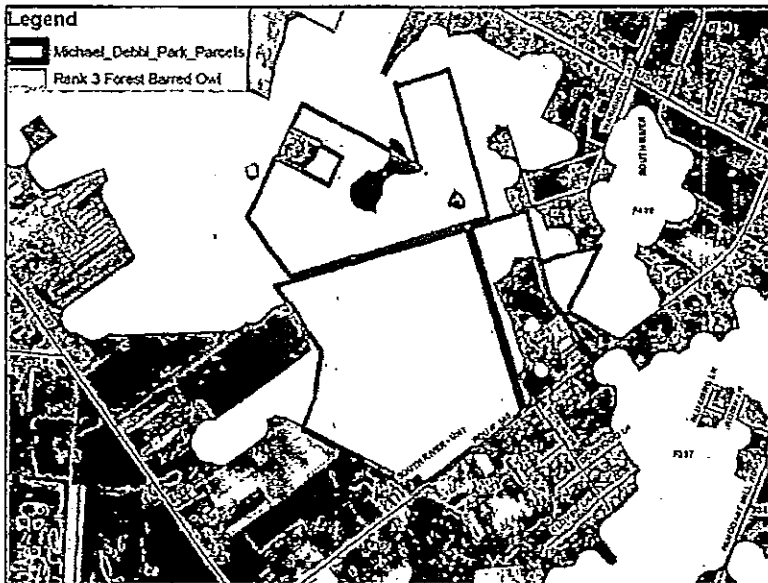


Figure 3 Additional diagram showing the presence of Barred Owl on NJDEP designated wetlands (courtesy Great Egg Harbor Watershed Association) on NJDEP Landscape Project images.

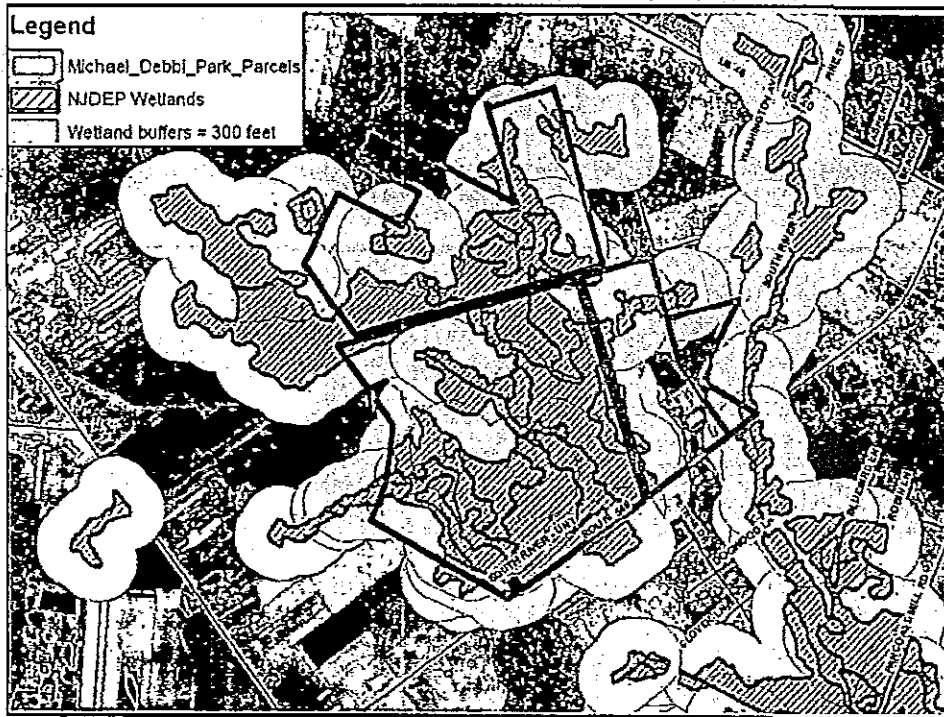


Figure 4 Additional diagram showing 300-foot buffers to NJDEP designated wetlands on Landscape Project images (courtesy Great Egg Harbor Watershed Association).

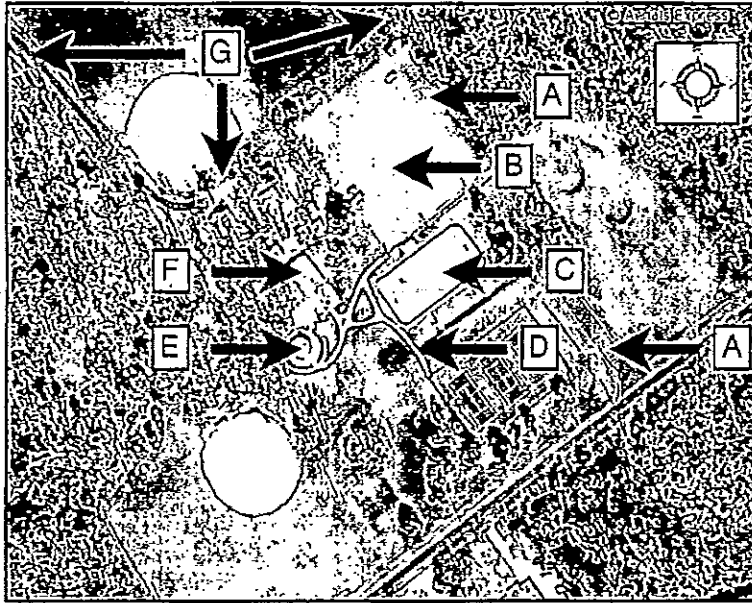


Figure 5 Aerial image of Michael Debbi Park showing items of inquiry explained in Table 1 below.. Image Date: 3/15/2007 Resolution: 0.3 meters Provider: AerialsExpress Meters/Pixel: 0.5 meters.

ADDED IMPERVIOUS SURFACE - MICHAEL DEBBI PARK			
ID	Description	Material	Sq. Ft.
A	Driveway	asphalt	19,860
B	Parking Lot (#4 of Scheidegg @ 36,000 sq. ft.)	asphalt	38,976
C	Hockey Rink	concrete/ asphalt	13,600
D	Sidewalks	concrete	3,120
E	Gazebo	concrete	1,820
F	Pavillon	concrete	1,961
G	Walkway (#9 of Scheidegg)	asphalt	20,585

Table 1 As-is list of questioned impervious surfaces built at Michael Debbi Park (cf. Scheidegg, September 16, 2010, *addenda*).



Rami N. Nussar, PE, PR CME  
 David S. Scheidegg, PE, PR CME  
 Andrew F. Schaeffer, PE, PP  
 Daniel F. Kwapinski, PE, PP  
 Howard A. Tronsua, PLS

September 16, 2010

Mr. Ernest Deman, Environmental Specialist  
 New Jersey Pinelands Commission  
 P. O. Box 359  
 New Lisbon, NJ 08064

RECEIVED

SEP. 20 2010

BUENA VISTA TWP.  
 CLERK'S OFFICE

RE: Buena Vista Township  
 Proposed Athletic Field  
 Mike Debbie Park  
 Block 5001, Lot 2  
 Block 5101, Lot 16 and 20  
 Block 5102, Lot 12, 13 and 14  
 Buena Vista Township, Atlantic County, NJ  
 Application #95-1659.02  
 Our File: 8000.24

Dear Mr. Deman:

On July 22, 2010, our office, on behalf of Buena Vista Township, submitted an application for a proposed additional athletic field at the existing Mike Debbie Park in Buena Vista Township.

It has come to our attention that several improvements to this park have occurred over the past many years since our last application. Attached you will find a plan depicting all improvements to this park in an effort to have your file on the Mike Debbie Park be as current as possible.

Since our last submission in 2001, which was for the proposed Nature Trail, the following activities have taken place:

1. The existing restroom facility, which was in poor condition, was removed and replaced with a new structure. The new facility provides for some storage area and is approximately 60 square feet larger than the old facility. No changes to the servicing septic system or well were performed.
2. An existing 10' x 10' shed was relocated from the existing basketball court area to the concession stand area near the existing pavilion.
3. The existing tennis courts were reconstructed and refined.
4. The existing 36,000 sf parking area, which was previously constructed of compacted crushed stone/gravel/PAP, has been surfaced with asphalt. It is our opinion that the stormwater runoff from the 20+ year old compacted parking area is equivalent to the runoff from the recently paved parking lot and therefore, no additional stormwater management is necessary.
5. Buena Vista Township Public Works, over the past 10+ years has installed several small sheds to accommodate the storage of park maintenance equipment. Four (4) sheds with measurements of 8' x 6', 8' x 12', 10' x 10' and 14' x 30' have been placed at Mike Debbie Park between unpaved Debbie Drive and the existing baseball field.
6. The existing basketball court was reconstructed and refined.

\* #4. If you accept that a "20+ year old compacted parking area is equivalent to the runoff from the recently paved parking lot" than I wish to add a whole lot more impervious area to my list at the park and in Richland Village!

7. An 16' x 20' temporary aluminum carport has been installed adjacent to the existing concession area.
8. A 7'8" x 40' temporary storage trailer has been placed on site by the Buena Regional football teams to store athletic equipment. This temporary storage shelter is located adjacent to the existing concession stand and announcer's booth by the existing football field.
9. The Township installed a paved pedestrian path approximately 1,800 lineal feet long around the existing baseball and football fields as a safe exercise area for Township residents.
10. A small pedestrian "bridge" was installed over a portion of the existing stormwater management area.
11. A sign was recently constructed identifying the "Aldo Falasca Field", which is adjacent to the proposed football field area.
12. The existing nature trail, which was constructed by volunteers, is proposed to be removed in the area of the proposed football field.

The previous application was for Block 5102, Lots 12 and 13, which contains approximately 36.45 acres. Over the past several years, the municipality has acquired Block 5102, Lot 14, Block 5101, Lots 16 and 20 and Block 5001, Lot 2 to enlarge the Mike Debbie Park. These lands encompass an additional 180.75 acres. These areas are not slated for development and have been purchased as open space area.

Considering the overall size of the recreation area (217+ acres) and the limited area of activity (15 acres), we believe that no additional stormwater management is necessary for the recently constructed and proposed improvements.

We trust that the plans and our explanation of the improvements to the Michael Debbie Park meet with your approval. We believe that the municipality's limited improvements to the existing park (36.5 acres) and purchase of the additional 180.75 acres of open space area to mitigate any adverse affects, is in conformance with the intent of the Pinelands Comprehensive Management Plan and our obligation to be good stewards of public lands.

Also enclosed are tax maps highlighting the lands owned by Buena Vista Township immediately adjacent to the Mike Debbie Park.

Should there be questions or you require any additional information, please do not hesitate to contact our office.

Sincerely,  
*Schaeffer Nasjar Scheldegg*  
Consulting Engineers, LLC

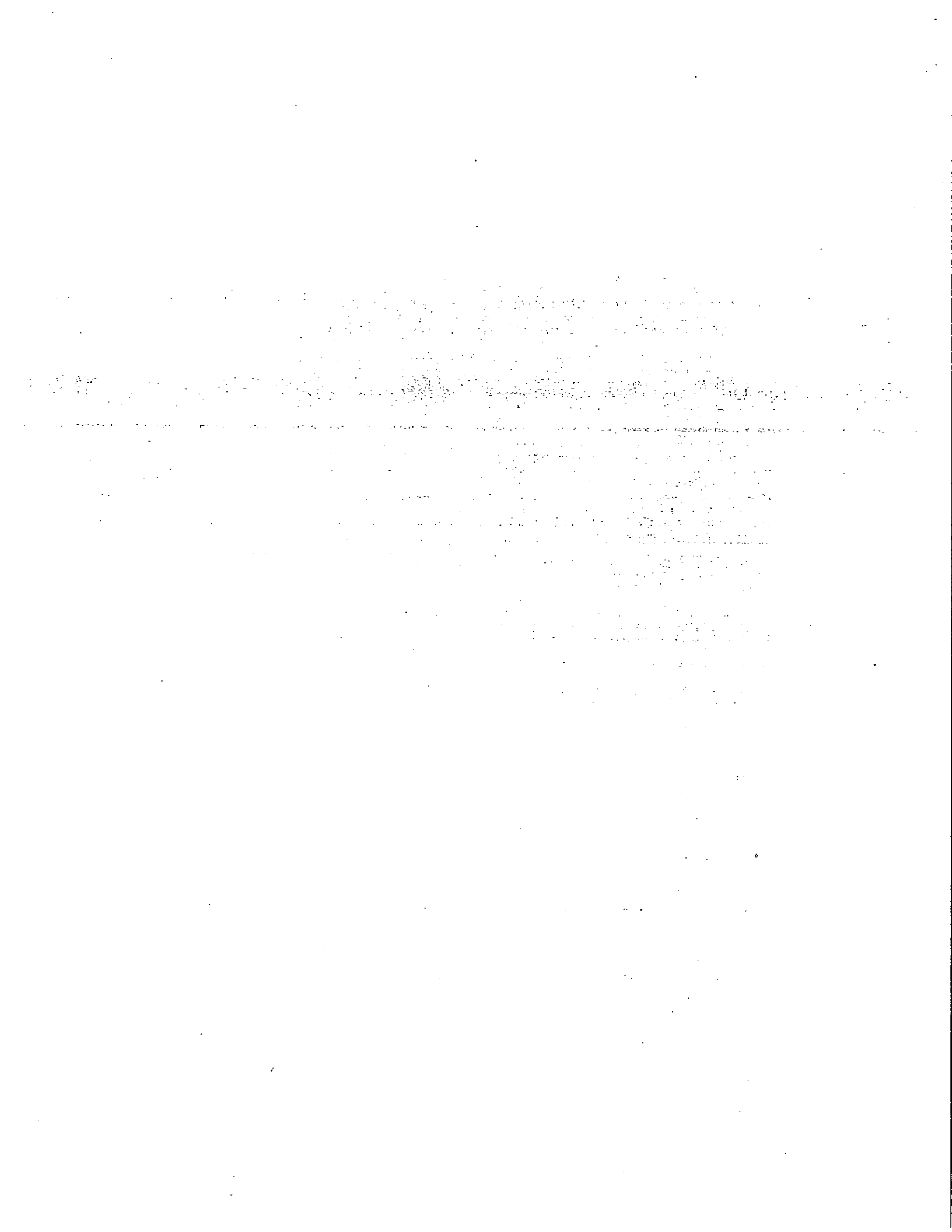
David S. Scheldegg, PE, PP, CME  
Buena Vista Township

Enclosures

cc: Mr. Charles Hornor, PP, Pinelands Commission  
Mayor Chair to and Township Committee  
Dawn Gorman, Township Administrator

\* The purchased lands alluded to are part of the Lummis Swamp, wetlands that have no development potential (Figure 3). It is deceitful to invoke their conservation as justification to ignore Pinelands rules. However, adding developable land to BVT's open space inventory may be a viable mitigation in this instance.







**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

NO. PC4-15- 14

**TITLE:** To Authorize the Executive Director to Continue to Expend Funds for Fiscal Year 2016 at the Same Level of Expenditures as Fiscal Year 2015 until the Adoption of the Fiscal Year 2016 Budgets

Commissioner Prickett moves and Commissioner Uajel seconds the motion that:

WHEREAS, pursuant to the Pinelands Protection Act, the Pinelands Commission is charged with the continuing implementation and monitoring of the Pinelands Comprehensive Management Plan; and

WHEREAS, it is anticipated that the New Jersey Legislature will appropriate \$2,469,000 to support the Commission's operations during Fiscal Year 2016; and

WHEREAS, the Personnel and Budget Committee recommends Commission adoption of this resolution; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director is authorized to continue to expend funds during Fiscal Year 2016 at the same level of expenditures as Fiscal Year 2015 until adoption of the Fiscal Year 2016 Budgets by the Commission.

**Record of Commission Votes**

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn	X		
Barr	X			Jannarone	X			Rohan Green	X		
Brown	X			Lloyd	X			Witt		X	
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission  
Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Date: June 12, 2015  
Mark S. Lohbauer  
Mark S. Lohbauer  
Chairman