



Identifying, Pursuing and Resolving Land Development Violations in the Pinelands Area

Violation of a CMP regulation
is also a violation of a
municipal land use ordinance
regulation.

Threshold Question:

What is the role of the
Commission in pursuing and
resolving land development
violations?

How are violations identified?

- Reported by members of the public.
- Reported by public officials.
- Many are identified when development applications are filed with the Commission.
- Review of aerial photography.

Common Land Development Violations:

- Vegetation clearing.
- Wetlands/wetland buffer vegetation clearing.
- Establishment/expansion of commercial uses.
- Construction prior to receipt of a Commission staff letter notifying that municipal permits/approval may take effect.

The CMP provides no direct enforcement authority

- Indirect enforcement options:
 - Municipal Court
 - New Jersey Attorney General's Office
 - NJDEP can assist with certain wetland violations based upon the State's Freshwater Protection Act.

(Challenging issue when a property owner ignores our violation letters and, for various reasons, a municipality is not inclined to pursue the violation.)

Examples of Significant Violations

2010



2018



2006



2018



2012

17 acres of pre-existing and permitted 50% expansion of salvage yard

11 acres of salvage yard removal



Other Land Development Violation Issues

- Land use violations occurring on farms:
Right-to-farm in the Pinelands Area.
- Land development violations by public agencies.

Calendar Year 2018 Violations

144 land development violations reported to Commission in 2018

99 violations, including violations reported in prior years, were resolved in 2018

Potential Commission Strategies to Address Land Development Violations:

- Amend the CMP to provide staff with enforcement authority.
- Amend the CMP to provide for enforcement authority when authorized by the Commissioners.
- Maintain status quo.
- Encourage/foster greater cooperation and education between municipalities and Commission staff.