



# **NEW JERSEY PINELANDS COMMISSION**

## **MONTHLY MANAGEMENT REPORT**



A native painted turtle that emerged from a bog in the Pinelands, as photographed in April

**APRIL 2023**

# 1 EXECUTIVE OFFICE

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## 1.1 EXECUTIVE DIRECTOR

### 1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in April.
- **Pinelands Climate Committee:** The Committee met on April 19, 2023 and received updates from the staff on various state and Pinelands office initiatives. Staff then made a presentation on its Pinelands management area boundary assessment methodology, including data layers to be used and potential actions that could be recommended. Finally, staff provided an overview of the Pinelands Comprehensive Management Plan's (CMP) current fire hazard mitigation standards and their implementation.
- **Policy & Implementation (P&I) Committee:** The Committee met on April 28, 2023 and received a presentation from the staff on Monroe Township Ordinance O:04-2023, which adopts the Hexa Builders Redevelopment Plan. The Committee voted to recommend certification of the ordinance by the full Commission. Staff then provided an overview of the upcoming Black Run Watershed CMP amendments and proposed management area redesignation.

### 1.1B RULEMAKING

- **Stormwater Management:** Staff finalized the Pinelands model stormwater ordinance and distributed it to Pinelands municipalities in January, after tailoring the ordinance to each municipality's code. A copy of the final model ordinance was also shared with the New Jersey Department of Environmental Protection (NJDEP). As of the end of April, 30 municipalities had submitted to the Commission adopted ordinances implementing the Pinelands stormwater management regulations. It is anticipated that a total of 41 municipalities will have adopted their implementing stormwater ordinances by the end of April. In May, staff will continue to do outreach with the remaining Pinelands municipalities that have not provided updates on the adoption status of the Pinelands model stormwater ordinance.
- **Water Management (Kirkwood-Cohansey):** Notice of the public hearing on substantial changes to the proposed rule amendment was published on April 4, 2023 and sent to municipalities, counties, and other interested parties. The public comment period is open until June 2, 2023. A public hearing on the substantial changes to the proposed rule amendments is scheduled for May 3, 2023.
- **Black Run Watershed:** Staff met with Evesham Township representatives on April 4, 2023 to discuss the upcoming CMP amendments and the Township's role in their implementation. Staff provided a final overview of the proposed Black Run watershed management area changes and pilot program at the P&I Committee's April 28, 2023 meeting. A formal rule proposal will be provided to the Governor's office for review and approval before being presented to the full Commission for authorization in July.

### **1.1C OPEN PUBLIC RECORDS ACT**

- A total of six Open Public Records Act (OPRA) requests were received in April. Two were provided responsive material, one was advised that a file review could be held and three will be responded to in May.

### **1.1D PINELANDS MUNICIPAL COUNCIL**

- The Pinelands Municipal Council did not meet in April.

### **1.1E OTHER**

- At the direction of the Governor's office, Executive Director Susan R. Grogan prepared and submitted a formal budget resolution to the Office of Management and Budget, requesting an increased appropriation to accommodate the salary and fringe benefit costs associated with three new positions: Deputy Director/Chief Administrative Officer, Climate Resilience Coordinator, and Applicant Services Representative.

## **1.2 LEGAL AND LEGISLATIVE AFFAIRS**

### **1.2A INTERGOVERNMENTAL AGREEMENTS**

- **Atlantic County Lake Lenape Memorandum of Agreement (MOA):** In 1988, the Commission and Atlantic County entered into an MOA that authorized various development activities within the western lake shore of Lake Lenape Park and required the preservation of lands at the park through recordation of a Deed of Conservation Restriction. On February 10, 2023, the Commission approved an amendment to the 1998 MOA that allows for reconfiguration and installation of floating docks within a 1.39-acre area adjacent and parallel to an existing boathouse. The amendment also requires the deed restriction of an area of similar size and shape in another portion of the park. The MOA Amendment was sent to the County for execution on March 17, 2023.
- **Pemberton Township and the New Jersey Department of Environmental Protection:** Daniel Hornickel, Pemberton Township Administrator, and Carleton Montgomery, Executive Director, Pinelands Preservation Alliance, discussed a potential MOA with Chair Laura E. Matos and Executive Director Grogan in early February. This proposed MOA, if approved by the Commission, would authorize a deviation from the wetland buffer standards of the CMP to permit improvements to an existing 0.65-mile trail along the perimeter of Pemberton Lake in order to make the trail accessible for individuals using wheelchairs and walkers. The trail is located on lands that are partly owned by Pemberton Township and are a part of the New Jersey Department of Environmental Protection, Division of Fish and Wildlife's Pemberton Lake Wildlife Management Area. In accordance with the Commission's MOA process, Messrs. Hornickel and Montgomery made a presentation to the P&I Committee at its February 24<sup>th</sup> meeting. The Committee recommended that the proposal move forward to the next step in the process. The full Commission was briefed at its March 10, 2023 meeting and authorized staff to

commence drafting an MOA. Throughout April, staff worked with Pemberton Township to gather the detailed information necessary for the MOA.

- **Stafford Township:** Chair Matos and Executive Director Grogan met with Matthew von der Hayden, Township Administrator, and Frank Little, Township Engineer, on April 18, 2023 to discuss a potential MOA. This proposed MOA would authorize a deviation from CMP wetlands buffer standards to accommodate paving of an existing trail around Forecastle Lake for handicapped accessibility purposes. The Township will be making a presentation to the P&I Committee on May 26, 2023.

### 1.2B OTHER

- **Outside Labor Counsel:** In preparation for collective bargaining negotiations with the Communication Workers of America, Local 1040, staff reviewed the New Jersey Division of Law's list of approved special labor counsel and distributed emails to eight firms requesting their interest in representing the Commission. After reviewing the responses, staff conducted interviews with four firms. In April, a firm interested in representing the Commission was identified and provided with a retainer prepared by the Division of Law. The firm executed the retainer on April 25, 2023. The last step in the retention process is for the Division of Law to counter-sign the contract.

### 1.3 HUMAN RESOURCES

- **Recruitment:** Recruitment continues for the Management Information Systems Specialist 3 and Environmental Technology Coordinator vacancies. The job postings were posted on various websites. The deadlines for applying for both positions have been extended.
- **Employee Recognition Program:** The plan to recognize staff when they achieve certain milestones with the Commission (e.g., 10 years, 20 years, 30 years, 40 years) is continuing and will be implemented in June 2023.
- In response to Executive Order 319, Executive Director Grogan designated Stacey Roth as the Commission's Chief Diversity Officer for purposes of implementing the Commission's diversity, equity, inclusion and belonging initiatives and programs.

## 2 INTERAGENCY COORDINATION

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- **Interagency Council on Climate Change (IAC):** Executive Director Grogan attended the Council's April 11, 2023 meeting, which focused on the next steps and agency responsibilities associated with the Extreme Heat Resilience Action Plan.
- **Interagency Task Force:** Staff attended the April 10, 2023 meeting of the Interagency Task Force, at which the State Planning Commission's upcoming Infrastructure Needs Assessment was discussed. The Assessment, which is required as part of an update to the State

Development and Redevelopment Plan, will be completed in two phases: Transportation, Environment and Energy; and Housing, Farmland Retention, Open Space/Recreation; Education, Libraries, Arts, Corrections and Human Services.

- Lacey Township Nuclear Closure Community Economic Development Plan:** The Township received a grant from the Department of Commerce’s Economic Development Administration (EDA) to complete an Economic Development Plan. The goal of the project is to analyze options for the community to replace high-paying jobs, business tax receipts and corporate citizenship lost due to Oyster Creek’s closure. The Commission was asked to serve on the Steering Committee for the project. Executive Director Grogan attended the kickoff meeting on April 5, 2023.

### 3 PLANNING

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#### 3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
<b>Master Plans/Ordinances Received</b>		
Adopted	27	58
Drafted or Introduced	12	43
Total <sup>1</sup>	25	71
Substantial Issue Finding <sup>2</sup>	0	3
No Substantial Issue Finding	18	42
No Issue Finding	2	6
Total	20	51
<b>Finding Letters Issued<sup>3</sup></b>	17	35

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<sup>1</sup>The 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).

<sup>2</sup> 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.

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

### 3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	11	30
Surveys Required	4	8
Surveys Reviewed	1	3
Certificates of Appropriateness Required	0	0

#### Notable Activity:

- Fenwick Manor Preservation Plan:** At its April 14, 2023 meeting, the Commission authorized submission of a grant application to the New Jersey Historic Trust to facilitate the internal and external repairs recommended in the Preservation Plan prepared by Connolly & Hickey. After securing the owners assurances forms required for the grant application from the Department of Treasury, as well as numerous letters of support, staff submitted the completed grant application on April 18, 2023. The New Jersey Historic Trust is scheduled to conduct a site visit of Fenwick Manor in May.

### 3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	2.50	19.25
PDCs Severed	0	0
Acres Protected	0	0
PDCs Extinguished	0	0
Acres Protected	0	0
PDCs Sold	0.50	1.00
Average Sales Price per PDC	\$76,000	\$71,000
Average Sales Price per right	\$19,000	\$17,750
PDCs Redeemed	0	7.75

#### Notable Activity:

- PDC Allocations:** A total of 2.50 PDCs (10 rights) were allocated, 0.25 to a 10.28-acre lot and 2.25 to 43.94-acre lot, both in Galloway Township's Agricultural Production Area.

### 3.4 SPECIAL PROJECTS

- **Local Communications Facilities:** A Request For Proposals was issued on March 1, 2023 to solicit the services of a professional radio frequency (RF) engineering expert to review an anticipated submission of a new or amended comprehensive plan for local communications facilities. One bid and two “no bids” were submitted by the March 31, 2023 closing date. Staff completed its evaluation of the one complete bid package and recommended contract award. A contract was drafted in late April. Execution is expected during the month of May.
- **Pinelands Management Area Boundary Assessment:** Staff followed up on a priority set by the Climate Committee to consider climate change impacts on growth-oriented management areas. Staff identified GIS map layers that could be used to assess potential climate change factors relative to management area boundaries. Staff drafted and presented its methodology at the Climate Committee meeting on April 19, 2023.
- **America the Beautiful Challenge Grant:** The National Fish and Wildlife Foundation is administering the America the Beautiful Challenge and accepted pre-proposals until April 20, 2023. Planning staff prepared and submitted a pre-proposal for a project that would build the capacity for stewardship of preserved lands for the Commission and our non-governmental land preservation partners. Only projects selected to submit full proposals will be eligible for funding. Those determinations are expected to be made in June. Staff would seek authorization from the Commission to submit a grant proposal if the project is selected to move forward.
- **Affordable Housing:** Staff met with Fair Share Housing Center representatives on March 29, 2023 to discuss Pinelands municipal settlement agreements, housing plans and revisions thereto. To ensure coordination, regular, quarterly meetings will be scheduled. On April 27, 2023, Executive Director Grogan attended an affordable housing case management conference held by Judge Malestein related to Monroe Township’s administration of its Fair Share Plan. Also on April 27<sup>th</sup>, at the request of Judge Troncone, Executive Director Grogan attended a case management conference related to a settlement agreement between Fair Share Housing Center, South Toms River Borough and M&T at STR Urban Renewal.

## 4 REGULATORY PROGRAMS

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### 4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	3	17
Certificates of Filing	11	60
Public Development Reports	5	12
Forestry Certificates of Filing	0	2

PDC Letters of Interpretation	2	9
Non-PDC Letters of Interpretation	0	1
MOA Consistency Determinations	12	18
Review of Agency Determinations	26	187

## 4.2 NOTABLE APPLICATIONS

- Forest Fire Observation Tower, Jackson Township (Applicant: New Jersey Department of Environmental Protection, App. No. 1981-0809.012):** On March 6, 2023, an application was submitted for a 132-foot-high forest fire observation tower on a 124-acre State-owned parcel. The parcel, located in a Pinelands Forest Area, currently contains a state tree nursery and a state forestry interpretive center building. In October of 1995, the Commission entered into a Memorandum of Agreement (MOA) with the New Jersey Department of Environmental Protection (NJDEP), Division of Parks and Forestry to streamline the review of certain classes of public development applications. The MOA specifies that, among other development, the construction of a new fire tower does not require individual public development approval from the Commission. By letter dated April 3, 2023, the Commission staff advised NJDEP that the proposed development met all Pinelands Comprehensive Management Plan (CMP) standards, was consistent with the terms of the MOA and could proceed, provided any other necessary approvals and permits are received.
- Two Lot Subdivision, Southampton Township (Applicant: Craig Mehler, Rancocas Cranberry Co. App. No. 2004-0048.005):** This application proposes a two lot subdivision and no further development of a 229-acre parcel. The subdivision proposes a 32.9-acre lot to contain two existing dwellings and an active cranberry agricultural operation. The subdivision also proposes a 182.9-acre vacant lot. The parcel is located primarily in a Pinelands Agricultural Production Area (221 acres). The purpose of the subdivision is to allow the continued farming of the proposed 32.9-acre lot and the possible acquisition of the 182.9-acre lot by the New Jersey Conservation Foundation. By letter dated April 13, 2023, the Commission staff advised of the information necessary to complete the application.
- Warehouses, Waterford Township (Applicant: AASMWF Property, App. No. 1987-0886.005):** This application proposes the development of 955,514 square feet of warehouse space on a 59.1-acre parcel located in a Pinelands Regional Growth Area. By letter dated April 28, 2023, the Commission staff advised the applicant that a December 2022 Township final site plan approval for the proposed development raised substantial issues with the minimum standards of the Waterford Township land use ordinance and the CMP. The substantial issues include stormwater management, air quality and the need for the applicant to redeem 14.25 Pinelands Development Credits. A Commission staff public hearing on the application has been scheduled for May 31, 2023.
- Onshore Electric Transmission Cable, Upper Township (Applicant: Ocean Wind, App. No. 2009-0135.004):** The Commission staff reviewed the proposed development of approximately 2.5 miles of underground electric transmission cable and an approximately 6.4-acre electric



substation site. The substation site is located on the parcel containing the decommissioned BL England Generating Station. The proposed development is not located in the State-designated Pinelands Area but is located within the Pinelands National Reserve (PNR). In February of 1988, the Commission entered into a MOA with the NJDEP to formalize a framework for coordinating the activities of NJDEP's Coastal Management Program and the CMP in those portions of the PNR located in the Coastal Zone. That MOA provides that the NJDEP will implement the CMP within the Coastal Zone and consider comments submitted to the NJDEP by the Pinelands Commission staff on applications for development in the PNR. The proposed development is associated with an offshore wind farm. The proposed underground electric transmission cable will be located primarily under existing roads. The electric substation site will be located within a former coal storage area on the BL England Generating Station parcel. The Commission staff provided comments to the NJDEP indicating that the approximately 2.5-mile portion of the proposed onshore underground electric transmission cable and onshore electric substation located in the PNR are in substantial compliance with the intent, policies and objectives of the National Parks and Recreation Act of 1978 creating the PNR and the State of New Jersey Pinelands Protection Act of 1979.

- **Forestry and Forest Firebreak, Bass River and Little Egg Harbor Townships (Applicant: New Jersey Department of Environmental Protection, App. No 2007-0318.010):** On October 14, 2022, the Commission approved an application proposing approximately 1,304 acres of forestry and an approximately 13 miles of 50-foot-wide forest firebreak along Oswego and Allen Roads. One of the conditions of Commission's approval was that prior to the clearing of any proposed forest firebreak vegetation along three specified areas of Oswego Road, NJDEP was required to submit a detailed sketch to the Commission depicting the relationship of the Oswego Road forest firebreak to three threatened and endangered (T&E) snake research areas of concern. The condition further specified that no forest firebreak clearing may occur in the three specified areas until the Commission's Executive Director issued written approval for NJDEP's proposed barriers or modifications to the proposed forest firebreak. On April 25, 2023, NJDEP submitted proposed modification sketches of the proposed forest firebreak to the Commission. The Commission staff is currently reviewing the proposed modifications.
- **Residential Development, Jackson Township (Applicant: Yerek Jackson 46, App. No. 1987-1188.002):** This application proposes 46 dwelling units on a 26.27-acre parcel in a Pinelands Regional Growth Area. The Township granted preliminary subdivision approval for this application in June of 2006. At the time of the Township preliminary subdivision approval, the parcel was located in the Township's RG-2 zoning district and the proposed development met the "by right" residential density in that zoning district. The "by right" residential density is the density permitted without the use of Pinelands Development Credits (PDCs). The Township granted final subdivision approval for this application in June of 2016. At the time of the Township final approval, the proposed development continued to meet the "by right" residential density in the Township's RG-2 zoning district. On February 9, 2018, the Pinelands Commission certified (approved) a zoning change requiring the use of PDCs for 30% of the proposed dwellings in specified developments, including this one, in the Township's RG-2 zoning district. By letter dated November 9, 2021 letter, the Commission staff advised the applicant that based upon the New Jersey Municipal Land Use Law and the multiple State of New Jersey Permit Extension Acts, the period of protection offered from zoning changes for this application was extended until August of 2022. Based upon a February 3, 2023 site inspection, site improvements associated with the proposed residential development had occurred on the

parcel. However, other than approximately 17 single family dwelling foundations that have been constructed, no single family dwelling had been framed. Municipal construction permits for certain proposed dwellings in the development were received by the Commission in February and March of 2023. By letter dated March 30, 2023, the Commission staff scheduled a public hearing to review whether the proposed development was consistent with the current zoning requirement that PDCs be acquired and redeemed for 30% of the proposed dwellings that received construction permits after August of 2022. In March of 2023, the applicant submitted Township building permit records in an attempt to demonstrate that the proposed development is not subject to the current zoning requirement that requires the purchase of PDCs. The Commission staff reviewed the over 100 Township construction permit documents that were submitted. By letter dated April 27, 2023, the Commission staff advised the applicant that no PDCs were required for the 27 dwelling units that received a municipal construction permit prior to September 1, 2022. The letter further advised the applicant that 1.75 PDCs were required for the 22 dwelling units that did not receive any municipal construction permits prior to September 1, 2022.

- **657 Residential Dwelling Units, Egg Harbor Township (Applicant: Horton Homes, App. No. 1985-1320.004):** On June 14, 2006, the Commission staff issued a Certificate of Filing for the development of 657 dwelling units on a 273.6-acre parcel in a Pinelands Regional Growth Area. On October 8, 2009, the Commission staff issued a letter indicating that a 2007 Township Planning Board final approval for the proposed development of 657 dwelling units could take effect. The project did not proceed, and no further information was submitted to the Commission regarding the proposed development until a general inquiry was received in July of 2022. By letter dated October 14, 2022, the Commission staff was advised that the Township Planning Board had granted a third extension of the 2007 Township Planning Board final approval. The Resolution approving the third extension also cites the New Jersey Permit Extension Act. At the time of the final municipal subdivision approval in 2007, the proposed residential development was located in the Township's RG-5 zoning district. At that time, the residential density of the proposed development did not trigger the need for the purchase of PDCs. In 2018, the Commission certified an amendment to the Township land use ordinance requiring that proposed residential development in the Township's RG-5 zoning district redeem PDCs for 25% of all proposed market rate dwelling units. On March 21, 2023, the Commission staff met with the applicant and their representatives to further discuss the PDC and stormwater management issues raised by the application. The Commission staff has historically recognized the protection from a zoning change that is conferred upon municipal preliminary and final development approvals by the New Jersey Municipal Land Use Law (NJMLU). It is the applicant's contention that, taking into consideration certain NJMLUL specified factors, the NJMLUL provides that a municipality can grant an extension of a prior approval and therefore protection from zoning changes for a development of greater than 100 dwelling units for whatever time the Planning Board deems reasonable. For this application, the municipality granted such an approval extending the period of protection from zoning changes until March 18, 2027. During April, the Commission staff continued to review and discuss the matter with the applicant in an attempt to resolve the substantial issues raised with the PDC requirements and stormwater management standards.
- **School Bus Parking and Driveway, Buena Vista Township (Applicant: Buena Regional Board of Education, App. No. 1991-1291.002):** This application proposes a parking area for 10 school buses and a circular driveway at the Milanese Elementary School. The school is located in a

Pinelands Town management area. The applicant and the Commission staff have been working to address a wetlands buffer issue associated with the proposed development. The CMP allows for driveway improvements in the required buffer to wetlands provided certain conditions are met. One of those conditions is if an applicant demonstrates that the need for the development overrides the importance of protecting the wetlands. The applicant has represented that the lack of a school bus parking area and driveway is endangering public safety. The application was subject to final public comment at the Commission's April 14, 2023 monthly meeting. On April 27, 2023, the Commission staff met with the applicant and the applicant's engineer to discuss the required stormwater management facilities for the development. In particular, the applicant was concerned that the cost of the required stormwater management facilities may cause the proposed development to be financially infeasible. The Commission staff assured the applicant that it recognized the public safety concern that the proposed school bus parking and drop off area would address. The Commission staff also indicated that if, after bidding the construction contract for the overall proposed development, the Board of Education determined that the required stormwater management facility caused the proposed development to be financially infeasible, the Commission would take the necessary steps to ensure that the school bus parking and drop off area could be constructed between June 2023 and September 2023. The application is scheduled for consideration and a vote at the Commission's May 12, 2023 monthly meeting.

- **Municipal Land Development Violations, South Toms River Borough (Applicant: South Toms River Borough, App. No. 2005-0232.006):** By letter dated February 3, 2023, the Commission staff advised the Borough of the information required to complete an application for certain development, including a public works building addition and a parking lot expansion, that had occurred without application to the Commission on the 42.15-acre parcel. The development is located in a Pinelands Regional Growth Area. The Borough's uncapped municipal landfill is located on the same 42.15-acre parcel. The required information was submitted, and the application was discussed and considered at the Commission's April 14, 2023 monthly meeting. At the Commission meeting, a question was raised regarding to what extent the parcel was listed on the NJDEP, Green Acres Program Recreational and Open Space Inventory (ROSI). Such a listing could limit the ability to develop the proposed addition to the existing public works building and the parking lot expansion. By letter dated April 19, 2023, the Commission staff requested clarification of the ROSI question from both the applicant and the NJDEP, Green Acres Program. Preliminary information provided to the Commission staff indicates that a portion of the 42.15-acre parcel is listed on the NJDEP Green Acres ROSI. However, the area where the public works building addition and parking lot expansion are proposed is not listed on the ROSI. It is anticipated that both the applicant and the NJDEP will provide written determinations addressing the ROSI question prior to the May 12, 2023 Commission monthly meeting, thereby allowing the Commission to vote on the application.
- **Commercial Development, Winslow Township (Applicant: Quad Partners, App. No. 2001-0354.002):** An application was completed with the Commission for the proposed construction of a 280,800-square-foot commercial building on the 24.79-acre parcel. The Certificate of Filing for the proposed development indicated that the proposed 60-foot height of the building was inconsistent with the 35-foot height limitation for a building in a Pinelands Village. The CMP requires that the character and magnitude of development in a Pinelands Village be compatible with existing uses and structure in the Village. The proposed development is located in the Township's Village Industrial-2 zoning district. In response to a Winslow Township Zoning Board

of Adjustment approval for the proposed development, the Commission staff advised that the proposed development raised a substantial issue with the maximum height standard of the Township land use ordinance and the CMP and scheduled a Commission staff public hearing to review the issue. The CMP provides that in a Pinelands Village, no building (structure) shall exceed a height of 35 feet from grade. The applicant submitted additional information reducing the proposed height of the building to 50 feet. Based upon a review of that information, the height of the proposed building, when viewed from the existing grade on adjacent Route 73, will be approximately 35 feet in height. However, based on the approved grading plan when viewed from certain surrounding areas, including adjacent Waterford Road, the building will exceed a height of 50 feet. By letter dated April 12, 2023, the Commission staff advised that the proposed building height continued to raise a substantial issue and rescheduled a Commission staff public hearing to review the issue. That letter advised that the issue is resolvable by reducing the height of the proposed building to 35 feet or potentially resolvable by revising the grading plan and proposing landscaping and earthen berming so that when viewed from the surrounding area, the building will appear to be approximately 35 feet in height above existing grade. On April 19, 2023 and April 25, 2023, the applicant submitted additional information addressing the proposed height of the building. The building height has been further reduced to 45 feet and additional landscaping and earthen berming is now proposed. The Commission staff is currently reviewing that information.

- **Landfill Capping, Borough of Woodbine (Applicant: Borough of Woodbine, App. No. 1986-0257.003):** An application was filed with the Commission for the soil capping of the Borough's landfill. The landfill is located in a Pinelands Town management area. The CMP requires an impermeable landfill cap unless it is demonstrated that an alternate capping technique will address any ecological risk that may be associated with the landfill. On March 24, 2023, the applicant was advised that the Commission staff agreed with the submitted information demonstrating that the proposed soil capping will address any ecological risk that may be associated with the landfill. The application was subject to final public comment at the Commission's April 14, 2023 monthly meeting. The application is scheduled for consideration and a vote at the Commission's May 12, 2023 monthly meeting.

## 5 SCIENCE

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### 5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In April, Communications staff measured water levels at forest plots and ponds in the Commission network of long-term monitoring sites. This work is completed each month with assistance from the Communications Office.
- **Pond Water Quality Monitoring:** With help from the Communications staff, Science staff completed the April round of measuring pH and specific conductance at the 37 ponds in the Commission network of long-term monitoring sites. This work is completed annually in April and May to assess trends in these two parameters over time.

- **Rare Snake Monitoring:** In April, Science staff continued to check radio-tracked snakes to determine when snakes had emerged from hibernation. Approximately 160 corn snakes, northern pine snakes, eastern king snakes, black racers, eastern hognose snakes, and eastern garter snakes emerged from hibernation so far in 2023. These snakes and the radio-tracked snakes were captured to weigh, measure, and swab for the presence of adenovirus and snake fungal disease. After processing, snakes were released outside of their den corrals so they could resume their normal activities. Data for all snake captures from 2022 have been proofed. These data will be integrated into the snake capture database and submitted to the NJDEP to satisfy permit requirements.



**Above:** A corn snake that recently emerged from hibernation and is trapped inside his den corral and ready to be captured for processing.

### 5.2 LONG TERM STUDIES

- **King Snake Study:** By the end of April, all king snakes that were part of the study had emerged from hibernation and were captured and processed. Radio transmitters have been or will be removed from these snakes and they will be released. Except for characterizing the dens identified during the study this spring, the field work portion of the study has been completed.
- **Joint Corn Snake Study:** Science staff began to proof the 2022 animal capture data associated with the drift fence array. Data analysis will begin after the data is proofed. Staff also continued to re-distribute the artificial cover previously associated with the drift fence to other areas of study.

- **Box Turtle Study:** In April, most of the box turtles in the study had emerged from hibernation and began to move around. Two new turtles were found in existing study areas near other turtles. We measured and weighed the new turtles and glued radio transmitters on their shells to track them as part of the study. The Commission and NJDEP legal staff continue to work on the agreement for funding of the study.
- **Snake Fungal Disease Monitoring:** In April, Science staff began to collaborate with Virginia Tech researchers to swab Pinelands snakes for snake fungal disease. Science staff collect the swab samples and Virginia Tech researchers provide all the supplies necessary and will complete the q-PCR analysis to detect the fungus. Over a hundred snakes have been sampled so far in 2023.
- **Adenovirus Study:** In collaboration with Rutgers University researchers, Science staff continued to collect swab samples for adenovirus from snakes.



**Above:** An Eastern box turtle after emerging from her overwintering location in a pine-maple swamp that is beginning to leaf out.



## **6 COMMUNICATIONS**

### **6.1 COMMUNICATIONS & PUBLICATIONS**

- **Inquiries/Correspondence:** The Communications Office received and responded to 68 inquiries from the public in April, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website and launched a new Cultural Resources webpage in April. Click [here](#) to view the new webpage.
- **Pinelands-themed Merchandise:** In April, staff researched and drafted various designs for Pinelands-themed merchandise that would be sold at the agency's office and via a new online, Pinelands Commission store. All of the proceeds from sales would go toward the Kathleen M. Lynch-Van de Sande Fund for the Reforestation of the New Jersey Pinelands. 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.
- **Social Media Enhancements:** In April, staff shared 105 photos and seven videos on the Commission's Instagram site and 71 tweets on Twitter. The Commission's YouTube channel garnered 2,153 views and 21,600 minutes watched in April.



**Above:** The Commission shared 105 photos on Instagram in April, including this photo of cottony clouds reflecting off a bog at Whitesbog Village in the Pinelands.



**Above:** The Commission shared 71 tweets on Twitter in April, including one that featured this photo of native redbellied turtles basking at Wharton State Forest.

### **6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS**

- **Pinelands Summer Short Course:** In April, staff finalized the lineup of presentations for the Pinelands Summer Short Course, which will be held at Kramer Hall in Hammonton on June 23, 2023. The event will feature 12 in-class presentations at Kramer Hall and guided field trips at the 1808 Trail in Wharton State Forest, a walking tour of Batsto Village and a kayak trip on the

Mullica River.

- **Education Programs:** A Communications Office staff member delivered educational presentations on April 6, April 25, and April 27, 2023.
- **Science and Planning Office Assistance:** A member of the Communications Office assisted the Science Office by measuring ponds and wells on April 10, 11, 27 and 28, 2023, and assisted the Planning Office with a cultural resources site survey on April 24, 2023.
- **Barnegat Bay Partnership:** A member of the Communications Office participated in a Barnegat Bay Partnership Communication and Outreach Committee meeting on April 26, 2023.

## **7 INFORMATION SYSTEMS**

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- **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. Staff provided desktop support, implemented enhancements and bug fixes. Staff met to discuss enhancements that could be made to the Pinelands Interactive Map to assist members of the public looking for parcel-specific information related to filing applications. Staff developed and released a feature for PCIS to improve handling of general inquiries, and that resulted in decreased response times and helped balance staff workload. Staff created a new, more descriptive auto-reply for the application information email account.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. The Information Systems office participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff completed the ZScaler monitoring software pilot installation in the Pinelands environment. Staff continued working with the state Office of Information Technology (OIT) to pilot a new hashing scheme for Microsoft Active Directory, with a live test planned for early May.
- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. Staff supported the Planning Office in maintaining PLP records.
- **Resolution Log:** The Pinelands Commission keeps a detailed internal log of all resolutions that were adopted by the Commission. Staff completed and released new search capabilities and links to newly digitized paper records. Staff continues to collaborate with other offices to complete scanning and linking all resolutions in the log.
- **Ad Hoc Reporting:** Staff assist the Pinelands Commission by generating reports to provide insight into relevant topics of interest. A report was developed for tracking new applications received by the Pinelands Commission. A report was released to summarize applications requiring Alternate Septic review. A Preliminary Zoning Permit summary report was released for Regulatory Programs to help track and manage applications.



- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Staff is preparing Teams Voice training materials for all staff. Teams Voice is being leveraged as a solution for remote and field staff to stay connected with applicants and the public as an improvement over landline and cell phones. Each employee now has a single, unified number no matter where they are. Staff privacy is ensured as they can use this while at home or at meetings or site visits. Staff had a Zoom meeting with NearMap, a supplier of timely, high resolution aerial photography, to see if it could be used to assist in Commission work.
- **On-Line Payment of Application Fees:** Staff coordinated with Edmunds GovTech to gather initial requirements for the project and plan a project kick off meeting scheduled for early May. Edmunds will provide a Go Live date after staff complete the required configuration documents. Staff anticipates launching on-line payment capabilities by the end of the fiscal year.

## **8 BUSINESS OFFICE**

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### **8.1 FINANCIAL MANAGEMENT**

- **Application Fees:** April 2023, Net Total: \$78,325.50 Fiscal Year to Date Total: \$985,906.88. This represents 151.68% of the anticipated budget total for Fiscal Year 2023.
- A Request for Quotes (RFQ) for two electric or hybrid field vehicles was posted on April 3, 2023, with a response deadline of April 21, 2023. No quotes were received. A revised RFQ was drafted and will be posted on May 1, 2023.