

# Management Report for April, May & June 2012



Updates are in *italics*

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# I. PLANNING

## A) CMP AMENDMENTS

*No amendments pending.*

**B) CONFORMANCE:** Attachment #1 summarizes ongoing conformance items

- 1. Ordinances/plans received this quarter:** 37 (121 this FY; average FY=100)
- 2. Interpretations/consultations/assistance this quarter:** 42 (163 this FY; average FY=150)

**3. Status of municipal clustering/ forestry responses:**

Adopted: 28 out of 47

PCF Reimbursement: \$7,938.82 to two municipalities (Egg Harbor City, Stafford)

Extensions Granted: 14 (Bass River, Berkeley, Buena Borough, Egg Harbor Township, Estell Manor, Evesham, Franklin, Galloway, Hamilton, Hammonton, Mullica, Tabernacle, Washington, Waterford)

Meetings Attended: Evesham, Franklin, Hammonton

## C) SPECIAL PLANNING PROJECTS

**1. Pine Barrens Byway:** *A meeting was held at the offices of the Ocean County Cultural and Heritage Commission on 6/20/12 to discuss measures to pursue incorporation and tax-exempt status for the Pine Barrens Byway Association. The meeting was held at the behest of the byway's Oversight Board and included a discussion of the proposed assumption of sponsorship of the byway association by the Tuckerton Seaport & Baymen's Museum. In attendance were Liz Moritz, former mayor of Tuckerton Borough and a member of the byway association; Tim Hart, director of the cultural and heritage commission, and Barry Brady of the Pinelands Commission staff. Mr. Hart has also long been associated with Seaport Museum and has expressed support for the museum taking over sponsorship of the byway. He indicated that the museum's planned Pine Barrens Byway exhibit is still awaiting the promised federal funding, but that in any event, the museum remained willing to become the lead agency for the byway. He also noted that Stockton State College was interested in participating in the byway and its management. The meeting was mostly given over to discussing the mechanics for gaining incorporation and federal income tax exemption. Ms. Moritz volunteered to provide Mr. Hart with sample by-laws that the association could adapt to suit its purposes; the by-laws are necessary in order to file Form 1023 (for tax-exempt status). Mr. Hart will apply for a federal identification number, also required for incorporation, and will begin work on the articles of incorporation. The group also explored possible funding sources for the several hundred dollars that would likely be necessary to file the paperwork and register with the state and federal governments. Consultations were also held with Ms. Annette Schultz, a consultant in charge of the byway signage program. Commission staff reviewed a comprehensive draft signage location plan provided by Ms. Schultz.*

**2. Alternative septic system pilot program:** In May 2011, staff issued invitations to 14 eligible technology vendors offering the opportunity to apply to participate in the Commission's expanded pilot program. Notice of the Commission's Resolution to authorize four new treatment technologies to participate in the pilot program was published in the December 5, 2011 issue of the New Jersey Register. Commission staff conducted a continuing education seminar entitled "Pinelands Onsite Water Protection Conference" on March 30, 2012 at The Richard Stockton College of New Jersey. The seminar introduced the four new technologies to local engineers,

health department personnel, septic system service providers, municipal officials and other interested parties. In addition to presenting details on the Commission's pilot program, a representative of NJDEP briefed the attendees on the newly adopted (April 1, 2012) statewide septic system standards. *Commission staff has approved "record documents" (plans, specifications, deed notices, O&M manuals, warranties, and sampling protocols) for each of the four new pilot program technologies. DEP is processing generic treatment works approvals, required for county health departments to approve individual applications.*

**3. Hammonton wastewater recharge project** In February 2010, USGS's final report attributed impeded infiltration at the site to complex subsurface geology, including aerially extensive, low permeability layers in the underlying sediments. USGS recommended that Hammonton conduct site optimization studies to determine the maximum hydraulic loading capability of the site. TRS Omni Environmental then recommended modified trench-loading procedures, evaluating the feasibility of wicks, injection wells, drip dispersal at the Boyer Avenue lagoons, drip dispersal at nearby recreation fields, and spray irrigation at Frog Rock golf course. The Town has made progress in minimizing stream discharge of effluent, including having attained complete stream discharge cessation during periods of normal rainfall and low I & I conditions, predominantly through modified trench loading and some drip irrigation. However, future growth is still in question, and policy alternatives need to be examined before a 2013 stream discharge termination deadline. Commission staff is reviewing a November 1, 2011 report by Omni Environmental entitled: "Updated Assessment of Trench Loading Pilot Study and Long Term Comprehensive Plan for the Town of Hammonton Boyer Avenue Land Application Facility". Staff expects to propose a long-term plan that recognizes the hydraulic limitations of the Town's wastewater application facility, emphasizes the need for the Town to better control inflow and infiltration to its sewerage system (which exacerbates wet weather flows to the treatment plant), and requires best available technology upgrades to the treatment plant if stream discharge is to continue. *Staff continues to monitor the wastewater treatment plant stream discharge, has completed its review of Hammonton's long term plan submittal and is scheduling a meeting with municipal officials to finalize a long term solution that could be acceptable to the Commission.*

#### **4. College Master Plans:**

**a. Stockton:** At its September 10, 2010 meeting, the Commission approved Galloway's rezoning and the Stockton 2010 Master Plan. On December 1, 2011, staff and Stockton representatives discussed the College's concerns with the proposed MOA during a lengthy conference call. As a result of that call and several subsequent calls, staff redrafted portions of the proposed MOA. On March 28, 2012, it was resubmitted to Stockton for its consideration. *Discussions are in the final stage and it is anticipated that a draft will be submitted to the P&I Committee for its consideration this summer.*

**5. EMS-based cell plan amendment:** In October 2010, at the request of a few counties, the Commission met with county representatives and representatives from the NJ Office of Homeland Security & Preparedness, Office of Information Technology and DEP to discuss the possibility of a multi-county EMS-based cell plan amendment. Staff met with a broader group, including the previous participants noted above, in March 2011 to confirm participation in the plan and to announce that the plan will be funded by the State. The Commission received the seven-county Pinelands-wide emergency communications plan in late August. On February 21, 2012, a public hearing was held to receive comments on the proposed plan. *The P&I Committee considered the proposed plan at its April 27<sup>th</sup> meeting and the Commission approved the plan at its May 11<sup>th</sup> meeting.*

**6. Roadside Maintenance:** Since 2009, the Commission has been working with various local and state agencies to promote alternative management practices along roadsides throughout the Pinelands. The NJ Department of Transportation has agreed to apply off-season mowing practices along state roads within the Pinelands Area and to conduct pilot projects at select Pinelands roadway locations to determine whether native plants may be as effective in road shoulder stabilization as conventional turf management techniques. The MOA between the Pinelands counties and the Commission includes the Roadside Management BMPs to be implemented for county-owned right-of-way roadsides in the Pinelands. Late in spring 2010, the Vegetation Sub-Committee of the State Soil Conservation Committee (SSCC), with Commission staff participation, finalized a draft of a Pinelands-specific soil standard, including a recommended Pinelands seed mix from the Natural Resources Conservation Service. *Although the SSCC voted in July 2011 to publish 15 new and revised standards, including the Pinelands-specific standard, in the NJ Register for public comment, that has not yet occurred. Sign installation to identify rare plant hotspots along county roadsides is ongoing; the signs advise county road crews that these hotspots may only be mowed once during the dormant season.*

## **7. Landfill Closure:**

### **a. Individual Closures**

(1) **Estell Manor Landfill:** The landfill consultant is reported to be finalizing analysis of the requested information and advised staff that they will be re-submitting shortly. Staff, with the assistance of USGS, has completed its review of the proposed Remedial Action Selection Report / Remedial Action Workplan. Comments on the plan were provided to the City's consultant on December 20, 2011 at a meeting attended by NJDEP staff. Most significantly, the consultant was requested to re-run data and transport modeling using model input values that are more consistent with USGS data for the K/C aquifer. Staff conducted a tour of the landfill and surrounding areas on February 10, 2012 and subsequently met with the City's consultant to offer assistance with the Remedial Action Workplan on March 2, 2012. *Staff has again provided review comments to the Estell Manor's landfill consultant, and met with the consultant and USGS to provide assistance in resolving report deficiencies in the workplan report. The consultant is awaiting funding authorization from the municipality.*

(2) **Winslow Township Landfill:** Staff were informed that NJDEP may be reconsidering the choice of an impervious cap and may be exploring alternatives to landfill capping. Staff met with a landfill consultant to discuss the status of the landfill closure on July 19, 2011 and conducted a site visit to the Winslow Township landfill on September 8, 2011. Closure alternatives are being considered by NJDEP officials who will soon advise both the Commission and the Township of the next step. *See II.B.3.*

(3) **Hamilton Township Landfill:** The "Groundwater Remedial Investigation Workplan" was submitted for review on 12/08/11. *No new action as of June 30, 2012.*

**b. Comprehensive Study:** Staff reviewed NJDEP files for seven closed Pinelands Area landfills, developed spreadsheets which identify groundwater monitoring results over the most recent four monitoring periods, highlighted groundwater contaminant concentrations that exceed groundwater quality standards and prepared GIS mapping of landfill boundaries and ecological and human receptors in proximity to landfill boundaries. This work was shared with NJDEP and served as the basis for a rapid assessment tool to evaluate the ecological and public health risks related to uncapped Pinelands Area landfills. With the approval of solar placement on the Stafford landfill, approximately \$170,000 was to be made available for a Pinelands-wide comprehensive landfill study. *The Commission has engaged USGS to perform a Rapid Assessment of Pinelands Area Landfills. Project coordination meetings have been held between NJDEP,*

*USGS and Pinelands staff. USGS is about to begin reviewing NJDEP landfill data files and Commission staff is providing USGS with landfill GIS coverages.*

## **D) ECONOMIC MONITORING**

**1. Annual Report:** The 2010 Annual Report was completed in the summer of 2011. Due to the resignation of the person assigned to this project, work has been delayed. Completion of the 2011 and 2012 Reports are scheduled for late 2012.

## **E) PERMANENT LAND PROTECTION**

**1. Pinelands Development Credit Program (Jan-June 2012):** *13 Letters of Interpretation were issued, with the potential of 33 rights and the protection of 237 acres. Three severances (6 rights protecting 55 acres); 15 rights sold (mean sales price \$9,600/rt; median sales price \$9,000/rt.) 1 right was redeemed. Two new projects utilizing PDCs have been reported @ 0.25 PDCs each. The PDC Bank Board met on June 21, 2012.*

**2. Farmland Preservation program:** *On May 9, 2012, SADC preserved a 260 acre farm in Waterford Township, extinguishing 10.75 PDCs.*

**3. Pinelands Conservation Fund:** *As of June 30, 2012, the Commission has approved the allocation of \$8.6 million to 30 projects in the Pinelands Area. Of these 30 projects, 27 have proceeded to closing, resulting in the permanent protection of 3,712 acres. A new round of acquisition funding is planned for the summer of 2012, with applications accepted through the end of September.*

## **F) OTHER PLANNING ITEMS**

### **1. Water supply:**

- a. K/C Planning:** A staff working group has been formed and will make recommendations on implementing the K/C study. The group has begun meeting monthly with USGS to understand the implications. *(See IV Science A.)1.*
  - Buildout analysis continues
  - PPA Planning Forum: Mr. Liggett attended Steering Committee meetings and made a presentation on buildout to the P&I Committee and the Forum
- b. State Water Supply Advisory Committee:** The new plan is on hold to ensure consistency with the new State Strategic Plan.
- c. New Water Supply Rules:** Mr. Wengrowski attended a DEP briefing on 11/22/10. *No new action as of June 30, 2012.*

### **2. Cultural resources:** *15 (140 this fiscal year) cultural resource activities undertaken:*

- a.** *7 (93) applications reviewed*
- b.** *0 (0) forestry inquiries*
- c.** *4 (29) surveys reviewed*
- d.** *0 (1) CAFRA reviews*
- e.** *0 (0) Preliminary Investigation*
- f.** *1 (13) site coordination with other agencies/meetings & phone conferences*
- g.** *2 (5) coordinated reviews w/SHPO*
- h.** *1 (10) Municipal/consultant inquiries (Woodbine Brotherhood Synagogue, Woodbine)*

*Advocacy of Archaeological Survey and Excavation within the Pinelands: A meeting was held on April 3, as well as follow-up discussions, with Erin Leswing, a graduate student at Monmouth University, regarding possible summer archaeological field school at the 18-20<sup>th</sup> century site of Washington in Washington Township - to be undertaken by Monmouth University, presumably in late July and August. Commission staff is coordinating with Monmouth University and Wharton State Forest to bring this research project to fruition.*

*Meetings were held at the Commission offices on April 10 and 17 with Adrian Duryea, recently appointed Ft. Dix/McGuire/Lakehurst archaeologist to discuss the current status of cultural resources at the Joint Base as well as the Commission inventories of known cultural resources there.*

*Advice was provided to Judith Rogers, employee of Corbin City, regarding a National Register of Historic Places nomination for the downtown area.*

*Advice provided to Diane Muller, private citizen, regarding neglected cemeteries in the Winslow/Chesilhurst areas.*

### **3. DEP wastewater planning rules/County implementation:**

■ **Background:** Staff met with DEP staff to review the Commission's concerns on the proposed rule amendments several years ago. However, the final rule did not specifically address Pinelands Commission concerns. The issues focused on where sewer service areas should go: sewerable Pineland Management Areas that have already been determined to meet environmental standards versus only those areas that have a new environmental suitability analysis completed and where there are specific plans/facilities to implement sewers. As a result of the difference in approaches, the new DEP rules resulted in, and continue to create, confusion amongst the counties as to which mapping regulations they should follow (DEP vs. CMP). Subsequently, county plans to implement the new rules have been deferred repeatedly. *However, recently they have begun to move toward completion with deadlines mostly this summer.*

■ **Joint Approach:** Early in 2010, DEP agreed to consider a "Pinelands chapter" in the WQMP plans dealing with planned sewer service areas in RGA, Town and Village. Staff drafted the proposed chapter. However, DEP believed that a more formal approach was necessary to meet their rules. Consequently, a MOU to recognize our CMP sewer planning was drafted. *At the 4/13/12 meeting, the Pinelands Commission endorsed the Executive Director's signing of the MOU which is now in operation.*

■ **County Plans:** Staff has begun to work with NJDEP to review proposed sewer service areas in Manchester and Jackson Townships and will be attending WQMP meetings with DEP, county and local officials in these towns this winter. No new action.

### **4. Agricultural Advisory Committee:** *No new action as of June 30, 2012.*

**5. Richland Village Community Wastewater Treatment System:** In 2009, the Township, the ACUA and the Commission executed a Memorandum of Understanding between the parties to design and construct a community wastewater system to serve portions of Richland Village. Staff met subsequently with the BVT mayor and engineer to discuss the status of the Richland Village wastewater project. The municipal officials indicated that they intended to pursue development of the community wastewater system but at a smaller scale than originally envisioned. The township reported that the wastewater system currently envisioned would serve

only commercial development within Richland Village. After a prolonged period of inaction on the project, staff requested a meeting of the project cooperators (Buena Vista Township, Atlantic County Utilities Authority, and the Pinelands Commission). The meeting was held on March 22, 2012 at the BVT municipal building and was open to the public. Staff briefed the officials on the history of the project and answered questions from the elected officials and the public. The Township Committee subsequently voted to withdraw from the project. *The Richland Village Community Wastewater Treatment System MOU was terminated at the request of Buena Vista Township.*

*Beckerville- Staff is exploring a possible partnership with Manchester Township in Beckerville.*

**6. Interchange 44: (Garden State Parkway and Pomona Road)** is proposed for expansion (add southbound access to GSP and northbound exit from GSP). Staff has determined that it is highly probable there will be negative secondary impacts from the expansion on the surrounding Rural Development Area. Atlantic County, which will address the impacts for the GSP, has been offered three alternatives:

- a. Accept the likelihood and “memorialize” the zoning for a 1 ½ mile area as was done at Exits 58 and 69;
- b. Purchase and deed restrict only the larger parcels in the 1 ½ mile area; or
- c. Provide us with funding (in escrow) to hire a consultant to investigate the scope of any secondary impacts. Then appropriately eliminate the impact other than an expression of “concern”.

*A meeting has been set up to discuss on July 10, 2012.*

**7. Forest Advisory Committee:** A meeting of the Forest Advisory Committee was held on December 20, 2011. The meeting focused on Southern Pine Beetle infestation and forest management. There was general agreement that there needs to be a comprehensive statewide plan to address both the SPB infestation as well as other forestry issues. The need for funding to support such planning efforts was discussed but no specific solutions were identified. *No new action as of June 30, 2012.*

## **G) PLAN REVIEW**

**1. Chairman Lohbauer established a new Plan Review Committee chaired by Commissioner Ashmun with Commissioners Earlen, Harris, McGlinchey and Lloyd also serving.**

**2. Meetings:**

- *June 8, 2012: Details on an abbreviated Plan Review updated report were discussed. Mr. Liggett briefed members on the status of three “pending” rule-making efforts: PDC Enhancements, Management Area changes from the Ecological Integrity Assessment (specifically southern Evesham proposed changes); and the results from the multi-year Kirkwood/Cohansey study.*
- *July 13, 2012: The next meeting will focus on the public process and an update on possible staff recommendations for CMP amendments to increase productivity and/or make simple substantive changes.*

**3. A web-page has been set up: <http://www.state.nj.us/pinelands/cmp/planreview/index.html>**

**4. Robyn Jeney is the staff coordinator for this effort.**



## II. DEVELOPMENT APPLICATIONS

### A) APPLICATION ACTIVITY

		Jan/Feb/March	Apr/May/June
<i>New applications received for the last two quarters with a comparison to last year:</i>	2012	128	109
	2011	144	137
<i>Total applications active for the last two quarters with a comparison to last year:</i>	2012	677	702
	2011	875	796
<i>“No Call-ups” issued for the last two quarters:</i>	By mail	70	57
	By fax	60	64
<i>Certificates of Filing issued for the last two quarters:</i>		62	52
<i>“Call-ups” issued for the last two quarters:</i>		28	21
<i>Streamlined permitting actions taken during the last two quarters:</i>	LRO	3	3
	MOA	6	24

### B) NOTABLE DEVELOPMENT APPLICATIONS

- 1. Winzinger Mining Application, Woodland Township** (App. No. 1980-0062.001): On February 13, 2007, the Commission received an application that proposes mining a site in the Township. A Certificate of Filing for the proposed mining operation was issued, noting that it has not been demonstrated that the proposed mining use was consistent with the applicable threatened and endangered species standards and that it appeared the proposed mining use constituted a new mine and was therefore not a permitted use in the Pinelands Preservation Area. On January 6, 2012, the Commission staff received notice that the applicant was proceeding to the Township Land Development Board for site plan approval. On March 23, 2012, the applicant submitted a complete notice of the municipal approval. *By letter dated April 13, 2012, a Commission staff public hearing was scheduled to review the issues (threatened and endangered species and permitted land use (mining) raised by the municipal approval. On May 30, 2012, the applicant met with the Commission staff to discuss the issues raised by the municipal approval. By letter dated June 18, 2012, the Commission staff public hearing was rescheduled to September 20, 2012.*
- 2. Hamilton Mall, Hamilton Township** (App. No. 1985-0708.001): On October 23, 2008, the staff received an application for a proposed 138,227 square foot addition to the mall (Application No. 1985-0708.007). A Certificate of Filing requiring the development and implementation of a stormwater basin rehabilitation plan for five existing basins was issued. *On April 26, 2012, the Commission staff issued a letter indicating that the final site plan approval for Phase 1 issued by the Atlantic County for the proposed development could take effect. On June 8, 2012, the Commission staff received the stormwater basin remediation*

*plan approved by the Township Planning Board engineer. That information is currently under review.*

- 3. Winslow Township Landfill** (App. No. 1984-1404.004): On January 13, 2009, Commission staff met with a representative of NJDEP and a consultant hired by NJDEP to discuss the capping of the Winslow Township landfill which is located adjacent to the State's Winslow Township Wildlife Management Area. An impermeable cap is proposed. On September 11, 2009, the staff issued a letter to the applicant requesting threatened and endangered species surveys and advised of the current CMP stormwater management requirements that pertain to this application. Between May 14, 2010 and February 23, 2011, the applicant submitted the completed threatened and endangered species survey. The staff is in agreement with the negative results of the T&E species surveys. It is the Commission staff's understanding that NJDEP is finalizing the plan for an impermeable cap. *Staff was again contacted by a landfill consultant who has expressed an interest in pursuing an alternative closure plan (in lieu of impermeable capping) for the Winslow Township landfill. DEP has authorized looking at alternatives if the Commission concurs. We're awaiting submission of a report that would identify proposed alternative closure strategies.*
- 4. Burlington County Route 530** (App. No. 1997-0585.002): An application for the proposed road improvement has been completed with the Commission. The application was subject to final public comment at the Commission's January 13, 2012 meeting. On February 22, 2012, the Commission staff issued a Report on an Application for Major Public Development recommending approval of the proposed development. Subsequently, the applicant asked the Commission not to act on the application pending discussions on certain road improvements, primarily stormwater drainage facilities, proposed on lands that are subject of a PDC deed restriction. *On May 12, 2012, the Commission staff issued an Amended Report on an Application for Major Public Development. That Report recommended approval of the application with conditions. That application was approved by the Commission at its June 8, 2012 meeting.*
- 5. Atlantic County: Fire Road Intersection Improvement (App. No. 2002-0399.002):** This application proposes improvements to the intersection of Mill Road and Fire Road in Egg Harbor Township. Commission staff met with representatives of the County on May 18, 2011 at the site of the proposed improvements. On August 8, 2011, the Commission staff sent a letter summarizing the results of the May 18, 2011 site meeting which evaluated alternate areas for stormwater management, suggested that the County submit a proposal for addressing stormwater management and identified the information that must be submitted to complete an application. On March 7, 2012, the staff met with representatives of Atlantic County, NJDEP and a representative of the Lieutenant Governor's Red Tape Committee to discuss the application. It was agreed that the Commission staff would meet with Atlantic County staff on March 19, 2012 to further discuss the matter. At that meeting, a resolution of the stormwater management issue was agreed upon. The Commission staff is preparing a letter to outline that agreement, the remaining information necessary to complete the application and a response to the County's request to complete an application for a Commission Waiver of Strict Compliance. *By letter dated April 26, 2012, the Commission staff advised of the information necessary to complete the application. By another letter dated April 26, 2012, the Commission staff advised of the information necessary to complete an application for a Waiver of Strict Compliance. On June 4, 2012, the County submitted additional information regarding the application. That information is currently under review.*

6. **Buena Vista Township Waste Transfer Station** (App. No. 1986-0445.005): On February 21, 2012, the staff received a letter from the Atlantic County Utility Authority (ACUA). That letter posed several questions regarding whether the transfer station was being operated consistent with the standards of the Pinelands Comprehensive Management Plan. An application to construct the transfer station was completed with the Commission in 1986. Several subsequent applications for improvements to the transfer station were completed with the Commission. The questions posed in the ACUA letter necessitated Commission staff review of the 25 plus year regulatory history of both the CMP and the application. *On May 2, 2012, the Commission staff issued a letter to the ACUA addressing the questions posed in letter.*
7. **Garden State Parkway Interchanges 41 (Jimmie Leeds Road, App. No. 1997-0257.003) and 44 (Pomona Road, App. No. 1997-0257.006)**: *On March 8, 2012, we received applications to improve the two concerned interchanges. On May 14, 2012, we issued a Certificate of Filing for Interchange 41. This Certificate of Filing allows other State agencies to determine that the application is complete for review purposes. By letter dated May 31, 2012, we advised the applicant, The NJ Turnpike Authority, of the information necessary to complete an application for Interchange 41. By letter dated June 5, 2012, we advised the applicant, of the information necessary to complete an application for Interchange 44. As required by the CMP, that letter also raises the question of potential secondary land use impacts and the need to address those potential impacts.*

## C) OFFICE OF ADMINISTRATIVE LAW MATTERS

1. **Monthly activity:** 0
2. **Pending OAL matters:** None

## D) VIOLATIONS

1. **Quarterly activity:** 27 reports received; 35 violation letters sent; 12 cases resolved.
2. **Notable violations:**

**a. Commercial Development, Maurice River Township** (App. No. 1991-1011.001 & .002): This violation concerns vegetation clearing and construction of buildings without application to the Commission. A Certificate of Filing was issued for the proposed development on February 1, 2012. *By letter dated May 21, 2012, we responded to multiple submissions by the applicant regarding the application. On June 4, 2012, the Commission staff participated in a conference call with the Planning Board Attorney and the applicant's representatives. On June 8, 2012, we received a letter from the applicant representatives requesting information regarding the application.*

**b. Shooting Range, Lacey Township** (App. No. 1982-3059.002): This violation concerns expansion of an existing shooting range without application to the Commission. *No new action as of June 30, 2012.*

**c. Commercial Development, Hamilton Township** (Application No. 1987-0973.001, .002 & .004): This violation concerns establishment of a commercial use without application to the Commission. *No new action as of June 30, 2012.*

**d. Commercial Development, Waterford Township** (App. No. 1987-1138.002): This violation concerns establishment of a commercial use and clearing violation on this parcel. Staff issued a letter dated May 6, 2010 indicating that although the proposed revegetation plan is acceptable to the Commission staff, provided it is acceptable to the municipality. The parcel still contained debris, vehicles and equipment that must be removed. *No new action as of June 30, 2012.*

**e. Buena Vista Township:** By letter to Buena Vista Township dated January 8, 2010 (App. No. 2009-0089.001), Commission staff indicated that an application is required for development that has occurred within the NJ Transit right-of-way and on municipally owned property. Information was submitted by the applicant on December 7, 2011 and December 15, 2011. On February 15, 2012, the staff issued a letter to the applicant requesting additional information to complete the application. *No new action as of June 30, 2012.*

The staff met with officials from Buena Vista Township on July 27, 2010, regarding the installation of stormwater management swales that were previously required for the installation of sidewalks along Route 40. That project was approved by the staff pursuant to the Memorandum of Agreement between Buena Vista Township and the Pinelands Commission (App. #2004-0319.001). On May 20, 2011, the staff issued a letter requesting certain information to complete the application. Additional stormwater information was received by the Commission on September 15, 2011, November 7, 2011, December 7, 2011 and December 15, 2011. On February 9, 2012, the Commission staff asked for clarification of the submitted stormwater management information. *No new action as of June 30, 2012.*

**f. Jackson Township, Municipal Firing Range** (App. No. 2000-0630.002): On October 19, 2009 and November 5, 2009, the Commission received an application and information for the placement of a 1,200 square foot trailer at an existing municipal shooting range. Development had occurred on the site in violation of the application requirements of the Jackson Township land use ordinance and the CMP. On February 13, 2012, the Commission staff received a letter from the applicant inquiring as to the status of the application. On February 28, 2012, the staff issued a letter to the applicant advising that the information previously requested in a Commission June 24, 2010 letter remained necessary to complete the application. *No new action as of June 30, 2012*

**g. Barnegat Township, Commercial Use (App. No. 1988-1177.002:)** *By letter dated February 1, 2012, we advised a property owner of an approximately 5 acre wetlands buffer clearing violation. On March 15 and April 16, 2012, our staff met with the property owner and representatives of the Township to discuss the matter. By letter dated April 26, 2012, we summarized the agreements reached at our meeting asked the property owner to contact our office when wetlands were delineated. By letter dated June 15, 2012, we confirmed the wetlands mapping and suggested a course of action to resolve the violation. A meeting is currently being scheduled to further discuss the matter.*

**h. Woodland Township, Prince Street and Cedar Avenue (App No. 2005-0041.002):** *By letter dated April 17, 2012, the Commission staff received a report of a land disturbance along the side of Prince Street. On May 23, 2012, the Commission staff conducted a site inspection with representatives of the Township. At that site meeting, an approach was agreed upon to address the land disturbance violation. An agreement was also reached regarding how the Township could proceed with addressing the issue raised by the elevation of the edge of the constructed road and the elevation of the existing road shoulders. By letter*

*dated June 20, 2012, the Commission staff sent a letter confirming the results and agreements reached at the site inspection.*

**i. Barnegat Township, Offsite Commercial Advertising Signs (Billboards):** *On March 20, 2012, the Commission staff received an inquiry regarding four billboards along Route 72. The CMP requires that the four concerned billboards be removed. After a site inspection and a review of available information, it appears that four billboards had been removed by a party and then recently new billboard structures has been constructed in their place by second party. By letter dated May 14, 2012, we wrote to all concerned parties and requested the removal of the four concerned billboards.*

## **E) OTHER NON-APPLICATION REGULATORY PROGRAMS ITEMS**

- 1. Hamilton Stormwater Basins:** The Great Egg Harbor Watershed Association notified the Commission that several stormwater basins in Hamilton Township did not appear to be functioning as designed and was causing downstream flooding of nearby roads and streams. A meeting was held on October 31, 2008 with the Township officials and Fred Akers of the Great Egg Harbor Watershed Assoc. to discuss options to remedy these basins. At that meeting, the attendees prioritized the concerned stormwater basins and agreed upon a course of action to systematically address the basins through a variety of approaches. As of April 20, 2011, the Township had approved a plan proposing the remediation of an existing basin serving a retail store (Walmart) in an existing shopping center and for the modification of existing basins serving an existing residential subdivision (Timber Glen Phases III & IV). The staff is currently working with an applicant on a proposed stormwater basin remediation plan for Consumer Square and also to correct stormwater basin problems at the Hamilton Mall. On September 14, 2011, the staff sent a letter to the owner of an additional existing shopping center (Hamilton Commons) requesting that the owners address remediation of failing stormwater basins on the parcel. *Other than the Hamilton Mall application discussed previously in this Report, no additional new action as of June 30, 2012.*
  
- 2. Southern Pine Beetle:** By letter dated June 28, 2011, the Commission advised NJDEP that the Commission's Executive Director, in consultation with the Chairperson of the Commission, had determined that a public safety issue was raised by the destruction of pine trees. That letter authorized NJDEP to cut down trees on up to 300 acres in the Pinelands Area through September 30, 2011. By memorandum dated July 28, 2011, the Commission staff provided NJDEP with a modified process for application for Southern pine beetle suppression on private lands. By letter dated October 3 2011, the Executive Director extended NJDEP's prior authorization to cut down pine trees on up to 300 acres in the Pinelands Area through December 31, 2011. By letter dated November 23, 2011, the Executive Director advised NJDEP that the proposed offsite removal of pine trees from one specific 12 acre site could be undertaken provided that the offsite removal was completed by December 31, 2011. By letter dated December 23, 2011, the Executive Director granted an extension until April 15, 2012 for tree cutting and offsite tree removal for just the one 12 acre site. *By letter dated June 22, 2012, the Executive Director further advised NJDEP that, after consultation with the Chairperson of the Commission, NJDEP was authorized to undertake SPB suppression efforts (tree cutting) on up to a maximum of 20 acres near Quaker Bridge Road in Wharton State Forest. This authorization also allowed NJDEP to remove the cut trees from the site.*

3. **Woodland Township:** On January 19, 2012, the staff met with The Township's Mayor and Clerk to discuss the development potential of a 123 acre Township owned parcel that fronts on Rt. 72. The Township was interested in discussing the development potential of the concerned parcel. *By letter dated April 4, 2012, the staff provided the Township with an overview of the development potential of the parcel.*
4. **South Jersey Industries:** Pre-application discussions have been held regarding provision of natural gas service to an existing coal fired power plant (BL England). The natural gas pipeline could originate in the Pinelands Area and exit into the Pinelands National Reserve. The concerned plant is located in the Pinelands National Reserve. *The pre-application meeting was held on April 17, 2012. Three alternative routes were discussed for the pipeline. On June 26, 2012, a follow up pre-application meeting was held. At that meeting the applicant indicated that, within the Pinelands Area, they had selected a route for the gas main that would primarily follow existing roadways. The primary issue raised by the application is the location of the proposed gas main in a Pinelands Forest Area. Because of the proposed location, it must be demonstrated that the gas main is primarily intended to serve the needs of the Pinelands.*
5. **Hammonton: Cedar Creek Flooding:** *On June 28, 2012, the staff attended a meeting with representatives of Hammonton, NJDEP, NJDOT and Atlantic County to discuss removal of accumulated sediments from the concerned creek to address flooding that is occurring on multiple State, County and municipal roads in Hammonton. The City Engineer outlined proposed approaches to address the flooding problem. Based on the results of that meeting, the City Engineer will be outlining a proposed approach to the problem.*

### III. INTERGOVERNMENTAL MEMORANDA OF AGREEMENT

#### A) MOAs UNDER REVIEW

1. **Ancora Wastewater Conveyance MOA:** In 2007, the Commission entered into an MOA with the N.J. Department of Human Services(DHS) and the N. J. Department of Environmental Protection to resolve a longstanding wastewater problem at Ancora. The MOA allows the Ancora facility to abandon its onsite wastewater treatment system and connect to the Camden County Municipal Utilities sanitary sewer interceptor. To offset the loss of water from the surficial aquifer, the MOA required that an alternative water supply to the existing onsite Kirkwood-Cohansey wells will be developed. Ultimately, DHS decided to connect to the New Jersey American Water supply wells. It is the staff's understanding that construction of the water main commenced on June 27, 2011. Because construction of the water main was behind schedule, information was received on August 24, 2011 regarding a proposed stormwater conveyance mitigation project as required by Item #14 of the MOA. On November 18, 2011, the staff issued a letter indicating that the proposed stormwater conveyance mitigation project met the requirements of the MOA and requested that the Pinelands Commission be advised when the project is complete. *No new action as of June 30, 2012.*
2. **Robert Miller Airpark, Ocean County, Berkeley Township:** Following several years of discussions with Ocean County and the Federal Aviation Administration, a Memorandum of Agreement for safety related development and full buildout of the Robert Miller Airpark was

drafted and finalized . The MOA addressed threatened and endangered species protection. *The Commission authorized the Executive Director to execute the MOA at its June meeting.*

3. **County/Municipal Permit MOA:** At its July 9, 2010 meeting, the Commission approved a proposed MOA with the seven Pinelands Area counties. By letter dated August 5, 2010, the Commission staff sent the MOA to each of the seven Pinelands Area counties and requested that the counties sign and return the MOA to the Commission. As of December 31, 2011, the Commission has received signed MOAs from Atlantic, Camden, Burlington, Gloucester and Ocean counties. The staff will now initiate work on pursuing adoption of the MOA by Pinelands Area municipalities. The staff is currently evaluating the most effective means to both implement the MOA with Pinelands municipalities and integrate the roadside management practices included in the seven county MOAs into the municipal MOAs. *No new action as of June 30, 2012.*
4. **NJDOT:** The Commission received a request in November 2008 for a Permit Streamlining MOA. The staff asked NJDOT to identify the classes of projects that could potentially be subject of the MOA. Staff met with NJDOT on March 11, 2009 to discuss the potential MOA. On March 30, 2011, the staff met with representatives of NJDOT to further discuss a proposed permit expediting MOA. NJDOT was encouraged to prepare a draft MOA patterned after the existing County permitting MOAs that the Commission approved. On July 21, 2011, the NJDOT submitted a draft MOA. On February 15, 2012, the Commission staff met with representatives of NJDOT to discuss the proposed MOA. *On June 4, 2012, the Commission received a revised draft MOA from the NJDOT. That draft is currently under review.*
5. **NJDEP, Forestry:** The NJDEP is pursuing an MOA with the Commission to streamline review of forestry activities on public and private lands. At its September 10, 2010 meeting, the Commission voted to approve a proposed MOA. On October 13, 2010, the Commission staff attended a meeting with representatives of NJDEP. At that meeting, NJDEP expressed conceptual concerns with the Commission adopted MOA. On November 22, 2010, NJDEP provided a significantly revised draft of the MOA to the Commission for review. On February 24, 2011 and March 23, 2011, the staff met with representatives of NJDEP to further discuss possible revisions to the MOA. *No new action as of June 30, 2012.*

## **B) OTHER MOA REQUESTS**

1. **Stockton State College:** See section I.C.4

# **IV. SCIENCE**

## **A) KIRKWOOD-COHANSEY STUDY**

1. *Staff began to format summary chapters for the final report.*
2. *USGS provided staff with the two remaining reports covering the evapotranspiration and hydrologic model studies. Both reports have passed technical and editorial reviews, and final publication layout has been initiated.*

## **B) ENVIRONMENTAL MONITORING**

1. CAMCO monitoring: *The annual low-flow trend analysis was completed, but the trend-analysis methodology should be thoroughly evaluated before being finalized.*
2. Monroe monitoring: *The annual low-flow trend analysis was completed, but the trend-analysis methodology should be thoroughly evaluated before being finalized.*
3. Forest-Plot and Intermittent-Pond Monitoring: *The April, May, and June rounds of forest-plot water-level measurements and pond-water level measurements were completed.*
4. Long-term anuran surveys: *The April, May, and June rounds of nighttime frog and toad vocalization surveys was completed at the 20 ponds.*
5. Pinelands-wide water quality monitoring: *The April and June rounds of Pinelands-wide water-quality sampling were completed.*

## **C) OTHER SCIENCE PROJECTS**

1. Wetland Buffer Project: *No new action as of June 30, 2012.*
2. Forest Characterization Project: *No new action as of June 30, 2012.*
3. Right-of-way Vegetation Monitoring: *Forty-eight vegetation plots were established in forest stands adjacent to study spans and vegetation surveys were completed in all of these spans. Information documenting instances where the ROW vegetation-management prescriptions were not followed were provided to Regulatory Programs staff for coordination with the utilities. Science staff assisted the Regulatory Programs staff by providing summary data of vegetation management activities for 2010 and 2011 for inclusion in the biennial ROW report to the Commission, reviewing multiple drafts of the biennial report, and discussing a process for inspecting the ROWs managed in 2010 and 2011.*
4. Pond Vulnerability Project: *Science staff completed revisions to the Quality Assurance Project Plan (QAPP) in response to USEPA review comments. The revised QAPP received final EPA approval. Staff continued to compile an inventory of Pinelands ponds by surveying digital aerial photography. Approximately 30% of the Pinelands area has been surveyed. Transects were established at two current study ponds to assess the proposed damselfly and dragonfly survey methods and to begin to learn to identify these animals. A job announcement advertising a Research Technician position opening was posted on the Commission web site and distributed to various institutions.*
5. Miscellaneous accomplishments:
  - a. *The P&I Committee was briefed on a proposal titled “Comparing the Functional Equivalency of Natural and Created Wetlands.” Based on unanimous Committee recommendation, the proposal was submitted to the EPA State Wetland Development Grant Program for funding.*
  - b. *Staff provided new site records to US Fish and Wildlife Service as part of the 5-year review of *Helonias bullata* (swamp pink).*
  - c. *Three presentations on Pinelands-related research were given as part of the Commission Pinelands Research Series. Presenters and the titles of their talks for this quarter were: Dennis Gray on Prescribed Fire and Soil Disturbance Effects on Aboveground and Belowground Processes in the New Jersey Pinelands; Ken Clark on Effects of Invasive Insects and Fire on Carbon and Hydrologic Cycling in the New Jersey Pinelands; and Kirsten Monsen on Molecular Detection of Pathogens in New Jersey Amphibians.*
  - d. *In cooperation with the NJDEP, science staff collected April, May, and June water-quality data from two sites in the Barnegat Bay Watershed as part of the Governor's comprehensive action plan to address the health of the Bay.*



- e. Staff participated in a meeting to discuss the Habitat Connectivity Project by the NJDEP Endangered and Nongame Species Program and the potential Commission participation on an advisory team for the project.
- f. Staff attended a Master's Defense Seminar by David Smith on Succession Dynamics of Pine Barrens Riverside Savannas: a Landscape-survey Approach.
- g. Staff provided technical support to the Land Use and Planning Office on the identification of aquatic plants in Hammonton Creek at the outflow of the Hammonton sewage treatment plant and collecting water-quality data at five sites upstream and downstream of the effluent.
- h. Staff provided site location data on a naturalized population of an invasive non-native wetland plant (*Leucojum aestivum* – Summer snowflake) to the Flora of New Jersey Project.
- i. Dead and dying tadpoles were discovered at a Commission study pond and samples collected for analysis by Montclair University scientists. Because the tadpoles tested positive for Ranavirus, water samples were then collected for analysis by Montclair scientists. Staff developed a strict decontamination procedure to be employed between visits to ponds.
- j. Staff attended a meeting of the NJ Water Monitoring Coordinating Council.
- k. Multiple field-guide flip books for the Pinelands Interpretive Center created by Content Design Collaborative were reviewed for technical accuracy.
- l. Led a fish-sampling trip for a Rutgers University Ecological Methods class taught by Dr. John Dighton and gave a presentation on Pinelands fish and led a trip for a Drexel University Pinelands Ecology class taught by Dr. Walt Bien.
- m. Met with a Rutgers University graduate student regarding her research focus and the selection of wetland sites.
- n. Science staff participated in the Commission's Writing Committee.

## V. LITIGATION

### A) STATE COURT CASES

1. **D.D. Residential v. Pinelands (Hamilton Township), Appellate Division.** The Hamilton Township Planning Board granted final approval and an extension of zoning protection to an amended site plan that D.D. Residential submitted for phases IV and V of its proposed Planned Unit Residential Development ("PURD") called Hamilton Greene. The Pinelands Commission ("Commission") issued a call-up letter, questioning whether the proposed development qualified as a PURD and whether it was consistent with the overall density requirements in a Regional Growth Area. D.D. Residential requested that the matter be transferred to the OAL for a hearing. After a hearing, the Administrative Law Judge ("ALJ") issued a decision in favor of the Pinelands. Both parties filed exceptions to this decision. On October 8, 2010, the Pinelands Commission passed a resolution adopting a 47-page Final Decision that affirmed the Commission's action in calling up the Township's approval of D.D. Residential's application for an amended final site plan approval and an extension of the period of zoning protection. The Final Decision further affirmed the Commission's action in finding the Township's approval to be inconsistent with the CMP and the Township's certified land use ordinance. The Final Decision, however, modified the ALJ's decision in that the Final Decision provided different bases for the affirmance. D.D. Residential appealed. The Appellate Division has yet to set a briefing schedule. DAG Conklin was handling the appeal until her retirement. The appellant submitted a motion to the Commission to settle

the record on appeal. The Commission denied this motion at its June meeting. The appellant has appealed this denial. A letter brief in opposition to appellant's motion was filed on behalf of the Commission. Appellant's motion was denied. *Oral argument was conducted April 30, 2012. We are awaiting the Court's decision.*

## **B) FEDERAL COURT**

None

## **C) OTHER LITIGATION MATTERS OF INTEREST**

None

# **VI. LEGISLATION**

**A) NOTABLE BILLS:** *The last legislative session before the summer recess occurred on June 28<sup>th</sup>. Senate Majority Leader Stephen Sweeney has indicated that the legislature will continue to work during the summer.*

*S743/A1338 - Extends expiration date of certain permits pursuant to the "Permit Extension Act of 2008." S743 was substituted by A1338. A1338 was passed by both houses on June 28, 2012. Although changes were made on the floor to address concerns regarding the Highlands, the provision purporting to extend municipal, county and State approvals within Regional Growth Areas, Pinelands Villages and Pinelands Towns remained in the bill. The bill as adopted is internally inconsistent and contrary to the National Parks and Recreation Act of 1978.*

*S1085/A2837 –Establishes forest harvest program on State-owned land. Although this bill was passed by the Senate prior to the summer break, it was not passed by the Assembly.*

*S368/A329 – Authorizes Prescribed Burning in Certain Circumstances S368 was released from the Senate Environment and Energy Committee and referred to the Senate Budget and Appropriations Committee.*

**B) BILL TRACKING:** *See attachment #3.*

# **VII. PUBLIC PROGRAMS**

## **A) COMMUNICATION**

**1. Web site:** *The Home page was the most viewed page of the Commission's Web site during the April, May and June monitoring period. The page recorded 4,982 hits (or views) in April, 5,194 hits in May and 5,552 hits in June. Other pages are the Pinelands National Reserve page (911 hits in April, 1,077 hits in May and 87 hits in June), the Pinelands Comprehensive Management Plan page (745, 900 and 778 hits), the Land Use and Planning page (598, 640 and 604), the Applicant Services page (642, 634 and 621 hits), the Visiting & Recreation page (469, 593 and 505 hits), the Information Center page (557, 630 and 557 hits), the About the Commission page (543, 589 and 587 hits), the Pinelands Image Library (441, 641 and 446 hits), the Educational Resources page (473, 562 and 523 hits), the Pinelands Development Credit Bank home page (786, 926 and 702 hits), the Science office page (543, 630 and 465 hits), and the Pinelands Municipal Council page (403, 515 and 424 hits). Other pages or documents with high numbers include the online version of the Pinelands Comprehensive Management Plan (8,464 hits in April, 7,222 hits in May and 5,840 hits in June).*

**2. Press releases this quarter:** *There were no press releases this quarter.*

**3. Inquiries this quarter:** *A total of 22 media inquiries and 240 general inquiries were handled this quarter. Of the general inquiries, 121 inquiries came via e-mail, six came via 113 came by telephone. Most of the inquiries pertained to various Commission projects, followed by general information about the Pinelands, and questions about recreational opportunities.*

**4. Open Public Records Act this quarter:** *A total of six requests for government records were received and processed under the Open Public Records Act this quarter.*

## **B) PUBLICATIONS**

**1. Pinelander:** *The Summer Pinelander, the Commission's official newsletter, is being written and designed.*

**2. Annual Report:** *The 2011 Annual Report was written, designed and printed in late February. The Commission adopted a resolution to accept the report during its regular meeting on April 13. This marks the earliest completion of the report in at least 10 years. The report has been distributed to the Governor's Office, the U.S. Secretary of the Interior and the Commission's official repositories.*

## **C) EVENTS AND OUTREACH**

**1. Pinelands Short Course:** *No new action as of June 30, 2012.*

**2. Local Officials Seminar:** *The annual Pinelands Orientation for Newly Elected Officials has been scheduled for July 31, 2012. It will be held at the Richard J. Sullivan Center for Environmental Policy and Education, from 4 to 7 p.m.*

**3. Meetings:** *Staff attended Barnegat Bay Education Committee meetings on April 19, May 17 and June 21, as well as the Pinelands Preservation Alliance's Education Committee meeting on May 22<sup>nd</sup>.*

**4. Educational Outreach:**

**a.** *During the quarter, staff delivered three Pinelands overview presentations, educating a total of approximately 235 people.*

## **D) INTERPRETIVE PROGRAM**

**1. PNR brochure:** *Staff continued to track the distribution of the Pinelands National Reserve brochure.*

**2. Pinelands Summer Speaker Series:** *As part of this year's Speaker Series, the Commission will host an educational presentation on July 19, 2012 at 2 p.m. Erin Kiefer, a naturalist with the Woodford Cedar Run Wildlife Refuge, will deliver a presentation about raptors and reptiles. She will bring live birds of prey, a snake and a turtle.*

**3. Exhibits in the Pinelands Technical Center:** *Since being hired in February 2011, Content Design Collaborative LLC of Scituate, MA, has made significant progress in completing the planning and design process for proposed Pinelands-themed exhibits in the Richard J. Sullivan*

Center. Commission staff spent a substantial amount of time working with the designers and writers this quarter. The graphic designs, text and all renderings are being finalized. Graphic designers presented their final renderings to the Pinelands Commission on April 13th. Since that time, staff has spent a considerable amount of time to work with the firm to finalize the text and graphics. The project is being funded with money provided by the National Park Service.

## VIII. INFORMATION MANAGEMENT

### A) GEOGRAPHIC INFORMATION SYSTEM

**1. System planning and development:** *The GIS office continued work to reorganize and consolidate data layers and create metadata. This is an ongoing effort and will continue through the end of the fiscal year and beyond.*

**2. Pinelands Data Layer Maintenance:** *As part of the on-going operational requirement of keeping our GIS data current, the following layers were updated:*

- *Threatened and Endangered Species: 12 T&E data submission reports completed*
- *Pinelands Management Areas: None*
- *Zoning: Pemberton, Hammonton, Barnegat Township - corrections to previously digitized linework.*
- *During April and May, the GIS office volunteer intern continued reviewing the backlog of consultant reports and other potential internal T&E data sources and documenting any quality T&E data points on T&E data submission reports. The intern was not available during the month of June due to other commitments, but will resume T&E work in July.*
- *Modified two hardcoded Pineview links to point to the most current layers.*
- *Began archiving legacy layers that are no longer current.*

**3. LOIs for PDCs:** *Eight applications were analyzed involving 20 lots, eight of which required photo interpretation.*

**4. Public Access to Maps and Data:** *Continued working with ESRI to learn how to best apply their new “Maps & Apps” technology. As part of the beta testing, ESRI staff began designing a web based map interface using ArcGIS Online for Organizations as a replacement for the existing PineView program. In addition, using the ESRI ArcGIS Online iPhone app, the MIS office developed a mobile application for pilot testing in the field. Designed for assisting with compliance inspections of utility rights of way, the app displays a map with the user’s current location and the spans within the right of way. Tapping on a span allows the user to view the specific prescription for that span while doing the field inspection.*

**5. Analysis / Map Products:** *Using the data from the Kirkwood-Cohansey Buildout analysis, produced maps for analyzing clustering opportunities Franklin Township and Hammonton Town.*

*Produced an application specific map for use in a presentation, which depicted the boundaries of an auto salvage yard.*

*Produced GIS shapes files typically used in the Local Review Officer program for Pemberton Township and Medford Township.*

*Updated the PDC Supply estimates using the most current data layers. Began work on updating the PDC Demand estimates.*

## **B) MANAGEMENT INFORMATION SYSTEM**

### **1. System planning and development:**

#### **a. PCIS:**

- *Made eight minor modifications to various screens.*
- *Created a new Approval Summary report.*
- *Completed a modification to "Send General Email" that allows the user to attach a document to the email.*
- *Completed form that allows "Sent" documents to be sent as attachments to "General" emails. Currently only able to send 1 document at a time. May develop code to send multiple after testing is completed and feedback has been received.*

**Database QA/QC:** *Continue work on the Permanent Land Protection data by reviewing NJ Parcel Map on a county by county basis for preserved lands. MIS added 4186 records to the Deed Restrictions table, representing 2,276 acres. To date, 42,295 deed restrictions have been added to PCIS.*

#### **b. Kirkwood-Cohansey Buildout:**

- *Using the most current data available from PCIS, re-generated Scenario 3 Utilization Rates for the Forest and Rural Development Areas.*
- *Re-ran Scenario 1 for Shamong Township using the most current data regarding preserved lands*
- *Re-ran Scenario 2 for Shamong Township using the most current data regarding preserved lands.*
- *Re-ran Scenario 3 for Shamong Township using the most current data regarding preserved lands and the new utilization rates.*

## **IX. OPERATIONS**

### **A) FACILITIES**

#### **1. Maintenance:**

- *Replaced sump pump and check valve in elevator shaft; installed new shelving in Barn file storage; repainted outside signs around facility.*
- *The fire system was inspected in April; the Commission is in compliance.*

### **B) FINANCIAL MANAGEMENT**

**1. Application fees:** *FY 2012 budget amount \$425,000; received through June \$505,922.97.*

**2. Audit/Accounting:** *The FY 2011 audit contained no findings or recommendations.*

**3. Budget:** *The Personnel and Budget Committee discussed the proposed FY2013 Budgets for the Operating Fund, the Kirkwood-Cohansey Aquifer Assessment Study Fund, the Pinelands Conservation Fund and the Pinelands Development Credit Purchase Program Fund and recommended Commission approval.*

**4. Procurement:** *Four RFQs were issued (Smart Board, Computers, Telephone Equipment, Paint and Repairs on the RJS Center); no RFPs were issued. An emergency procurement to remove a fallen tree was approved.*

**5. Miscellaneous:**

- *The Commission received \$150,000 from OMB in June in supplemental funding for personnel costs.*
- *\$19,800 was received from NJDEP to fund the Commission's contract to perform an efficiency study.*

**C) HUMAN RESOURCES:** See Attachment #2 for employee notes

**1. Benefits:** *No new action as of June 30, 2012.*

**2. Miscellaneous:**

- a.** *Union negotiations with CWA are continuing.*
- b.** *The annual performance evaluation process has begun.*
- c.** *An unpaid intern has begun in the Science Department for the summer.*
- d.** *The Flexible Summer Schedule has begun for staff.*

**D) OTHER OPERATIONAL ITEMS**

- *A new voicemail system and telephone processor were installed. The Commission had been having intermittent problems with the voicemail system.*
- *Much progress was made on the file project. Both file rooms (RJS and Barn) were organized; shelves were built; a request to destroy records was sent to the State; and certain files were relocated.*

## X. PINELANDS MUNICIPAL COUNCIL

### A) MEETINGS

**1. Last meeting:** *The Council meeting was held May 31, 2012 at Stockton College. Ms. Wittenberg and Commissioner Ashmun discussed Plan Review with the Council.*

**2. Upcoming meeting:** *The next meeting date of the Council is July 31, 2012 which will be held at the Commission in conjunction with the Newly Elected Officials Orientation.*

## XI. MISCELLANEOUS

**1.** *Ms. Grogan (on behalf of the PDC Bank) and Mr. Tyshchenko made presentations at SADC's annual appraisers conference.*

### ATTACHMENT #1

#### ONGOING CONFORMANCE ACTIVITY

April-June 2012

MUNICIPALITY	TOPIC
Barnegat	Letter received from mayor requesting consideration of zoning changes (expansion of RGA; rezoning from RL/AC – residential – to commercial zone; sewer service for existing mobile home parks); meeting held 3/9/05. Met with

MUNICIPALITY	TOPIC
	<p>new master plan subcommittee on 3/3/06. Meeting held on 3/31/08 at Township' s request to discuss extension of sewer to existing mobile home parks and increased commercial development opportunities, potentially through a Pinelands Village designation. Request for another meeting on the same issues received 10/23/08. Staff met with Township representatives on 12/10/08 to discuss these rezonings as well as the EIA management area changes.</p> <p>2. Rezoning of lots from RC (Conservation) to RH (Residential High), within the RGA: Ordinance 2010-5 received on 3/19/10. Staff began review of the ordinance and gathering data on development in Ocean Acres approved since August 2005. Staff attended a joint meeting of the Township Council and Planning Board on April 22, 2010. Following a public hearing, the Township Council did not adopt the rezoning. More recently, the Township indicated it intended to adopt the rezoning. <i>Ordinance 2012-12 was adopted on 5/7/12 and received by the Commission for review. Finding letter sent 5/29/12, determining ordinance required formal Commission review and approval. Public hearing held 6/27/12.</i></p>
Berlin Township	<p>1. Request to redesignate remaining RDA to RGA to facilitate nonresidential development and extension of sanitary sewer: letter received from Township in October 2005. Met with municipal representatives to discuss potential rezonings, water supply issues, residential zoning capacity and PDC opportunities on November 28, 2005. Contacted Township in early July 2009 to discuss potential rezonings involving several existing uses in the RDA. Subsequently provided Township with options for consideration. Staff and the Township have been working cooperatively to address the Township's needs without compromising the Commission's goals. <i>After more than two years of discussions, the Township adopted a revised zoning map in May, 2012. A public hearing to receive comments on the proposed rezoning was held in June and the P&amp;I Committee considered the proposed rezoning at its June 29<sup>th</sup> meeting. The Commission will review the plan at its July 13<sup>th</sup> meeting.</i></p>
Buena Vista	<p>1. Comar Redevelopment Area: met with Township redevelopment planner on 4/25/07 to discuss concept plans for new redevelopment area incorporating the Wilmad and Comar facilities (approximately 170 acres in the Rural Development Area). Copy of Redevelopment Plan received on 12/9/08; notice of adoption received 1/14/09. Issues identified with maximum permitted height and impervious coverage, given location of Redevelopment Area in a Rural Development Area. Township has requested and been granted several extensions of the Commission's review period in order to adopt an amending ordinance. A meeting was held with the mayor to discuss this and other rezoning matters on May 5, 2009. Various information related to Comar was provided to the Township's new planner in September 2010. Awaiting Township's adoption of amendments to the Redevelopment Plan.</p> <p>2. Clustering: the Township adopted Ordinance 14-2011 at the end of November and provided a copy to the Commission on December 28. Formal Commission review and approval is required as the ordinance makes modifications to the bonus density standards of the CMP. A public hearing was held on 2/1/12. The Commission certified Ordinance 14-2011 on 3/9/12.</p>
Dennis	<p>1. <i>Clustering/forestry</i>: Commission staff attended a joint meeting of the Planning Board and Township Committee on 3/22/12 to answer questions about the clustering amendments. The Township is expected to form a subcommittee to facilitate further discussions.</p>

MUNICIPALITY	TOPIC
Egg Harbor City	<p>1. Request for review of constraints in Easterly portion of Pinelands Town. Letter sent 5/7/07 on likely wetlands buffer requirements; suggested City file applications for development for specific parcels to confirm requirements. Pursuant to City's request, a proposal to establish wetlands buffers by ordinance is under review.</p> <p>2. Development of airfield in Forest Area: request received from City on 2/24/11 to examine feasibility of use of lake area "airfield" by state police, including development of buildings and parking areas. Options discussed by staff. Response provided to the City on 3/8/11 indicating that unless the City is able to document the existence and use of airport facilities on the parcel in question in 1981, the use is not permitted in a Pinelands Forest Area. Request for management area change (40 acres from Forest to Pinelands Town) received on 4/21/11. Response provided 6/14/11, indicating that the proposed management area change is inappropriate. Meeting held with City representatives on 11/2/11 to discuss several potential sites for a new or expanded airfield. Staff is awaiting more detailed information from the City, including the required acreage for the facility.</p> <p>3. Recreation complex: request for change in management area designations received 4/14/11. City is proposing to redesignate 30 acres from Forest to Pinelands Town along Philadelphia Avenue. Offsetting management area change also proposed. Response provided 6/14/11, indicating that staff would support the proposed redesignation, with exact boundaries of offset area still to be determined.</p> <p>4. Clustering/forestry ordinance: Ordinance 5-2012 was adopted by the City and submitted for Commission review. The City elected to increase the required buffers between areas to be clearcut and public roads, as well as internal property lines. <i>A public hearing was held on 4/11/12. The Commission certified Ordinance 5-2012 on 5/11/12.</i></p>
Egg Harbor Township	<p>1. Builders remedy litigation: the owners of a parcel in the RG-1 Zone have filed a builders remedy lawsuit against the Township. Staff met with both parties and the master appointed by the Court on 11/21/08 to discuss zoning, PDC and affordable housing issues. Information on potential zoning solutions provided to court master on 12/11/08. Reviewed draft implementing ordinance at request of court master and provided comments on 6/17/10. Copy of Ordinance 32-1010 received on 11/17/10, with notice of public hearing scheduled for 12/8/10. Comments provided to Township and court master re: PDC issue on 11/17/10. <i>Numerous drafts of a settlement agreement and ordinance have since been reviewed and staff has provided suggested revisions, most recently on 5/21/12.</i></p> <p>2. Affordable housing: draft ordinance implementing the 20% set aside required in A-500 received 7/16/09. Meeting held with Township representatives on 9/24/09 to discuss implications for PDC program and density. Township will provide a list of affordable housing projects under consideration so that staff can prepare options (densities; required PDC %'s; ordinance amendments) for the Township's review. This information from Township was received on 10/27/09. Court master requested meeting with staff and the Township be held by 4/1/11; no date scheduled as yet. New draft of affordable housing ordinance received 9/19/11; comments and suggested revisions provided 9/29/11. Copy of Ordinance 37-2011 received on 12/7/11, with notice of public hearing and second reading on 12/20/11. The ordinance requires a 20% affordable housing set aside for all residential development, as well as the use of PDCs for 25% of all market rate units. Email sent to the Township on 12/7 indicating concerns with the lack of revisions to existing density and PDC provisions in the municipal code. Copy of adopted ordinance (37-2011) received on 12/29/11. Finding letter sent 1/20/12. Public hearing held 2/22/12. <i>The Commission conditionally certified the ordinance on 4/13/12. The Township's response to the conditions is due 8/11/12. A draft ordinance responding to the conditions was received from the Township on 5/4/12 and was expected to be adopted on 6/20/12. The Builders League of South Jersey has challenged the Township's adoption of Ordinance 37-2011.</i></p>
Galloway	<p>1. Redevelopment designation for White Horse Pike Corridor Phase II, Pomona Road - Determination of Need report received on 1/6/11.</p> <p>2. Management area redesignations: met with Township Planner in June 2011 to discuss extension of sewer to recreation areas now in RDA, along with other</p>



MUNICIPALITY	TOPIC
	<p>adjustments from RDA to RGA and APA to PT. Reviewed proposals for sewer extension in late February/early March 2012. Received draft map changes for APA to PT rezonings on 3/15/12. Comments provided to the Township 3/23/12.</p> <p>2. <i>Clustering: master plan amendment adopted 4/5/12; implementing ordinance adopted 6/12/12. Both documents were provided to the Commission on 6/21/12 and are under review.</i></p>
Hamilton	<p>1. Clustering: staff is working with the Township on its response to the clustering amendments, including modifications to various provisions (bonus density; net densities). Draft master plan amendment reviewed; comments provided 11/17/11. The Planning Board has formed a subcommittee to continue working on the matter. Commission staff met with the subcommittee on 2/4/12 and subsequently provided data (buildout, RDA and FA density prescriptions) to the Township. <i>The Planning Board adopted a master plan amendment on 5/17/12. The Township Committee subsequently adopted Ordinance 1722-2012, a copy of which was received by the Commission on 6/29/12. Both documents are under review to determine whether changes made by the Township to the clustering rules are consistent with the CMP.</i></p>
Hammonton	<p>1. In lieu recreation fees: ordinance adopted in August 2006 but not submitted to Commission until 1/22/07. \$5,000 per lot fee under review; awaiting supporting analysis from Town. Town has since indicated it will be making additional revisions to the ordinance. Provided Town with sample ordinances of other municipalities to use in developing a new ordinance 3/23/07. Multiple extensions requested by the Town and granted, most recently through 10/29/08. Awaiting adoption of revised ordinance.</p> <p>3. Builders remedy litigation involving parcels in Redevelopment Area within Pinelands Town: concept plans provided 5/23/08 and to be reviewed for potential Pinelands issues prior to mediation session with the parties. Comments provided to court master; concerns with wastewater discussed. Court master conducted meeting of all parties on 7/31/08; Ms. Grogan attended on behalf of the Commission. Concerns with wastewater and water supply again discussed with court master in light of draft settlement agreement on 12/10/09. In mid-December, 2010, staff was informed that the development proposal has been significantly reduced in terms of the number of units. Comments provided to court master and interested parties on 1/5/11. Copy of settlement agreement between developer, Town and Planning Board received on 8/16/11. Implementing ordinance (024-2011) received on 12/2/11. <i>Finding letter sent, indicating ordinance raised no substantial issues with respect to CMP standards.</i></p> <p>3. Downtown Area Plan: met with Town consultants on 1/5/11 to discuss development of a form-based code for the Downtown Area (within Pinelands Town), including establishment of multiple new zoning districts, a sign code and other ordinance changes. Drafts of master plan and ordinance amendments received 1/5/11. Comments and suggested revisions provided to the Town on 3/17/11. The Town Council subsequently adopted the master plan amendments and Ordinance 023-2011, a copy of which was received on 12/6/11. The accompanying zoning map was received on 12/9/11. At the staff's request, the Town provided its amended zoning map in digital form to facilitate an analysis of changes. Several very small management area changes (adjustments to follow lot lines) were identified. Finding letter sent 3/26/12. <i>A public hearing was held on 4/11/12. The Commission certified Ordinance 023-2011 and the revised zoning map on 5/11/12.</i></p>
Jackson	<p>1. Master Plan: Planning Board is beginning its reexamining the Township Master Plan. New consultant hired; meeting held with Commission staff on 7/31/08 to discuss project status and possible impacts of Navy Lakehurst on the Township's Regional Growth Area. As of 10/31/08, staff is still awaiting more detailed information from the Township on approved projects within the Regional Growth Area, as well as rezoning proposals for the RGA, RDA and Pinelands Village of Legler. Draft Land Use Plan maps received 12/30/08. Meeting with Township representatives on master plan and EIA management area changes held on 12/31/08. Airplane noise incompatibilities in RGA noted. Discussion of noise impacts and possible zoning changes to be scheduled upon the Township's</p>

MUNICIPALITY	TOPIC
	<p>completion of its response to the May 2006 CMP amendments (stormwater). The Township made a presentation to the P&amp;I Committee on 4/24/09. The Committee asked for additional information and consideration of other options which staff will pursue. The Township's draft master plan was received on May 22, 2009, together with a notice indicating it may be adopted by the Planning Board on June 1, 2009. Revised draft of master plan received 7/22/09. Adopted master plan received 8/31/09. Finding letter sent 9/29/09. A meeting with Township representatives was scheduled for November 4, 2009 but was postponed at the Township's request. In January, the Township requested a February meeting. Commission staff agreed via email to meet in February but the Township never responded. Commission staff attempted to schedule the meeting in early February but again the Township never responded. In lieu of a meeting with Township representatives, Commission staff prepared and sent a letter in April 2010 which comprehensively addressed the Township's 2009 Master Plan. No response from the Township as of 9/24/10. After learning that the Township's Planning Board may be in the process of reviewing ordinances intended to implement the 2009 Master Plan, Staff requested the opportunity to review and comment upon the same prior to their adoption. The Township never responded to staff's request to be permitted to comment prior to adoption. Instead, the Township adopted a series of implementing ordinances in November. Staff requested a copy of the Township's Zoning Map as revised by the implementing ordinances but never received one. A letter determining that, without a revised Zoning Map, the implementing ordinances were incomplete for purposes of the Commission's review was issued on December 1, 2010. Two meetings with Township representatives were held, the first on December 22, 2010 and the second on February 8, 2011. Subsequently, three Finding Letters were sent to the Township. One of which determined that nine of the Township's implementing ordinances presented no issues with respect to CMP standards; another determined that six of the Township's implementing ordinances presented no substantial issue with respect to CMP standards; and, the third determined that a Township ordinance eliminating all conditional uses, including PDC use and higher density residential development, within the RG-2 and RG-3 Regional Growth Zones presented a substantial issue with respect to CMP standards. The Township has requested and been granted an extension of the Commission's review period for the final ordinance mentioned above until July 31, 2011. In mid-September, the Township requested and was granted a second extension of the Commission's review period for the final ordinance mentioned above until November 14, 2011. The Township is expected to adopt an ordinance which will designate all, or most of, the RG-2 and RG-3 Regional Growth Zones as commercial zoning districts, which will include a PDC-use obligation. Staff provided the Township with a model ordinance establishing a nonresidential PDC program for the lands formerly within the RG-2 and RG-3 Zones. The Township has been granted a final extension through June 29, 2012 in order to allow it to adopt an ordinance substantially similar to the model ordinance provided by staff. <i>A meeting with Township officials took place April 4<sup>th</sup> to discuss proposed changes the Township wished to make to the model ordinance the Commission sent to it in November 2011. The Township's proposed changes and the options available to it are under review at this time.</i></p>
Manchester	<p>1. Expansion of Whiting (Pinelands Town): draft ordinance rezoning six lots from Forest to Town received 10/1/04; potential t&amp;e issues identified and under review; adopted ordinances received 2/7/05 and 3/8/05. Discussed t&amp;e concerns and possible alternatives to rezoning with Mayor 8/31/05. Letter sent 10/3/05. Staff has researched and drafted comments regarding the Township's proposal to implement cluster development or a density transfer plan to facilitate limited amount of development in the area. Maps and receiving area recommendations (including elimination of one or more existing receiving areas, expansion of others) were provided to the Township in May, 2006. Discussed with new Township Administrator and resent maps and recommendations mid-November. Draft master plan amendment received 11/21/06. Adopted master plan received 1/29/07. Draft ordinance received 11/21/2007; comments provided 12/6/07.</p>

MUNICIPALITY	TOPIC
	<p>Letter from PPA/Herpetological Associates raising issues received 12/13/07. Met with Township on 5/7/10 to discuss FA density transfer program, designation of new receiving areas and mandatory clustering. Draft ordinance, including FA/PT rezonings, received 6/22/10. Comments/questions provided to the Township re: zoning map revisions. Revised clustering/density transfer ordinance provided to the Township on 3/7/11, along with suggested revisions to zoning map changes. Adopted master plan amendment and Ordinance 11-025 received on 12/16/11 and 12/13/11, respectively. Finding letter sent 1/5/12. Public hearing held 2/1/12. Preparation of resolution and report to the Commission delayed while Township adopts an additional amendment to correct minimum lot size requirements for clustering in the Forest Area as specified in Ordinance 11-025.</p> <p>2. Township initiated discussion of expanding affordable housing opportunities in Beckerville Village. Met with Township and applicant 12/6/06 to discuss zoning and water quality issues. Draft ordinance received on 11/21/07 which would add age-restricted affordable apartments as a permitted use in Beckerville at a density of 5 units per acre. Response sent to Township 12/6/07 reiterating that water quality/wastewater treatment issues must be addressed first. Issue raised again by Township on 2/15/11; staff reiterated the need for a solution to the wastewater issue before proceeding with any zoning changes for Beckerville. Master plan amendment adopted on 12/5/11 recommends creation of new BVMF (Beckerville Village Multi-Family) Zone. No implementing ordinance has been adopted or provided for review. In response to an inquiry from the Township and the applicant (Homes for All), staff requested that the applicant provide details on any proposed wastewater solution.</p>
Maurice River	<p>1. Economic development: met with Township representatives on 6/7/11 to discuss development standards in various commercial zones, possibility of redevelopment designations, streamlined permitting, etc.</p>
Medford	<p>1. Revisions to Route 70 Smart Growth Redevelopment Plan/Medford Crossings South: Ordinance 2007-16 received 6/28/07. Township proposed to eliminate PDC obligation at Medford Crossings South redevelopment project by exempting affordable units. Staff advised Township representatives on 7/24/07 that affordable units could be exempted from PDC obligation only if such an exemption were coupled with a mandatory minimum percentage of PDC use for the 292 market rate units in the project. Township requested and was granted several extensions of the Commission's review period (most recently through 11/1/08) to provide an opportunity for further discussion of PDC issues and resolution of various litigation issues. No response to staff's requests for status since that time. On 3/14/11, staff learned that the Township is now in discussions with a new redeveloper for the site and is again proposing the adoption of revisions to the Redevelopment Plan which would significantly reduce or entirely eliminate any obligation for PDC use. The Township was again advised that such an ordinance would be inconsistent with the CMP and could not be recommended for certification. Discussions held with Township Solicitor on 3/21/11 and 3/22/11 and information provided re: PDC sales prices on 3/22/11.</p> <p>2. Clustering: Ordinance 2011-15 adopted and provided to the Commission for review, along with accompanying master plan amendment. No substantial issue finding letter sent 12/16/11.</p>
Monroe	<p>1. <i>Clustering/forestry: master plan amendment drafted. Staff met with municipal representatives in February 2012 to discuss concerns. Master Plan amendment adopted 2/23/12; implementing ordinance adopted 3/27/12. Public hearing held 5/9/12. The Commission certified the master plan amendment and ordinance on 6/8/12.</i></p> <p>2. <i>Rezoning proposal: Township forwarded copies of a proposal it received involving redesignation of lands from APA to RGA on 5/10/12. Proposal is under review.</i></p>
Ocean	<p>1. Landfill Redevelopment Plan – adopted ordinance (2011-1) received on 2/28/11. Redevelopment Plan allows for solar energy facilities to be developed at the Southern Ocean Landfill site, within a Pinelands Forest Area. Extension requested by the Township until such time as the Commission adopts the recently</p>

MUNICIPALITY	TOPIC
	<p>proposed solar facility amendments to the CMP. Extension granted on 3/15/11.</p> <p>2. Solar facilities ordinance (2010-8) received 1/20/11. Finding letter issued on 2/22/11, indicating ordinance was not consistent with the CMP because it permitted solar facilities as a principal use in the Preservation and Forest Areas. Township requested and was granted an extension of the Commission's review period until 7/15/11 in order to provide an opportunity for adoption of amendments. Township has since repealed Ordinance 2010-8.</p> <p>3. Clustering: Ordinance 2011-21 adopted and provided to the Commission for review. No substantial issue finding letter sent 11/23/11.</p>
Pemberton	<p>1. Browns Mills Redevelopment/Revitalization Study: Township has received a grant and hired a consultant. Meeting with consultant held 2/1/08. Maps and other information on parcels, wetlands buffers and projects subsequently provided to consultant. Draft of conceptual site plan for Browns Mills redevelopment received 7/21/09. Draft of Browns Mills Strategic Revitalization and Redevelopment Study received 4/8/10. Draft of Ordinance 5-2010, adopting amendments to the 1995 Browns Mills Town Center Redevelopment Plan, received 4/19/10. Copy of 1995 Browns Mills Redevelopment Plan and adopting ordinance (8-1995) requested 4/19/10 and received 4/22/10. All documents under review. Staff met with the Township's planners on 5/19/10 to discuss the 1995 Redevelopment Plan, recent amendments and additional plans for the revitalization of Browns Mills. Meeting held with the Township, at Mayor's request, on 4/14/11. Received notice that Browns Mills Revitalization Plan was adopted by the Township earlier this year; awaiting receipt of adopted ordinance. Adopted ordinance (12-2011) received on 12/19/11 and under review.</p> <p>2. 2009 Master Plan: draft of new master plan received 6/9/09. Meeting held with planning consultants on 6/18/09 to review proposed zoning and management area changes and affordable housing issues. Drafts of implementing ordinances received, including rezonings and management area changes within the Pinelands area, on 11/10/09. Draft of amended zoning map received 12/9/09 and under review. Adopted ordinances received 1/15/10. Adopted Master Plan received 2/25/10. All adopted documents under review. More detail on rezoning boundaries requested and received 3/22/10. List of issues identified for the Township and under discussion. Met with Township Planner on 3/8/12 to discuss clustering amendments as well as zoning changes and master plan. <i>Received response to Master Plan/zoning map issues on 6/13/12. Township also indicated an interest in an additional FA-APA zoning change. Advised municipality that progress would need to be made on clustering ordinance before review of other zoning changes could commence.</i></p>
Plumsted	<p>1. Clustering: staff met with Township representatives and a developer with a project in the Rural Development Area during the summer (2011). The Township has proposed modifications to the clustering amendments, including the use of yield plans and larger lots (1.5 acres). Draft ordinance received 11/21/11 and under review. Comments provided to the Township 1/25/12. <i>Adopted ordinance (2012-04) received 5/4/12. Finding letter sent; public hearing held on 6/13/12. The ordinance is under review to determine whether changes made by the Township to the clustering rules are consistent with the CMP.</i></p>
Southampton	<p>1. Solar/Wind ordinance (2010-11) received on 8/20/10. Letter emailed to Township on 9/20/10 indicating concerns with applicability of ordinance in APA and RDA. Solar/Wind ordinance (2011-7) again received from the Township. Letter sent 6/17/11 identifying concerns with applicability of the ordinance in APA and RDA, discussing the Commission's proposed solar rules and requesting the Township delay adoption. Received copy of 2011 Land Use Plan Amendment, addressing alternative energy facilities, on 8/8/11. Comments provided 8/17/11. <i>A revised draft solar/wind ordinance, specific to the Pinelands Area, was received on 6/26/12 and is under review.</i></p>
Upper	<p>1. Clustering: Ordinance 2011-36 adopted and provided to the Commission for review. No substantial issue finding letter sent 12/13/11.</p>
Vineland	<p>1. Clustering: adopted ordinance (2011-65) received 12/28/11 and under review. No substantial issue finding letter sent 1/25/12.</p>

MUNICIPALITY	TOPIC
Waterford	<p>1. Draft 2010 Master Plan received and under review (includes proposed zoning and management area changes). <i>Adopted Master Plan elements received. Draft zoning map received on 5/17/12, along with text of ordinance amendments. Advised municipality that progress would need to be made on clustering ordinance before review of other zoning changes could proceed. Meeting to be scheduled with Township representatives to discuss concerns with clustering amendments in July.</i></p> <p>2. <i>Archway School: rezoning proposal received 5/17/12. Involves change in management area designation from RDA to RGA for existing school and surrounding residential area. Advised municipality that progress would need to be made on clustering ordinance before review of this management area change could commence.</i></p>
Weymouth	<p>1. Draft ordinance (472-2008) requiring use of contiguous commonly owned lands prior to use of noncontiguous lands under the Forest Area density transfer program received 3/24/08. Comments provided to Township solicitor on 4/30. Discussed in detail with Planning Board Engineer on 5/8. Adopted ordinance received 6/12. Finding letter issued on 7/7/08 indicating ordinance raises a substantial issue requiring Commission's formal review and approval. Meeting with Township representatives to discuss purpose of ordinance and its implications to be scheduled. Township has since repealed the ordinance and will reconsider the issue as part of an upcoming master plan review.</p> <p>2. Ordinance 468-2008 establishing a contribution in-lieu of providing recreational facilities for certain residential developments and providing regulations for recreational facilities received and reviewed. Finding Letter issued determining that Ordinance 468-2008 presented a substantial issue and requesting supporting analysis for the fee in question. Extension of Commission's review period requested and granted through 7/11/08. Awaiting adoption and submission of revised ordinance.</p> <p>3. 2011 Master Plan: adopted on 7/13/11 and provided to Commission. Met with Planning Board members and other Township representatives on 9/14/11 to discuss clustering, density transfer and master plan recommendations. Draft ordinance received; comments provided. Additional ordinance revisions drafted by Commission staff and provided for the Planning Board's consideration on 1/6/12. Received copy of Ordinance 503-2012 on 2/10, with adoption scheduled for 4/4/12. <i>Received adopted copy of Ordinance 503-2012 on 4/17/12. Awaiting Township's adoption of revised zoning map before proceeding with formal review and certification process.</i></p>
Woodland	<p>1. Expansion of Duke's Bridge infill area: rezoning proposal received 4/8/08. Meeting with Township held 5/7/08.</p> <p>2. Expansion of Rt. 72 infill area to incorporate municipally owned lands: rezoning proposal received 3/31/08. Meeting with Township held 5/7/08. Waiting for tax map and ownership information from municipality before proceeding to develop rezoning options. Tax map/ownership information received 10/23/08. Meeting held with Township representatives on 2/15/11 to discuss plans for Master Plan Reexamination. Parcel data and other information subsequently provided to the Township. On December 14<sup>th</sup>, staff met with the Township's professionals to discuss its proposed 2011 Master Plan Reexamination Report and its 2011 Master Plan. Staff explained its concerns with the proposed zoning changes and is working with the Township's professionals on revisions. At the Mayor's request, an additional meeting was held in January 2012 for purposes of discussing commercial development opportunities on municipal property partially located in the HB (Infill) Zone.</p>

**Attachment #2  
EMPLOYEE ACTIONS  
April, May, & June 2012**

**A. DEPARTING EMPLOYEE(S)**

Name	Title	Office	Effective Date	Hire Date
Nicholas Procopio	Research Scientist 1	Science	7/13/12	8/7/00

**B. VACANCIES / RECRUITMENT(S)**

Title	Office	Status
Director Special Programs	Executive	Not Budgeted
Community Planner*	Executive	Not Budgeted
GIS Administrator	Land Use/Tech. Prgms.	Not Budgeted
Planner - Economic	Land Use/Tech. Prgms.	Not Budgeted
Resource Planner	Land Use/Tech. Prgms.	Not Budgeted
Office Assistant (part time)	Land Use/Tech. Prgms.	Not Budgeted
Planning Assistant (part-time/Econo. Monit. Prgm.)	Land Use/Tech. Prgms.	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Environmental Specialist	Regulatory Programs	Not Budgeted
Coordinator of Environmental Services	Regulatory Programs	Not Budgeted
Research Scientist	Science	Not Budgeted
Research Scientist	Science	Not Budgeted
Research Scientist*	Science	Not Budgeted
GIS Specialist*	Science	Not Budgeted
Research Technician**	Science	Resumed Recruitment
Business Specialist	Business Services	Not Budgeted
Principal Office Assistant	Business Services	Not Budgeted
Principal Applicant Services Rep.	Regulatory Programs	No Replacement; Hiring Freeze
Principal Applicant Services Rep.	Regulatory Programs	No Replacement; Hiring Freeze
Undetermined (2 Full Time and 1 Part Time)	Unassigned	Not Budgeted

\*Funded by the Pinelands Conservation Fund

\*\*Funded by an EPA Grant (Assessing the Ecological Integrity of Intermittent Ponds & Their Vulnerability to Land-Use Impacts)

**C. OTHER NOTES**

Name	Title	Office	Notes
Michelle Russell	Human Resources Specialist	Executive	Working a part-time schedule
Barry Brady	Planner 1-Cultural Resource	Land Use & Tech. Pgms.	Working a part-time schedule
John Repa	Project Support Assistant	Regulatory Programs	Working a part-time schedule
Stacey Roth	Senior Counselor	Executive	Donated Leave and Family Leave
Rhonda Ward	Environmental Specialist	Regulatory Programs	Intermittent Family Leave
Andrew McGowan	Unpaid Intern	Science	Will work June to August 2012
Rebecca French-Mesch	Unpaid Intern	Land Use & Tech. Pgms	Working 3/5/12 to 9/30/12

**Attachment #3**

**PINELANDS-SPECIFIC LEGISLATION**

<b><u>Bill No.(s)</u></b>	<b><u>Prime Sponsor(s)</u></b>	<b><u>Synopsis</u></b>	<b><u>Current Status</u></b>
A2809	McKeon  Previous Bill Numbers A4347 and S3137	Establishes forest harvest demonstration program in Pinelands area	Introduced, referred to Assembly Agriculture and Natural Resources Committee
S694	Addiego/VanDrew	Eliminates development review fees charged by Pinelands Commission	Introduced in the Senate, Referred to Senate Environment and Energy Committee
S1960	Whelan  Previous Bill Number S3017	Designates Atlantic City and Pleasantville, Atlantic County as area eligible for redemption of Pinelands Development Credits	Introduced in the Senate, Referred to Senate Environment and Energy Committee
A1704	Russo  Previous Bill Number A1704	Limits political contributions by certain government contractors; revises disclosure standards applicable to State officials; expands disclosure for lobbyists; prohibits certain types of dual office holding	Introduced, Referred to Assembly State Government Committee
A1709	Russo  Previous Bill Number A283	Establishes certain ethical standards and financial control requirements for State authorities.	Introduced, Referred to the Assembly State Government Committee
S978	Greenstein  Previous Bill Number S2686	Amends "State Transfer of Development Rights Act," and provides for impact fees and other incentives for establishment of transfer of development rights programs.	Introduced, Referred Senate Economic Growth Committee
A514	DiMaio	Requires State compensation of property owners for certain property devalued due to certain environmental laws; and requires State agencies to evaluate proposed administrative rules for potential to constitute taking of real property	Introduced, Referred to Assembly State Government Committee
A1348	Rible/Rumana	Revises laws governing provision of affordable housing; reestablishes regional	Introduced, Referred to Assembly Housing and Local

		contribution agreement as method of meeting affordable housing obligation; repeals Statewide non-residential development fee	Government Committee
A293	Amodeo/Brown <i>Last session Bill Number A2617 and S1235</i>	Prohibits Pinelands Commission from requiring Pineland Development Credits for the construction of development projects that includes affordable housing	Introduced, Referred to Assembly Environment and Solid Waste Committee
A2629	<i>Rudder, Brown</i>	<i>Exempts for five years, certain new business activities in pinelands area from compliance with Pinelands Commission Development approval process</i>	<i>Introduced, Referred to Assembly Environment and Solid Waste Committee</i>
S1785	Addiego	Exempts, for five years, certain new business activities in pinelands area from compliance with Pinelands Commission development approval process	Introduced in the Senate, Referred to Senate Environment and Energy Committee
A1063	<i>DeCroce/Rible</i> <i>Previous Bill Number A2540</i>	<i>Provides that certain permits and approvals for critical infrastructure projects must be acted upon within 45 days</i>	<i>Introduced, Referred to Assembly Housing and Local Government Committee</i>
S842	<i>Vitale/Beck</i> <i>Previous Bill Numbers A2768/S2074</i>	<i>Establishes deadlines for filing financial disclosure statements with Senate Ethic Commission</i>	<i>Introduced in the Senate, Referred to Senate State Government, Wagering, Tourism &amp; Historic Preservation Committee</i>
A932	<i>Riley/Chivukula</i> <i>Previous Bill Number A2925</i>	<i>Concerns "Freshwater Wetlands Protection Act" general permit for expansion of cranberry bogs in pinelands area</i>	<i>Introduced, referred to Assembly Agriculture and Natural Resources Committee</i>