



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894 7300

September 12, 2011

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

Nancy Wittenberg  
Executive Director

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

David Ahdout  
New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625

Please Always Refer To  
This Application Number

Re: Application # 2003-0403.001  
State Highway Route 72  
County Route 554 (West Bay Avenue)  
Barnegat Township  
Stafford Township

Dear Mr. Ahdout:

Enclosed is a copy of the Resolution adopted by the Pinelands Commission at its meeting on September 9, 2011. The Commission approved the proposed widening of the westbound shoulder of State Highway Route 72 (Route 72) and the realignment of the existing Route 72 and Ocean County Route 554 intersection in Barnegat and Stafford Townships subject to the conditions recommended by the Executive Director. The project must be developed in accordance with these conditions.

You may appeal the decision of the Pinelands Commission to the Appellate Division of Superior Court. Such an appeal must be filed within 45 days.

Please note that, consistent with Condition #6 of the Commission's approval, prior to construction, the applicant must submit information to the Commission demonstrating that the proposed development of the stormwater management swales is consistent with the threatened and endangered plant species protection standards of the Pinelands Comprehensive Management Plan (CMP). Condition #6 specifies that NJDOT shall not commence construction prior to submission of that information and receipt of a Commission letter agreeing with the conclusion of the submitted information. We are in receipt of a September 8, 2011 letter from Amy S. Green

[www.nj.gov/pinelands](http://www.nj.gov/pinelands)

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)

Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us) 20030403.001\*

The Pinelands -- Our Country's First National Reserve and a U.S. Biosphere Reserve

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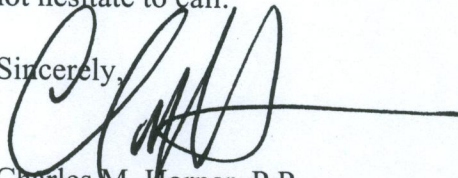


Environmental Consultants regarding consistency of the proposed development with the Commission's threatened and endangered plant species protection standards. That letter concludes that the proposed development will be consistent with the concerned threatened and endangered protection standard for all but six possible plant species. That letter also indicates that, if necessary, additional field work could be conducted to address these six remaining plant species. Please contact Brian Szura of our staff to arrange a one day follow up site inspection during the month of September 2011 to address these six remaining plant species.

Lastly, please note that we have received a letter from Ms. Jennifer Young, a resident of Manahawkin, expressing a safety concern regarding the proposed project. Ms. Young has also submitted copies of correspondence from 2005 to our office regarding the concern. That correspondence is between Ms. Young, legislators and a prior New Jersey Commissioner of Transportation. Our Executive Director, Ms. Nancy Wittenberg, has requested that, by copy of this letter, we provide the Pinelands Commission's decision on this application to NJDOT to update the Commissioner's office on the matter.

If you have any questions, please do not hesitate to call.

Sincerely,



Charles M. Horner, P.P.  
Director of Regulatory Programs

CMH/kag

Enclosure: Resolution and Report on an Application for Public Development

c: Secretary, Barnegat Township Planning Board  
Barnegat Township Environmental Commission  
Secretary, Stafford Township Planning Board  
Stafford Township Environmental Commission  
Ocean County Planning Board  
Commissioner James S. Simpson, NJDOT  
Jennifer Young  
George Bilgrav  
Manuel Perira  
Theresa Lettman  
Nancy Wittenberg, Executive Director  
Ernest M. Deman  
Brian Szura



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-11- 28

**TITLE:** Approving With Conditions Applications for **Public Development** (Application Numbers 1981-1833.062, 1996-1089.007 & 2003-0403.001)

Commissioner Ficagjira moves and Commissioner Hoas seconds the motion that:

**WHEREAS**, the Pinelands Commission has reviewed the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

- 1981-1833.062**      **RICHARD STOCKTON COLLEGE OF NEW JERSEY**, Galloway Township, Regional Growth Area, construction of 2.6 acres of solar panel fields at The Richard Stockton College of New Jersey (Date of Report: August 22, 2011);
- 1996-1089.007**      **BUENA BOROUGH MUNICIPAL UTILITIES AUTHORITY**, Buena Borough, Pinelands Town of Buena, construction of a 3,120 square foot wastewater treatment building and associated development (Date of Report: August 22, 2011); and
- 2003-0403.001**      **NEW JERSEY DEPARTMENT OF TRANSPORTATION**, Barnegat Township and Stafford Township, Regional Growth Area, Forest Area and Preservation Area District, widening of the westbound shoulder of State Highway Route 72 and the realignment of the existing Route 72 and Ocean County Route 554 intersection in Barnegat and Stafford Townships (Date of Report: August 22, 2011).

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

**WHEREAS**, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director for each of the proposed applications for public development; and

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

**WHEREAS**, the Pinelands Commission hereby determines that each of the proposed public development conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed.

**NOW, THEREFORE BE IT RESOLVED** that the following applications for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

- 1981-1833.062**      **RICHARD STOCKTON COLLEGE OF NEW JERSEY**, Galloway Township, Regional Growth Area, construction of 2.6 acres of solar panel fields at The Richard Stockton College of New Jersey (Date of Report: August 22, 2011);
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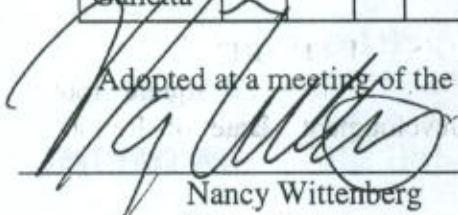
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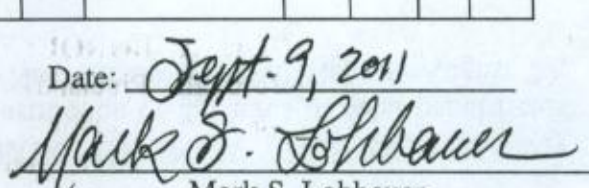
**Record of Commission Votes**

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Haas	X				Quinn	X			
Brown	X				Harris			X		Rohan Green			X	
Earlen	X				Jackson	X				Witt	X			
Ficcaglia	X				Lloyd	X				Lohbauer	X			
Galletta	X				McGlinchey	X								

Adopted at a meeting of the Pinelands Commission

Date: Sept. 9, 2011

  
 Nancy Wittenberg  
 Executive Director

  
 Mark S. Lohbauer  
 Chairperson