



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

RICHARD PRICKETT
Chairman

NANCY WITTENBERG
Executive Director

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

August 9, 2019

Brenna Fairfax
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Re: Application # 2019-0053.001
State Route 47
Maurice River Township

Dear Ms. Fairfax:

Enclosed is a copy of the Resolution adopted by the Pinelands Commission at its meeting on August 9, 2019. The Commission approved the construction of an electronic traffic advisory sign with associated development within the Route 47 right-of-way in Maurice River Township subject to the conditions recommended by the Executive Director.

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.

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

Sincerely,

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

Enclosure: Resolution and Public Development Application Report, dated 7/18/2019

c: Secretary, Maurice River Township Planning Board
Maurice River Township Construction Code Official
Maurice River Township Environmental Commission
Secretary, Cumberland County Planning Board



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-19- 28

TITLE: Approving With Conditions Applications for **Public Development** (Application Numbers 1990-1174.011, 2000-0637.003, 2006-0322.002, 2008-0026.002, 2008-0026.003 & 2019-0053.001)

Commissioner Lohbauer moves and Commissioner Avery seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Reports and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1990-1174.011

Applicant: Monroe Township
Municipality: Monroe Township
Management Area: Pinelands Regional Growth Area
Date of Report: July 18, 2019
Proposed Development: Installation of an irrigation well at the Owens Memorial Park recreational facility

2000-0637.003

Applicant: Washington Township
Municipality: Washington Township
Management Area: Pinelands Village
Date of Report: July 18, 2019
Proposed Development: Construction of 10 paved parking spaces at the Washington Township Municipal Building;

2006-0322.002

Applicant: New Jersey Department of Transportation
Municipality: Dennis Township
Management Area: Pinelands Forest Area
Pinelands Village
Date of Report: July 19, 2019
Proposed Development: Construction of an electronic traffic advisory sign with associated development within the State Route 47 right-of-way;

2008-0026.002

Applicant: New Jersey Department of Transportation
Municipality: Egg Harbor City
Mullica Township
Management Area: Pinelands Town
Pinelands Rural Development Area
Date of Report: July 18, 2019
Proposed Development: Extension of an existing stormwater drainage system within the U.S. Route 30 right-of-way;

2008-0026.003

Applicant: New Jersey Department of Transportation
Municipality: Egg Harbor City
Management Area: Pinelands Town
Date of Report: July 18, 2019
Proposed Development: Installation of approximately 980 linear feet of sidewalk within the U.S. Route 30 right-of-way ; and

2019-0053.001

Applicant: New Jersey Department of Transportation
Municipality: Maurice River Township
Management Area: Pinelands Rural Development Area
Date of Report: July 18, 2019
Proposed Development: Construction of an electronic traffic advisory sign with associated development within the Route 47 right-of-way.

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

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

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

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

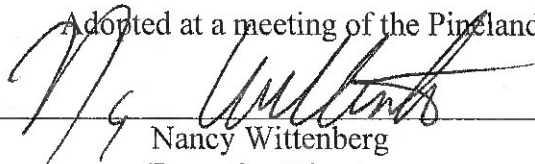
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1990-1174.011, 2000-0637.003, 2006-0322.002, 2008-0026.002, 2008-0026.003 & 2019-0053.001 for public development are hereby **approved** subject to the conditions recommended by the Executive Director.

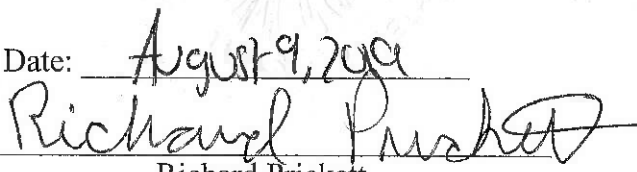
Record of Commission Votes

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Ashmun	X				Irick	X				Quinn				X
Avery	X				Jannarone	X				Rohan Green				X
Christy			X		Lloyd			X		Prickett	X			
Earlen	X				Lohbauer	X								
Howell	X				Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission


 Nancy Wittenberg
 Executive Director

Date: August 9, 2019

 Richard Prickett
 Chairman



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General Information: Info@pinelands.nj.gov
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RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Re: Application # 2019-0053.001
State Route 47
Maurice River Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for construction of an electronic traffic advisory sign with associated development within the Route 47 right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its August 9, 2019 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.

Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Maurice River Township Planning Board (via email)
Maurice River Township Construction Code Official (via email)
Maurice River Township Environmental Commission (via email)
Secretary, Cumberland County Planning Board (via email)



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Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

July 18, 2019

Brenna Fairfax (via email)
New Jersey Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Application No.: 2019-0053.001
State Route 47
Maurice River Township

This application proposes construction of an electronic traffic advisory sign with associated development within the Route 47 right-of-way.

The proposed development associated with the traffic advisory sign includes the construction of 325 linear feet of guiderail, an equipment cabinet, a paver pad for maintenance vehicle parking and the installation of approximately 255 linear feet of fiber optic cable in the State Route 47 right-of-way. The applicant also proposes the installation of approximately 70 linear feet of overhead fiber optic cable on existing utility poles.

The applicant indicates that the proposed development will be utilized to inform motorists of traffic congestion and to assist the New Jersey Department of Transportation with emergency management and congestion mitigation.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.26 (b)13)

In the area of the proposed development, State Route 47 is the boundary between the State Regulated Pinelands Area and the Pinelands National Reserve. In this area, the entire Route 47 right-of-way is located within the Pinelands Area.

The majority of the proposed development is located in the Pinelands Area. A small portion of the proposed development is located outside the State Route 47 right-of-way in the Pinelands National Reserve.

The proposed development in the Pinelands Area is located in a Pinelands Rural Development Area. The proposed development is a permitted use in a Pinelands Rural Development Area.

The proposed development in the Pinelands National Reserve is not subject of this application.

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

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

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to replant non-native lawn grasses along the maintained road shoulder.

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

The proposed development results in less than 5,000 square feet of disturbance. The CMP provides that the grading, clearing or disturbance of an area of less than 5,000 square feet is defined as minor development. The CMP stormwater management standards do not apply to minor non-residential development proposing grading, clearing or disturbance of less than 5,000 square feet within any five year period. The proposed development is not required to address the CMP stormwater management standards.

PUBLIC COMMENT

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on June 7, 2019. The Commission's public comment period closed on July 12, 2019. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of five sheets, prepared by Michael Baker International, Inc., and dated as follows:
 - Sheet 1 - March 12, 2019
 - Sheet 2 - March 11, 2019
 - Sheet 3 - March 27, 2019
 - Sheet 4 - undated
 - Sheet B-29 - April 26, 2019
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native

grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.

4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



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PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission and received at the Commission's office no later than 4:00 PM on August 5, 2019 and include the following information:

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

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