



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

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

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

April 9, 2021

Brenna Fairfax
New Jersey Department of Transportation
P.O. Box 600
Trenton, NJ 08625

Re: Application # 2019-0142.001
U.S. Route 30
Winslow Township

Dear Mr. Fairfax:

Enclosed is a copy of the Resolution adopted by the Pinelands Commission at its meeting on April 9, 2021. The Commission approved the proposed stormwater management improvements within the U.S. Route 30 right-of-way in Winslow 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 3/19/2021

- c: Secretary, Winslow Township Planning Board
- Winslow Township Construction Code Official
- Winslow Township Environmental Commission
- Secretary, Camden County Planning Board



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-21-11

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 2019-0142.001)

Commissioner Pikolycky moves and Commissioner Lohbauer seconds the motion that:

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

2019-0142.001

Applicant: New Jersey Department of Transportation
Municipality: Winslow Township
Management Area: Pinelands Village
Date of Report: March 19, 2021
Proposed Development: Stormwater management improvements within the U.S. Route 30 right-of-way in Winslow Township.

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

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

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms 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 Number 2019-0142.001 for public development is 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*
Avery	X				Irick	X				Pikolycky	X			
Christy	X				Jannarone	X				Quinn			X	
Higginbotham	X				Lloyd	X				Rohan Green			X	
Howell			X		Lohbauer	X				Prickett	X			

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: April 9, 2021

Nancy Wittenberg
 Executive Director



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RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

March 19, 2021

Brenna Fairfax (via email)
New Jersey Department of Transportation
P.O. Box 600
Trenton, NJ 08625

Re: Application # 2019-0142.001
U.S. Route 30
Winslow Township

Dear Ms. Fairfax:

The Commission staff has completed its review of this application for stormwater management improvements within the U.S. Route 30 right-of-way in Winslow Township. 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 April 9, 2021 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, Winslow Township Planning Board (via email)
Winslow Township Construction Code Official (via email)
Winslow Township Environmental Commission (via email)
Secretary, Camden County Planning Board (via email)



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RICHARD PRICKETT
 Chairman
 NANCY WITTENBERG
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

March 19, 2021

Brenna Fairfax (via email)
 New Jersey Department of Transportation
 P.O. Box 600
 Trenton, NJ 08625

Application No.: 2019-0142.001
 U.S. Route 30
 Winslow Township

This application proposes stormwater management improvements within the U.S. Route 30 right-of-way in Winslow Township. The proposed improvements will be located within a 400 linear foot section of the U.S. Route 30 right-of-way near its intersection with Spring Road and within a 1,400 linear foot section of the U.S. Route 30 right-of-way near its intersection with East Fleming Pike.

This application proposes the installation of a total of 2,911 linear feet of stormwater drainage pipe and 27 stormwater inlets within the two sections of the U.S. Route 30 right-of-way. The proposed stormwater drainage pipe and 27 stormwater inlets will be installed within the paved cartway.

The applicant indicates that the stormwater drainage improvements have been designed to alleviate persistent roadway flooding and will improve highway safety.

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. 7:50-5.27(a))

The proposed development is located in the Pinelands Village of Elm. The proposed development is a permitted land use in a Pinelands Village.

Wetlands Standards (N.J.A.C. 7:50-6.7)

Each of the two sections of the U.S. Route 30 right-of-way proposed for stormwater management improvements have existing stormwater drainage systems. These existing systems were installed prior to the 1981 effective date of the Commission’s regulations. Both existing systems currently discharge

stormwater runoff from the roadway directly to wetlands. To alleviate roadway flooding, the proposed stormwater management systems will tie into and extend the existing stormwater systems. To demonstrate that the proposed stormwater improvements will not result in a significant adverse impact to those wetlands, the applicant has designed the proposed stormwater improvements to ensure that there will be no increase in the volume and rate of stormwater runoff discharging to wetlands after the development than occurred prior to the proposed development.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Newspaper public notice was completed on February 2, 2021. The application was designated as complete on the Commission's website on February 24, 2021. The Commission's public comment period closed on March 12, 2021. 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 WSP USA Solutions, Inc. and dated as follows:

Sheets 1 & 2 - undated
Sheets 3 & 4 - September 24, 2020
Sheet 5 - September 23, 2020
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. 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 by the 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 by the Commission's office no later than 5:00 PM on April 5, 2021 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.