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State of New Jersey
THE PINELANDS COMMISSION
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SEAN W. EARLEN
Chairman
NANCY WITTENBERG
Executive Director

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

April 5, 2019

Mordechai Eichorn (via email)
Jackson Trails, LLC
305 Main Street
Lakewood, NJ 08701

Re: Application # 1983-5386.002
Block 23001, Lots 22 - 29
Jackson Township
Ridgeway Road & South Hope Chapel Road
Jackson & Manchester Townships

Dear Mr. Eichorn:

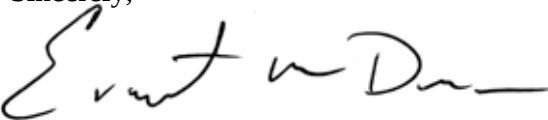
Pursuant to N.J.A.C. 7:50-4.34 of the Pinelands Comprehensive Management Plan, the completion of this application has resulted in the issuance of the enclosed *Inconsistent Certificate of Filing*. The reason(s) for the inconsistency is explained on Page 3 and must be resolved.

The Inconsistent Certificate of Filing is not an approval. It is the document necessary to allow any municipal or county agency to review and act on the proposed development application. All municipal and county permits and approvals granted for the proposed development are subject to review by the Pinelands Commission. **No permit or approval shall take effect and no development may occur until the Commission issues a letter indicating that the municipal or county permit or approval may take effect.**

Upon receipt of any municipal or county permit or approval, please submit a copy to the Commission's office with the additional items listed on the enclosed *Local Agency Approval Submission Checklist*.

If you have any questions, please contact Brian Szura of our staff.

Sincerely,


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

Enc: Inconsistent Certificate of Filing
Local Agency Approval Submission Checklist

c: Secretary, Jackson Township Planning Board (via email)

Jackson Township Construction Code Official (via email)
Jackson Township Environmental Commission (via email)
Secretary, Manchester Township Planning Board (via email)
Manchester Township Construction Code Official (via email)
Manchester Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Ian Borden (via email)
Susan R. Grogan, Executive Director, PDC Bank (via email)



Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

New Jersey Pinelands Commission
PO Box 359
New Lisbon, NJ 08064
(609) 894-7300



Sean W. Earlen
Chairman

Nancy Wittenberg
Executive Director

INCONSISTENT CERTIFICATE OF FILING

Application #: 1983-5386.002

Applicant: Jackson Trails, LLC

Block 23001, Lots 22 - 29

Municipality: Jackson Township

Ridgeway Road & South Hope Chapel Road

Municipality: Jackson & Manchester Townships

Regional Growth Area, RG-3 Zoning District: 129 acres

Proposed Development

Demolition of two buildings, 50 years old or older, a 372 lot subdivision, the construction of 457 dwelling units and a 24,500 square foot institutional building, and the installation of 9,300 linear feet of sanitary sewer main and 10,600 linear feet of water main within the Ridgeway Road and South Hope Chapel Road rights-of-way

Plan(s) Subject of Certificate of Filing

Subdivision Plan, consisting of 80 sheets, prepared by Professional Design Services, LLC and dated as follows:
Sheets 1-80, dated 7/12/2018, last revised 2/14/2019

Construction Plan - County Route 547, consisting of 20 sheets, prepared by Professional Design Services, LLC and dated as follows:
Sheets 1-20, dated 9/28/2018, last revised 2/14/2019

Final Plat, consisting of 9 sheets, prepared by Professional Design Services, LLC and dated as follows:
Sheets 1-9, dated 7/12/2018, last revised 2/14/2019

Pump Station Site Plan, consisting of 4 sheets, prepared by Professional Design Services, LLC and dated as follows:
Sheets 1-4, dated 7/12/2018, last revised 2/14/2019

Off Site Utility Plan, consisting of 23 sheets, prepared by Professional Design Services, LLC and dated as follows:
Sheet 1, dated 11/30/2018
Sheets 2-12 & 14-23, dated 12/21/2018
Sheet 13, dated 12/21/2018, last revised 2/14/2019

INCONSISTENT



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

April 5, 2019

Date

Please see the additional pages for more information and conditions

BACKGROUND

Existing development:

- ♦ Ten buildings. Two of the buildings are serviced by on-site septic systems.

Relevant Information:

- ♦ There are wetlands located on the parcel and within 300 feet of portions of the proposed offsite utility improvements.
- ♦ The applicant represents that the two buildings are single family dwellings. If the municipality determines that the buildings are single family dwellings, the conditions of this Certificate of Filing are applicable to any proposed reconstruction of those dwellings.
- ♦ The proposed development will be serviced by public sanitary sewer.
- ♦ The parcel proposed for residential development is located in Jackson Township's RG-3 zoning district. The Jackson Township land use ordinance requires that Pinelands Development Credits (PDCs) be used for 30 percent of all market rate dwelling units for development serviced by sanitary sewer in the RG-3 zoning district. Since a total of 365 market rate dwelling units are proposed (excluding the two dwellings that will replace the two existing single family dwellings),

CONDITIONS

1. Reconstruction of a single family dwelling, within five years of its demolition, does not require an application to the Pinelands Commission.
2. Prior to Commission issuance of a letter advising that any final municipal subdivision approval may take effect, the Commission must receive documentation from the Pinelands Development Credit (PDC) Bank that the requisite 27.50 PDCs have been acquired and submitted to the PDC Bank for redemption.
3. All development, including clearing and land disturbance, shall be located at least 175 feet from wetlands.
4. Any approval issued by Jackson Township must make a finding of whether the proposed development is consistent with the Fire Hazard Mitigation Standards of the Township land use ordinance.
5. Item(s) on the attached *Inconsistencies* document must be resolved prior to Commission issuance of a letter indicating that any municipal or county permit or approval can take effect.

NEXT STEPS

- ♦ This Certificate of Filing is not an approval.
- ♦ Submit a copy of this Certificate of Filing to all county and municipal agencies that are required to review and act on your application (municipal planning board, building department, county health department, etc.).
- ♦ Send a copy of all approvals/permits that are issued by the county or municipality to the Pinelands Commission for review. Please use the attached *Local Agency Approval Submission Checklist* to make sure you are submitting all required documentation related to the approval/permit.
- ♦ No local approval/permit takes effect and no development can occur until the Pinelands Commission has reviewed the approval. When we complete our review, we will issue you a letter stating that the approval/permit can take effect.

BACKGROUND

the purchase and redemption of 27.50 PDCs (1.0 PDCs = 4 dwelling units) is required.

CONDITIONS

NEXT STEPS

- ♦ The proposed development is located within a high forest fire hazard area. The Jackson Township land use ordinance and the CMP require the provision of a 200 foot perimeter fuel break between all buildings and the forest in high fire hazard areas for residential development of 100 or more dwellings. The application does not propose a perimeter fuel break. The applicant has submitted information taking the position that the wooded area surrounding the above referenced parcel does not constitute a forest.
- ♦ The applicant proposes to demolish eight buildings less than 50 years old. The demolition of a structure less than 50 years old does not require an application to the Commission.

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INCONSISTENCIES:

This application as currently proposed is inconsistent with the following standard(s) of the Jackson Township certified land use ordinance and the Pinelands Comprehensive Management Plan (CMP):

1. Stormwater discharge to wetlands (N.J.A.C. 7:50-6.84(a)6ii4)

The Jackson Township land use ordinance and the CMP provide that there shall be no direct discharge of stormwater runoff from any point or non-point source to any wetland, wetlands transition area or surface water body. In addition, stormwater runoff shall not be directed in such a way as to increase the volume and rate of discharge into any surface water body from that which existed prior to development of the parcel. This application proposes to connect the overflow from one of the proposed stormwater basins to an existing storm sewer system located in South Hope Chapel Road. This storm sewer system connects to an existing outfall which directly discharges into wetlands. The submitted stormwater management report demonstrates that the proposed development will result in an increase in the volume of stormwater runoff entering these wetlands during the 100-year storm.

Commission receipt of any county or municipal approval or permit for the development as currently proposed will likely result in the scheduling of a Commission staff public hearing to review the issues raised by the above-referenced inconsistency(ies).

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LOCAL AGENCY APPROVAL SUBMISSION CHECKLIST

- ✓ All approvals (including permits) issued by local agencies (including counties and municipalities) must be submitted to the Pinelands Commission. **No approval shall take effect and no development may occur until the Commission issues a letter indicating that the approval may take effect.**
- ✓ Identify the approvals required for your development proposal in the list below. Be sure to submit all items listed as quickly as possible as each approval is issued to you.
- ✓ Be sure that all approved plans contain all specified site restrictions and conditions listed in your Certificate of Filing (e.g., wetlands/wetland buffers, threatened/endangered species protection, scenic setback). This includes notes as well as depictions of clearly labeled lines, clearing limits, envelopes, etc.

	Type of approval(s):	Submit a copy to the Commission:
MUNICIPAL	- Subdivision approval (<i>preliminary, final, major and minor</i>) - Site plan approval (<i>preliminary, final, major and minor</i>) - Variance and/or waiver - Certificate of Appropriateness - General development plan approval	☐ Resolution granting approval ☐ Approved plan(s), signed and sealed ☐ Municipal engineer's and planner's reports ☐ Stormwater management report (<i>if revised since issuance of Certificate of Filing</i>)
	- Construction permit - Zoning permit - Demolition permit - Forestry permit - Mining permit - Certificate of Occupancy	☐ Permit
COUNTY	- Subdivision approval (<i>preliminary/conditional, final, major and minor</i>) - Site plan approval (<i>preliminary/conditional, final, major and minor</i>) - Soil Conservation District certification	☐ Approval ☐ Approved plan(s), signed and sealed
	Standard septic system permit	☐ Permit ☐ Approved plan (<i>only necessary if your Certificate of Filing contains a wetland protection condition and/or threatened/endangered species protection condition</i>)
	Alternate design septic system permit	☐ Permit ☐ Approved plan ☐ Written certification of approved plan by

	Type of approval(s):	Submit a copy to the Commission:
		alternate design system manufacturer