



State of New Jersey
THE PINELANDS COMMISSION
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General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

RICHARD PRICKETT
Chairman
NANCY WITTENBERG
Executive Director

May 1, 2020

Jeffrey S. Weaver (via email)
2402 Atco Avenue
Atco, NJ 08004

Re: Application # 2020-0059.001
Block 1605, Lot 11
Waterford Township

Dear Mr. Weaver:

We have completed our review of an application proposing the development of one single family dwelling on the above referenced 0.55 acre lot. I apologize for the delay in responding to this application.

Waterford Township previously entered into a program with the Pinelands Commission called the "Local Review Officer Program", which permits an application for a proposed single family dwelling that meets all applicable zoning and environmental standards to be reviewed by a Township designated "Local Review Officer" (LRO). Upon completion of an application with the Local Review Officer, the Local Review Officer would issue a "Preliminary Zoning Permit", which is equivalent to a Certificate of Filing, the document that the Commission issues once a development application is completed.

The above referenced lot is located in Waterford Township's R-1 zoning district. In the R-1 zoning district a single family dwelling may be developed on a lot containing at least 15,000 square feet, provided a residential density of 2.25 dwellings per acre (equivalent to one dwelling per 19,360 square feet). The above referenced 0.55 acre (equivalent to 23,958 square feet) lot meets the residential density and minimum lot size requirements.

Both the Waterford Township land use ordinance and the Pinelands Comprehensive Management Plan (CMP) contain wetland protection standards. These standards prohibit most types of development from occurring in wetlands and require up to a 300 foot undisturbed buffer from wetlands. Based upon available information, wetlands are located within 300 feet of the lot and the entire lot may be within the 300 feet of wetlands. The wetlands buffer is typically 300 feet, however, upon completion of a Buffer Delineation Model for New Jersey Pinelands Wetlands, it may be demonstrated that a lesser buffer is applicable for the proposed development. It is currently unclear whether a reduced buffer that would enable a proposed dwelling to meet the wetland protection standards is applicable to this lot.

Since it is unclear whether the wetland protection standards can be met for the proposed development, we cannot forward this application to the Waterford Local Review Officer for application processing, until it is determined that the proposed development will meet the wetland protection standards.

So that we may determine whether the proposed development of a dwelling on the above referenced lot will meet the wetland protection standards, please submit the following information to our office:

1. Please "Flag" or otherwise clearly mark in the field the boundaries of the wetlands that are located on or within 300 feet of your property.
2. Please submit a plot plan, prepared by an appropriately licensed professional that depicts the location of all existing and proposed development including all existing and proposed facilities, buildings, structures, parking areas, roads, limits of disturbance/clearing, driveway(s), wetlands, and the appropriate wetlands buffer.
3. Please submit the results of a "Buffer Delineation Model for New Jersey Pinelands Wetlands" and the resource capability maps used to complete the "Buffer Model". Alternatively, the Commission will perform the "Buffer Model" for applicants proposing the development of one single family dwelling upon request. If you would like the Commission staff to perform the Buffer Model, please indicate so in writing.
4. Please submit a copy of the sanitary sewer easement that has been obtained for the proposed development subject of this application.

Once the above requested information is submitted, we will determine whether the proposed development will meet the wetland protection standards. If it is demonstrated that the proposed development will be consistent with the wetland protection standards, we will forward your application to the Waterford Township LRO and refund your application fee. Please note that if the application is forwarded to the Waterford Township LRO, you will have to consult with the LRO to determine the Township's application fee.

If after reviewing the above requested information, it is determined that the proposed development cannot meet the wetland protection standards, it will be necessary to apply for a Waiver of Strict Compliance (Waiver) from the wetland protection standards contained in the CMP. Please be advised that one of the requirements for a Waiver to be approved by the Pinelands Commission is that the parcel subject of the Waiver must contain all lots that have been held in common ownership with the lot subject of the Waiver and the overall parcel cannot have an existing minimum beneficial use. The Waiver regulations only permit a Waiver to be approved to grant the minimum beneficial use of the overall parcel subject of a Waiver. A single family dwelling is considered an existing minimum beneficial use. Based upon our review of available tax information, Bl. 1605, Lot 11 was in common ownership with adjacent Bl. 1605, Lot 3, at some point since February 7, 1979. Block 1605, Lot 3 contains an existing single family dwelling. Based upon this common ownership, the overall parcel would be considered to have an existing minimum beneficial use and it would be unlikely that a Waiver could be approved for development of a dwelling on Block 1605, Lot 11.

For your convenience, application submissions consisting of letter or legal sized documents and electronically notarized application forms may now be submitted via email to AppInfo@pinelands.nj.gov. Large reports, plans, checks, and items that have a manually applied seal (i.e., plot plans, manually notarized items, etc.) must still be submitted as hard copies.

Please include your application number on any submitted information. Within 30 days of receipt, the Commission will review and respond in writing to any submitted information. No further review of the application will occur until the information requested in this letter is submitted.

If you have any questions, please contact the Regulatory Programs staff.

Sincerely,

A handwritten signature in black ink that reads "Rhonda L. Ward". The signature is written in a cursive style with a large initial "R" and "W".

Rhonda L. Ward
Environmental Specialist

c: Bill Ackley, Zoning Officer, Waterford Township (via email)
Mark Rinadli, Esq. (via email)