



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](mailto:Info@pinelands.nj.gov)  
Application Specific Information: [AppInfo@pinelands.nj.gov](mailto:AppInfo@pinelands.nj.gov)

RICHARD PRICKETT  
Chairman  
NANCY WITTENBERG  
Executive Director

November 6, 2020

Tim O'Day (via email)  
Insurance Auto Auctions Corp  
Two Westbrook Crop. Center, Suite 500  
Westchester, IL 60154

Re: Application # 1987-1183.015  
Block 5201, Lot 8  
Block 5302, Lot 1  
Block 5402, Lots 2 - 4  
Waterford Township

Dear Mr. O'Day:

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 reasons for the inconsistency are explained on Page 4 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 Rhonda L. Ward 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, Waterford Township Planning Board (via email)  
Waterford Township Construction Code Official (via email)

Waterford Township Environmental Commission (via email)  
Secretary, Camden County Planning Board (via email)  
Camden County Health Department (via email)  
Rick Ricciardi (via email)



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



Philip D. Murphy  
*Governor*

Richard Prickett  
*Chairman*

Sheila Y. Oliver  
*Lt. Governor*

Nancy Wittenberg  
*Executive Director*

**Inconsistent**  
**CERTIFICATE OF FILING**

**INCONSISTENT**

**Application #: 1987-1183.015**  
 Applicant: Insurance Auto Auctions Corp  
 Municipality: Waterford Township  
 Block 5201, Lot 8; Block 5302, Lot 1; Block 5402, Lots 2 - 4  
 Rural Development Area, RR Zoning District: 52.8 acres  
 Rural Development Area, PI Zoning District: 88.35 acres

**Proposed Development**

Demolition of four buildings, 50 years older or older, construction of a 9,750 square foot commercial building and the change of use of an existing race dragway to an automobile auction facility

**Plan(s) Subject of Certificate of Filing**

Site Plan, consisting of 25 sheets, prepared by Marathon Engineering & Environmental Services and dated as follows:  
 Sheets 1-25, dated 6/1/2020, last revised 10/30/2020

November 6, 2020

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

**Date**

## BACKGROUND

### Existing development:

- ♦ Race dragway

### Relevant Information:

- ♦ There are wetlands located on the parcel.
- ♦ The proposed use will be serviced by an onsite septic system.
- ♦ A 16 acre wooded area located on the west side of the parcel and a 7 acre wooded area located on the northeast side of the parcel were previously cleared prior to the completion of an application with the Commission in violation of the application requirements of the Waterford Township land use ordinance and the Pinelands Comprehensive Management Plan (CMP). To resolve these violations, the applicant proposes to allow the two areas to naturally revegetate.
- ♦ The property owner previously constructed several structures on the parcel prior to the completion of an application with the Commission in violation of the application requirements of the Waterford Township land use ordinance and the CMP. To resolve these violations, the applicant proposes to remove all of the concerned structures.
- ♦ An application for the paving of two

## CONDITIONS

1. All buildings shall be located at least 200 feet from the center line of all public paved roads.
2. All proposed development shall maintain a 250 foot buffer to the existing wetland ditch located onsite and depicted on the site plan. For all other wetlands located on and within 300 feet of the parcel, development must be located at least 300 feet from wetlands or be located no closer to wetlands than existing development.
3. Prior to the Commission issuance of a letter advising that any municipal demolition or construction permit may take effect, the applicant shall submit a letter to the Commission from an appropriate municipal official indicating whether the proposed natural revegetation of the 16 and 7 acre cleared areas is acceptable, or whether the municipality will require the applicant to revegetate the two concerned areas.
4. The applicant shall remove the concerned structures that were developed without application to the Commission and the pavement from the two concerned parking areas by June 30, 2021.
5. Item(s) on the attached *Inconsistencies* document must be resolved prior to Commission issuance of a letter indicating that any 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**

**CONDITIONS**

**NEXT STEPS**

parking areas was previously completed pursuant to the provisions of the CMP (App. No. 1987-1183.006). As part of that application, stormwater management facilities were required to be constructed to manage stormwater runoff from the paved parking areas. The concerned stormwater management facilities have not been constructed. To resolve this violation of the stormwater management standards of the Waterford Township land use ordinance and the CMP, the applicant proposes to remove the pavement from the two parking areas.

**INCONSISTENT**

## INCONSISTENCIES:

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

1. Groundwater mounding standard (N.J.A.C. 7:50-6.84(a)6iv3)

The Waterford Township land use ordinance and the CMP provide that groundwater mounds shall not cause stormwater or groundwater to breakout to the land surface or cause adverse impacts to adjacent water bodies, wetlands or subsurface structures, including, but not limited to basements and septic systems. The applicant has submitted a groundwater mounding analysis which indicates that the groundwater mounding caused by the proposed stormwater infiltration basin will result in adverse impacts to the adjacent wetlands.

2. Infiltration basin design, siting and construction standards (N.J.A.C. 7:50-6.84(a)6iv4)

The Waterford Township land use ordinance and the CMP provide that the use of stormwater management measures that are smaller in size and distributed spatially throughout the parcel is required to the maximum extent practical. This application proposes a single stormwater infiltration facility.

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).

INCONSISTENT



## 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:
<b>MUNICIPAL</b>	<ul style="list-style-type: none"> <li>• Subdivision approval (<i>preliminary, final, major and minor</i>)</li> <li>• Site plan approval (<i>preliminary, final, major and minor</i>)</li> <li>• Variance and/or waiver</li> <li>• Certificate of Appropriateness</li> <li>• General development plan approval</li> </ul>	<input type="checkbox"/> Resolution granting approval <input type="checkbox"/> Approved plan(s), signed and sealed <input type="checkbox"/> Municipal engineer's and planner's reports <input type="checkbox"/> Stormwater management report ( <i>if revised since issuance of Certificate of Filing</i> )
	<ul style="list-style-type: none"> <li>• Construction permit</li> <li>• Zoning permit</li> <li>• Demolition permit</li> <li>• Forestry permit</li> <li>• Mining permit</li> <li>• Certificate of Occupancy</li> </ul>	<input type="checkbox"/> Permit
<b>COUNTY</b>	<ul style="list-style-type: none"> <li>• Subdivision approval (<i>preliminary/conditional, final, major and minor</i>)</li> <li>• Site plan approval (<i>preliminary/conditional, final, major and minor</i>)</li> <li>• Soil Conservation District certification</li> </ul>	<input type="checkbox"/> Approval <input type="checkbox"/> Approved plan(s), signed and sealed
	<ul style="list-style-type: none"> <li>• Standard septic system permit</li> </ul>	<input type="checkbox"/> Permit <input type="checkbox"/> Approved plan ( <i>only necessary if your Certificate of Filing contains a wetland protection condition and/or threatened/endangered species protection condition</i> )
	<ul style="list-style-type: none"> <li>• Alternate design septic system permit</li> </ul>	<input type="checkbox"/> Permit <input type="checkbox"/> Approved plan <input type="checkbox"/> Written certification of approved plan by alternate design system manufacturer