



# ***RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION***

**NO. PC4-22- 39**

**TITLE:** **Approving** With Conditions an Amended Application for **Public Development** (Application Number 2007-0318.001)

Commissioner Avery moves and Commissioner Pikolycky seconds the motion that:

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

**2007-0318.001**

<b>Applicant:</b>	<b>NJDEP, NJ Forest Service</b>
<b>Municipality:</b>	Bass River Township Little Egg Harbor Township
<b>Management Area:</b>	Pinelands Preservation Area District
<b>Date of Report:</b>	September 23, 2022
<b>Proposed Development:</b>	Amended application for approximately 1,304 acres of forestry and approximately 13 miles of forest firebreak.

**WHEREAS**, on November 18, 2021, the Commission staff issued a Public Development Application Report recommending approval of certain proposed forestry activities and a proposed forest firebreak; and

**WHEREAS**, that Public Development Application Report was voted on at the December 10, 2021 Pinelands Commission monthly meeting; and

**WHEREAS**, a public development application requires a majority vote of eight of the fifteen Pinelands Commissioners to be either approved or denied; and

**WHEREAS**, that public development application received neither eight Commissioner votes to approve or eight Commissioner votes to deny; and

**WHEREAS**, the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.56) provides that if the Pinelands Commission fails to take any action on the application at its meeting, the recommendation of the Acting Executive Director shall be referred to the New Jersey Office of Administrative Law unless an extension of time for the Commission to act is extended by agreement of the applicant and the Acting Executive Director; and

**WHEREAS**, the applicant requested, and the Acting Executive Director agreed, that the application subject of the November 18, 2021 Public Development Application Report not be referred to the New Jersey Office of Administrative Law for a hearing until December 15, 2022; and

**WHEREAS**, the applicant has completed an amended application for public development resulting in the issuance of an Amended Public Development Application Report; and

**WHEREAS** no request for a hearing before the Office of Administrative Law regarding the Acting Executive Director's recommendation has been received for this amended application for public development; and

**WHEREAS**, the Pinelands Commission hereby adopts the Conclusion of the Acting Executive Director contained in the Amended Public Development Application Report; and

**WHEREAS**, the Pinelands Commission hereby determines that the proposed amended public development application 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 Acting 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 2007-0318.001 for amended public development is hereby **APPROVED** subject to the conditions recommended by the Acting Executive Director.

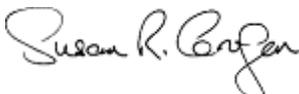
**Record of Commission Votes**

	AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*		AYE	NAY	NP	A/R*
Avery	X				Lettman		X			Pikolycky	X			
Christy			X		Lloyd	X				Quinn	X			
Holroyd	X				Lohbauer		X			Wallner				A
Irick	X				McCurry	X				Matos	X			
Jannarone			X		Meade			X						

\*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: October 14, 2022



Susan R. Grogan  
Acting Executive Director



Laura E. Matos  
Chair