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PRESERVATION
ALLIANCE

May - Jun 2012

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Special
Edition

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PINELANDS WATCH



Entrance way of Jackson Mills Road Soccer complex gated and locked on March 24, 2012

Jackson Township Submits Application to Divert Parkland

The taxpayers of New Jersey have purchased 115 acres of land on Jackson Mills Road for \$6.5 million dollars, but Jackson Township has gated and locked the site. Why? Because they have already diverted our recreational open space to a compost facility and parked equipment onsite they say needs to be protected.

In 2003, Jackson Township purchased the site on Jackson Mills Road to establish a recreational soccer complex. A portion of the acquisition funding was obtained from the NJ DEP Green Acres program. Because public funding was used for the purchase the site must be placed on Jackson Township's Recreation Open Space and Inventory (ROSI) and a conservation easement be placed on the

entire 115 acres.

Several soccer fields were established on site but on March 10, 2009, Jackson Township sent Green Acres a request to use a portion of the Jackson Mills Road site to establish a temporary composting facility and to use the composted materials to improve the soil conditions on the cleared areas of the site prior to establishing more soccer fields.

Under NJ Green Acres rules, N.J.A.C. 7:36-25.14, a municipality is allowed to temporarily use parkland for purposes other than outdoor recreation if the municipality obtains department approval. In April 2009 Jackson Township did receive approval for a period of no

continued on page 2

more than two years to establish and complete the composting soil enrichment project.

Because of the ongoing composting facility, Jackson Township has made a decision that the entire park must be closed to normal public access due to the fact that composting equipment is housed at the site. This closure is contrary to the NJ Green Acres regulations. Under N.J.A.C. section 7:36-25.10 a municipality has to ensure that funded parkland is open and that reasonable public access is afforded to all New Jersey residents. The public has spent \$6.5 million dollars on this open space and Jackson Township should immediately remove the locked gates and allow the public to use the site for any recreational activity.

Now, after two years of using the parkland site for composting, Jackson Township has submitted an application to permanently divert 2 to 3 acres so that the composting facility can remain on site. The acres to be diverted are located in the center of the Jackson Mills Road parkland.

When a municipality wants to use funded parkland for something other than recreation they are required to submit a diversion application under N.J.A.C. 7:36-25. (a copy of the rules can be found at <http://www.nj.gov/dep/greenacres/pdf/regs.pdf>)

A copy of the *Major Disposal-Diversion Pre-Application Jackson Mills Road Compost Facility Report* submitted by Jackson Township can be found on the PPA website at <http://www.pinelandsalliance.org/protection/work/curentissues/development/jckpark/>.

Requirements under the regulations are that the 1) diversion fulfill a compelling public need by mitigating a hazard to the public health, safety or welfare or 2) yield a significant public benefit by improving the delivery by the local government of essential services to the public or 3) provide an exceptional recreation and/or conservation benefit in Jackson or a watershed within the township.

Under the N.J. Green Acres rules Jackson Township is required to identify replacement land to be placed on its open space ROSI for the parkland being diverted. The compensation land, which Jackson Township is offering, is within the Pinelands Protection Area of Jackson Township (Block 17272, Lots 14 & 15).

This site contains over an acre of wetlands and is located within a Pinelands Forest Management area. The Pinelands Comprehensive Management Plan rules require wetlands in this management area to provide for a 300 foot buffer making, the entire site undevelopable for active recreation. PPA feels the compensation site should provide for an active recreational benefit like that of the area being diverted on the Jackson Mills Road site.

The Pinelands Preservation Alliance does not feel that this application meets any of the requirements under the NJ Green Acres rules and that our open space should not be locked or restricted by other Township operations.

If you would like to submit comments on the pending application the mailing address is:

State of New Jersey
Department of Environmental Protection
Green Acres Program
Mail Code 501-01
P.O. Box 420
Trenton, NJ 08625-0420

or to obtain more information on the pending application please contact:
Theresa@pinelandsalliance.org



The following Letter to the editor appeared
in the Jackson Times on April 7, 2012

Why is our Open Space Locked Up?

The taxpayers of New Jersey have purchased 115 acres of land on Jackson Mills Road for \$6.5 million dollars and Jackson Township has locked and gated the site. Why? Because they have already diverted our recreational open space to a compost facility and parked equipment onsite they say needs to be protected.

In 2003, Jackson Township purchased the site on Jackson Mills Road to establish a recreational soccer complex. But in January 2012 they submitted an application to NJ Green Acres to divert a portion of this land from open space to be used as a permanent composting facility. Jackson Township has asked to remove some of the site from the open space Recreation and Open Space Inventory (ROSI) so that the composting facility can remain on the site.

Jackson Township has submitted an application to NJ Green Acres to divert a portion of Block 147.01, part of lot 2 which was purchased with the \$6.5 million dollars of open space funding.

Land on a municipal ROSI is acquired with and without funding from NJ Green Acres. In the case of the Jackson Mills Road property, it is Green Acres funded parkland, and the site has a conservation easement on the entire 115 acres. This property was purchase to be developed for active recreation. Several soccer fields have already been established on site. But Jackson Township has also established a composting facility on the site with temporary approval from Green Acres until they could find a permanent location.

Jackson Township has made a decision that the entire park must be closed to normal public access due to the fact that equipment is housed at the compost facility. The parkland is locked and closed at the main entrance and according to residents has been this way for a lengthy period of time. Allowing limited access only to some organized soccer teams on the developed is not what the general public has paid \$6.5 million dollars for, and is a violation of Green Acres rules.

Pinelands Preservation Alliance and New Jersey Conservation Foundation feel that our open space should not be locked or restricted by other Township operations. We are opposed to the NJ Green Acres application and will be submitting detailed comments about our concerns. If you would like to also submit comments or obtain more information on the pending application please contact Theresa at Theresa@pinelandsalliance.org.

Theresa Lettman
Director of Monitoring Programs
Pinelands Preservation Alliance

**You can check for
public hearings which
have been scheduled
for any parkland
diversions throughout
the state by checking
the NJ Green Acres
website at:**

<http://www.nj.gov/dep/greenacres/notices.html>

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www.pinelandsalliance.org

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Editor: Theresa Lettman

Distributed to members of the Pinelands Watch Network and other members of the public. If you would like to receive these alerts, please contact Theresa Lettman at (609) 859-8860 Ext 22 or theresa@pinelandsalliance.org.

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Special Edition:

Jackson Township submits application to divert parkland



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