

Sandpaper
April 14, 2010

Proposed Ocean Acres Overlay Zone on the Agenda

An area in the Ocean Acres section of Barnegat Township that was originally meant to be free from development could be the site of 135 new homes.

The Township Committee and Planning Board are holding a special meeting on Thursday, April 22, at 7 p.m. to discuss a recently introduced ordinance that would redesignate 135 lots currently located in a residential conservation zone (RCV). The new area would be known as an overlay zone, according to Mayor Jeff Melchiondo.

He said that in 2004, the township adopted an ordinance that divided the Ocean Acres section into two zones: an RCV, where building is prohibited, and a residential highland zone (RHZ), where development is allowed only on lots that exceed 10,000 square feet.

At the time, the new conservation zone decreased the number of build-

able lots from 2,000 to 1,250. He said the impetus for the zone changes was to protect a local population of northern pine snakes and other endangered species.

After the ordinance was passed, Melchiondo said, the Walters Group objected, and entered into an agreement with the Pinelands Commission and the township to allow an additional impact study of the 135-lot portion of the conservation zone. The commission in October 2009 ruled that the 135 lots covering 38 acres did not constitute a threat to the pine snake.

As a result, Walters is looking to erect single-family homes in the overlay zone, which is located in an area bordered by Nautilus Drive, Avalon Avenue, Mutineer Drive and Viking Drive.

Township Administrator David Breeden said representatives of the commission and Walters have been

invited to the joint meeting. Members of the Pinelands Preservation Alliance, which opposes the ordinance, also plan to be in attendance.

"We all have to be on the same page," said Breeden. "We can't adopt the new ordinance without first getting consent from the Planning Board."

Breeden said a public hearing on the ordinance could be held at the committee's meeting on Monday, May 3.

"That's the earliest we can have it," he said. "We might have to move it to a later date."

Theresa Lettman, director for the alliance's monitoring programs, said she planned to address objections at the meeting.

"The environmental community believes that the Pinelands Commission has failed to protect an important species habitat," she said. "The alliance also believes that the zoning

concept that was put into place is not working. This zoning was set up so that lots both inside and outside the conservation area would retain value. It was a way to save the ecological resources and the value of all the lots in Ocean Acres."

She added, "I am not sure how the three-party agreement became part of protecting the threatened and endangered species habitat, but I believe these studies done were flawed, and the alliance's experts believe the area is in fact a critical habitat. But most importantly, the public believes that those involved have failed to protect an important habitat in Barnegat Township."

Paul Leaken, Pinelands Commission spokesman, declined comment. Joseph DeDuca, Walters Group partner and attorney, could not be reached for comment.

— Eric Englund
ericenglund@thesandpaper.net