

Barnegat Township planners say Ocean Acres Phase 3 fits master plan but is a bad idea

By ERIC SCOTT CAMPBELL Staff Writer | Posted: Thursday, April 29, 2010 |

Barnegat Township's land-use supervisors decided late Tuesday night to send a mixed message about perhaps the most controversial 38 acres in town: You can develop it, but you shouldn't.

The Planning Board was tasked with sending a "referral" to the Township Committee on Phase 3 of Ocean Acres, a wooded, unbuilt segment of a sprawling residential development.

The land has been off-limits to building since endangered northern pine snakes were discovered there in 2003, but a subsequent two-year study by developer The Walters Group found no snakes.

Walters, which owns 50 of Phase 3's 135 lots, has since asked the township to uphold its 2004 agreement to "promptly" rezone the land if it is not deemed a critical habitat for the snake.

The job of the Planning Board on Tuesday night was to advise Township Committee whether development of Phase 3 conforms to the township's master land-use plan, attorney Michael McKenna told the members. The committee is scheduled to make a final decision Monday night.

Members agreed that development there would technically be suitable, and Deborah Spettel introduced a motion to tell the Township Committee precisely that. It failed, because some members felt compelled to say more.

Members questioned the scope of Walters' study and the New Jersey Pinelands Commission's scrutiny of it, wondering whether endangered species still exist there, out of sight.

In the end, board members voted to tell Township Committee that although Phase 3 development fits the master land-use plan, they personally do not consider it a good idea.

It remains to be seen how the mixed message will influence the governing body and what the legal consequences of a vote against development would be. Dorothy Ryan, a member of both panels, said Tuesday night the issue was among the most difficult of her career.

Township Committee is scheduled to meet at 6:30 p.m. Monday at the township building at West Bay Avenue and Barnegat Boulevard.

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