



PINELANDS
PRESERVATION
ALLIANCE

Mar-Apr 2010
Issue 54

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Legislation update. . . . 3

Pinelands 2009 Long-
term Economic Report
Released. 3

**Upcoming
PPA Event**

Pinelands Preservation Alliance is offering a FREE 90-minute presentation on sustainable community design to Pinelands municipalities.

The presentaton will cover topics such as: mixed-use centers and walkable/bikeable neighborhoods; energy conservation measures and alternative energy solutions and more.

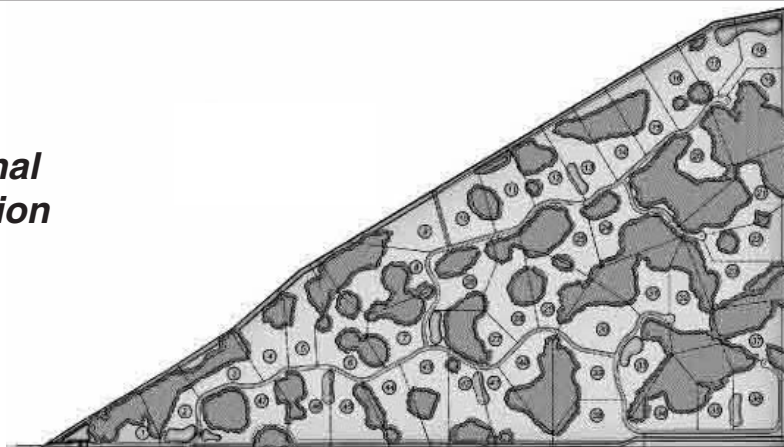
For more details email Mike Hunninghake at mikeh@pinelandsalliance.org

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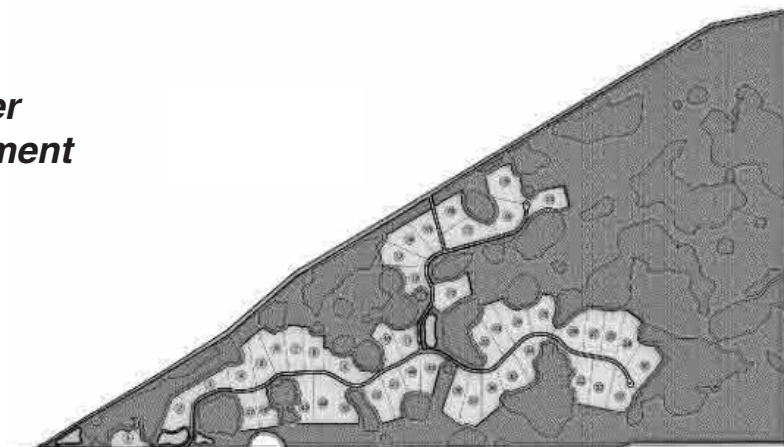
Email: ppa@pinelandsalliance.org
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PINELANDS WATCH

**Traditional
Subdivision**



**Cluster
Development**



Friends of Martin County

Mandatory clustering of residential development

The Pinelands Commission adopted amendments to the Pinelands Comprehensive Management Plan (CMP) in April 2009 which require mandatory clustering of residential development in the Pinelands Forest and Rural Development Areas. These amendments require clustering of residential development on one acre lots whenever two or more units are proposed in either of the two management areas, with the balance of the property permanently protected from development. The idea is to protect habitat and not spread houses, lawns and roads evenly across forested properties.

Pinelands municipalities are required to

**Pinelands CMP cluster
rules take effect
April 6, 2010.**

revise their certified master plans and land use ordinances to be consistent with these new rules by April 6, 2010.

Clustering is an excellent environmental site design requirement, and it is fair to landowners because it allows them to build the same number of units on their property as they could without the clustering rule. But the Pineland Preservation Alliance identified three major flaws with the rule as

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adopted by the Pinelands Commission:

1. The rule favors giving developers bonus densities on clustered sites, so more units would be built and less open space protected than local zoning would provide.
2. Agricultural operations can continue and even expand after cluster development, resulting in further loss of natural habitats and water quality.
3. The open space can be owned by an individual, adjacent land owner, making it very unlikely the restrictions on development will actually be enforced over time.

Municipalities have the opportunity to adopt ordinances that implement clustering but avoid these defects. PPA is providing all Pinelands municipalities with a model ordinance that meets Pinelands requirements while fixing these problems.

First, the provision for density bonuses leaves an opening for municipal cluster ordinances to provide a density bonus only in cases where the developer aggregates lots that were previously owned by different people.

Second, the extension of agricultural operation on shared open space can be limited if a town provides justification for limiting this use. For instance, if water quality is in jeopardy of being impaired as a result of a clustered development and continuing agricultural operation, the Pinelands Commission should approve the ordinance without the agricultural use and expansion language.

Third, the rule outlines a set of requirements for the ownership and deed of restriction of the open space within a clustered development. These requirements allow for several ownership options as long as the land is held with deed of conservation restriction in favor of the residents of the cluster development. A municipality can adopt an ordinance that requires the protected open space be owned only by the neighborhood association, a nonprofit conservation group or government agency, or the municipality itself.

The benefits of mandatory clustering include preventing sprawling housing development without increasing the total number of units in the Forest and Rural Development zones, and permanently protecting large tracts of open space without allowing the clearing of forested open land to intensive uses such as housing, roads and farming. Clustering should not be used to force more housing and more water quality impacts on municipalities in Pinelands zones that are not supposed to be intensively developed.

What can you do:

Pinelands Preservation Alliance has drafted a model clustering ordinance that, if adopted, would meet the Pinelands requirements. The model ordinance would accomplish the legitimate goals of clustering and avoid the potential nega-

tive impacts.

1. Obtain a copy of the model municipal ordinance from PPA's website – www.pinelandsalliance.org under Protection/PPA At Work/Current Issues and Campaigns.
2. Bring a copy to the attention of your town council for adoption.
3. Contact your local elected and appointed officials and ask that density bonuses, additional uses of open space, and individual, adjacent land ownership options for the open space is excluded from the ordinance language.

Please contact us if you have any questions and if we can help you further.

PPA Evening Programs at the Bishop Farmstead

April 6, 2010: Managing Road Shoulder Vegetation to Reduce Costs and Protect Native Plant Populations

Early June 2010: Sustainable Municipalities - come hear how towns in New Jersey are promoting sustainable practices and smart growth designs in their community

**7:00 pm
FREE!**

Please contact Jaclyn Rhoads at jaclyn@pinelandsalliance.org to RSVP.

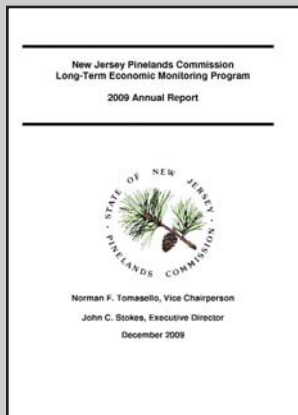
Editor: Theresa Lettman

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.

Prior issues are available at: www.pinelandsalliance.org

Printed on 30% post consumer recycled paper.

The New Jersey Pinelands Commission has released its 2009 *Long-term Economic Report and Municipal Fact Book*.



According to economist Tony O'Donnell of the Pinelands Commission staff, the Pinelands economy is doing well compared to the rest of southern New Jersey. Full report located on Pinelands web site at:

www.state.nj.us/pinelands/landuse/econ/

Off-Road Vehicle Legislation Approved

The state Senate and Assembly passed bills A823/S2055 on January 11. This landmark legislation requires mandatory registration and tagging of off-road vehicles (ORVs), increases penalties for illegal riding, and creates an off-road vehicle fund for creating and maintaining places to ride. The bill also requires the state to designate state land for three legal ORV riding facilities.

The language in these bills has changed since first introduced to get support by the riding community, but this legislation is a major advance by New Jersey in recognizing the problem with illegal ORV riding and moving towards a solution. A last minute compromise by the State Legislature requires that DEP "designate" one riding facility on state-owned land before the registration requirements become effective. Our hope is that DEP will ensure that designation of an environmentally appropriate site will take place quickly.

The bill's sponsors have spent many years championing the efforts to control illegal off-road vehicle riding: Assemblypersons Reed Gusciora, Paul Moriarty, John Wisniewski, Ruben Ramos, Jr., Caridad Rodriguez, John McKeon and Linda Greenstein, and Senators Robert Gordon, Brian Stack, and Shirley Turner.

A big Thank You goes out to these sponsors for addressing one of the major threats to conservation lands throughout the State of New Jersey when no one else would.

To read the bill, you can visit PPA's website at www.pinelandsalliance.org and select "Off-road vehicles" under PPA At Work and Current Issues and Campaigns.



Get Involved!

Attend a Pinelands Commission Meeting

Friday, March 12, 2010

Friday, April 9, 2010

Friday, May 14, 2010

Pinelands Commission meetings are held at 9:30 a.m. at the Richard J. Sullivan Center for Environmental Policy and Education, 15C Springfield Road, New Lisbon. Agendas are posted one week prior to the meeting date at www.state.nj.us/pinelands/

Check out our NEW WEBSITE!

www.pinelandsalliance.org

New features include:

Photo/information galleries of plants and animals. In-depth information on issues and campaigns. **Pinelands Channel** - stunning videos and photo slideshows. **Things To Do** - hiking, cycling, camping, canoeing, historic sites.



Bookmark our new website and share with friends!
And check us out on Facebook - become a fan!

www.facebook.com/Pinelands

The Pinelands needs your help...and so do we!
Please support our mission & become a member

Name: _____

Address: _____

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Phone (Day): _____ (Evening): _____

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Check enclosed payable to PPA

Mastercard Visa Discover

Card Number: _____ Exp. Date: _____

Signature of Card Holder: _____

Membership Categories

- Basic \$35
- Family \$60
- Sponsor \$100
- Patron \$250
- Benefactor \$500
- Chairman's Circle \$1,000
- Other _____

ALL MEMBERS RECEIVE:

A PPA membership card
A year's subscription to Inside the Pinelands
A PPA window sticker
Discounts on PPA merchandise and events and Pinelands Adventures

A Sponsor will receive an *Exploring the Pine Barrens of New Jersey* map
A Patron will receive a copy of *The Pine Barrens: Up Close & Natural DVD*
A Benefactor will receive a Pinelands Botanical Print by Robin Jess
A member of the Chairman's Circle will receive a personalized tour of the Pinelands



Pinelands Preservation Alliance

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Please Recycle this newsletter! When finished give it to a friend or neighbor and encourage them to learn about PPA's mission and programs.