



PINELANDS  
PRESERVATION  
ALLIANCE

Sept - Oct 2010  
Issue 56

**INSIDE:**

Pinelands Commission meeting schedule. . . . . 3

PPA's public testimony webpage . . . . . 3

**Upcoming Event**

**Pinelands Discovery Festival**

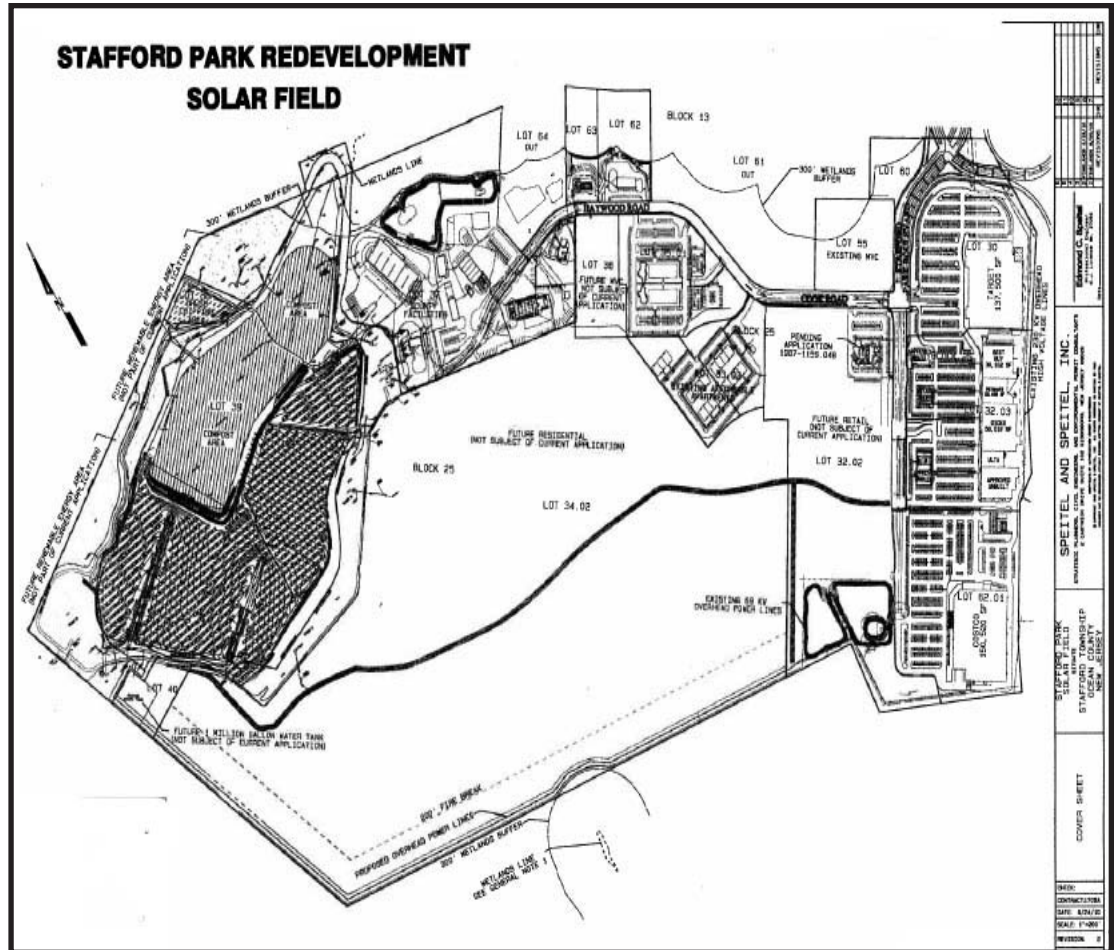
**October 10, 2010**

**11a.m. to 4 p.m.  
Whitesbog Village**

Rejoice in the culture, ecology  
& recreational opportunities of  
the Pine Barrens.

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# PINELANDS WATCH



Stafford Business Park plans for solar panels on the deed-restricted landfill portion of the site

## Stafford Landfill - Environment Going to Lose Again?

Stafford Township recently passed a resolution to allow the Stafford Landfill to have a large solar energy facility built on top. The landfill was officially closed through a Memorandum of Agreement (MOA) which allowed the town to sell most of the Stafford Business Park to the developer Walters Homes, in exchange for the developer paying for the landfill closure. But the deal called for most of the landfill cover to be **permanently protected as deed-restricted open space**.

The Stafford resolution contradicts the open space deed restriction which

the town itself placed on the landfill.

Back in June 2006, when the MOA was signed by Stafford Township, the Ocean County Board of Chosen Freeholders and the New Jersey Pinelands Commission for the sale and private development of the Stafford Business Park property, these agencies promised to protect the landfill as open space “unmolested” and “in perpetuity.” Now they want to undo that promise for the private financial benefit of a local developer. **This is bad policy and a broken promise.**

*continued on page 2*

In general, landfills in Pinelands Regional Growth Areas can be good places to build solar facilities, but not on preserved open space. In this case the conservation deed restriction precludes the landfill from being converted because it states that “the Restricted Area be forever protected and preserved in its natural, scenic, open and existing state free from all activities that might damage, compromise or interfere with the ecological diversity, natural beauty or resource quality, or with the natural processes occurring.”

But in May of this year, Stafford Township passed Resolution 2010-128 to amend its Redevelopment Agreement with Walters Homes. This resolution allows for two changes. The first amendment to the agreement added “renewable energy facilities” to the Land Use Options section of the plan. The second change permits Walters Homes to escape its original commitment to build age-restricted housing on the site. The agreement will now “permit but not require” Walters Homes to build up to 565 non-age restricted, market rate residential units, of which 220 can be apartments.

Stafford Township has indicated that the energy facility will be constructed in three phases. The first two phases will include over 24,000 photovoltaic solar panels to generate 6 megawatts of power, and the third phase will include 3 to 4 wind turbines. The facility will be owned by the developer and run for its financial profit on public land leased from the township.

**There may be silver lining if the township carries through and negates the open space deed restriction.** Amy Cradic, Assistant Commissioner for Natural Resources, has written a letter to Stafford Township stating that the execution of a lease for the solar project with Walters will require Stafford to satisfy the New Jersey Green Acres “diversion” process, pursuant to regulations at N.J.A.C 7:36-26.10. These rules require a public agency that wants to develop (“divert”) protected open space first has to acquire a multiple of the diverted acres for other preserved open space within the same watershed.

The Pinelands Preservation Alliance believes that under the New Jersey Green Acres rules this is a private “for profit” project that requires compensation of at least four times the number of acres in newly preserved land as an offset. This land needs to be in Stafford Township or the Barnegat Bay watershed.

**Under these rules, the public now has a chance to tell the state and Township what they want to see happen here.**

## **What can you do:**

**Under the Green Acres rules Stafford Township is required to hold a public scoping hearing which has been scheduled for September 27, 2010 at 6 p.m. at the Stafford Township Municipal Building, 260 East Bay Avenue. Please attend and voice your concerns!**

**Written comments will be accepted until October 11, 2010 and need to be mailed to:**

Jim Moran, Administrator  
Stafford Municipal Building  
260 E. Bay Avenue  
Stafford Township, NJ 08050

With a copy to:

DEP, Green Acres Program  
Bureau of Legal Services and Stewardship  
Mail Code 501-01  
Box 420  
Trenton, New Jersey 08625-0420

A copy of the New Jersey Green Acres Diversion rules can be found at:

**<http://www.nj.gov/dep/greenacres/pdf/regs.pdf>**

The New Jersey Pinelands Commission MOA which was signed by Stafford Township, the Ocean County Board of Chosen Freeholders and the Commission has to be amended for the solar facility to be built. But before the Pinelands Commission takes action on an amendment a public hearing will be scheduled to take public comment. A hearing date has not yet been scheduled. PPA will post updates on this process on our web site. **Watch for updates!**

Also the Ordinance that was passed by Stafford Township which makes changes to the Redevelopment Plan will need to be certified by the Pinelands Commission. This process also involves an opportunity for public comment. PPA will post the date and time of the public hearing. **Watch for updates on this process!**

# Stafford Township Green Acres Diversion Hearing

**Date:** September 27, 2010

**Time:** 6 p.m.

**Place:** Stafford Township  
Municipal Building  
260 East Bay Avenue

## Please attend!

The Pinelands Preservation Alliance regularly gives testimony at Pinelands Commission meetings, Pinelands Sub-Committee meetings, Township and Planning Board meetings and Senate and Assembly committee meetings.

These statements can be view on our website at:

<http://www.pinelandsalliance.org/protection/work/ppatestimony/>

## Get Involved!

### Attend a Pinelands Commission Meeting

Friday, September 10, 2010

Friday, October 8, 2010

Friday, November 12, 2010

Friday, December 10, 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/](http://www.state.nj.us/pinelands/)



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](mailto:theresa@pinelandsalliance.org).

Prior issues are available at: [www.pinelandsalliance.org](http://www.pinelandsalliance.org)

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- Chairman's Circle  \$1,000
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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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Southampton, NJ 08088

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## Stafford Landfill - Environment Going to Lose Again?



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