



## BERKELEY MASTER PLAN AMENDMENT & ORDINANCE

Berkeley Township has submitted to the Pinelands Commission a Master Plan Amendment which recommends the redesignation of approximately 300 acres located east of Davenport Road and north of Dover Road. This amendment will substantially reduce the number of dwelling units that would be allowed by the current zoning. But before the changes can take effect the township's ordinance must be certified by the Pinelands Commission. This is a process that determines if the township's ordinance is in conformance with the Pinelands Comprehensive Management Plan (CMP).

The Pinelands Commission staff will hold a public hearing in Berkeley before making a recommendation to the Pinelands Commission for a vote. Comments should pertain to the management area designation or new zoning, not a development application that may be proposed for a portion of the area.

The public hearing for Berkeley Township's Master Plan amendment and ordinance has been scheduled for **December 22, 2005 at 7 p.m.** at the Berkeley Township Municipal Building, 627 Pinewald-Keswick Road, Bayville.

### Current Zoning

This land currently has a Pinelands Regional Growth Area (RGA) and Forest Area (FA) management designation.

Berkeley's current zoning designates the northern portion, consisting of approximately 215 acres of RGA, as RGR and RGR-A with the RGR zone functioning as a sending area to the RGR-A zone.

The RGR and RGA-A zoning allows for up to 3 dwelling units per acre. This base density would permit up to 360 single-family dwellings, with an additional 180 dwelling units if Pinelands Development Credits are used, for a total maximum density of 540 units.

The RGA area is split between the Davenport Branch and the Jakes Branch watersheds.

The FA consists of approximately 85 acres and is

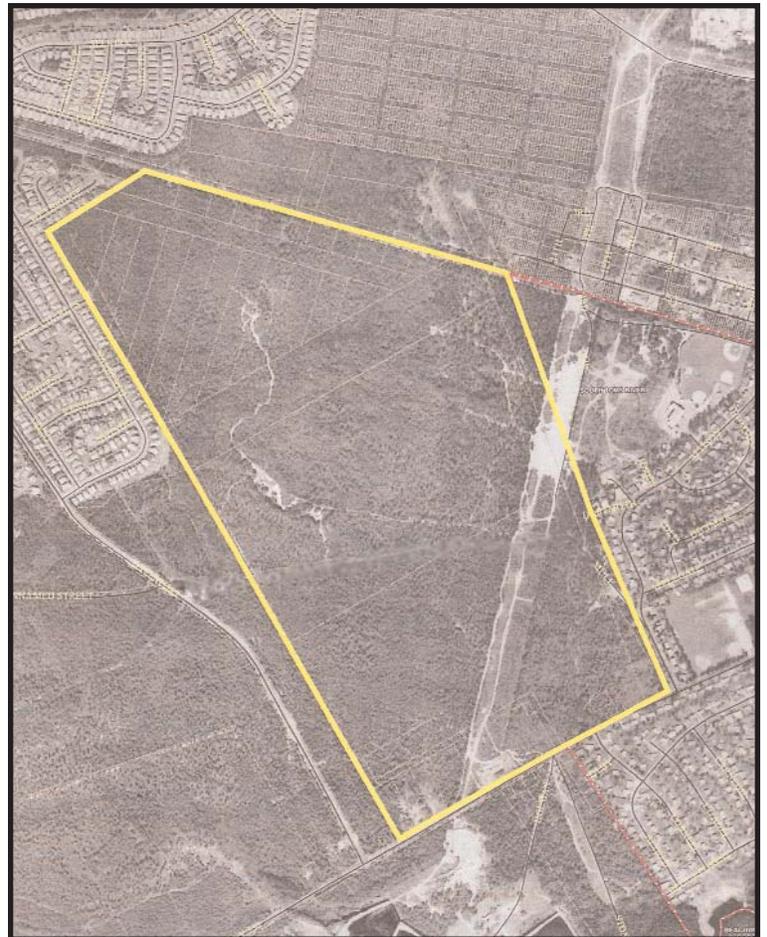
the area adjacent to Dover Road. The current township zoning allows for 1 dwelling unit for every 30 acres.

The Forest Area acres are all within the Jakes Branch watershed.

### New Amendment & Ordinance

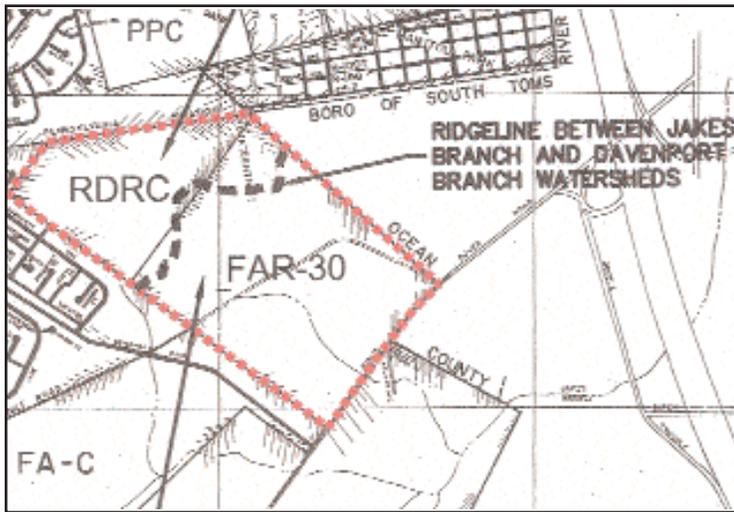
Berkeley Township is proposing to expand the Forest Area area to encompass the entire Jakes Branch watershed. Currently the boundary between

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*The Berkeley Township Master Plan Amendment redesignates land east of Davenport Road and to the north of Dover Road. (outlined above)*

the RGA and FA is the 50 foot ridge line. Under the new zoning the boundary of the FA area would be moved to the north to include approximately 80 acres of the RGA. The remaining RGA acres would be made a Rural Development Area (RDA). The RDA would be zoned Rural Development Residential Cluster (RDRC). (see map below)



*New boundary line between Rural Development and Forest Area designations.*

The new RDRC zone has been established with single-family detached residential units at a density of 1 dwelling unit per 3.2 acres. A cluster development provision is added to the zone to permit residential cluster on smaller lots with a minimum lot area of 1 acre.

### **Certification of Ordinance?**

The Pinelands Commission Staff has several months to certify, certify with conditions or disapprove the ordinance and master plan submitted by Berkeley Township.

The review of Berkeley Township's ordinance will center on the requirements within the CMP for land management designations.

The CMP characterizes Regional Growth Areas as areas that "are: (1) in or adjacent to existing developed areas; (2) experiencing growth demands and pressure for development; and (3) capable of accommodating development without jeopardizing critical elements of the Pinelands environment."

The CMP characterizes Rural Development Areas as areas "which generally separate growth areas from the less developed, predominantly forested areas of the Pinelands. These areas are somewhat fragmented by existing development and serve a dual purpose as buffers and reserves for future development." It

goes on to say that surface water resources are of high quality and the network of wetlands harbor many species indicative of the Pinelands ecosystem.

***You need to get involved with the process by attending the public hearing to give comment and by asking your Governing Body to do all it can to acquire (see below) the approximately 300 acres being considered in the current Master Plan amendment.***

## **Question: To protect this area is there a better alternative?**

**Answer: Yes ~ Acquisition**

The residents of Berkeley Township can insist that their Mayor and Council do everything in its power to acquire the 300 acres for open space.

Prolonged litigation over a development application is not in the best interest of the land owners or the taxpayers.

The Berkeley governing body should, when they have a willing seller, look for acquisition partners.

Partners could be the Trust for Public Land, who has placed this area in their Century Plan, which designates acquisition areas to protect the Barnegat Bay.

Another partner could be the Ocean County Natural Lands Trust, which is administered by O.C. Freeholder John Bartlett.



## How Can You Help Protect Threatened & Endangered Species Habitat?

Our state government has an official process whereby citizens may report the presence of Threatened and Endangered species. The process begins when a citizen recognizes a protected plant or animal by sight or, in the case of birds or frogs, by hearing a call distinctive of the species. It's also possible, in many cases, to recognize the presence of an animal species by finding clear evidence in the way of "sign," such as tracks.

The NJ Pinelands Comprehensive Management Plan protects a specific list of 54 plants, and in addition, all state-listed endangered plants that occur within the Pinelands National Reserve. The number of state-listed endangered plants that occur within the PNR is approximately 150. Perhaps a third of them are easily recognizable. The rest can be recognized after a little study and with the help of some reference material.

Approximately thirty-six Threatened or Endangered animal species may be encountered in the Pinelands: at least twenty-one birds, three snakes, two frogs, two turtles, two salamanders, one fish, one mammal, and four butterflies. Most of these creatures are either immediately recogniza-

ble or can be learned with a little study and field experience.

Once a citizen has recognized a protected species, he or she may fill out a Rare Species Reporting form and send it to the NJ Natural Heritage Program (NHP), or a Threatened and Endangered Species Report form, and send it to the NJ Division of Fish and Wildlife Endangered and Nongame Species Program (ENSP). All reports of plants should go to the NHP, where Heritage staff review each report and determine its validity. Reports of animals may go to either agency, but in this case ENSP biologists make determinations.

The report forms are available from the websites of the two agencies. For the NHP form, call 609-292-9400 or go to: [www.natureserve.org/nhp/-us/nj/nhprptg.htm](http://www.natureserve.org/nhp/-us/nj/nhprptg.htm). For the ENSP report form, call 609-984-0097 or go to: [www.state.nj.us/dep/fgw/-ensp/rprt-form.htm](http://www.state.nj.us/dep/fgw/-ensp/rprt-form.htm).

Within the Pinelands Protection area a copy of the completed form can be sent to the NJ Pinelands Commission, P.O. Box 7, New Lisbon, NJ 08064.

A citizen report of a protected species should be supported by plenty of detail, photographs, if possible, and a map showing exactly where to find the site. State biologists may need to visit the site to verify the report.

Not all reports of protected species are accepted. In the case of most birds, for example, state biologists are primarily concerned with nesting habitat. But, in any case, citizen participation in documenting protected species sightings can often make the difference between new inappropriate development and a protected wildlife community.

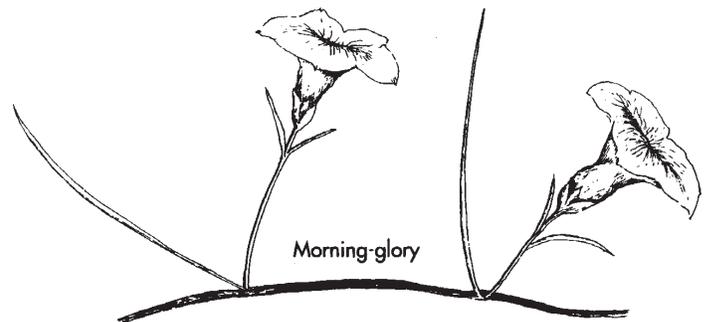


Illustration by Mary Pat Finelli, courtesy Plexus Publishing, from a *Field Guide To the Pine Barrens of New Jersey* by Howard P. Boyd

**Written testimony may be submitted at  
the hearing or sent to:**

**Pinelands Commission  
15 Springfield Road, P.O. Box 7  
New Lisbon, New Jersey 08064  
or via facsimile (609) 894-7330 or email to  
[planning@njpines.state.nj.us](mailto:planning@njpines.state.nj.us)**

**no later than December 29, 2005**



*PINELANDS PRESERVATION ALLIANCE*  
BISHOP FARMSTEAD  
17 PEMBERTON ROAD  
SOUTHAMPTON, NJ 08088