

2012 Plan Review Application Exemption Proposals

(N.J.A.C. 7:50-4.1(a))

| # | Status | CMP Ref. | Existing | Proposed | Comments |
|---|--------|----------|---|---|---|
| 1 | Expand | 4.1(a)8 | Exempts up to 1,000 ft ² of non-residential additions/accessory structures over existing impervious surfaces when the existing use is served by sewer. | Revise to increase the area limit to 4,999 ft ² for non-residential additions/accessory structures over existing impervious surfaces when served by sewer. | Existing area limit may be too low to capture the majority of de minimus accessory structures which require staff review time but pose little impact to the resources of the Pinelands. 5,000 ft ² is the CMP threshold between minor and major development. |
| 2 | Expand | 4.1(a)11 | Exempts repaving of existing paved roads, provided there is no increase in road width. | Revise to include repaving of existing paved surfaces, provided no expansion is proposed. | Use and impacts are similar. Unpaved parking areas are only considered impervious along the drive aisles and therefore should require application for paving. |
| 3 | Expand | 4.1(a)12 | Exempts the clearing of land exclusively for agricultural purposes. | Revise to include clearing exclusively for horticultural purposes. | Use and impacts are similar. Pinelands Protection Act specifies that agricultural and horticultural uses are exempt from application. |
| 4 | Expand | 4.1(a)21 | Exempts communication antennae co-location on existing tower/structure. | Clarify exemption to include accessory equipment compounds (at existing structures) and the expansion of existing equipment compounds. | The use (antennae co-location) is exempt, and the accessory structure should be exempt as well. Municipal ordinances' definitions of "accessory structure" will limit the size of the structure. |
| 5 | New | N/A | Establishing a home occupation (very small commercial use) in an existing dwelling or accessory structure requires application. | Exempt the establishment of a home occupation in an existing dwelling or accessory structure where no site improvements are proposed. | Municipal ordinances contain specific requirements for home occupations. |
| 6 | New | N/A | Change of use from existing non-residential use to a different non-residential use (e.g., book store to restaurant) requires application. | Exempt change of use from existing non-residential use to a different non-residential use when served by sewer and where no site improvements are proposed. | Because this exemption will be limited to uses served by public sewer, it will be limited to Regional Growth Areas and areas of Villages and Towns already served by sewer. |

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| 7 | New | N/A | Non-residential accessory structures which are not on impervious surfaces require application, even when they have no wastewater flows. | Exempt non-residential accessory structures that are not on impervious surfaces (e.g., pavilions, propane tanks, solar facilities, playground equipment) provided they are less than 1,000 ft ² and have no wastewater flows. | De minimus impacts. This will eliminate a common source of violations as well as reduce staff review time spent on applications which pose little impact to the resources of the Pinelands. |