

2012 Plan Review Efficiency Measures

Item	CMP Section	Topic	Issue(s)	Action(s)
1	1.6	Fees	An application submitted to resolve a violation is assessed the same fee amount as an application submitted prior to development occurring. Applications submitted to resolve violations require more staff review time.	Add a fee requirement specifically for applications submitted to resolve violations. Based on the additional staff resources required for such applications, the requirement should assess a fee at twice the amount required for an application submitted prior to development occurring.
2	1.6	Fees	Application review fees for solar facility proposals are based upon the solar facility's anticipated construction costs using the non-residential formula.	Establish a reduced fee requirement specifically for solar facility applications, possibly on a per-acre basis (similar to golf courses).
3	1.6	Fees	The application review fee section does not specify how to calculate application review fees for general development plan (GDP) applications.	Clarify how to calculate the application review fee for (GDP) applications. This fee may be based upon a percentage of the estimated application fee, with credit given towards the remaining fee amount due when the application proceeds.
4	1.6	Fees	When the maximum fee of \$50,000 (private app), \$25,000 (public app) or \$500 (non-profit app) is submitted, it is unclear whether a construction cost estimate must be submitted.	Clarify that a construction cost estimate may simply state that costs will exceed the amount which will result in a maximum fee payment; line item breakdown is not necessary.
5	1.6(b), (c)	Fees	The fee rule does not specifically indicate how to calculate application review fees for the demolition of structures 50 years old and older. Staff policy is to assess a \$200 fee for the demolition of a single family dwelling unless demolition costs will exceed \$20,000, and to require a construction cost estimate and 1% fee for demolition of non-residential structures.	Clarify that there is a flat fee of \$200 for the demolition of a structure (residential or non-residential) 50 years old and older. Supporting fee documentation is not required.

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6	1.6(c)	Fees	Getting a signed and sealed construction cost estimate is often arduous and can delay application review for months.	Consider alternative options. Eliminate requirement for signed/sealed construction cost estimate? Just require signature of preparer? Review other agencies' fee requirements to learn their practices.
7	1.6(c)5	Fees	Mining fee requirements are confusing and often result in inaccurate payments, resulting in refunds and/or application review delays.	Codify the existing practice that the fee for mining applications is \$1,500 plus \$30 per acre or portion thereof to be mined.
8	1.6(e)	Fees	Typo to be corrected	"...in accordance with (c) and (d) above..." instead of "(a) through (d) above."
9	1.6(f)	Fees	Requires submission of a new application review fee for resuming/restarting an inactive private development application (i.e., where a Certificate of Filing (CF) hasn't been issued and no direct activity has occurred for two years) or where there have been significant changes in the proposed development. Policy is to treat public development applications in the same manner.	Amend rule to codify the existing practice of including inactive public development applications (i.e., where a Public Development Approval (PDA) hasn't been issued and no direct activity has occurred for two years) or where there have been significant changes in the proposed development.
10	1.6(h)	Fees	Rule requires fee for an amended Letter of Interpretation (LOI) for Pinelands Development Credits (PDCs). However, PDC LOIs expire after two years, requiring applicants to return for an amended LOI. Practice is to only require a fee for an amended LOI for PDCs if an applicant requests it within 2 years of issuance of the original LOI (i.e., while the LOI remains valid).	Codify the existing practice that a fee is only required for an amended PDC LOI application if it is submitted within 2 years of the most recently issued PDC LOI (i.e., while the LOI remains valid).
11	1.6(j)	Fees	Rule requires additional fee for amended CFs. Practice is to treat amended public development applications the same as amended CFs in terms of fees.	Codify the existing practice that this rule applies to amended public development applications as well as amended CFs.
12	1.7	Escrows	Necessary equipment and software costs are not included in the list of items eligible for reimbursement from an escrow fund. In the past, applications have required specific equipment or software for proper project evaluation, which has created a hardship for the Commission.	Include necessary supporting materials and equipment as items eligible for reimbursement from an escrow fund. Define materials and equipment.

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13	2.11	Definitions	"Immediate family" may be interpreted to exclude domestic partnerships and civil unions.	Clarify definition of "immediate family" to refer to inclusive term (partners? Spouses?) instead of husbands and wives.
14	4.1(a)	Exemptions	Some development proposals do not meet the current exemption criteria but still do not necessitate a full application review. These applications consume reviewer resources while having little, if any, impact on the resources of the Pinelands.	Clarify current 4.1 exemptions and expand the list of 4.1 exemptions to include such types of development which have little to no impact on the resources of the Pinelands.
15	4.2(b)6i	Application requirements	Typo	Correct reference to (b)4i through vi.
16	4.3	Public notice	The requirement to publish public notice in official newspapers is outdated. Certified mail is required for some types of letters and is costly. Email is not currently recognized as an acceptable form of communication in the CMP.	Remove certified mail requirements. Include email as accepted form of communication. Require that public notice be provided via the internet. Review legislation to determine whether there is a precedent for this with any other agency.
17	4.35(d), (e)	Preliminary & final approvals	The submission requirements for preliminary and final approvals differ. Current practice is to require same items for both. Some historically required items may not be useful and may be eliminated.	Amend these sections to codify existing practice, such that the submission requirements for preliminary and final approvals are the same. Drop public commenter names/addresses requirement? Accept/request/require electronic plan submissions?
18	4.35(f)	Preliminary & final approvals	When the Commission is unable to issue a letter of "no further review" for a local approval due to an incomplete approval submission or an inconsistent development proposal, confusion often results as to the tolling of the approval until the Commission allows it to take effect.	Codify the existing practice that the MLUL time limits run regardless of whether/date NCU is issued.

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19	5.43(b)	PDCs	It has been the Commission's longstanding practice to calculate a PDC allocation for all contiguous properties that are currently or were previously held in common ownership. This practice began many years ago in an effort to issue very precise PDC allocations and round fractional allocations (up or down as appropriate) for an entire ownership and not for individual properties. With the passage of time, researching prior ownership has become very time consuming, to the point where the costs of doing so are excessive.	Amend rule to end this administrative practice and calculate PDC allocations for an entire parcel as it exists at the time of the application or, at the request of the applicant, for individual lots.
20	4.52(e)vi	State agency plans	Typo	Replace the word "surrounded" with "surrounding".
21	4.76(b)	LOI validity	LOIs expire in two years, requiring many property owners to renew their LOIs frequently, which consumes significant staff time and resources.	Extend the duration of all LOIs (PDC and non-PDC) from two years to five years.
22	6.68(a)10	Mining standards	Incorrect cross-reference.	Correct reference to N.J.A.C. 7:50-6.69 (from 6.67).
23	6.69(a)2	Mining restoration standards	Incorrect cross-reference.	Correct reference to N.J.A.C. 7:50-6.68(a)9 (from 6.66(a)9).
24	6.84(a) et seq	Water quality	Unclear whether 2 ppm nitrate/nitrogen standard refers to total nitrogen or just to nitrates (e.g., ammonia is not nitrate but should be included).	Codify the existing practice of using the standard of 2 ppm total nitrogen.
25	10.21(d)	Alternate design septic pilot program	Typo	Correct the reference in the last sentence to 6.84(a)5 (not 6.84(a)1).