



PINELANDS PRESERVATION ALLIANCE

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February 1, 2013

Susan Grogan
NJ Pinelands Commission
15 Springfield Road
P.O. Box 359
New Lisbon, New Jersey 08064

Re: Shamong Township Cluster Ordinance – 2012-09

Dear Ms. Grogan:

Please find below Pinelands Preservation Alliance (PPA) comments in support of Shamong Township's cluster ordinance 2012-09. Pinelands Preservation Alliance (PPA) supports clustering development, but not the bonus densities unless specifically tied to aggregation of lots.

The CMP cluster development rules say developers of cluster developments must be given "bonus" units beyond what the local zoning currently allows. However, the CMP also expressly states that municipalities may propose alternative cluster rules that do not include a bonus density. The CMP rule that allows this flexibility to municipalities states as follows:

N.J.A.C. 7:50-3.39(a)2.ix:

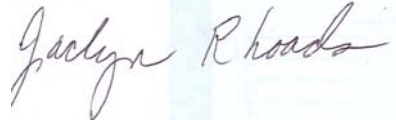
The Commission may certify municipal clustering ordinances that contain different clustering standards than those set forth in N.J.A.C. 7:50-5.19 (c) and (d) provided that those standards are supported through sound land use planning principles, are based upon local conditions or circumstances that warrant such changes and do not undermine the overall goals and objectives of the Forest and Rural Development Area clustering program set forth at N.J.A.C. 7:50-5.19 (c) and (d)

Shamong Township achieves a limit on bonus densities in two ways. First, the bonus densities are only applicable to the aggregation of lots after the date of passage of the clustering provisions in the CMP. Second, clustering is only permitted on contiguous lands and all contiguous lands in same ownership must be included in the application and plan. This last provision allows for true clustering of developments and the preservation of large tracts of intact forested lands rather than piecemeal clustering development that undermines the purpose and intent of the Pinelands Commission rules.

Sound planning principles support restricting the intensity of development and the number of additional units in environmentally intact and important areas of the Pinelands, because more units bring more disturbance and more pollutants from septic systems, lawns, and impervious surfaces. For this reason, PPA supports Shamong's cluster ordinance and the ability for other towns to include similar language in their clustering provisions.

Please contact me at 609-859-8860 x18 or by email at Jaclyn@pinelandsalliance.org with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jaclyn Rhoads". The signature is written in black ink on a light blue background that appears to be a scan of a document or envelope.

Jaclyn Rhoads, Ph.D.
Director for Conservation Policy