55-276. **DEVELOPMENT SUBJECT TO AND EXEMPT**

FROM PINELANDS COMMISSION TO REVIEW AND APPROVAL. [Amended 4-3-89 by Ord. No. 1989-8; 6-5-89 by Ord. No. 1989-16; 12-15-96 by Ord. No. 1996-60 §§ 32, 331

A. ***Development Subject to Review and Approval.*** The following types of development shall be subject to review or approval by the Pinelands Commission:

(1) Major development.

(a) Any division of land into five (5) or more lots.

(b) Any construction or expansion of any housing development of five (5) or more dwelling units.

PDF created with pdfFactory trial version www.pdffactory.com

(c) Any construction or expansion of any commercial or industrial use or structure on a site of more than three (3) acres.

(d) Any grading, clearing, or disturbance of an area in excess of five thousand (5,000) square feet.

(2) Minor development. All development other than major development, as defined in paragraph A. above, and except those activities specifically exempt under paragraph B below. [Amended 7-16-01 by Ord. No. 2001-29]

(3) Public development. All development proposed by the Township or any agency thereof will comply with all the requirements for public development set forth in N.J.A.C. 7:50-4.51 et seq. and all the standards set forth in Article XIX of this chapter.

B. *Exemptions from Pinelands Commission Review.* Except as provided in paragraph C. below, the following shall not be subject to the procedures set forth in this Article:

(1) The improvement, expansion, or reconstruction within five (5) years of destruction or demolition, of any single family dwelling unit or appurtenance thereto;

(2) The improvement, expansion, construction, or reconstruction of any structure accessory to a single family dwelling;

(3) The improvement, expansion, construction, or reconstruction of any structure used exclusively for agricultural or horticultural purposes;

(4) The construction, repair, or removal of any sign, except for the construction or replacement of any off-site commercial advertising sign;

(5) The repair of existing utility distribution lines;

PDF created with pdfFactory trial version www.pdffactory.com

(6) The clearing of less than one thousand five hundred (1,500) square feet of land;

(7) The construction of any addition or accessory structure for any nonresidential use or any multi-family residential structure, provided that said addition or structure will be located on or below an existing impermeable surface, that the existing use is served by public sewers, and that said addition or structure will cover an area of no more than one thousand (1,000) square feet;

(8) The demolition of any structure that is less than fifty (50) years old.

(9) The installation of utility distribution lines, except for sewage lines, to serve areas which are effectively developed or development which has received all necessary approvals and permits;

(10) The repair or replacement of any existing on-site waste water disposal system;

(11) The repaving of existing paved roads, provided no increase in the paved width of the roads will occur;

(12) The clearing of land solely for agricultural purposes;

(13) Fences, provided no more than one thousand (1,500) square feet of land is to be cleared;

(14) Above-ground telephone equipment cabinets;

(15) Tree pruning;

(16) The following forestry activities:

(a) Normal and customary forestry practices on residentially improved parcels of land that are five (5) acres or less in size;

(b) Tree harvesting, provided that no more than one (1) cord of wood per five (5) acres of land is harvested in any one (1) year and that no

PDF created with pdfFactory trial version www.pdffactory.com

more than five (5) cords of wood harvested from the entire parcel in any one (1) year;

(c) Tree planting, provided that the area to be planted does not exceed five (5) acres in any one (1) year, no soil disturbance occurs other than that caused by the planting activity and no trees other than those authorized by N.J.A.C. 7:50-6.25 are to be planted; and

(d) Forest stand improvement designed to selectively thin trees and brush, provided that no clearing or soil disturbance occurs and that the total land area on the parcel in which the activity occurs does not exceed five (5) acres in any one (1) year;

(17) Prescribed burning and the clearing and maintaining of fire breaks; or

(18) Normal and customary landscape plantings, unless a landscaping plan is required pursuant to Section 55-148C(33) or Section 55-295C. **[Amended 7-16-01 by Ord. No. 2001-29]**

C. The exceptions contained in paragraph B. above shall not apply to any historic resources designated by the Pinelands Commission pursuant to N.J.A.C. 7:50-6.154.

D. Nothing herein shall preclude any local or State agency from reviewing, in accordance with the provisions of any applicable ordinance or regulation, any proposed development which does not require an application to the Pinelands Commission pursuant to this section.

PDF created with pdfFactory trial version www.pdffactory.com