

**55-277. NOTIFICATION TO AND PARTICIPATION OF
PINELANDS COMMISSION IN MUNICIPAL
REVIEW PROCESS. [Amended 6-5-89 by Ord.
No. 1989-14]**

- A. *Application Submission and Modifications.*** Written notification will be given by the Township to the

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Pinelands Commission within seven (7) days after a determination is made by the Township that an application for development is complete or if a determination is made by the Township approval agency that the application has been modified. Said notice shall contain:

- (1) The name and address of the applicant;
- (2) The application number of the certificate of filing issued by the Pinelands Commission and the date on which it was issued;
- (3) The date on which the application, or any change thereto, was filed and any application number or other identifying number assigned to the application by the approval agency;
- (4) Any written reports or comments received by the approval agency on the application for development which have not been previously submitted to the Commission;
- (5) The content of any change made to the application since it was filed with the Commission, including a copy of any revised plan or reports; and
- (6) The nature of the municipal approval being sought.

B. *Meetings and Hearings.* Where a meeting, hearing, or other formal proceeding on an application for development approval in the Pinelands Area is required, the applicant shall provide notice to the Pinelands Commission by regular mail or delivery of the same to the principal office of the Commission at least five (5) days prior to such meeting or hearing. Such notice shall contain at least the following information:

- (1) The name and address of the applicant;
- (2) The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;

- (3) The date, time and location of the meeting, hearing or other formal proceeding;
- (4) The name of the approval agency or representative thereof which will be conducting the meeting, hearing or other formal proceeding;
- (5) Any written reports or comments received by the approval agency on the application for development which have not been previously submitted to the Commission; and
- (6) The purpose for which the meeting, hearing or other formal proceeding is to be held.

C. *Notice of Approvals and Denials.* The Pinelands Commission shall be notified of all approvals or denials of development in the Pinelands Area, whether the approval occurs by action or inaction of any approval agency or an appeal of any agency's decision. The applicant shall within five (5) days of the approval give notice by certified mail to the Pinelands Commission. Such notice shall contain the following information:

- (1) The name and address of the applicant;
- (2) The legal description and street address, if any, of the property which the applicant proposes to develop;
- (3) The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued, if any;
- (4) The date on which the approval agency's approval or denial was issued;
- (5) Any written reports or comments received concerning the application for development approval not previously submitted to the Commission;

- (6) Any revisions to the application not previously submitted to the Commission;
 - (7) A copy of the resolution, permit, or other documentation of the approval or denial which was granted; and
 - (8) The names and addresses of all persons who actively participated in the proceedings.
- D. *Reserved.*
- E. *Review by the Pineland Commission.*
- (1) Upon receipt by the Pinelands Commission of the notice of approval pursuant to paragraph C. above, the application for development approval shall be reviewed in accordance with the provisions in N.J.A.C. 7:50-4.37 through N.J.A.C. 7:50-4.42. The approval of the Township shall not be effective and no development shall be carried out prior to a determination of whether the development approval will be reviewed by the Commission. If the applicant is notified that the Commission will review the application for development, no development shall be carried out until such review has been completed.
 - (2) Until January 14, 1991, approvals issued by the Pinelands Development Review Board or the Pinelands Commission under the Interim Rules and Regulations shall serve as the basis for Pinelands Commission review of the local approval under this section.
 - (3) Although the Pinelands Commission shall be notified of all denials, no such denial actions are subject to further review and action by the Pinelands Commission.

F. *Condition on Prior Approvals of the Township.*

(1) Where a prior approval has been granted by the Township, no subsequent approval of an application for development approval shall be obtained until one of the following is satisfied:

- (a) Notification is received from the Pinelands Commission that review of the Township's approval is not required; or
- (b) Review of the Township's approval has been completed pursuant to N.J.A.C. 7:50-4.37 through 4.42 and a Final Order regarding the approval is received by the Township from the Pinelands Commission.

G. *Effect of Pinelands Commission Decision on Township Approval.* If the Pinelands Commission disapproves an application for development previously approved by an approval agency, such approval shall be revoked by the approval agency within thirty (30) days and the agency shall thereafter deny approval of the application. If the Commission approves the decision of an approval agency subject to conditions, the approval agency which had previously approved the application shall, within thirty (30) days, modify its approval to include all conditions imposed by the Commission and, if final approval of the application is required, shall grant final approval only if the application for approval demonstrates that the conditions specified by the Commission have been met by the applicant.

H. *Participation of Pinelands Commission in Public Hearings.* The Pinelands Commission may participate in a hearing held in the Township involving the development of land in the Pinelands Area pursuant to N.J.A.C. 7:50-4.36.

I. *Environmental Commission Review.* All applications for major development, forestry, and resource extraction

shall be referred to the Environmental Commission for review and comment.

- J. Except as provided in Section 55-279.1, the requirements of Section 55-277 shall not apply to the issuance of a preliminary zoning permit or a refusal to issue a preliminary zoning permit for the development of a single family dwelling on an existing lot of record. [Added 7-16-01 by Ord. No. 2001-29]