13:18A-5.1 LEGISLATIVE HISTORY CHECK

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LAWS OF:	1999	CHAPTER:	389	
NJSA:	13:18A:5.1	(Pinelands Co	mmission—development)	
BILL NO:	S728			
SPONSOR(S): Cafiero				
DATE INTRODUCED: February 26, 1998				
COMMITTEE: ASSEMBLY: Agriculture and Natural Resources				
SENATE: Environment				
AMENDED DURING PASSAGE: Yes				
DATE OF PASSAGE: ASSEMBLY: January 10, 2000				
		SENATE:	July 1, 1999	
DATE OF APPROVAL: January 18, 2000				
FOLLOWING ARE ATTACHED IF AVAILABLE:				
FINAL TEXT OF BILL: 1 st Reprint (Amendments during passage denoted by superscript numbers				
SPONSORS STATEMENT: (Begins on page 5 of original bill) Yes				
COMMITTEE STATEMENT: ASSEM			ASSEMBLY:	Yes
			SENATE:	Yes
FLOOR AMENDMENT STATEMENTS:				No
LEGISLATIVE FISCAL ESTIMATE:				No
VETO MESSAGE:				No
GOVERNOR'S PRESS RELEASE ON SIGNING:				No
FOLLOWING WERE PRINTED: To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or refdesk@njstatelib.org				
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P.L. 1999, CHAPTER 389, approved January 18, 2000 Senate, No. 728 (First Reprint)

AN ACT concerning development in the Pinelands and supplementing 1 2 P.L.1979, c.111 (C.13:18A-1 et seq.). 3 4 **BE IT ENACTED** by the Senate and General Assembly of the State 5 of New Jersey: 6 7 1. a. Except for the development of a historic resource as 8 designated by the Pinelands Commission, a person shall be exempt 9 from the Pinelands Commission approval of an application for development pursuant to section 14 of P.L.1979, c.111 (C.13:18A-15) 10 11 for the improvement, expansion or reconstruction within five years of 12 destruction or demolition of a single family dwelling or appurtenance 13 thereto. 14 b. The Pinelands Commission, in reviewing any application for 15 development for the improvement or reconstruction of a single family dwelling or appurtenance thereto five years or more after destruction 16 or demolition of the single family dwelling, shall determine that such 17 improvement or reconstruction is in conformance with the 18 19 comprehensive management plan adopted pursuant to section 7 of 20 P.L.1979, c.111 (C.13:18A-8) if the person submitting the application for development for the improvement or reconstruction demonstrates: 21 22 (1) the improvement or reconstruction does not involve a historic 23 resource as designated by the Pinelands Commission; 24 (2) the improvement or reconstruction is performed within 25 years 25 of the destruction or demolition of a single family dwelling unit or appurtenance thereto; 26 27 (3) the foundation of the demolished or destroyed single family 28 dwelling unit is intact, will be used for the development and will 29 constitute the footprint of the improvement or reconstruction; and 30 (4) the destroyed or demolished building was a single family 31 dwelling. The Pinelands Commission shall transmit any determination made 32 pursuant to this subsection, ¹[by certified mail]<u>in writing</u>¹, to the 33 34 person who submitted the application. 35 36 2. This act shall take effect 90 days following enactment. 37 38 39 40 Requires Pinelands Commission to approve reconstruction of single family dwellings in Pinelands under certain circumstances. 41

EXPLANATION - Matter enclosed in **bold-faced brackets** [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined <u>thus</u> is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SEN committee amendments adopted November 16, 1998.

SENATE, No. 728

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 26, 1998

Sponsored by: Senator JAMES S. CAFIERO District 1 (Cape May, Atlantic and Cumberland)

SYNOPSIS

Requires Pinelands Commission to approve reconstruction of single family dwellings in Pinelands under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning development in the Pinelands and supplementing 2 P.L.1979, c.111 (C.13:18A-1 et seq.). 3 4 **BE IT ENACTED** by the Senate and General Assembly of the State 5 of New Jersey: 6 7 1. a. Except for the development of a historic resource as 8 designated by the Pinelands Commission, a person shall be exempt 9 from the Pinelands Commission approval of an application for 10 development pursuant to section 14 of P.L.1979, c.111 (C.13:18A-15) 11 for the improvement, expansion or reconstruction within five years of 12 destruction or demolition of a single family dwelling or appurtenance 13 thereto. 14 b. The Pinelands Commission, in reviewing any application for development for the improvement or reconstruction of a single family 15 dwelling or appurtenance thereto five years or more after destruction 16 or demolition of the single family dwelling, shall determine that such 17 18 improvement or reconstruction is in conformance with the comprehensive management plan adopted pursuant to section 7 of 19 20 P.L.1979, c.111 (C.13:18A-8) if the person submitting the application for development for the improvement or reconstruction demonstrates: 21 (1) the improvement or reconstruction does not involve a historic 22 23 resource as designated by the Pinelands Commission; 24 (2) the improvement or reconstruction is performed within 25 years 25 of the destruction or demolition of a single family dwelling unit or 26 appurtenance thereto; 27 (3) the foundation of the demolished or destroyed single family 28 dwelling unit is intact, will be used for the development and will 29 constitute the footprint of the improvement or reconstruction; and 30 (4) the destroyed or demolished building was a single family 31 dwelling. 32 The Pinelands Commission shall transmit any determination made pursuant to this subsection, by certified mail, to the person who 33 submitted the application. 34 35 36 2. This act shall take effect 90 days following enactment. 37 38 39 **STATEMENT** 40 41 This bill would exempt any development from Pinelands 42 Commission approval that consists of the improvement, expansion, or 43 reconstruction of a single family dwelling that is not a designated 44 historic resource if the improvement, expansion or reconstruction 45 takes place within five years of the destruction or demolition. This bill would also require the Pinelands Commission to find that an 46

1 application for development for the improvement or reconstruction of 2 a single family dwelling that occurs more than five years after the demolition or destruction is in conformance with the comprehensive 3 4 management plan if the applicant can demonstrate that the 5 improvement or reconstruction does not involve a historic resource as designated by the Pinelands Commission, the improvement or 6 7 reconstruction is performed within 25 years of the destruction or 8 demolition of a single family dwelling unit, the foundation of the 9 demolished or destroyed single family dwelling unit is intact, will be used for the development and will constitute the footprint of the 10 11 improvement or reconstruction; and the destroyed or demolished building was, in fact, a single family dwelling. 12

ASSEMBLY AGRICULTURE AND NATURAL RESOURCES COMMITTEE

STATEMENT TO

[First Reprint] **SENATE, No. 728**

STATE OF NEW JERSEY

DATED: DECEMBER 6, 1999

The Assembly Agriculture and Natural Resources Committee reports favorably Senate Bill No. 728 (1R).

This bill would exempt any development from Pinelands Commission approval that consists of the improvement or reconstruction of a single family dwelling that is not a designated historic resource if the improvement or reconstruction takes place within five years of the destruction or demolition of the dwelling. This bill would also require the Pinelands Commission to find that an application for development for the improvement or reconstruction of a single family dwelling that occurs more than five years after the demolition or destruction is in conformance with the comprehensive management plan if the applicant can demonstrate that the improvement or reconstruction does not involve a historic resource as designated by the Pinelands Commission; the improvement or reconstruction is performed within 25 years of the destruction or demolition of a single family dwelling unit; the foundation of the demolished or destroyed single family dwelling unit is intact, will be used for the development and will constitute the footprint of the improvement or reconstruction; and the destroyed or demolished building was, in fact, a single family dwelling. The bill requires the Pinelands Commission to transmit its determination in writing rather than by certified mail.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 728

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 16, 1998

The Senate Environment Committee favorably reports Senate Bill No. 728 with committee amendments.

This bill would exempt any development from Pinelands Commission approval that consists of the improvement, expansion, or reconstruction of a single family dwelling that is not a designated historic resource if the improvement, expansion or reconstruction takes place within five years of the destruction or demolition. This bill would also require the Pinelands Commission to find that an application for development for the improvement or reconstruction of a single family dwelling that occurs more than five years after the demolition or destruction is in conformance with the comprehensive management plan if the applicant can demonstrate that the improvement or reconstruction does not involve a historic resource as designated by the Pinelands Commission, the improvement or reconstruction is performed within 25 years of the destruction or demolition of a single family dwelling unit, the foundation of the demolished or destroyed single family dwelling unit is intact, will be used for the development and will constitute the footprint of the improvement or reconstruction; and the destroyed or demolished building was, in fact, a single family dwelling.

The committee amended the bill to require the Pinelands Commission to transmit its determination in writing rather than by certified mail.