

P.L. 1999, CHAPTER 389, *approved January 18, 2000*
Senate, No. 728 (*First Reprint*)

1 **ANACT** 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
15 development for the improvement or reconstruction of a single family
16 dwelling or appurtenance thereto five years or more after destruction
17 or demolition of the single family dwelling, shall determine that such
18 improvement or reconstruction is in conformance with the
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
21 for development for the improvement or reconstruction demonstrates:

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
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
33 pursuant to this subsection, ¹**【by certified mail】**in writing¹, to the
34 person who submitted the application.

35
36 2. This act shall take effect 90 days following enactment.

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

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 thus 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.



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5 of New Jersey:

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12 destruction or demolition of a single family dwelling or appurtenance
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14 b. The Pinelands Commission, in reviewing any application for
15 development for the improvement or reconstruction of a single family
16 dwelling or appurtenance thereto five years or more after destruction
17 or demolition of the single family dwelling, shall determine that such
18 improvement or reconstruction is in conformance with the
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
21 for development for the improvement or reconstruction demonstrates:

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
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
33 pursuant to this subsection, by certified mail, to the person who
34 submitted the application.

35

36 2. This act shall take effect 90 days following enactment.

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STATEMENT

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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
46 would also require the Pinelands Commission to find that an

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

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.