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MEMORANDUM

To: CMP Policy & Implementation Committee

From: Stacey P. Roth, Chief, Legal & Legislative Affairs 
Steven J. Simone, Planning Specialist 

Date: May 19, 2022

Subject: Stockton University's 2020 Facilities Master Plan

In September of 2020, Stockton University's Board of Trustees approved the "2020 Facilities Master Plan". This plan articulates the University's updated vision for the build-out of its Galloway Campus. Complicating the Commission's review of the 2020 Facilities Master Plan are outstanding violations stemming from a lack of clarity in the exhibit that formed the basis for the Deed of Conservation Restriction (DCR) that was recorded in 2010 as part of the Commission's approval of Stockton's prior 2010 Facilities Master Plan. During discussions with Stockton concerning the extent of the 2010 DCR, other issues were identified that necessitate amendment of the area on Stockton's campus that is subject to conservation restrictions. We believe we have identified a path forward and would like to discuss it with the Committee, while also affording the University an opportunity to present its 2020 Master Plan.

Background

Two prior University master plans were reviewed and approved by the Commission, the 1990 Master Plan and the 2010 Facilities Master Plan. The 2010 plan proposed additional infill development on the University's Galloway Campus, along with the permanent deed restriction of wetlands, wetlands buffers, threatened and endangered species habitat and other forested lands on and around the campus. In August of 2010, the Executive Director determined that the 2010 plan complied with the Pinelands Comprehensive Management Plan and recommended Pinelands Commission approval. The Commission approved the 2010 Facilities Master Plan on September 10, 2010 (PC4-10-48) and the University recorded a Deed of Conservation Restriction on approximately 1,005 acres on November 5, 2010.

A Memorandum of Agreement (MOA) between the Commission and the University which effectuated the 2010 Master Plan was subsequently executed in May of 2015. Shortly thereafter, Commission staff determined that subsequent development activities undertaken by Stockton University were in violation the terms of the MOA, resulting in its suspension. Specifically, because the boundaries of the deed

restricted area were not clear and improvement of existing rights-of-way for utilities and internal roadways was not permitted by the terms of the DCR, development conducted within the rights-of-way of one of the internal roads (Vera King Farris Drive) constituted a violation. The boundaries of the deed restricted area were established in the 2010 DCR using a color-coded exhibit that was part of the 2010 Facilities Master Plan. However, as Commission and University's facilities staff began to research the base maps that were used for the creation of the exhibit, it became clear that the exhibit lacked the level of accuracy required to determine the precise boundaries of the deed restricted lands at the Galloway campus.

Current Status

Pinelands Commission staff has been working with staff from the University's Division of Facilities and Operations to address the above concerns. The outcome of these discussion is development of a path by which all outstanding violations may be addressed and the existing development application back log that has resulted therefrom may begin to be processed. Additionally, a baseline map of the deed restricted areas at the Galloway campus is under development. This map, which employs ArcGIS, will more accurately depict the boundaries of the restricted lands on the campus and will be used in the review of future plans and development proposals. A draft version of this new map is included for your reference.

This map will also serve as the foundation for a request by the University to the New Jersey Department of Environmental Protection (NJDEP) to amend the 2010 DCR. Because the current DCR does not exclude existing utility locations, other infrastructure and internal pathways from the 2010 DCR, the University will need to request that NJDEP authorize the release of these areas. To do so, the University will need to complete the process articulated in the NJ Conservation Restrictions and Historic Preservation Restrictions Act to obtain the release of these areas and file an amended DCR. Given it is likely that NJDEP will request replacement of the lands that are released, the draft map depicts the areas on the Galloway Campus that the University has identified as "proposed compensation lands to be deed restricted".

We look forward to discussing this matter with you at the May 27, 2022 CMP Policy & Implementation Committee meeting.