



# RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-14- 11

**TITLE:** Approving With Conditions an Application for a Public Development (Application Number 1995-1676.003)

Commissioner Galletta moves and Commissioner McGlinchey seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for a Public Development be approved with conditions:

**App. No. 1995-1676.003 Applicant: NEW JERSEY DEPARTMENT OF TRANSPORTATION**

Municipality: Galloway Township  
Management Area: Regional Growth  
Proposed Development: Construction of a 2,480 square foot equipment storage building accessory to an existing New Jersey Department of Transportation Maintenance Facility (Date of Report: March 24, 2014).

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received; and

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for Public Development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed.

NOW, THEREFORE BE IT RESOLVED that the following application for Public Development is hereby approved subject to the conditions recommended by the Executive Director.

**App. No. 1995-1676.003 Applicant: NEW JERSEY DEPARTMENT OF TRANSPORTATION**

Municipality: Galloway Township  
Management Area: Regional Growth  
Proposed Development: Construction of a 2,480 square foot equipment storage building accessory to an existing New Jersey Department of Transportation Maintenance Facility (Date of Report: March 24, 2014).

### Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Ficcaglia	X			Prickett	X		
Avery	X			Galletta	X			Quinn			X
Brown	X			Jackson	X			Rohan Green	X		
DiBello	X			Lloyd	X			Witt			X
Earlen	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: April 11, 2014

Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Mark S. Lohbauer  
Mark S. Lohbauer  
Chairman



State of New Jersey  
THE PINELANDS COMMISSION  
PO Box 359  
NEW LISBON, NJ 08064  
(609) 894-7300  
www.nj.gov/pinelands



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

General Information: Info@njpinelands.state.nj.us  
Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

March 24, 2014

Michael DeAngelo, Manager  
New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625-0600

Re: Application # 1995-1676.003  
Block 738, Lot 1  
Galloway Township

Dear Mr. DeAngelo:

The Commission staff has completed its review of this application for the construction of a 2,480 square foot equipment storage building accessory to an existing New Jersey Department of Transportation Maintenance Facility located on the lot. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its April 11, 2014 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.  
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Galloway Township Planning Board (via email)  
Galloway Township Construction Code Official (via email)  
Galloway Township Environmental Commission (via email)  
Atlantic County Department of Regional Planning and Development (via email)  
Karen Gruppuso





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General Information: Info@njpines.state.nj.us  
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## PUBLIC DEVELOPMENT APPLICATION REPORT

March 24, 2014

Michael DeAngelo, Manager  
New Jersey Department of Transportation  
P.O. Box 600  
Trenton, NJ 08625-0600

Application No.: 1995-1676.003

Location: Block 738, Lot 1  
Galloway Township

This application proposes the construction of a 2,480 square foot equipment storage building on the above referenced 4.89 acre lot in Galloway Township. There is an existing New Jersey Department of Transportation Maintenance Facility located on the lot.

### STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

#### Land Use (N.J.A.C. 7:50-5.28(a))

The proposed development is located in a Pinelands Regional Growth Area. The proposed development is a permitted use in a Regional Growth Area.

#### Wetlands Standards (N.J.A.C. 7:50-6.14)

There are wetlands located within 300 feet of the above referenced lot. All development will be located at least 300 feet from wetlands.

#### Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will disturb approximately 3,600 square feet. The area to be disturbed is existing impervious surface, gravel and wooded. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. Based upon the limited area of disturbance and the proposed use of that area, the applicant does not propose any revegetation.

### **PUBLIC COMMENT**

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on February 11, 2014. The Commission's public comment period closed on March 14, 2014. No public comment was submitted to the Commission regarding this application.

### **CONDITIONS**

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of three sheets, prepared by Ernst, Ernst & Lissenden and dated as follows:  
  
Sheet 1 - July 30, 2013; revised to January 21, 2014  
Sheet 2 - August 1, 2013; revised to January 21, 2014  
Sheet 3 - November 25, 2013; revised to January 21, 2014
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

### **CONCLUSION**

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

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Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)



Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

### PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.