



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 01

TITLE: Approving With Conditions an Application for Public Development (Application Number 1982-2787.002)

Commissioner Avery moves and Commissioner Galletta seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1982-2787.002

Applicant:	County of Gloucester
Municipality:	Monroe Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	December 29, 2014
Proposed Development:	Construction of a 195 foot high local communications tower and associated site improvements.

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

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; 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; 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.

NOW, THEREFORE BE IT RESOLVED that Application Number 1982-2787.002 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Galletta	X				Prickett	X			
Avery	X				Jackson	X				Quinn	X			
Brown	X				Jannarone	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: Jan. 16, 2015

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
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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

December 29, 2014

County of Gloucester
 1200 North Delsea Drive
 Clayton Building
 Clayton, NJ 08312-1000

Re: Application # 1982-2787.002
 Block 8601, Lot 24
 Block 8708, Lot 1
 Monroe Township

Dear Applicant:

The Commission staff has completed its review of this application for the construction of a 195 foot high local communications tower and associated site improvements. 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 January 16, 2015 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, Monroe Township Planning Board (via email)
 Monroe Township Construction Code Official (via email)
 Monroe Township Environmental Commission (via email)
 Secretary, Gloucester County Planning Board (via email)
 John Helbig (via email)





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Chris Christie
 Governor
 Kim Guadagno
 Lt. Governor

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

December 29, 2014

County of Gloucester
 1200 North Delsea Drive
 Clayton Building
 Clayton, NJ 08312-1000

Application No.: 1982-2787.002
 Location: Block 8601, Lot 24
 Block 8708, Lot 1
 Monroe Township

This application proposes the construction of a 195 foot high local communications tower and associated site improvements. This application also proposes installation of antennas and other equipment on the tower and a 1,888 square foot equipment compound on the above referenced 2.9 acre parcel in Monroe Township. There is an existing firehouse located on the parcel.

Four small buildings and parking areas were developed on the parcel without application to the Commission in violation of the application requirements of the Monroe Township land use ordinance and the Pinelands Comprehensive Management Plan (CMP). Some of that development occurred in wetlands in violation of the wetland protection standards of the Monroe Township land use ordinance and the CMP. This application is to address these violations.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the 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 land use in this management area.

Wetlands Standards (N.J.A.C. 7:50-6.6)

There are wetlands located on the above referenced parcel. Based upon the location of the proposed communications tower and equipment compound in an area that was filled and disturbed prior to 1981, the applicant has demonstrated that the proposed development will not result in a significant adverse

impact on wetlands.

To resolve the violation of the wetland protection standards of the Monroe Township land use ordinance and the CMP, the applicant proposes to remove three of the small buildings and relocate the fourth small building to a different location on the parcel and to revegetate the disturbed area with native vegetation.

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

The proposed development will be located within an existing cleared area. 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. To stabilize disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. There will be no increase in the volume and rate of stormwater runoff from the project area after development than occurred prior to the proposed development.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced parcel was completed on October 31, 2014. Newspaper notice was completed on November 5, 2014. The application was designated as complete on the Commission's website on December 1, 2014. The Commission's public comment period closed on December 12, 2014. No public comment was received by the Commission regarding the application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of two sheets, prepared by Adams, Rehmann & Heggan Associates, both sheets dated 10/30/2014 and last revised 11/20/2014.
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. Appropriate measures shall be taken during construction to preclude sedimentation from entering wetlands and shall be maintained in place until all development has been completed and the area has been stabilized.

6. The applicant shall remove the three small buildings, the concerned parking areas and relocate the fourth small building by March 31, 2015 and revegetate the area by May 31, 2015.

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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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.