



**RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION**

NO. PC4-15- 32

**TITLE:** Approving With Conditions an Application for Public Development (Application Number 1984-0781.005)

Commissioner McGlinchey moves and Commissioner Barr 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:

**1984-0781.005**

**Applicant:** Tabernacle Township  
**Municipality:** Tabernacle Township  
**Management Area:** Pinelands Village  
**Date of Report:** October 26, 2015  
**Proposed Development:** Construction of two 64 foot high local communication facilities (towers) accessory to an existing emergency service building.

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 1984-0781.005 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			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn	X		
Barr	X			Jannarone	X			Rohan Green			X
Brown	X			Lloyd		X		Witt			X
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission  
Nancy Wittenberg  
Nancy Wittenberg  
Executive Director

Date: November 13, 2015  
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@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

October 26, 2015

Kimberly Brown  
Tabernacle Township  
163 Carranza Road  
Tabernacle, NJ 08088

Re: Application # 1984-0781.005  
Block 404, Lot 16.11  
Tabernacle Township

Dear Ms. Brown:

The Commission staff has completed its review of this application for construction of two 64 foot high local communication facilities (towers) accessory to an existing emergency service building. 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 November 13, 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, Tabernacle Township Planning Board (via email)  
Tabernacle Township Construction Code Official (via email)  
Secretary, Burlington County Planning Board (via email)  
Dante Guzzi, PE, CME (via email)





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 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**

October 26, 2015

Kimberly Brown  
 Tabernacle Township  
 163 Carranza Road  
 Tabernacle, NJ 08088

Application No.: 1984-0781.005  
 Location: Block 404, Lot 16.11  
 Tabernacle Township

This application proposes construction of two 64 foot high local communication facilities (towers) accessory to an existing emergency service building located on the above referenced 2.41 acre lot in Tabernacle Township. The Township indicates that the two proposed local communication facilities (towers) will provide radio communication for emergency personnel.

**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. 7:50-5.27)

The lot is located in the Pinelands Village of Tabernacle. The proposed local communication facilities (towers) are accessory to an existing emergency service building. The existing emergency service building is a permitted use in the Pinelands Village of Tabernacle. As accessory to a permitted use, the proposed communications towers are also a permitted use in the Pinelands Village of Tabernacle.

Height Limitations (N.J.A.C. 7:50-5.4)

The CMP provides that, in a Pinelands Village, no structure which is not accessory to an otherwise permitted use shall exceed a height of 35 feet. As the two proposed 64 foot high local communications towers are accessory to an existing permitted use, the proposed tower height is consistent with the CMP height limitation.

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

The proposed development will be located within a maintained grassed 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. Based upon the size and location of the proposed development, this application does not propose 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 September 28, 2015. The Commission's public comment period closed on October 9, 2015. 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 one sheet, prepared by Dante Guzzi Engineering Associates and dated July 23, 2015.
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.

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.



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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.