



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-24-13

TITLE: **Approving** With Conditions an Application for **Public Development** (Application Number 1984-0036.017)

Commissioner Pikolycky moves and Commissioner Irick 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:

1984-0036.017

Applicant:	Stafford Township
Municipality:	Stafford Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	May 29, 2024
Proposed Development:	Demolition of a potable water storage standpipe, 50 years old or older, and the construction of a local communications facility (communications tower).

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 1984-0036.017 for public development is hereby **approved** subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP A/R*					AYE NAY NP A/R*					AYE NAY NP A/R*				
Asselta	X				Lettman			X		Rittler Sanchez	X			
Avery	X				Lohbauer	X				Wallner	X			
Christy	X				Mauriello	X				Matos	X			
Holroyd			X		Meade	X								
Irick	X				Pikolycky	X								

*A = Abstained / R = Recused

Adopted at a meeting of the Pinelands Commission

Date: July 12, 2024

Susan R. Grogan
Executive Director

Laura E. Matos
Chair



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

General Information: Info@pinelands.nj.gov
Application Specific Information: AppInfo@pinelands.nj.gov

LAURA E. MATOS
Chair
SUSAN R. GROGAN
Executive Director

May 29, 2024

Matthew von der Hayden, Administrator
Stafford Township (via email)
260 East Bay Ave.
Manahawkin NJ 08050

Re: Application # 1984-0036.017
Block 29, Lot 13
Stafford Township

Dear Mr. von der Hayden:

The Commission staff has completed its review of this application for demolition of a potable water storage standpipe, 50 years old or older, and the construction of a local communications facility (communications tower).

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 July 12, 2024 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, Stafford Township Planning Board (via email)
Stafford Township Construction Code Official (via email)
Stafford Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Troy Dittenhofer, PE (via email)



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Chair
SUSAN R. GROGAN
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

May 29, 2024

Matthew von der Hayden, Administrator
Stafford Township (via email)
260 East Bay Ave.
Manahawkin NJ 08050

Application No.: 1984-0036.017
Block 29, Lot 13
Stafford Township

This application proposes demolition of a potable water storage standpipe, 50 years old or older, and the construction of a local communications facility (communications tower) located on the above referenced one acre parcel in Stafford Township.

The Pinelands Comprehensive Management Plan (CMP) defines a local communications facility as an antenna and supporting structure which is intended to serve a limited localized audience through point to point communication, including cellular telephones and dispatch communications.

There are existing communication antennae and public safety communication equipment located on the existing potable water storage standpipe. The application proposes to construct a temporary 130 foot high communications tower prior to demolition of the standpipe. The existing communication antenna and equipment will be relocated to the temporary tower. Once the standpipe is demolished, the proposed 130 foot high permanent tower will be constructed. Upon completion of the construction of the permanent tower, the communication antenna and equipment will be relocated from the temporary tower to the permanent tower. Upon completion of the relocation of the communication antenna and equipment, the temporary tower will be removed from the parcel.

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)

The parcel is located in a Pinelands Regional Growth Area. The proposed demolition of the potable water storage standpipe, 50 years old or older, and construction of the communications tower are permitted in a Pinelands Regional Growth Area.

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

The proposed development will be located in an existing grassed area. The proposed soil disturbance is limited to that which is necessary to accommodate the development.

The landscaping and revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to utilize a seed mixture which meets that recommendation.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

The Commission staff reviewed available information to determine whether any significant cultural resources exist on the parcel. The existing potable water storage standpipe was constructed in 1973. Based upon the lack of potential for significant cultural resources, a cultural resource survey was not required.

PUBLIC COMMENT

The CMP defines the proposed development as “minor” development. The CMP does not require public notice for minor public development applications. The Commission’s public comment period closed on May 10, 2024. 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 six sheets, prepared by Remington & Vernick Engineers and dated as follows:

Sheets 1-3 & 6 - August 28, 2023
Sheets 4 & 5 - August 28, 2023; last revised January 10, 2024.
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. The proposed temporary communications tower shall be removed from the parcel within 90 days of the completion of the permanent communications tower.

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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Chair

SUSAN R. GROGAN
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 and received by the Commission's office no later than 5:00 PM on June 17, 2024 and 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.