

State of New Jersey

Richard J. Codey

Acting Governor

Department of Environmental Protection

Land Use Regulation Program
P.O. Box 439, Trenton, NJ 08625-0439
Fax # (609) 777-3656
www.state.nj.us/dep/landuse

Ms. Kathy Goudarzi Amertech Environmental Consultants 757 Ridgewood Ave. North Brunswick, NJ 08902

RE:

Letter of Interpretation/Line Verification

File No.: 1213-04-0026.1 FWW040001(FWLI4)

Applicant: Applegarth Developers LLC

Block: 6;

Lots: 5.01 & 5.03

Block: 16; Block: 17; Lot: 1 Lot: 1

Monroe Twp., Middlesex County

Dear Ms. Goudarzi:

This letter is in response to your request for a Letter of Interpretation to verify the jurisdictional boundary of the freshwater wetlands and waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, Land Use Regulation Program is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retains the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon site inspections conducted on May 24, 2005, June 3, 2005 and July 20, 2005, the Land Use Regulation Program has determined that the wetlands and waters boundary line(s) as shown on sheets 1, 2, & 3 on the plan map entitled: "WETLAND MAP PREPARED FOR APPLEGARTH DEVELOPERS, L.L.C. TAX MAP LOT 5.01 & 5.03 BLOCK 6 LOT 1 BLOCK 16 & LOT 1 BLOCK 17 SITUATED IN MONROE TOWNSHIP MIDDLESEX COUNTY NEW JERSEY", dated September 17, 2004, last revised August 3, 2005 and prepared by AMERTECH ENGINEERING, INC., is accurate as shown.

Any activities regulated under the Freshwater Wetlands Protection Act proposed within the wetlands or transition areas or the deposition of any fill material into any water area, will require a permit from this office unless exempted under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B -1 et seq., and implementing rules, N.J.A.C. 7:7A. A copy of this plan, together with the information upon which this boundary determination is based, has been made part of the Program's public records.

96-030 MAX TO MARUN SCAR

> Bradley M. Campt Commissioner





Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A-1 et seq.), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above LURP file number and the following note:

"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP."

In addition, the Department has determined that the wetlands on the subject property are of both Intermediate and Ordinary Resource Value. The Department has identified the following points as manmade wetlands ditches: W/P-1A to W/P-10A; W/P-1B to W/P-15B; W/P-12C to W/P-17C; W/P-2C to W/P-6C to W/P-7C; and W/P-KK1 to W/P-KK4. These ditches are considered an ordinary resource value and have no buffer associated. All remaining wetlands are classified as intermediate resource values and the standard transition area or buffer required adjacent to these wetlands is 50 feet. The wetlands identified by the following points are isolated: W/P-1XX to W/P-3XX; W/P-1YY to W/P-3YY; W/P-1ZZ to W/P-4ZZ. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-5) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

It should be noted that this determination of wetlands classification is based on the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including; but not limited to, information supplied by the applicant. Under NJSA 13:9B-7a)(2), if the Department has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Land Use Regulation Program, P.O. Box 439, Trenton, New Jersey 08625.

This letter in no way legalizes any fill, which may have been placed, or other regulated activities, which may have occurred on-site. Also this determination does not affect your responsibility to obtain any local. State, or Federal permits which may be required.

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, PO Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

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Please contact Allison Giehl of our staff at (609) 633-6754 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

Sincerely,

Christopher Jones Section Chief

Bureau of Inland Regulation

Monroe Twp. Municipal Clerk
Monroe Twp. Municipal Construction Official

Adjudicatory Hearing Request Checklist and Tracking Form

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IV. If you are a person other than the applicant or permittee, please include the following information with your hearing request:

- The date you or your-agent received notice of the permit decision, and a copy of the permit
- Evidence that a copy of your hearing request has been delivered to the applicant for the permit decision which is the subject of your hearing request (e.g., certified mail return receipt);

 A detailed statement of which findings of fact and/or conclusion of law you are challenging: ₿.

- A detailed statement of which througs of fact and/or conclusion of law you are challenging:

 A description of your participation in any public hearings held in connection with the permit application and copies of any written comments you submitted;

 Whether you claim a statutory or constitutional right to a hearing, and, if you claim such a right, a reference to the applicable statute or an explanation of how your interests are affected by the E. permit decision;
- Suggested revised or alternative permit conditions;

- An estimate of the time required for the hearing;
 A request, if necessary, for a barrier-free hearing location for physically disabled persons;
 A clear indication of any willingness to negotiate a settlement with the Department prior to the Department's processing of the hearing request to the Office of Administrative Law; and
- This form, completed, signed and dated with all the information listed above, including attachments to:
 - New Jersey Department of Environmental Protection Office of Legal Affairs Attention: Adjudicatory Hearing Requests 401 East State Street P.O. Box 402 Trenton, NJ 08625-0402

with a copy to:

New Jersey Department of Environmental Protection Land Use Regulation Program Attention: Director 501 E. State Street P.O. Box 439 Trenton, NJ 08625-0439

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ENVIRONMENTAL IMPACT STATEMENT

ENGLAND ESTATES PROPOSED RESIDENTIAL SUBDIVISION

Lot 5.01 & 5.03, Block 6 Lot 1 Block 16 Lot 1 Block 17

TOWNSHIP OF MONROE MIDDLESEX COUNTY, NEW JERSEY

Prepared by:



August 3, 2006

PROJECT NO. 06-007

HUSSAIN IBRAHIM, PROFESSIONAL ENGINEER

NJ LIC. NO. GE40931 For the Firm

PB-1051-07

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APPENDIX

- Middlesex County Soil Survey Wetlands Letter Of Interpretation

A. SITE DESCRIPTION

A.1. LOCATION

The project site consists of approximately 160.2± Acres located in the southern portion of Monroe Township, Middlesex County, New Jersey on the east side of Mount Road north of it's intersection with Old Church Road. The project site is also known as Lots 5.01 & 5.02 Block 6, Lot 1 Block 16,Lot 1 Block 17 as shown on the Township of Monroe Tax Map Sheet 9,17 & 18.

A.2. Zoning

The site lies within the R-60 and R-3A zone.

A.3. Present Land Use

The majority of the site is vacant cultivated land with wooded areas bordering property lines.

A.4. Acreage of Project and Character

The project site is comprised of approximately 160.20± acres more or less of land and has varying topography ranging from flat to moderate slopes.

A.5. Soil Types

A review of the Middlesex County Soil Survey Report indicates that Five (5) specific soil types are exhibited onsite. Figure 1 provides a soils map, which illustrates the approximate location of these soils onsite.

Figure 1 and the Soil Conservation Interpretative sheets for these soils are included in the Appendix of this report.

An analysis of soils limitations on this site indicates that the type of development proposed by this project can be accommodated within the technical characteristics of the existing soil by basing improvements on field conditions. Dwelling and road construction techniques will be based upon soil test hole data and recommendations by a soils engineer.

A.6. GEOLOGIC CHARACTERISTICS

A review of the 1984 Monroe Township Natural Resource Inventory (NRI) indicates that the project site is located within the Woodbury Clay Formation (Kwb), which is a cretaceous deposit geologic layer of the Coastal Plain.

A.7. POPULATION AND DENSITY

Fifty Three (53) single family detached Homes are proposed. The overall gross density of the residential development of the property as proposed is 0.58 dwellings per acre. This project should have a population of 159 (53 X 3) upon buildout.

A.8. HISTORIC OR PREHISTORIC FEATURES

There are no features that have been established as being of historical significance and to be preserved, as mapped by the Monroe Township Environmental Resource Inventory on the subject property.

A.9. WETLANDS

Freshwater wetlands in the vicinity of the project site are as shown on the surveyed wetland map, have been field verified and approved by Letter of Interpretation File No. 1213-04-0026.1 FWW0400001(FWLI4) issued by the New Jersey Department of Environmental Protection (NJDEP) ON 8-18-05. The wetlands were determined to be

ordinary and intermediate resource value wetlands. Intermediate wetlands have a 50-foot transition area requirement.

A.10. WATER BODIES

There are no bodies of water on or adjacent to the project site.

A.11. STEEP SLOPES

Based upon the Natural Resource Inventory maps slight (0%-6%) slopes are predominant onsite.

A.12. FLOOD HAZARD AREAS

There are no Flood Hazard Areas on or adjacent to the site.

A.13. AQUIFER RECHARGE AREA

Based upon the Monroe Township Natural Resource Inventory, the site is located in the Old Bridge Sand Aquifer Recharge Area.

A.14. PRIME FARMLAND

Based upon the 1984 Monroe Township Environmental Resource Inventory, the site contains Class I, II and III soils suitable for farming.

A.15. MATURE FOREST

Based on the Monroe Township Environmental Resources Inventory map, the site in question contains wooded areas consisting of Hard Pine-Oak.

A.16. WILDLIFE HABITATS

Evidence of wildlife on-site includes but is not limited to whitetail deer, raccoon,

skunk, squirrels, rabbits, chipmunks, opossums, woodchucks and a variety of bird life. No endangered species were identified

A.17. ENVIRONMENTALLY STRESSED AREAS

Based on the Monroe Township Environmental Resource Inventory (MTERI) maps, the project site does not contain environmentally stressed areas.

A.18. OFF-STREET PARKING AND MAXIMUM VEHICULAR TRIPS

The 53 (53) dwelling units proposed will contain three car garages. With respect to maximum vehicular trips, the residential Site Improvement Standards set a value of 10.2 daily trips per unit, or 541 average daily trips total.

A.19. AIR QUALITY

The existing ambient air quality in this area of Monroe Township would be expected to be better than that experienced in the northern portion of Middlesex County, although the entire northeastern portion of the United States is not in compliance with the EPA Air Quality Standards in various categories at this time.

A.20. PUBLIC UTILITIES

The development will be serve with public potable water supply and sanitary sewer which will be owned and maintained by MTMUA.

B. PROJECT DESCRIPTION

B.1. PHYSICAL DIMENSIONS AND SCALE

The project site is comprised of approximately 160.20± acres more or less with frontage on Old Church Road and Mount Road & England Road as shown on subdivision maps prepared by Amertech Engineering, Inc. The proposed

development is considered a major subdivision and will provide 53 residential lots.

B.2. NUMBER AND TYPE OF HOUSING UNITS

Fifty three (53) single-family residential units are to be constructed. The number of bedrooms per unit will be in compliance with the ordinance requirements.

B.3. EMPLOYMENT AND CUSTOMERS

Not applicable

B.4. OFF STREET PARKING AND MAXIMUM VEHICULAR TRIPS

See A.18.

B.5. CONSTRUCTION SCHEDULE AND TECHNIQUES

Following approval of the Monroe Township Planning Board, approvals will be required from the MTMUA, the Middlesex County Planning Board, the Monroe Township Shade Tree Commission and the Freehold Soil Conservation District.

Most of the applications with various agencies can proceed simultaneously.

However, the controlling factor on the overall construction schedule is the approval and construction of the onsite sanitary and water system. Based on timely approval by the above referenced agencies, it is anticipated that occupancy of dwelling units will occur in the fall of 2007. The buildout of the project is estimated to occur over two (2) years but in reality will be based on the prevailing economic climate.

Project construction will involve no unique or unusual practices.

Soil balance on the site is desirable from both the developer's financial standpoint and the Township's desire to lessen roadway and traffic impacts. The project has been designed with a goal of minimizing the amount of imported fill. However, the suitability of soils encountered during construction will determine whether material must be removed or brought to the site. Topsoil will be retained on site, unless the amount exceeds that required to landscape the non-impervious improvements.

C. ALTERNATIVES

C.1. EXISTING COMMUNITY CHARACTER

The proposal for this site is an expansion of the present land use.

The No Build Alternative will leave the site in its existing state. This would result in no additional adverse impacts on the project site or surrounding area. However, lack of development on the site would deprive the township of substantial tax ratables which the development would generate, deny the public an attractive housing opportunity and deny the applicant the right to develop his property. Further economic benefits would be lost by not providing employment, which would be generated through construction of the project.

D. IMPACT ASSESSMENT

D.1. AIR QUALITY

An impact will be created by emissions from vehicles of the community's residents. The level of the impact will be slight and would be the same in wherever areas in the township a project of this type might be located. Utilization

of high efficiency natural gas heating units for the dwellings will also minimize air quality impacts.

D.2. WATER QUALITY

After development the site can still be considered a rural, sparsely populated area. The impact upon water quality is therefore negligible.

D.3. CONSTRUCTION NOISE

Construction activities on-site will cause increases in noise levels on adjacent properties. It is not possible, however, to predict the magnitude of these increases because of the variability of several factors, which are critical in estimating construction-related noise. These factors include the number and specific types of equipment on the job, the construction methods, and the scheduling of the work. Though precise information on these factors is not available, some general conclusions can be made based on the types of construction work anticipated and the similarities of equipment.

The equipment operating at a specific location will depend upon which phase of the job is occurring at that time. The construction activities can be classified into the following phases:

Ground clearing. Unwanted vegetation will be removed. Dozers, dump trucks, chain saws and front-end loaders are generally used to accomplish this phase.

<u>Earthwork</u>. The existing topography is altered so as to fit the desired contours of the new site. Equipment involved in this phase includes dozers, graders, scrapers, earthmovers and backhoes.

<u>Paving</u>. The new roadway pavement is installed. Pavers, concrete trucks, dump trucks, vibrators and rollers are utilized in this phase.

<u>Building Construction</u>. Foundations are constructed for new dwellings and building frames are constructed. Equipment includes backhoes, cement trucks, buildozers and graders.

Use of hand held tools include hammers, drills and other small equipment.

The contractor will be required to operate equipment in conformance with the hours of operation specified by the ordinance of Monroe Township, Chapter 69 - Noise.

D.4. LAND USE AND TRAFFIC PATTERNS

The project as proposed will conform to the existing land use pattern provided for in the Master Plan and Zoning Ordinance. The traffic generated by the proposed development is not anticipated to significantly alter the level of service on the adjoining roadways.

D.5. DAMAGE OR DESTRUCTION TO:

D.5.a. OPEN SPACE

The proposed subdivision is designed in conformance of the R-60 & R-3A Zone.

D.5.b. WILDLIFE HABITATS

In addition to the wooded area onsite, lawn/landscaping areas and undeveloped areas would provide an opportunity in most cases for wildlife to remain on the site.

D.5.c. WETLANDS

Freshwater Wetlands exist on-site. The project has been designed to minimize the impact on these wetlands. General Permits are anticipated for road crossing and the storm facility which will require approval from NJDEP. A transition area waiver – averaging plan is also anticipated.

D.5.d. PRIME AGRICULTURAL LANDS

Although the site is located within prime agricultural land according to Monroe Township Natural Resource Inventory Maps, the subdivision is designed according to R-60 & R-60 Zone requirements. The proposed development will not have an impact upon this aspect of environmental concerns.

D.5.e. MATURE FORESTS

Not Applicable

D.5.f. AQUIFER RECHARGE AREA

Minimal disturbance of Aquifer Recharge Area is expected with the proposed construction, due to the scale of the project be insignificant.

D.6. AESTHETIC VALUES

The project will attempt to maintain aesthetic values by providing attractive dwellings; road layout and landscaping that will blend in will with the adjacent property.

D.7. HEALTH, SAFETY AND WELL-BEING OF THE PUBLIC

The health, safety and well being of the public will not be adversely affected by the project. The proposed uses must be in compliance with the regulations of the Township of Monroe and all applicable agencies.

D.8. DISRUPTION OF DESIRABLE GROWTH

Rather than disrupt desirable growth, this project will provide the land use growth designated in the zoning ordinance.

D.9. DESTRUCTION OF NATURAL RESOURCES

No valuable, unique or irreplaceable natural resources are to be destroyed by the project development.

D.10. SOIL EROSION

A Soil Erosion and Sediment Control Plan will be prepared for the approval of the Freehold District of the Soil Conservation Service, and said approval will be a condition of any Planning Board approval.

D.11. DRAINAGE & FLOODING

Detailed analysis of onsite stormwater drainage has been supplied in the drainage report prepared for this project. The site drains to various locations in the pre-development conditions. Post-development drainage areas are not to be significantly altered, and it is not anticipated that these will have a significant effect on downstream facilities or properties.

D.12. MUNICIPAL SERVICES

D.12.a WATER AND SEWER

The project site will utilize publicly owned systems for sanitary sewer and water supply..

D.12.b. SOLID WASTE COLLECTION

Solid waste from this site will be collected by private haulers. Recyclables will be collected by the Middlesex County Improvement Authority.

D.12.c. POLICE AND FIRE PROTECTION

The proposed project will present no unusual situation or special burden on the police or fire services in the community, although an increase in the number of response calls can be anticipated due to the additional number of residents.

D.12.d. SCHOOLS

It is anticipated that the project will create insignificant increases in the number of school children, which is unavoidable. However, planning can occur since initial occupancy will not take place for a year, and total occupancy will likely occur over a two (2) year period.

D.13. HISTORIC AND PREHISTORIC FEATURES

D.14. TOXIC EMISSIONS, GLARE, VIBRATION, ELECTRICAL DISTURBANCE OR IONIZING RADIATION

The project will not generate any of the above effects.

D.15. EXISTING WATER BODIES

The project will create no adverse impact on any water bodies.

E. CUMULATIVE IMPACTS

This section of the report will provide a summary of cumulative impacts of the proposed development as identified in this report.

Construction earthwork, primarily cut and fill will be done throughout the site to provide proper drainage for the proposed dwellings and roads. This will be conducted in accordance with an approved Final Grading Plan. All disturbed areas not covered by impervious surfaces will be revegetated.

The construction of the proposed development will require the removal of some non-wetland vegetation for the placement of buildings, driveways and sidewalks.

Overall, development of the subject property under this proposal will not adversely affect any unique or critical plant habitats.

With regard to the local economy, the development of this project will result in an improved economy for the area. First, the project will result in increased employment in the labor and materials market. After construction, occupancy of the project will result in increased demand for goods and services, thereby improving the local economy.

The construction of the proposed subdivision will result in a number of minor environmental impacts. These minor impacts will result from land disturbance

during site preparation and from the actual construction. An approved soil erosion and sedimentation control plan will ensure that these temporary impacts are mitigated to the maximum extent possible. This plan is subject to review by the Freehold Soil Conservation District.

Temporary impacts will also include an increase in local noise levels, especially from the use of power equipment and construction vehicles. Earth moving equipment, such as front-end loaders, backhoes, dozers and graders and other equipment such as concrete mixers and pumps, generally have noise levels between 80 and 90 dBA, as measured at a distance of 50 feet. However, with the use of various noise control measures (such as efficient intake and exhaust mufflers) it is possible to reduce these levels by 10 dBA.

The construction of the project will also have a temporary, localized impact on air quality. There will be an increase in vehicle emissions as a result of the construction equipment and deliveries of materials, and the various site preparation activities will result in an increase in airborne dust.

During construction, pollutants would be emitted from construction vehicles (carbon monoxide, hydrocarbons, nitrogen dioxide and particulates) along with fugitive dust from the disturbed areas. These impacts will be temporary and, because of the good existing air quality in the area, will not cause any violation of the State Ambient Air Quality Standards. Fugitive dust generated during construction of the project will be minimized by appropriate wetdown methods of temporarily exposed soils.

The principal air pollutants generated by the project after completion would be carbon monoxide and hydrocarbons from the additional vehicular traffic generated by the proposed housing units. This increase is quite minimal with respect to regional traffic volumes and emissions. In addition, stricter motor vehicle emission control in the future will further ensure no adverse impacts upon the ambient air quality of this region.

It is anticipated that the proposed residential units will be heated by natural gas.

Combustion of natural gas generates insignificant amounts of air pollutants and therefore, no adverse impacts will occur.

F. MITIGATION MEASURES AND DESCRIPTION OF STEPS TAKEN TO MINIMIZE ADVERSE ENVIRONMENTAL IMPACTS

As noted in the previous section, various minor impacts are anticipated with the subject proposal. These impacts are typical of residential development. Many of these impacts are short term in nature, and will be alleviated during and after development of the proposed project. The following descriptive list details measures incorporated into the project design to minimize these impacts:

- Increase in ambient noise levels during construction will be temporary and limited to normal daytime working hours during the construction phase of the project.
- Soil erosion and sediment control measures will be implemented during construction to minimize the potential for soil erosion hazard. After construction, all unpaved areas will be seeded. Soil disturbance during construction will be minimized by incorporating the existing topography of

the site into the project design wherever possible. This will facilitate storm water drainage patterns, which will remain substantially similar to existing patterns. In summary, use of existing topography in the project design will minimize the need to cut and fill topsoil in building and roadway areas.

- The majority of the freshwater wetlands on-site will remain in its natural state, as well as the buffers designated by the state.
- Construction equipment will be required to operate within noise levels specified by the ordinance.
- The planting of street trees and individual lot landscaping will aid in mitigating some of the vegetation removal necessary to construct the project.

APPENDIX

PORTION OF MIDDLESEX COUNTY SOIL SURVEY

WETLANDS LETTER OF INTERPRETATION



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U.S.G.S. MAP JAMESBURG QUAD			
FIGURE NO.: 2			
FILE: 06007- USGSMAP SCALE: 1'=1,000'			
DATE: 9-14-06 JOB#: 06-007			





