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October 21, 2013

RECEIVED
OCT 24 2013
Mount Olive Township Clerk's Office

HAND DELIVERED

Mr. Steve Jacobus, Manager, Planning Support
Division of Coastal and Land Use Planning
NJ Department of Environmental Protection
401 East State Street
Mail Code 401-07B, PO Box 420
Trenton, New Jersey 08625-0420

RE: Morris Habitat for Humanity
20 Wallman Way
Block 2203, Lot 3
Township of Mount Olive, Morris County
Program Interest No. 435434
Activity No. CSD100013
OEA File No. 130002

Dear Mr. Jacobus:

Morris Habitat for Humanity has been seeking, in cooperation with the Township of Mount Olive, to construct affordable housing on the above referenced lot and the neighboring lot (Lot 2) for a number of years. These two existing lots are owned by the Township of Mount Olive and are located on an existing improved street. They are surrounded by existing single family homes, all served by public sewers.

When the Township constructed the sanitary sewer collection system in this section of the Township, sewer lines were not constructed within the adjacent portions of Wallman Way and Western Drive. In order to provide sanitary sewer service to these two existing lots, a new sanitary sewer main would need to be constructed. This sanitary sewer would extend 237 feet within the existing pavement of Western Drive and Wallman Way. However, with the passage of the Highlands Act, this portion of Mount Olive Township was placed into the Highlands Preservation Area, severely limiting the extension of public infrastructure and the development activity of these two properties.

Morris Habitat for Humanity had filed a Highlands Applicability Determination (HAD) in May 2010 to construct a duplex residential dwelling on this lot (copy attached hereto). They received a letter

from the Department dated June 16, 2011 (copy attached) determining that the proposal was "Not Exempt" as the proposal was not for a single family home and did not comply with any of the other exemptions under the Highlands regulations (NJAC 7:38 et seq.). After much discussion within their organization and with the Township of Mount Olive, Morris Habitat has determined that they wish to construct a single family home on the subject lot. As stated in the afore-mentioned Department letter, Exemptions 1 and 2 are applicable to single family homes.

In this particular instance, the subject lot is only 7,152.7 square feet in size and would contain impervious coverage of approximately 1,800 square feet. Therefore, the construction of a single family home on this parcel would result in disturbance of well below 1 acre and much less than 0.25 acres of impervious surface. These findings are consistent with the conditions set forth under Exemption 2 as set forth at NJAC 7:38-2.3(a)(2). Therefore, we respectfully request that the HAD be re-issued acknowledging these facts.

Furthermore, the construction of this single family home would still require the construction of a sanitary sewer main extension of 237 feet within existing paved roadways to serve the subject lot (as well as the adjacent parcel, Lot 2). As set forth in your May 16, 2011 letter, sewer service areas can be reinstated to serve projects that are exempt. Again, we respectfully request that the Department concur with the finding that as the construction of a single family home on this lot is exempt, than the sewer service area can be reinstated.

Enclosed in support of this application are the following items:

- Application for Applicability and Water Quality Management Plan Consistency Determination
- Grading Plan for 20 Wallman Way prepared by Stewart Surveying & Engineering LLC dated May 15, 2013
- Check # 4628 payable to Treasurer, State of New Jersey in the amount of $750.00.
- Tax Map Sheet 22
- USGS Map (Hackettstown Quad)
- Proof of Public Notice Requirements
- Copy of recorded deed (Final Judgment of Foreclosure, 1996)
- Notarized statement from Mount Olive Township dated October 1, 2013.
- Land survey for Lots 2 and 3, Block 2203 prepared by Richard F. Smith, Jr., PLS dated October 8, 2008.
- Letter from Mount Olive Township Public Works Department dated October 4, 2013 stating adequate capacity and collection facilities

We look forward to the Department's expeditious and positive response to this request for reconsideration to advance affordable housing opportunities in the State of New Jersey.

Very truly yours,
OMLAND ENGINEERING ASSOCIATES, INC.

Eric L. Keller, PE, PP, LEED AP
Executive Vice President

cc: Liz DeCoursey, Morris Habitat for Humanity w/ encl.
Lisa Lashway, Mount Olive Township Clerk
Christine Danis, Director of Planning & Science, NJ Highlands Council

Attachments