



Wander Ecological Consultants

28 Warner Road, Newton, New Jersey 07860 Phone/Fax: 973-579-2293

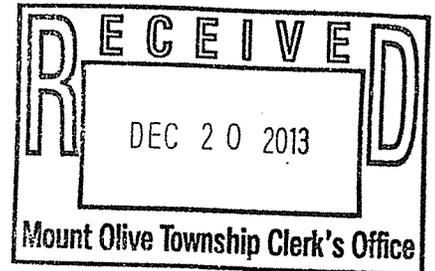
Wetland Delineations • Endangered Species Surveys • Vegetation and Wildlife Inventories
Ornithological Studies • Habitat Evaluation • Impact Assessments • Mitigation Proposals

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12-23-13
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Sec: Admin
Plan
Hew B



December 10, 2013

Application Support Unit
New Jersey Department of Environmental Protection
Division of Land Use Regulation
P.O. Box 420
Trenton, NJ 08625-0420



Re: Application for Letter of Interpretation, line verification
File No.: 1427-99-0011.1
Location: Block 4400, Lot 3, Twp. of Mount Olive, Morris County, NJ
Applicant/Owner: Flanders Road Partners, LLC
Drainage: Raritan River SB
Nearest stream: Turkey Brook FW2-TP (C1)
Highlands designation: Preservation Area

Dear Sir or Madam:

Enclosed is a package of information in support of the above-referenced application. The property is located at 184 Flanders-Netcong Road. The applicant proposes to improve the existing tennis facility. The Department issued a LOI, line verification, dated December 27, 1999, which was not extended.

Wander Ecological Consultants (WEC) delineated wetlands on the property on March 28, 2013. The survey of the wetland flags is plotted on the enclosed wetland delineation plans.

Please note that the applicant obtained a Highlands Applicability Determination (enclosed),

Enclosed is the information required at N.J.A.C. 7:7A-10 and in the Freshwater Wetlands LOI application checklist and fee table. If you require any additional information please contact me when convenient.

Sincerely,

Wade Wander, M.Sc.
ACOE Certified Wetland Delineator #WD93MD0910074B

Enclosures: Five signed & sealed prints of a wetland delineation plan (sheet 1 of 1), prepared by Civil Engineering, Inc., dated November 19, 2013, unrevised
Completed LURP-2 application form w/original signatures
Location map from Google Maps
USGS topographic map (Boonton, NJ, quad) with NJ State Plane Coordinates

USDA Web Soil Survey
Wetland boundary data sheets
Annotated digital color photographs
Tax map
Completed Attachment A w/original signature
Certified list of property owners within 200 feet of subject property
from Mount Olive Tax Assessor
Proof of certified mail notices to Mount Olive municipal clerk, planning
board, environmental commission, construction official, Morris
County planning board, and all landowners within 200 feet of the
property boundaries
Copy of Highlands Applicability Determination (exempt)
Copy of LOI
Check in the total amount of \$1776 (14 ac. x \$84/ac. + \$600 = \$1776),
made payable to "Treasurer, State of New Jersey"



State of New Jersey
 Department of Environmental Protection
 Division of Land Use Regulation Application Form (DLUR)
 501 E. State Street Mail Code 501-02A P.O. Box 420
 Trenton, NJ 08625-0420
 Phone #: (609) 777-0454 Web: www.nj.gov/dep/landuse



Please print legibly or type the following: Complete all sections unless otherwise noted

Is this project Superstorm Sandy Related Yes No

1. Applicant Name: Mr./Ms./Mrs FLANDERS ROAD PARTNERS LLC E-Mail: COSTELLOKR@GMAIL.COM
 Address: 7 NORTH WILLOW ST. SUITE 8B Daytime Phone: 973-783-4488 Ext. 15
 City/State: MONTCLAIR NJ 07042 Zip Code _____ Cell Phone: _____

2. Agent Name: Mr./Ms./Mrs WADE WANDER E-Mail: wander@embarqmail.com
 Firm Name: WANDER ECOLOGICAL Daytime Phone: 973 579-2293 Ext. -
 Address: 28 WARNER ROAD Zip Code 07860 Cell Phone: _____
 City/State: NEWTON, NJ 07860

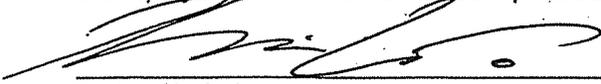
3. Property Owner: Mr./Ms./Mrs FLANDERS ROAD PARTNERS LLC E-mail: COSTELLOKR@GMAIL.COM
 Address: 7 NORTH WILLOW ST. SUITE 8B Daytime Phone: 973-783-4488 Ext. 15
 City/State: MONTCLAIR NJ 07042 Zip Code _____ Cell Phone: _____

4. Project Name: _____ Address/Location: 184 Flanders - Netcong Rd
 Municipality: Twp. of Mount Olive County: Morris
 Block(s): 4400 Lot(s): 3
 N.A.D. 1983 State Plane Coordinates(feet) E(x): 434,714 N(y): 739,762 Not Longitude/Latitude
 Watershed: Raritan River SB (08AA) Subwatershed: Raritan River SB (08AA04)
 Nearest Waterway: Turkey Brook
 Fees: Total Fee: \$1776.00 Check #: 1354 Project Cost: _____

5. Project Description: Proposed improvements to existing tennis facility.

Provide if applicable: Previous LUR File # (s): _____ Waiver request ID # (s): _____

A. SIGNATURE OF APPLICANT (required):
 I certify, under penalty of law, that the information provided in this document is true and accurate. I am aware that there are significant civil and criminal penalties for submitting false or inaccurate information. If corporate entity, print/type the name and title of the person signing on behalf of the corporate entity.

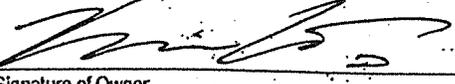
	_____
Signature of Applicant	Signature of Applicant
<u>11.26.2013</u>	_____
Date	Date
<u>KEVIN COSTELLO</u>	_____
Print Name	Print Name

OWNER'S CERTIFICATION

I hereby certify that the undersigned is the owner of the property upon which the proposed work is to be done. This endorsement is certification that the owner grants permission for the conduct of the proposed activity. In addition, I hereby give unconditional written consent to allow access to the site by representatives or agents of the Department for the purpose of conducting a site inspection(s) or survey(s) of the property in question.

In addition, the undersigned property owner hereby certifies:

- 1. Whether any work is to be done within an easement? Yes No
- 2. Whether any part of the entire project (e.g., pipeline, roadway, cable, transmission line, structure, etc.) will be located within property belonging to the State of New Jersey? Yes No
- 3. Whether any work is to be done on any property owned by any public agency that would be encumbered by Green Acres? Yes No
- 4. Whether any part of this project requires a Section 106(National Register of Historic Places) Determination as part of a federal permit or approval? Yes No


 Signature of Owner
 11.26.2013
 Date
 KEVIN COSTELLO
 Print Name

 Signature of Owner

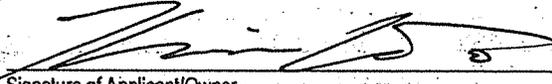
 Date

 Print Name

APPLICANT'S AGENT (Notary seal is required for Flood Hazard Area (FHA) applications)

I KEVIN COSTELLO, the Applicant/Owner and _____, co-Applicant/Owner authorize to act as my agent/representative in all matters pertaining to my application the following person:

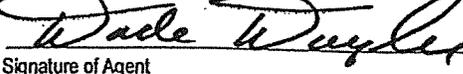
WADE WANDER
 Name of Agent
ACOE certified wetland delineator
 Occupation/Profession of Agent


 Signature of Applicant/Owner

 Signature of co-Applicant/Owner

AGENT'S CERTIFICATION:

I agree to serve as agent for the above-referenced applicant:


 Signature of Agent

NOTARY:
 Sworn to me, this day of: _____, 20____

 Notary Public

STATEMENT OF PREPARER OF PLANS, SPECIFICATIONS, SURVEYOR'S OR ENGINEER'S REPORT

I hereby certify that the plans, specifications and engineer's report, if any, applicable to this project comply with the current rules and regulations of the New Jersey Department of Environmental Protection with the exceptions as noted. In addition, I certify the application is complete as per the appropriate checklist(s).

 Signature

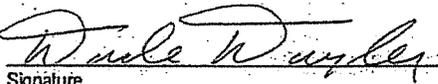
 Print Name

 Position & Name of Firm

 Professional License # Date

E. STATEMENT OF PREPARER OF APPLICATION, REPORTS AND/OR SUPPORTING DOCUMENTS (other than engineering)

I certify under penalty of law that I have personally examined the information submitted in the document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate and complete in accordance with the appropriate checklist(s). I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.


 Signature
WADE WANDER
 Print Name
Partner, Wander Ecological
 Position & Name of Firm

 Professional License # Date
 (if Applicable) 12/9/13

F. APPLICATION(S) FOR: (Check all that apply – follow directions on page 5)

	CAFRA	Fee Amount	Fee Paid
<input type="checkbox"/>	Individual Permit		
<input type="checkbox"/>	Exemption Request	\$300.00	
<input type="checkbox"/>	Permit Modification		
<input type="checkbox"/>	CAFGP5 / Amusement Pier Exp	\$600.00	
<input type="checkbox"/>	CAFGP6 / Beach/Dune Maintenance	\$600.00	
<input type="checkbox"/>	CAFGP7 / Voluntary Reconstruction	\$600.00	
<input type="checkbox"/>	CAFGP8 / New Single Family or Duplex	\$600.00	
<input type="checkbox"/>	CAFGP9 / Reconstruct Single Family Up	\$600.00	
<input type="checkbox"/>	CAFGP10 / New Bulkhead/Fill Lagoon	\$600.00	
<input type="checkbox"/>	CAFGP11 / Revetment	\$600.00	
<input type="checkbox"/>	CAFGP12 / Gabrions	\$600.00	
<input type="checkbox"/>	CAFGP13 / Support Facilities/ Marina	\$600.00	
<input type="checkbox"/>	CAFGP14/Reconst Bulkhead above MHWL	\$600.00	
<input type="checkbox"/>	CAFGP15 / Hazard Waste Clean-up	\$600.00	
<input type="checkbox"/>	CAFGP16 / Landfall of Utilities	\$600.00	
<input type="checkbox"/>	CAFGP17 / Recreational Facility Public Park	\$600.00	
<input type="checkbox"/>	CAFGP18 / Bulkhead Construct/Fill upland	\$600.00	
<input type="checkbox"/>	CAFGP21 / Shoreline Stabilization	\$600.00	
<input type="checkbox"/>	CAFGP22 / Avian Nesting Structures	\$600.00	
<input type="checkbox"/>	CAFGP23 / Electrical Sub Facility	\$600.00	
<input type="checkbox"/>	CAFGP24 / Legalize Filling of Tidelands	\$600.00	
<input type="checkbox"/>	CAFGP25 / Construct Telecom Tower	\$600.00	
<input type="checkbox"/>	CAFGP26 / Tourism Indust. Construction	\$600.00	
<input type="checkbox"/>	CAFGP27 / Geotechnical Borings	\$600.00	
<input type="checkbox"/>	CAFGP29/Habitat Create/Restore/Enhance	\$600.00	
<input type="checkbox"/>	CAFGP30 / 1 to 3 Turbines < 200 Feet	\$600.00	
<input type="checkbox"/>	CAFGP31 / Wind Turbines < 250 Feet	\$600.00	
<input type="checkbox"/>	Individual Permit Equivalency/CERCLA	No Fee	No Fee

		Fee Amount	Fee Paid
<input type="checkbox"/>	Waterfront Development		
<input type="checkbox"/>	WDGP10 / New Bulkhead/Fill Lagoon < 75'	\$600.00	
<input type="checkbox"/>	WDGP14 / Reconstruct Bulkhead	\$600.00	
<input type="checkbox"/>	WDGP19/Dock/Piers/Boat Lifts Lagoon	\$600.00	
<input type="checkbox"/>	WDGP20 / Minor Maint Dredge Lagoon	\$600.00	
<input type="checkbox"/>	WDGP21 / Shoreline Stabilization	\$600.00	
<input type="checkbox"/>	WDGP32 / Dredge Lagoon (post storm event)	\$600.00	
<input type="checkbox"/>	WDGP33 / Dredge post Bulkhead Failure	\$600.00	
<input type="checkbox"/>	WDGP34 / Dredge Marina (post storm event)	\$600.00	
<input type="checkbox"/>	WDGP35 / Aquaculture Activities	\$600.00	
<input type="checkbox"/>	WDGP36/Placement of Shell (shellfish areas)	\$600.00	
<input type="checkbox"/>	Individual Permit/Upland		
<input type="checkbox"/>	Individual Permit/Inwater		
<input type="checkbox"/>	Zone Letter	\$300.00	
<input type="checkbox"/>	Modification		
<input type="checkbox"/>	Individual Permit Equivalency/CERCLA	No Fee	

	Coastal/Tidal Wetlands	Fee Amount	Fee Paid
<input type="checkbox"/>	Coastal/Tidal Wetlands Permit		
<input type="checkbox"/>	Coastal Wetland Permit Modification		

	Applicability Determination	Fee Amount	Fee Paid
<input type="checkbox"/>	Coastal Jurisdictional Determination	No Fee	No Fee
<input type="checkbox"/>	Highlands Jurisdictional Determination	No Fee	No Fee
<input type="checkbox"/>	Flood Hazard Area Applicability	No Fee	No Fee
<input type="checkbox"/>	Executive Order 215	No Fee	No Fee

	Flood Hazard Area	Fee Amount	Fee Paid
<input type="checkbox"/>	FHA Verification		
<input type="checkbox"/>	FHA Individual Permit		
<input type="checkbox"/>	FHA Hardship Exception	\$4,000.00	
<input type="checkbox"/>	FHAGP1 / Chan Clean w/o Sed Removal	No Fee	No Fee
<input type="checkbox"/>	FHAGP1 / Chan Clean w/Sed Removal	No Fee	No Fee
<input type="checkbox"/>	FHAGP2A / Ag - Bank Restoration	\$500.00	
<input type="checkbox"/>	FHAGP2B / Ag - Channel Cleaning	\$500.00	
<input type="checkbox"/>	FHAGP2C / Ag - Road Crossing	\$500.00	
<input type="checkbox"/>	FHAGP2D / Ag - Wetlands Restoration	\$500.00	
<input type="checkbox"/>	FHAGP2E / Ag - Livestock Ford	\$500.00	
<input type="checkbox"/>	FHAGP2F / Ag - Livestock Fence	\$500.00	
<input type="checkbox"/>	FHAGP2G / Ag - Livestock Water Intake	\$500.00	
<input type="checkbox"/>	FHAGP3 / Bridge/Culvert Scour Protection	\$500.00	
<input type="checkbox"/>	FHAGP4 / Stormwater Maintenance	\$500.00	
<input type="checkbox"/>	FHAGP5 / Building Relocation	\$500.00	
<input type="checkbox"/>	FHAGP6 / Rebuild Damaged Home	No Fee	No Fee
<input type="checkbox"/>	FHAGP7 / Residential in Tidal FHA	\$500.00	
<input type="checkbox"/>	FHAGP8 / Utility Crossing <50acres	\$500.00	
<input type="checkbox"/>	FHAGP9 / Road Crossing <50acres	\$500.00	
<input type="checkbox"/>	FHAGP10 / Stormwater Outfall <50acres	\$500.00	
<input type="checkbox"/>	Revision of a GP, IP or Verification		
<input type="checkbox"/>	Transfer of an Approval	\$200.00	
<input type="checkbox"/>	FHA Indv. Permit Equivalency/CERCLA	No Fee	No Fee

	Stormwater Review Fees	Fee Amount	Fee Paid
<input type="checkbox"/>	Fee for all Stormwater Reviews		

	Consistency Determination	Fee Amount	Fee Paid
<input type="checkbox"/>	Water Quality Certificate		
<input type="checkbox"/>	Federal Consistency	No Fee	No Fee
<input type="checkbox"/>	HMC Water Quality Certificate		

	Highlands	Fee Amount	Fee Paid
<input type="checkbox"/>	Emergency Permit		
<input type="checkbox"/>	Pre-application Meeting	\$500.00	
<input type="checkbox"/>	Preservation Area Approval		
<input type="checkbox"/>	Resource Area Determination footprint		
<input type="checkbox"/>	Resource Area Determination <one acre	\$500.00	
<input type="checkbox"/>	Resource Area Determination >one acre		
<input type="checkbox"/>	HPAAGP 1/ Habitat Creation/Enhance	No Fee	No Fee
<input type="checkbox"/>	HPAAGP 2 Bank Stabilization	\$500.00	
<input type="checkbox"/>	PAA with Waiver (Specify type below)		

	Freshwater Wetlands	Fee Amount	Fee Paid
<input type="checkbox"/>	FWGP1 / Main. & repair Exist Feature	\$600.00	
<input type="checkbox"/>	FWGP2 / Utility Crossing	\$600.00	
<input type="checkbox"/>	FWGP3 / Discharge of Return Water	\$600.00	
<input type="checkbox"/>	FWGP4 / Hazard Site Invest/Cleanup	\$600.00	
<input type="checkbox"/>	FWGP5 / Landfill Closure	\$600.00	
<input type="checkbox"/>	FWGP6 / Filling of NSWC	\$600.00	
<input type="checkbox"/>	FWGP6A /TA- Filling of NSWC	\$600.00	
<input type="checkbox"/>	FWGP7 / Fill ditch / swale	\$600.00	
<input type="checkbox"/>	FWGP8 / House Addition	\$600.00	
<input type="checkbox"/>	FWGP9 / Airport Sightline Clearing	\$600.00	
<input type="checkbox"/>	FWGP10A / Very Minor Road Crossing	\$600.00	
<input type="checkbox"/>	FWGP10B / Minor Road Crossing	\$600.00	
<input type="checkbox"/>	FWGP11 / Outfalls / Intakes	\$600.00	
<input type="checkbox"/>	FWGP12 / Survey / Investigation	\$600.00	
<input type="checkbox"/>	FWGP13 / Lake Dredging	\$600.00	
<input type="checkbox"/>	FWGP14 / Water Monitoring	\$600.00	
<input type="checkbox"/>	FWGP15 / Mosquito Control	\$500.00	
<input type="checkbox"/>	FWGP16 / Habitat Create / Enhance	No Fee	No Fee
<input type="checkbox"/>	FWGP17 / Trails / Boardwalks	No Fee	No Fee
<input type="checkbox"/>	FWGP17A / Multiuse paths	\$600.00	
<input type="checkbox"/>	FWGP18 / Dam Repairs	\$600.00	
<input type="checkbox"/>	FWGP19 / Dock or Pier	\$600.00	
<input type="checkbox"/>	FWGP20 / Bank Stabilization	\$600.00	
<input type="checkbox"/>	FWGP21 / Above Ground Utility	\$600.00	
<input type="checkbox"/>	FWGP23 / Expand Cranberry	No Fee	No Fee
<input type="checkbox"/>	FWGP24 / Spring Developments	\$600.00	
<input type="checkbox"/>	FWGP25 / Malfunction Septic System	No Fee	No Fee
<input type="checkbox"/>	FWGP26 / Channel / Stream Clean	\$600.00	
<input type="checkbox"/>	FWGP27 / Redevelop Disturbed Site	\$600.00	
<input type="checkbox"/>	FWGP Modification	\$240.00	
<input type="checkbox"/>	FWGP Extension	\$240.00	

	Freshwater Wetlands	Fee Amount	Fee Paid
<input type="checkbox"/>	Individual Wetlands Permit		
<input type="checkbox"/>	Individual Open Water Permit		
<input type="checkbox"/>	Individual Permit Mod. Major/Minor		
<input type="checkbox"/>	Individual Permit Extension	\$1,200.00	
<input type="checkbox"/>	Wetlands Exemption	\$240.00	
<input type="checkbox"/>	Permit Equivalency/CERCLA	No Fee	No Fee

	Transition Area Waiver		
<input type="checkbox"/>	Averaging Plan		
<input type="checkbox"/>	Reduction		
<input type="checkbox"/>	Hardship Reduction		
<input type="checkbox"/>	Special Activity Stormwater		
<input type="checkbox"/>	Special Activity Linear Development		
<input type="checkbox"/>	Special Activity Redevelopment		
<input type="checkbox"/>	Special Activity Individual Permit		
<input type="checkbox"/>	Exemption	\$240.00	
<input type="checkbox"/>	Modification Major/Minor		
<input type="checkbox"/>	Extension	\$240.00	

	Letter of Interpretation		
<input type="checkbox"/>	Presence Absence	\$240.00	
<input type="checkbox"/>	Presence Absence Footprint	\$480.00	
<input type="checkbox"/>	Definition < 1.00 Acres	\$600.00	
<input checked="" type="checkbox"/>	Verification	\$1776	\$1776
<input type="checkbox"/>	Extension		

Please note: If no fee amount is specified in the "Fee Amount" column, please refer to the Regulatory Fee Schedule which can be found at www.nj.gov/dep/landuse/forms.

Also: In addition to the standard paper submission, an electronic copy of the entire application, including plans, may be submitted on CD-ROM to assist the Department in the review this application. Plans should be submitted as a CAD file or Shapefile, georeferenced in NJ state plane feet NAD83. Please do NOT send the electronic version via E-Mail.

Electronic permitting and/or application submittal is available for specific applications. Please see the Division website at www.nj.gov/dep/landuse/epermit.html for more information.



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection

Robert C. Shinn, Jr.
Commissioner

Glasson Environmental Services
C/O Steven Glasson
3 Dennis Hill Road
Andover, New Jersey 07821

DEC 27 1999

1999

RE: Letter of Interpretation/Line Verification
File No. 1427-99-0011.1
Applicant: Flanders Valley Tennis & Swim Club
Block: 4400; Lot: 3
Mount Olive Township, Morris County
South Branch Raritan River Watershed;
Raritan River Basin

Dear Mr. Glasson:

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 a site inspection conducted on December 28, 1999, the Land Use Regulation Program has determined that the wetlands boundary line as shown on the plan map entitled "Wetlands Delineation Plan of Lot 3, Block 4400, Township of Mt. Olive, Morris County, New Jersey", dated September 8, 1999, unrevised, and prepared by Civil 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.

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 boundary line, as determined in this letter, must be shown on any future site development plans. The lines should be labelled with the above LURP file number and the following note:

"Freshwater Wetlands Boundary Line as verified by NJDEP."

In addition, the Department has determined that the wetlands on the subject property are of exceptional resource value since the wetlands drain to trout production waters and a 150 foot standard transition area or buffer is required. This classification may affect the requirements for a Individual Wetlands Permit (see N.J.A.C. 7:7A-3), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-9) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-7). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

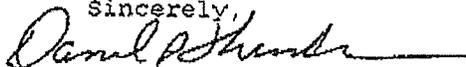
It should be noted that this determination of wetlands classification is based on the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including, but not limited to, information supplied by the applicant.

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-12.7, 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 439, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

Please contact me (609) 633-9277 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

Sincerely,



Daniel P. Shinder CPSS/SC
Morris and Bergen County Region
Bureau of Inland Regulation

c: Mt. Olive Township Clerk
Mt. Olive Township Construction Official
Mark A. Godfrey, Supervisor

will also remove 29,720 square-feet of existing impervious surface, which result in an increase of 10,626 square-feet (0.244 acre) of impervious surface to the site. The number of the patrons of the existing tennis court is 60 persons per day and will remain the same number of patron regardless of the proposed construction. The swimming pool currently accommodates 110 patrons per day and will remain the same capacity. The proposed soccer/ multiple-purpose field will have the capacity of 120 persons per day. The site currently uses a subsurface sewage disposal system less than 2,000 gallons per day. The proposed expansion of the facility may generate wastewater with a planning flow more than 2,000 gallons per day.

During the application review process, items of information appeared to be missing and/or inaccurate and, therefore, were requested in a Notice of Technical Incompleteness dated July 29, 2013. Those requested items of information were received on August 29, 2013

The Department of Environmental Protection (Department) reviewed the materials submitted to determine the applicability of the provisions of the Highlands Rules. As a result, the Department has determined that your project/activity is potentially affected because it meets the definition of "Major Highlands Development," as defined at N.J.A.C. 7:38-1.4 since it is not a residential development. However, the Highlands Rules at N.J.A.C. 7:38-2.3 sets forth various exemptions. After a careful review of the information submitted, it has been determined that the project described above qualifies for the following exemption:

Reconstruction of any building or structure for any reason within 125 percent of the prior footprint of the lawfully existing impervious surfaces, provided that the reconstruction does not increase the lawfully existing impervious surface by one-quarter acre or more.

Supporting documentation includes:

- A survey, entitled "SURVEY OF: LOTS 2 & 3 BLOCK 4400 TOWNSHIP OF MOUNT OLIVE MORRIS COUNTY, NEW JERSEY," signed by Charles Worthington, P.L.S., Civil Engineering, Inc., dated September 1, 1999 with no revision, sheet 1 of 1;
- A survey, entitled "BOUNDARY & TOPOGRAPHIC SURVEY FOR: LOT 3 BLOCK 4400 "CENTERCOURT AT MOUNT OLIVE" TOWNSHIP OF MOUNT OLIVE MORRIS COUNTY, NEW JERSEY," signed and sealed by Robert H. Jordan Jr., P.L.S., Civil Engineering, Inc., dated March 20, 2013 with no revision, sheet 1 of 1;
- A site plan, entitled "HIGHLANDS EXEMPTION PLANS FOR: LOT 3 BLOCK 4400 "CENTERCOURT AT MOUNT OLIVE" TOWNSHIP OF MOUNT OLIVE MORRIS COUNTY, NEW JERSEY," signed and sealed by James G. Glasson, P.E., and Robert H. Jordan Jr., P.L.S., Civil Engineering, Inc., dated April 12, 2013 with no revision, sheets 1 of 1 to 1 of 4;
- Photos showing the existence and conditions of the existing facilities;
- A letter dated August 29, 2013 from James Glasson, P.E. verifies that the tennis/swimming pool club provides showering facility for the patrons of the club.

Therefore, the proposed project/activity is deemed exempt from the provisions of the Highlands Rules, subject to the following limitation(s):

This exemption determination is limited to the land area and specific scope of the activities described herein or as shown on the referenced site plan above. This determination does not eliminate the need for any permits, approvals, or certifications required by any other Federal, State, county or municipal review agency with jurisdiction over this project/activity.

- A. The allowable increase in exempt impervious surface shall not be 0.25 of an acre or more.
- B. If the site is forested, any disturbance more than 20-feet from the edge of the exempt impervious cover is not exempt. If disturbance extends beyond this limit then the project shall not be exempt.
- C. This exemption shall not apply to reconstruction of any agricultural or horticultural building or structure for a non-agricultural or horticultural use.

The Department also reviewed your project/activity for consistency with the WQMP rules and the provisions and recommendations of the Upper Raritan WQMP. Based on our review, the proposed project is inconsistent with the WQMP. This determination is made based on the following:

The Upper Raritan WQMP designates the area where the club is located as suitable for individual subsurface disposal systems of less than 2,000 gallons per day and the facility will generate wastewater greater than 2,000 gallons per day.

The submitted calculations assumed 10 gallons per day per person as the basis for the wastewater flow by the patrons of the tennis courts. 10 gallons per day per person is the wastewater flow for a club without shower facilities. It was verified in the letter referenced above that the club provides locker rooms with shower facilities, for which the wastewater flow should have been 25 gallons per day per person in accordance with the Project Flow Criteria provided in the HAD application. Applying a wastewater flow of 25 gallons per day per person results in a flow of 1,500 gallons per day of wastewater, which when combined with the wastewater flow from the swimming pool of 1100 gallons per day results in a total wastewater flow of 2,600 gallons per day.

In addition the proposed new athletic field in the inflatable dome will accommodate 120 patrons, which will generate an additional wastewater flow that will further expand the total wastewater flow of the club. Since the club has a wastewater flow greater than 2,000 gallons per day, the wastewater facility of the club is determined inconsistent with the WQMP unless a revision to the WQMP has been adopted.

A finding of inconsistent means that, pursuant to N.J.S.A. 58:11A-10, the Department cannot issue any permits or approvals for the project as proposed. In order to proceed with this project, either the project must be modified to become consistent with the WQMP, or an amendment or revision to the Upper Raritan WQMP will be required. The Water Quality Management Plan Amendment & Revision Application Form can be found at <http://www.nj.gov.dep/watershedmgt/publications.htm>. Please note that amendments involving the expansion of sewer service area or point source discharges in the Highlands Preservation Area may only be granted under very limited circumstances.

Should you decide to modify the proposed project to become consistent with the areawide WQMP, as modified by the Highlands Act, you must resubmit a complete application for a new Highlands Applicability and Water Quality Management Plan Consistency Determination. Additionally, please include a copy of this determination letter as part of your new application.

The Highlands Applicability Determination is subject to the following additional limitations:

- (1) This determination does not eliminate the need for any permits, approvals, or certifications required by any other Federal, State, County or municipal review agency with jurisdiction over this project/activity.
- (2) This determination shall be considered null and void if changes are made to the project that would increase the scope or area disturbed by the project, or result in a change in the use or change the method of wastewater treatment; or if the information submitted to obtain this determination from the Department is later determined to be inaccurate.

Let it be noted that this project, Centercourt at Mount Olive, was published in the May 22, 2013 DEP Bulletin and no public comments were received.

If the applicant disputes the Department's factual findings or any of its conditions or if anyone is aggrieved by this determination, that person may request an adjudicatory hearing. A request for an adjudicatory hearing shall be submitted in writing by certified mail, or by other means which provides verification of the date of delivery to the Department, within 30 days of notice of this decision published in the DEP Bulletin in accordance with N.J.A.C. 7:38-1.5. The adjudicatory hearing request must be accompanied by a completed Adjudicatory Hearing Request Checklist and Tracking Form (form enclosed).

Please place the program interest number and the activity number found above at the top of all written correspondence submitted to the Division of Coastal and Land Use Planning. If you have any questions or require further assistance, please call Steven Jacobus at (609) 984-6888.

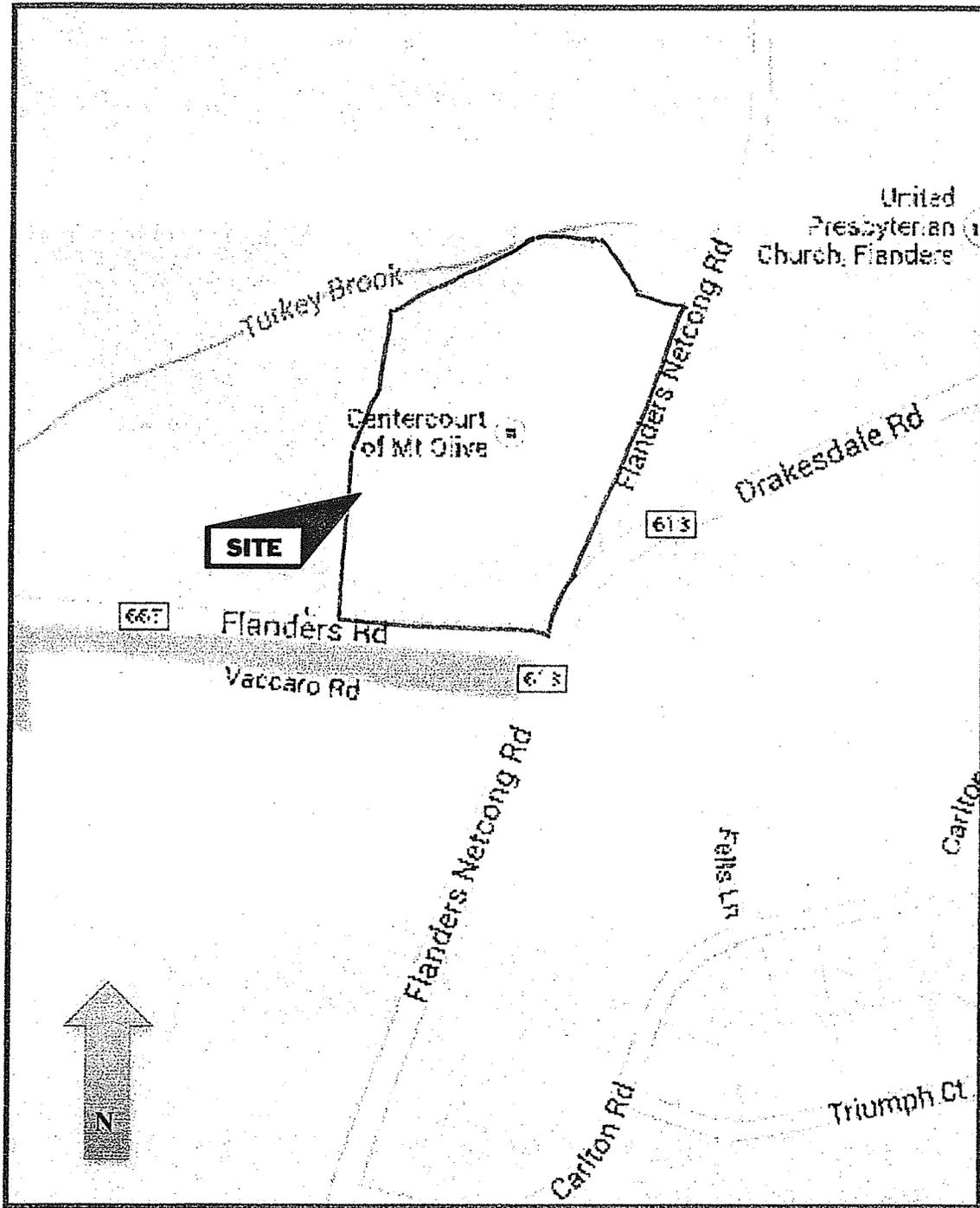
Sincerely,



Elizabeth Semple, Acting Director
Division of Coastal and Land Use Planning

Enclosure

c: James Glasson, P.E., Civil Engineering, Inc.
Municipal Clerk of Mount Olive Township
Municipal Construction Official of Mount Olive Township
Municipal Planning Board of Mount Olive Township
Municipal Environmental Commission of Mount Olive Township
County Planning Board of Morris County
New Jersey Highlands Council



Wander Ecological Consultants
 28 Warner Road
 Newton, NJ 07860

Figure 1.
 Location of Block 4400, Lot 3,
 Township of Mount Olive, Morris County, NJ
 Base map from Google Maps