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CC: Adm.
Plan

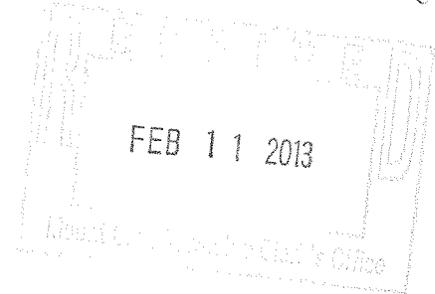
97 Sandshore Road L.L.C. Gene
49 Carrell Road
Randolph, NJ, 07869

Feb. 3, 2013

Map on file
in Clerk's
Office

New Jersey Department of Environmental Protection
Division of Watershed Management
Attn: Highlands Applicability Determination
401 E. State ST. , P.O.Box 418
Trenton, NJ, 08625-0418

Ref.: Lot 52.05 Block 2700, Mount Olive, NJ
Highlands Applicability Determination



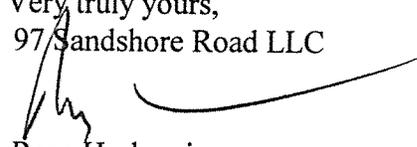
Dear Director:

Enclosed are the following:

- 1) Consistency Determination application form, Sections I through IV.
- 2) A check in amount of \$ 100 for the application fee.
- 3) USGS Map, Tax Map, a copy of the deed indicating the lot was in existence prior to August 2004, a statement that the lot was not subdivided or merged, existing survey and site plan.
- 4) Attachment A
- 5) Postal Green Card

We trust that this submittal is satisfactory in order to determine this application is consistent with the Highlands Reginald Master Plan.

Very truly yours,
97 Sandshore Road LLC


Reza Hashemi
Managing Partner

- Copy: Mount Olive Township Clerk with Entire application and supporting documents ✓
 Highlands Council with Entire application and supporting documents
 Mount Olive Township Environmental Commission with Attachment A only
 Mount Olive Township Planning Board with Attachment A only
 Mount Olive Township Construction Official with Attachment A only
 Morris County Planning Board with Attachment A only
 Morris County Environmental Commission with Attachment A only

For Office Use Only

Date Received by DEP ___/___/___

Project Identification Number _____

New Jersey Department of Environmental Protection**Highlands Applicability and Water Quality Management Plan (WQMP)
Consistency Determination Application Form
(Highlands Applicability Determination)****PLEASE TYPE OR PRINT CLEARLY**

Note: Pursuant to N.J.A.C. 7:38-2.4(a) any person proposing to undertake an activity that constitutes a major Highlands development may stipulate that their proposed project or activity that needs a Department permit is not exempt from the Highlands Act vis-à-vis an application for a Highlands Preservation Area Approval without first obtaining a Highlands Applicability Determination.

This form includes the following four sections:

Section I. General Highlands applicant information;

Section II. Information for determination whether a project or activity is a major Highlands development;

Section III. Information for determination whether Highlands regulatory requirements are applicable to a project or activity; and

Section IV. Information for determination whether the project or activity is consistent with the Areawide Water Quality Management Plan (WQMP).

Complete all sections of the form and provide two copies of the form and all attachments:

Section I. General Highlands Applicant Information

1. **NAME OF PROJECT:** 97 SANDSHORE ROAD
Property Owner's Last Name or Company Name, Type of Development (Example: Doe, Minor Subdivision; Doe, Single-Family Home)

2. **DATE OF APPLICATION:** 2/3/13

3. **PROPERTY OWNER:**

NAME/AGENCY/COMPANY: 97 SANDSHORE ROAD LLC

ADDRESS: 49 CARRELL ROAD,
Street Address Apt. or Suite Number

RANDOLPH, N.J. 07869
City State Zip

CONTACT PERSON: REZA HASHEMI TITLE: MANAGING PARTNER

PHONE: (973) 610-5977 FAX: (201) 512-3808 E-MAIL rhashemi1@yahoo.com

4. **APPLICANT OR AGENCY SUBMITTING REQUEST:**

NAME/AGENT/ENGINEER: REZA HASHEMI, P.E.

AGENCY/COMPANY: 97 SANDSHORE ROAD LLC

ADDRESS: 49 CARRELL ROAD
Street Address Apt. or Suite Number
RANDOLPH, N.J. 07869
City State Zip

PHONE: (973) 610-5977 FAX: (201) 512-3808 E-MAIL rhashemi1@yahoo.com

CONTACT PERSON: REZA HASHEMI TITLE: MANAGING PARTNER

PHONE: (973) 610-5977 FAX: (201) 512-3808 E-MAIL rhashemi1@yahoo.com

5. **APPLICATION FEE:** There is no fee for applications submitted by the New Jersey Department of Transportation. A fee of \$100.00 for individual applicants proposing improvements costing \$100,000 or less; municipalities; or applicants seeking a determination based on receipt of a woodland management plan or a determination if an agricultural or horticultural activity is not regulated as a major Highlands development and \$750.00 for all other applicants, paid as follows:

- The fee shall be paid by personal check, certified check, attorney check, government purchase order, or money order;
- The fee shall be made payable to "Treasurer, State of New Jersey";
- Each check, purchase order, or money order must be marked with the name of the applicant, and
- Each check, purchase order, or money order must indicate that the fee is for a Highlands Applicability Determination.

The total project or activity cost for this application is \$ 90,000.

6. **LOCATION OF PROJECT:**

A. MUNICIPALITY: MOUNT OLIVE

B. COUNTY: MORRIS

C. LOT(S): 52.05

D. BLOCK(S): 2700

E. ADDRESS OF PROJECT LOCATION: 97 SANDSHORE RD, BUDD LAKE

F. TOTAL ACREAGE OF PROJECT SITE: 0.20

G. STATE PLANE COORDINATES OF CENTER OF DEVELOPMENT AREA
X: 425847 Y: 744844
(See item number 7 below for information on obtaining state plane coordinates)

H. WATER QUALITY MANAGEMENT PLAN: UPPER RARITAN

I. WATERSHED MANAGEMENT AREA: NORTH & SOUTH BRANCH RARITAN, SUBWATERSHED RARITAN RIVER

7. **ADDITIONAL REQUIREMENTS:**

- Municipal Tax Map(s) delineating the project site by Lot(s) and Block(s); and
- A copy of a USGS Quad map or portion thereof (1:24,000 scale, include title-name of Quad), with the project site boundaries clearly delineated.

GIS coverage and the State Plane coordinates for a point at the approximate center of the site. Please use NAD 1983. The accuracy of these coordinates should be within 50 feet of the actual point. For assistance in determining the State Plane coordinates for a site, contact the Department's Geographic Information (GIS) Office at (609) 777-0672 or see the iMAP webpage at nj.gov/dep/gis/depsplash.htm.

(NOTE: a disk containing the USGS Quad map information recorded in a digital GIS format at a minimum scale of 1:12,000 may be submitted in lieu of a hard copy)

8. **DESCRIPTION OF PROJECT/ACTIVITY:**

PROVIDE A NARRATIVE DESCRIPTION OF THE PROPOSED PROJECT OR ACTIVITY:

(Attach additional pages if necessary)

DEMOLISH EXISTING BLDG AND BUILD

A 4 BRM DWELLING.

Highlands Applicability and Water Quality Management Plan (WQMP)
Consistency Determination Application Form
(Highlands Applicability Determination)

Section II. Highlands Major Development Determination

Determination as a major Highlands development located within the Highlands Preservation Area will institute specific design and performance standards. Please provide all of the following:

- ✓ 1. **Site Plan(s) certified by a licensed New Jersey Professional Engineer that clearly detail the following (FOR APPLICABLE PROJECT/ACTIVITIES):**
- All proposed site improvements
 - Total area of disturbance, existing and proposed—include supporting area calculation
 - A metes and bounds disturbance area delineation description
 - Total area of existing impervious surface at the site
 - Total area of permanent impervious cover to be generated by the project—include supporting area calculation
 - Delineation of all forest on the site—if forest area is being disturbed, include area calculation for the disturbed portion(s)
 - A copy of the official proof of filing for the Site Plan(s) or Subdivision Plat(s) (this includes a county signature and stamp)
- ✓ 2. **Proof that the public notice requirements below have been met. To prove that a document has been sent to a person, submit either the white postal receipt bearing the recipient's name, address, the date material was sent by certified mail and the cost to the sender, or the green certified mail return receipt card. If a project is located in more than one municipality or county, the notice requirements below must be met for each municipality and county in which the site is located.**
- Proof that the municipal clerk and the Highlands Council were sent a copy of the entire application and supporting documentation submitted to the Department; and
 - Proof that a completed copy of the notice letter (see Attachment A) was sent to:
 - 1) The Municipal Environmental Commission (if one exists);
 - 2) The Municipal Planning Board;
 - 3) The Municipal Construction Official;
 - 4) The County Planning Board; and
 - 5) The County Environmental Commission (if one exists).
3. **Is the project considered a Capital Improvement pursuant to The Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq.?**
- No Yes
4. **Is the project proposed solely for Agricultural or Horticultural purposes pursuant to N.J.A.C. 7:38-1.4?**
- No Yes

5. DEPARTMENT PERMITS REQUIRED (Check all that apply):

- Water Allocation Water Main Extension Freshwater Wetlands
- Flood Hazard Control Area 50 or More Realty Improvements (residential)
- Sewer Extension (TWA) Other type of Treatment Works Approval
- New NJPDES DSW Modification to NJPDES DSW Expansion/Re-rating NJPDES DSW
- New NJPDES DGW Modification to NJPDES DGW Expansion/Re-rating NJPDES DGW
- New NJPDES SIU Modification to NJPDES SIU

No Department permits are required

NOTE HERE which, if any, of the above permits have already been received:

6. IS THE PROPOSAL REQUIRED AS PART OF AN ADMINISTRATIVE ORDER, COURT ORDER, NJDEP ADMINISTRATIVE CONSENT ORDER (ACO), OR A JUDICIAL CONSENT ORDER TO WHICH THE NJDEP IS A PARTY, FROM A STATE OR FEDERAL COURT?

- No Yes, copy attached

Highlands Applicability and Water Quality Management Plan (WQMP)
Consistency Determination Application Form
(Highlands Applicability Determination)

SECTION III—Highlands Preservation Area Regulatory Requirement
Applicability Determination:

This section of the application form is to be used to apply for a Highlands Applicability Determination letter for any of the following:

- All exemptions under N.J.S.A. 13:20-1 et seq.
- All other activities not regulated by the Highlands Water Protection and Planning Act under N.J.S.A. 13:20-1 et seq.

NOTE: The person who signs the exemption request as the applicant must be the owner of the site, or a person with sufficient legal authority over the site to carry out all requirements of any authorization issued.

EXEMPTION APPLICATION REQUIREMENTS:

In addition to the requirements of Section I and II above and Section IV below, to be deemed administratively complete, an application for a Highlands Applicability Determination letter of exemption from the requirements of the Highlands Water Protection and Planning Act must include the following information for the type of exemption being requested or the non-regulated activity, as listed below. Check off the box to the left of the exemption number for the type of exemption being requested:

1. For an exemption for the construction of a single-family dwelling, for an individual's own use or the use of an immediate family member, the following information is required:
- A copy of a deed, closing or settlement statement, title policy, tax record, mortgage statement or any other official document showing that the lot was legally owned by the applicant on or before August 10, 2004; or
 - If the applicant does not own the property, a copy of the binding contract of sale executed by the seller and the applicant on or before May 17, 2004 for the lot on which the house is to be constructed; and
 - An official document certifying that the single-family dwelling proposed for construction is intended for the applicants own use or the use of an immediate family member of the owner or buyer of the property identified in the certification by name and relationship to the applicant; and
 - A notarized statement, from the property owner, indicating that the property subject to the review has not been subdivided, merged, or in other ways had its lot lines adjusted subsequent to the date of the submitted deed; and
 - A land survey certified by a licensed New Jersey Professional Land Surveyor showing what currently exists on the lot.
2. For an exemption for the construction of a single-family dwelling on a lot in existence on August 10, 2004, not for use by the owner or an immediate family member, provided that construction does not result in the ultimate disturbance of one or more acres or a cumulative increase in impervious surface by one-quarter acre or more the following information is required:
- A copy of a recorded deed or plat, closing or settlement statement, title policy, tax record, mortgage statement or any other official document showing that the lot was created on or before August 10, 2004; and

- A notarized statement, from the property owner, indicating that the property subject to the review has not been subdivided, merged, or in other ways had its lot lines adjusted subsequent to the date of the submitted deed; and
- A land survey certified by a licensed New Jersey Professional Land Surveyor showing the proposed metes and bounds disturbance area delineation, along with a narrative description of that area; and

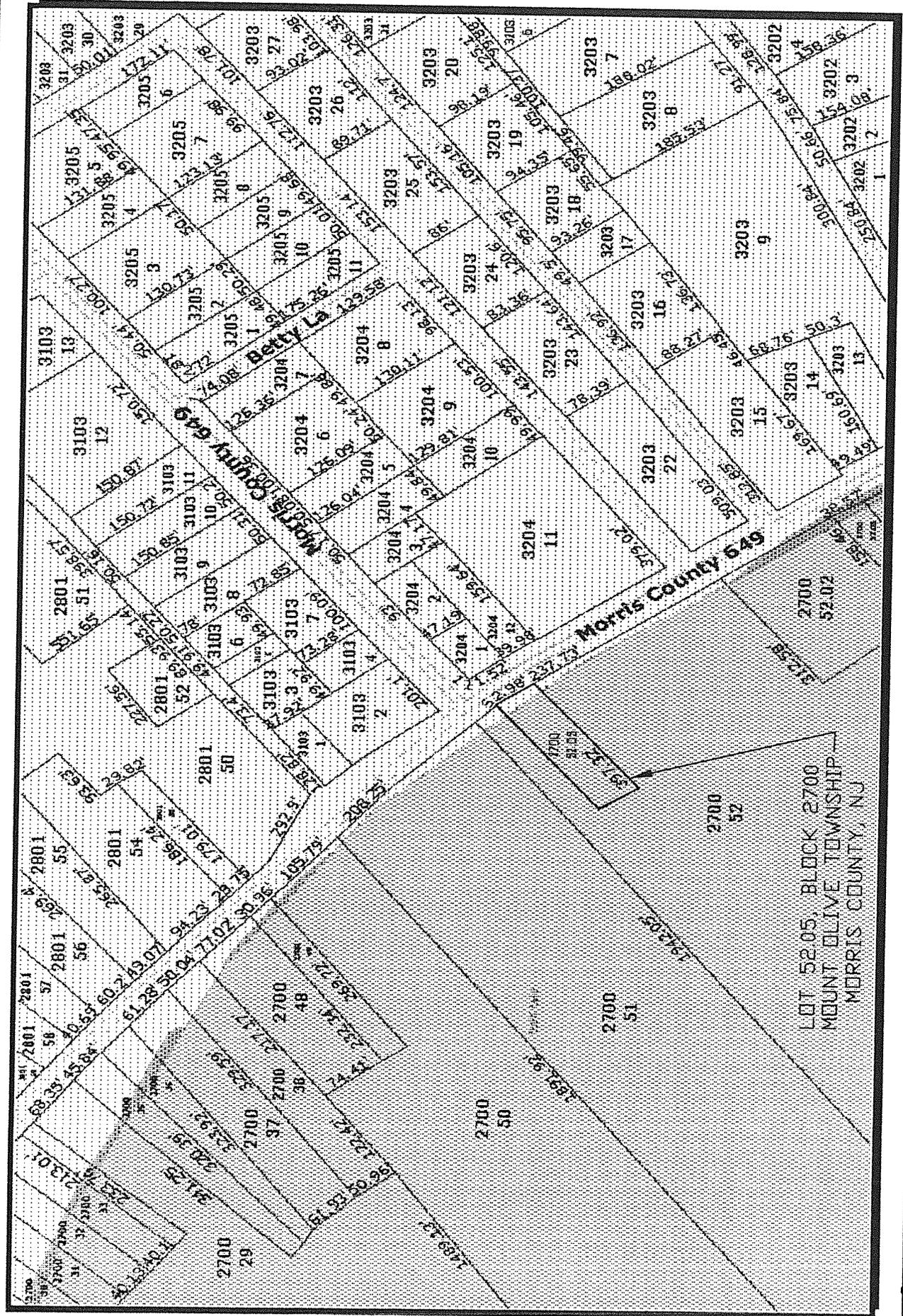
The metes and bounds disturbance area delineation is the total area of the site to be disturbed (which must be limited to less than 1 acre), including the proposed disturbance and the existing disturbance that is to remain. Existing disturbance beyond the allowable metes and bounds area must be demolished/restored and restricted from future disturbance including mowing, unless that area is exempted by virtue of being agriculture.

- A site plan certified by the appropriate licensed New Jersey Professional showing all existing development (distinguishing between what will be removed and what will remain) and proposed development, including all structures, grading, clearing, impervious surface that doesn't result in 0.25-acre or more, limits of disturbance that do not result in 1 acre or more, and the metes and bounds disturbance area delineation for the project.

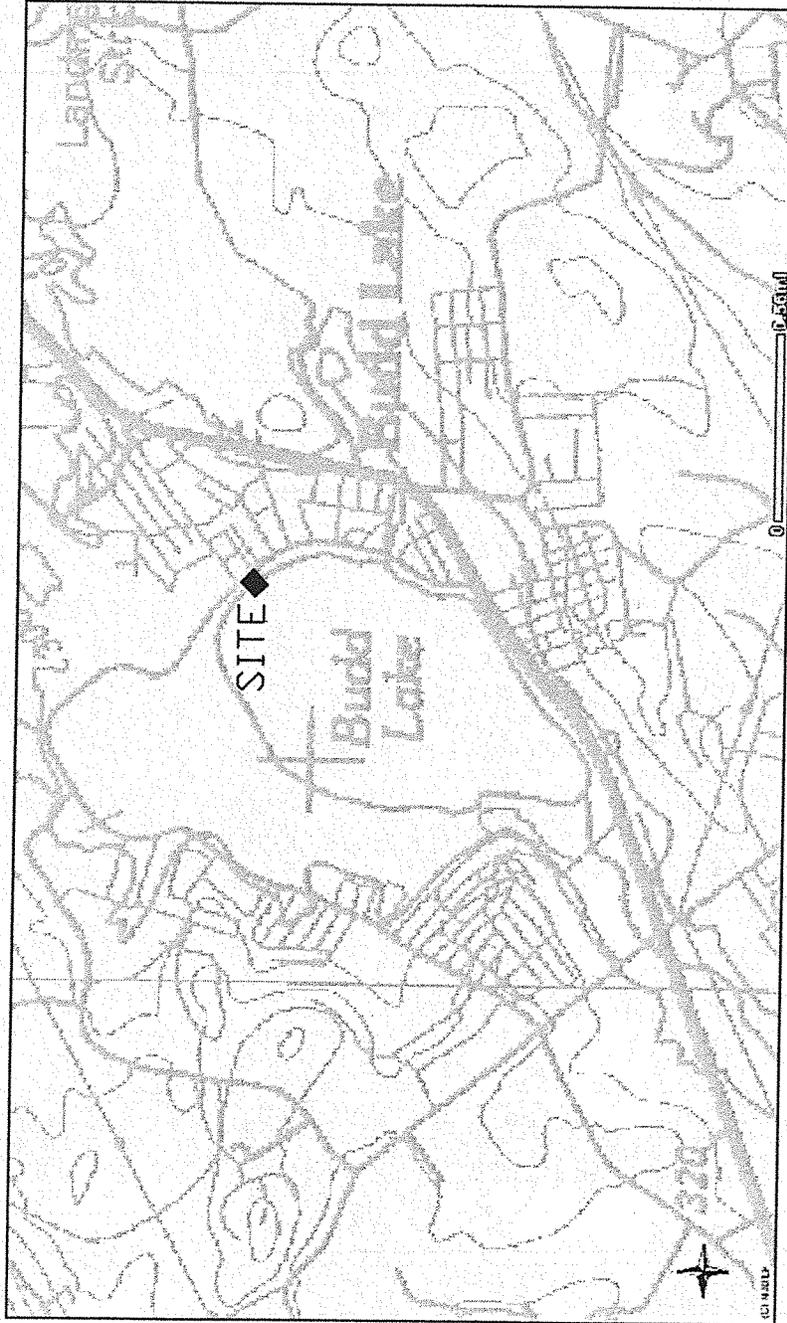
Also include supporting calculated values for proposed impervious surfaces, proposed areas of disturbance, and areas of existing disturbance to be restored (if any).

(Note: If a conservation restriction is required as a condition of your applicability determination, you will be notified in your determination letter.)

- 3. For an exemption for the construction of a major Highlands development that has received certain municipal and state approvals on or before March 29, 2004, the following information is required:
 - A. A copy of a resolution by the local authority, granting one of the following approvals on or before March 29, 2004:
 - Preliminary or final site plan approval;
 - Preliminary or final subdivision approval, as applicable, where no subsequent site plan approval or proof of filing is required;
 - Minor subdivision approval where no subsequent site plan approval is required; or
 - A copy of a final municipal building or construction permit.
 - B. In addition to the information provided above, submit proof that the project has obtained at least one of the following DEP permits, if applicable to the proposed major Highlands development, on or before March 29, 2004:
 - A permit or certification pursuant to the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq.;
 - A water extension permit or other approval or authorization pursuant to the Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq.;
 - A certification or other approval or authorization pursuant to the Realty Improvement Sewerage and Facilities Act (1954), N.J.S.A. 58:11-23 et seq.; or
 - A treatment works approval pursuant to the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq.
 - C. If none of the approvals at "B" above are required for the project or activity, submit proof that at least one of these following DEP permits has been obtained on or before March 29, 2004, if applicable to the proposed major Highlands development:
 - A permit or other approval or authorization issued pursuant to the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq.; or



LOT 5205, BLOCK 2700
MOUNT OLIVE TOWNSHIP
MORRIS COUNTY, NJ



USGS MAP GENERATED FROM iMapNJGeology<_snj337748447564588>
SCALE : 1: 24,000



2004-066496

Prepared By:

Nathan J. Smith
NATHAN J. SMITH, ESQ.

DEED

This Deed is made on *May 10*, 2004 and delivered *May 20, 2004*

BETWEEN **Thomas Recktenwald and Stacey Recktenwald, Husband and Wife**

whose address is 15429 Martin Meadow Drive, Lithia, FL 33547

referred to as the Grantor,

AND **97 Sandshore Road, LLC.**

whose post office address is 193 Route 46, Budd Lake, NJ 07828,

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of Twenty-Five Thousand and No/100ths (\$25,000.00). The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-1.1) Municipality of Mt. Olive Township, Lot 1, 3204, Lot 51, Block 2700.

Property. The property consists of the land and all the buildings and structures on the land in the Mt. Olive Township, County of Morris and State of New Jersey. The legal description is:

As described on the attached Schedule A.

BEING a portion of the same premises conveyed to Grantors herein by Deed from Nicholas Esposito by Robert Esposito, his attorney-in-fact, by Deed Book 4996, Page 314, dated June 17, 1999 and recorded June 21, 1999, County of Morris, Clerk's Office.

Subject to easements, covenants and restrictions of record, if any, and such facts as an accurate survey would reveal.

JOAN BRAMHALL - MORRIS COUNTY CLERK
DATE 05 27 2004 TIME 11 18 AM PAGES 3
CONSIDERATION 25,000.00
40.00 COPE COUNTY FEES
20.00 STPO STATE PAGE FEE
37.50 CYSR REALTY TAX COUNTY - STAND
62.50 STSR REALTY TAX STATE - STAND
60.00 TOTAL RECORDING FEES
100.00 TOTAL TRANSFER TAX FEES
SK BOOK 3823\4592

X
Block 3204, Lot 1 X
Township of Mount Olive
Morris County, New Jersey

BEGINNING at the first corner of the first tract mentioned in that certain deed form Amanda E. Edgerton, widow to John B. Wintermute and Anna M. Wintermute, his wife, dated January 3, 1939 and recorded in the Morris County Clerk's Office in Book Q35 of Deeds, on page 31, and runs; thence

(1) along a portion of the first course mentioned in said Deed North 61 degrees 36 minutes East 64.52 feet; thence

(2) South 27 degrees 12 minutes East 49.60 feet to a point in the third course mentioned in said Deed; thence

(3) along said third course South 61 degrees 36 minutes West 69.70 feet to the fourth course mentioned in said deed; thence

(4) along the fourth course mentioned in said deed and along the easterly line of Lake Road 50.00 feet, more or less to the place of BEGINNING. X

FOR INFORMATION: Being known and designated as Lot No. 1, Block No. 3204 on the tax maps of the Township of Mt. Olive.

A tract containing approximately 9.6 acres of land known and designated as Lot No. 24 in Block 176 on a prior tax map and known as Lot 51 in Block 2700 on the current tax map of the Township of Mt. Olive. NOTE: Title to Tract IV will not be insured hereunder.

FOR INFORMATION: Being known and designated as Lot(s) No. 51 and 2 and 1, Block No. 2700 and 3103 and 3204 on the tax maps of the Township of Mt. Olive.

The within Mortgage is a first purchase money mortgage on the property.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

Vickie S. Grigsby
x Vickie S. Grigsby
Vickie S. Grigsby

Thomas Recktenwald (Seal)
Thomas Recktenwald

Stacey Recktenwald (Seal)
Stacey Recktenwald

STATE OF FLORIDA, COUNTY OF *Hillsborough* SS.:
I CERTIFY that on *May 10*, 2004

Thomas Recktenwald and Stacey Recktenwald, Husband and Wife,
personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached deed;
- (b) executed this deed as his or her own act; and,
- (c) made this Deed for \$25,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

Vickie S. Grigsby
Notary Public (sign, stamp and seal)

Record and return to:

Dennis R. McConnell, Esq.
McConnell, Leonard & Griggs
4 Waterloo Road, PO Box 111
Stanhope, NJ 07874



Vickie S Grigsby
My Commission DD242092
Expires September 22, 2007

reckten.dee

DB06078P170

END OF DOCUMENT

97 Sandshore Road L.L.C.
49 Carrell Road
Randolph, NJ, 07869

Feb. 3, 2013

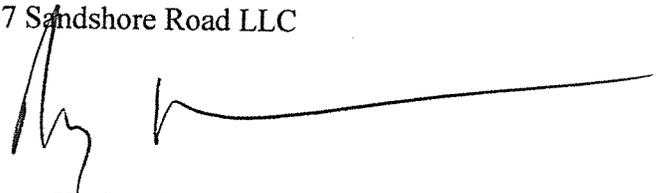
New Jersey Department of Environmental Protection
Division of Watershed Management
Attn: Highlands Applicability Determination
401 E. State ST. , P.O.Box 418
Trenton, Nj, 08625-0418

Ref.: Lot 52.05 Block 2700
Mount Olive, NJ
Proposal to demolish existing building and constructing a single family dwelling

Dear Director:

This is to certify that the above referenced property has not been subdivided, merged, or in other ways had its lot line adjusted subsequent to the date of the submitted deed (May 10th, 2004).

Very truly yours,
97 Sandshore Road LLC



Reza Hashemi
Managing Partner



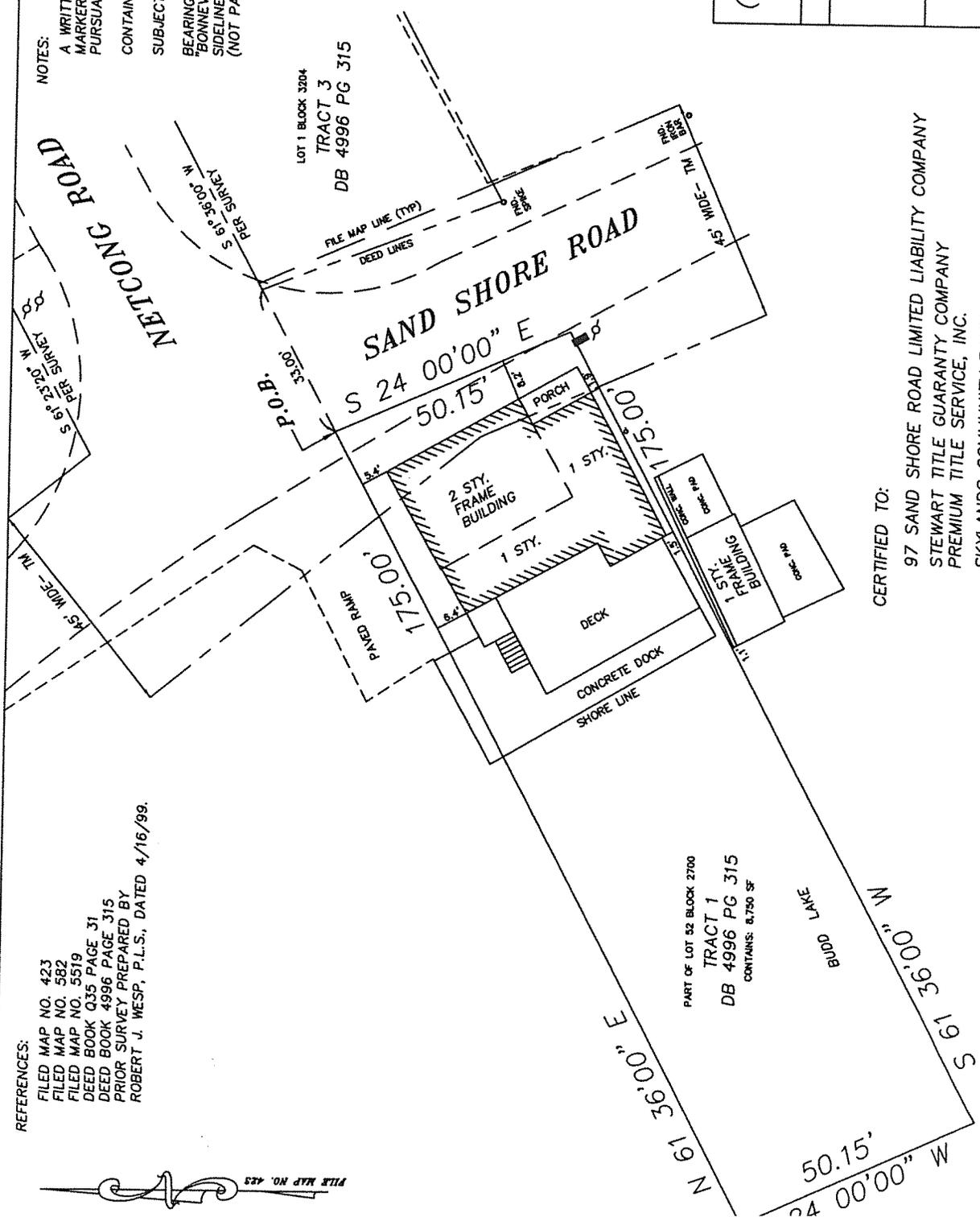
JOHN A. GONZALEZ
Notary Public of New Jersey
I.D. #2375626
Commission Expires 7/11/2013
02-06-2013

REFERENCES:

FILED MAP NO. 423
 FILED MAP NO. 582
 FILED MAP NO. 5519
 DEED BOOK Q35 PAGE 31
 DEED BOOK 4996 PAGE 315
 PRIOR SURVEY PREPARED BY
 ROBERT J. WESP, P.L.S., DATED 4/16/99.

NOTES:

A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER, PURSUANT TO N.J.A.C. 13:40-5.1(d).
 CONTAINS 8,750 SF OR 0.2009 ACRES.
 SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
 BEARINGS BASED ON FILED MAP NO. 423.
 "BONNEVIEW PARK - BUDD LAKE"
 SIDELINES OF NETCONG ROAD ARE CONVERGING.
 (NOT PARALLEL) IN A WESTERLY DIRECTION, PER SURVEY.



SURVEY PLAT:
 (PART OF) LOT 52 BLOCK 2700
 TOWNSHIP OF MOUNT OLIVE
 MORRIS COUNTY, NEW JERSEY

DATE 3/14/04 SCALE 1" = 20'

DANIEL E. YUHAS
 PROFESSIONAL LAND SURVEYOR
 NEW JERSEY LICENSE NO. 34886
 PROFESSIONAL PLANNER
 NEW JERSEY LICENSE NO. 4634
 169 HOPE ROAD
 BLAIRSTOWN, N.J. 07825
 (908) 458 - 9055 PHONE
 (908) 458 - 9008 FAX

N.J. LICENSE NO. 34886 PROJECT NO. 1354-2

CERTIFIED TO:
 97 SAND SHORE ROAD LIMITED LIABILITY COMPANY
 STEWART TITLE GUARANTY COMPANY
 PREMIUM TITLE SERVICE, INC.
 SKYLANDS COMMUNITY BANK
 MCCONNELL, LENARD & GRIGGS, L.L.C.



- A permit or other approval or authorization issued pursuant to the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq..
 - ❑ D. A folded copy of the preliminary site plan or subdivision plat. If the subdivision plat was not filed and the subdivision has expired then a copy of the resolution or a court order extending the subdivision approval prior to the date of its expiration.
 - ❑ E. A copy of a letter from the local governing body, verifying that the use and zoning of the site have not changed since the approval specified in "A" above, and verifying that municipal approval is still valid, or verifying that the use and zoning have changed, but that the change does not do any of the following:
 - Require submittal of a new or amended application for the proposed project; or
 - Require approval of a new or amended application by local authorities.
 - ❑ F. Any other information necessary to determine if the applicant is eligible for exemption under N.J.S.A. 13:20-1et seq.
- ❑ 4. For an exemption for reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surfaces on the site, provided that the reconstruction does not increase the lawfully existing impervious surface by one-quarter acre or more, the following information is required:
 - ❑ A site plan certified by the appropriate licensed New Jersey Professional showing all existing impervious surfaces, including all structures, grading, clearing, impervious surface and limits of disturbance, existing on the site on August 10, 2004; and all proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading. Also include supporting calculated values for existing and proposed impervious surfaces for the project/activity;
 - ❑ A land survey certified by a licensed New Jersey Professional Land Surveyor showing all existing impervious surface, including all structures, grading, clearing, impervious surface and disturbance limits, existing on the site on August 10, 2004; and
 - ❑ Photographs keyed to the site plan; and
 - ❑ A copy of any official documentation indicating the original date of construction of the building or structure or otherwise establishing the lawfulness of existing impervious surfaces (for example: a construction permit with the approved construction plan issued by a municipal official).
- ❑ 5. For an exemption for improvement(s) to a legally existing single-family dwelling in existence on August 10, 2004, including but not limited to an addition, garage, shed, driveway, porch, deck, patio, swimming pool, or septic system where that improvement shall maintain the use as a single-family dwelling and does not permit use of the structure as a multiple dwelling unit, the following information is required:
 - ❑ A copy of any official documentation proving the single-family dwelling was in existence on August 10, 2004;
 - ❑ A certification from the municipal clerk that the municipality considers the dwelling lawfully constructed and occupied;
 - ❑ A description of the proposed improvement; and
 - ❑ A certification from the applicant that the property and all improvements will continue to be used for single-family dwelling purposes.

6. For an exemption for any improvement, for non-residential purposes, to a place of worship owned by a non-profit entity, society or association, or association organized primarily for religious purposes, or a public or private school, or a hospital, in existence on August 10, 2004, including but not limited to new structures, an addition to an existing building or structure, a site improvement, or a sanitary facility, the following information is required:
- A copy of any official documentation indicating that the place of worship, public or private school or hospital was in existence on August 10, 2004;
 - For improvements to a place of worship, documentation showing that the entity, society or association, or association organized primarily for religious purposes has non-profit status;
 - A site plan certified by the appropriate licensed New Jersey Professional showing all existing impervious surfaces, including all structures, grading, clearing, impervious surface and limits of disturbance, existing on the site on August 10, 2004; and all proposed development including all structures, impervious surfaces, clearing limits, and limits of disturbance, including grading; and
 - A certification of occupancy for any existing buildings or structures on the property.

7. For an exemption for any activity conducted by a landowner in accordance with an approved woodland management plan issued pursuant to the Farmland Assessment Act, N.J.S.A. 54:4-23.3 or for public lands, the normal harvesting of forest products in accordance with a forest management plan approved by the State Forester, the following information is required:

For a private landowner with an approved woodlot management plan:

- A copy of the applicant's tax bill showing that the site has farmland assessment tax status under the New Jersey Farmland Assessment Act, N.J.S.A. 54:4-23.1 et seq.;
- A brief description of the activities for which the exemption is claimed including:
 - The total area of woodlands that is the subject of the approved woodland management plan;
 - The length of time that the area to be managed has been in use for woodland management; and
- A copy of the approved woodlot management plan; or

For public lands with a forest management plan approved by the State Forester:

- A brief description of the activities for which the exemption is claimed including:
 - The total area where the normal harvesting of forest products occurs; and
 - The length of time that the area to be managed has been in use for normal harvesting of forest products; and
- A copy of a forest management plan approved by the State Forester (contact the Department at (609) 292-2531 for information on how to obtain a forest management plan).

8. For an exemption for the construction or extension of trails with non-impervious surfaces on publicly owned lands or on privately owned lands where a conservation or recreational use easement has been established and filed with the deed for the lots on which the easement exists, the following information is required:
- A site plan certified by the appropriate licensed New Jersey Professional showing the proposed trail construction with details including the location and width of existing and proposed trails and those off-site trails to which they connect, if any;
 - A written description of the non-impervious materials to be used; and
 - For privately owned property, a copy of a deed for the property, including the language establishing the conservation or recreational use easement on the property.

9. For an exemption for the routine maintenance and operations, rehabilitation, preservation, reconstruction, or repair of transportation or infrastructure systems by a State entity or local government unit, provided that the activity is consistent with the goals and purposes of the Highlands Water Protection and Planning Act and does not result in the construction of any new through-capacity travel lanes of 2,640 feet or more not including tapers, the following information is required:
- A site plan certified by the appropriate licensed New Jersey Professional showing the existing and proposed transportation or infrastructure system;
 - A written description of the work to be conducted, the purpose of the activity and how that purpose is consistent with the goals and purposes of Highlands Water Protection and Planning Act; and
 - A brief description of the State entity or local government unit that is sponsoring and overseeing the proposed activities.
10. For an exemption for the construction of transportation safety projects and bicycle and pedestrian facilities by a State entity or local government unit, provided that the activity does not result in the construction of any new through-capacity travel lanes of 2,640 feet or more not including tapers, the following information is required:
- A site plan certified by the appropriate licensed New Jersey Professional showing the proposed transportation safety project, bicycle or pedestrian facility;
 - A written description of the specific type of project to be constructed and the purpose of the project; and
 - A brief description of the State entity or local government unit that is sponsoring and overseeing the proposed activities.
11. For an exemption for the routine maintenance and operations, rehabilitation, preservation, reconstruction, repair or upgrade of public utility lines, rights-of-way, or systems by a public utility, provided that the activity is consistent with the goals of purposes of the Highlands Water Protection and Planning Act, the following information is required:
- A site plan certified by the appropriate licensed New Jersey Professional showing the existing and proposed public utility lines, rights of way, or systems;
 - A written description of the work to be conducted, the purpose of the activity and how that purpose is consistent with the Highlands Water Protection and Planning Act; and
 - The identity of the public utility that is sponsoring the proposed activities.
12. For an exemption for the reactivation of rail lines and rail beds existing on August 10, 2004, the following information is required:
- A site plan certified by the appropriate licensed New Jersey Professional showing the location of the existing rail lines and rail beds; and
 - A brief description of the project for reactivation, including the sponsoring entity, the work to be conducted to accomplish the project, and an estimated schedule for completion.
13. For an exemption for the construction of a public infrastructure project approved by public referendum prior to January 1, 2005 or a capital project approved by public referendum prior to January 1, 2005, the following information is required:
- A copy of the public referendum question as it appeared on the official ballot;
 - Documentation showing that the referendum was approved; and
 - A resolution from the municipal or county governing body or certification by an official in the relevant state department, as the case may be, that describes the proposed project and it's

location and affirms that the proposed project is the same as that approved in the referendum.

- 14. For an exemption for mining, quarrying, or production of ready mix concrete, bituminous concrete, or Class B recycling materials occurring or which are permitted to occur on any mine, mine site, or construction materials facility existing on June 7, 2004, the following information is required:
 - A site plan certified by the appropriate licensed New Jersey Professional showing the location of existing and proposed activity and development;
 - Any type of official documentation (tax records, local or state permits, bills of sale, lading etc.) demonstrating that the mine or facility was in existence and operating on June 7, 2004, and included the land on which the proposed activity or development will occur; and
 - A copy of a Certificate of Registration issued by the Commissioner of Labor pursuant to N.J.S.A. 34:6-98.4.

- 15. For an exemption for the remediation of any contaminated site pursuant to N.J.S.A. 58:10B-1 et seq., the following information is required:
 - A copy of a site plan certified by the appropriate licensed New Jersey Professional indicating the area above or below ground where contamination will be removed or remediated;
 - A brief description of the remediation activity to be conducted including any structures, impervious surfaces, clearing of vegetation or water diversion being proposed;
 - A copy of a letter, application, order, or any other documentation demonstrating that the remediation activities are required in accordance with N.J.S.A.13:58:10B-1 et seq.; and
 - The name of the case manager handling or supervising remediation at DEP.

- 16. For an exemption for activities on lands of a federal military installation existing on August 10, 2004, the following information is required:
 - A site plan certified by the appropriate licensed New Jersey Professional showing the general location of the proposed activities as being within the borders of a federal military installation and the activity's location with respect to the Highlands Region boundaries; and
 - A letter briefly describing the proposed activities signed by an official of the installation.

- 17. For an exemption for a major Highlands development located within an area designated as Planning Area 1 (Metropolitan), or Planning Area 2 (Suburban) pursuant to the State Planning Act, 52:18A-196 et seq., as of March 29, 2004, that on or before March 29, 2004 has been the subject of a settlement agreement and stipulation of dismissal filed in the Superior Court, or a builder's remedy issued by the Superior Court, to satisfy the constitutional requirement to provide for the fulfillment of the fair share obligation of the municipality in which the development is located, the following information is required:
 - A copy of the settlement agreement and stipulation of dismissal filed in the Superior Court, or builder's remedy issued by the Superior Court;
 - A copy of any site plans certified by the appropriate licensed New Jersey Professional, maps or other documentation clearly indicating the location of the fair share housing to be provided in accordance with the settlement agreement and stipulation of dismissal filed in the Superior Court, or a builder's remedy issued by the Superior Court and the location of all proposed structures, service or access roads, and infrastructure with respect to the boundaries of Planning Area 1 or 2, as the case may be;
 - A copy of all municipal approvals obtained for the project, or the schedule for applying and obtaining such approvals; and
 - A proposed schedule for completion of the entire project including township approvals, site preparation, installation of utilities and roads, and construction of all buildings.

PROJECTS/ACTIVITIES NOT REGULATED BY THE HIGHLANDS WATER PROTECTION AND PLANNING ACT, N.J.S.A. 13:20-1et seq. APPLICATION REQUIREMENTS:

Major Highlands development" means, except as otherwise provided pursuant to subsection a. of section 30 of this act:

- (1) any non-residential development in the preservation area;
 - (2) any residential development in the preservation area that requires an environmental land use or water permit or that results in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more;
 - (3) any activity undertaken or engaged in the preservation area that is not a development but results in the ultimate disturbance of one quarter acre or more of forested area or that results in a cumulative increase in impervious surface by one-quarter acre or more on a lot; or
 - (4) any capital or other project of a State entity or local government unit in the preservation area that requires an environmental land use or water permit or that results in the ultimate disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more.
- Major Highlands development shall not mean an agricultural or horticultural development or agricultural or horticultural use in the preservation area"

- For a farming or horticulture activity under N.J.S.A. 13:20-1et seq., the following information is required:
 - A copy of the applicant's tax bill showing that the site has farmland assessment tax status under the New Jersey Farmland Assessment Act, N.J.S.A. 54:4-23.1 et seq.; and
 - A brief description of the activities for which the exemption is claimed, including:
 - The types of farming or horticulture that will be pursued;
 - Best management practices currently employed and/or to be employed;
 - The length of time that the area to be disturbed has been in use for farming or horticulture; and
 - The square footage or acreage of the entire site, of the impervious surfaces already existing on the site, and the total amount of impervious surface on the site if the proposed activity is permitted. (Note: If the proposed increase in agriculture or horticulture activity will result in 3% or more of the site being covered by impervious surface, applicants should contact the local soil conservation district for additional assistance.)
- For a residential project in the preservation area that does not constitute a major Highlands Development at N.J.S.A. 13:20-3.
 - A land survey certified by a licensed New Jersey Professional Land Surveyor showing the proposed metes and bounds disturbance area delineation, along with a narrative description of that are; and

The metes and bounds disturbance area delineation is the total area of the site to be disturbed (which must be limited to less than 1 acre), including the proposed disturbance and the existing disturbance that is to remain. Existing disturbance beyond the allowable metes and bounds area must be demolished/restored and restricted from future disturbance including mowing, unless that area is exempted by virtue of being agriculture.
 - A site plan certified by the appropriate licensed New Jersey Professional showing all existing development (distinguishing between what will be removed and what will remain) and proposed development, including all structures, grading, clearing, impervious surface that doesn't result in 0.25-acre or more, limits of disturbance that do not result in 1 acre or more, and the metes and bounds disturbance area delineation for the project.

Also include supporting calculated values for proposed impervious surfaces, proposed areas of disturbance, and areas of existing disturbance to be restored (if any).

(Note: If a conservation restriction is required as a condition of your applicability determination, you will be notified in your determination letter.)

- Other (explain why the proposal does not constitute a major Highlands development at N.J.S.A. 13:20-3)

Highlands Applicability and Water Quality Management Plan (WQMP)
Consistency Determination Application Form
(Highlands Applicability Determination)

Section IV. Project or Activity WQMP Consistency Determination

This section of the application form is to be used for the determination of whether a project or activity is consistent with the applicable Areawide Water Quality Management Plan.

1. PROJECTED WASTEWATER FLOW:

- No wastewater is generated from this project/activity.

Depending on the type of wastewater treatment and type of development, there are different criteria to use to determine the total projected wastewater flow. Use the attached projected flow criteria under N.J.A.C. 7:14A-23.3 or N.J.A.C. 7:9A-7.4 to determine the total amount of wastewater the proposed project will generate. Check the appropriate box to indicate which table was used and complete Table 1 below:

- N.J.A.C. 7:9A-7.4, Standards for Individual Subsurface Sewage Disposal Systems
- N.J.A.C. 7:14A-23.3, The New Jersey Pollutant Discharge Elimination System (NJPDES) Rules

TYPE OF DEVELOPMENT (check and complete all that apply):

- Residential
 - Type of Dwelling Units SINGLE FAMILY HOUSE
 - Number of Dwelling Units 1
 - Bedrooms Per 4 BRM
- Commercial/Institutional
 - Total Square Footage of Structures _____
 - Maximum Building Occupancy _____
 - Specify Type of Establishment _____
- Industrial
 - Total Square Footage of Structures _____
 - Maximum Building Occupancy _____
 - Specify Type of Establishment _____
- Other
 - Total Square Footage of Structures _____
 - Specify Type of Establishment _____

Table 1. EXISTING wastewater flows (if applicable)

Establishment Type *	Measurement Unit	Number of Units		Gallons per day (gpd)		Projected Flows (gpd)
<u>Restaurant</u>	<u>Seat</u>	<u>30</u>	<u>X</u>	<u>15</u>	<u>=</u>	<u>450</u>
			<u>X</u>		<u>=</u>	
			<u>X</u>		<u>=</u>	
			<u>X</u>		<u>=</u>	
Total amount of wastewater being generated					=	450

Table 2. PROPOSED wastewater flows

Establishment Type *	Measurement Unit	Number of Units		Gallons per day (gpd)		Projected Flows (gpd)
RES. DWELLING	DWELLING	1	X	300	=	300
			X		=	
			X		=	
			X		=	
Total amount of wastewater this project will generate					=	300

*If the proposal is for a new or expanded industrial facility that will generate industrial process wastewater which is not provided for on the attached projected flow criteria tables, provide a basis for the total projected wastewater discharge from the proposal site. Where other forms of wastewater (such as domestic, stormwater, non-contact cooling water, etc.) will be generated on site and treated by the proposed industrial wastewater treatment facility, include the basis for these flow projections as well.

2. PROPOSED METHOD OF WASTEWATER TREATMENT (check as indicated):

- A. Individual Subsurface Sewage Disposal Systems < 2,000 gallons per day
- B. New Discharge to Ground Water ≥ 2,000 gallons per day
- C. Conveyance to an existing wastewater treatment facility (DGW or DSW):
 Name and Location of Facility: _____

 NJPDES Permit #: _____
 Permitted Capacity: _____

3. IF THE METHOD OF WASTEWATER TREATMENT PROPOSED IS "C" ABOVE, APPLICANT MUST ALSO PROVIDE THE FOLLOWING:

- A letter from the above facility verifying the existence and extent of wastewater collection infrastructure on August 10, 2004, and that adequate capacity is available, with a written commitment to service the proposed project.
- A copy of a site plan or other appropriately scaled map, showing the point of connection to the wastewater collection system as it existed on August 10, 2004.

4. PROPOSED WATER SUPPLY SOURCE (checks one of the following and fill in the blanks):

- Water Purveyor
 Name of Purveyor _____
- Residential Wells
 Number of residential wells 1
- Commercial or Industrial Wells
 Number of wells _____
- Irrigation Wells
 Number of wells _____

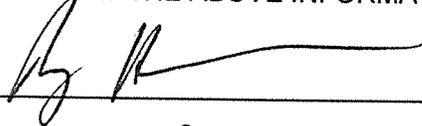
Projected peak water use in gallons per day LESS THAN 1000 GAL/DAY

CERTIFICATION:

An application shall be signed by the person or persons specified below:

1. For a corporation, by a principal executive officer of at least the level of vice president;
2. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively;
3. For a municipality, State, Federal, or other public entity, by either a principal executive officer or ranking elected official; or
4. For an entity not covered at (a) 1 through 3 above, by all individual owners of record.

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS ACCURATE, TO THE BEST OF MY KNOWLEDGE.

SIGNATURE:  DATE: 2/3/13

PRINT OR TYPE NAME Reza Hashemi

TITLE: Managing Partner for 97 Sandshore Road LLC

WHICH OF THE ABOVE CERTIFICATION CATEGORIES IS BEING PROVIDED? 2

Additional information may be required upon review by the Department

SEND COMPLETED APPLICATION FORM AND ATTACHMENTS TO:

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATERSHED MANAGEMENT
ATTN: HIGHLANDS APPLICABILITY DETERMINATION
401 E. STATE ST. PO BOX 418
TRENTON, NJ 08625-0418**

Attachment A

Highlands Applicability Determination Application

Model Letter – Notice to County or Municipal Government Commissions, Boards or Officials

(copy this letter, fill in the blanks, and send to the government commissions, boards, or officials listed in item 2 on page 3 of this application form)

Date: 2/3/13

Re: Application submitted by:

97 SANDSHORE ROAD LLC
(Print applicant's name)

Regarding property at:

97 SANDSHORE ROAD
(Street address of property)

Block 2700, Lot 52.05
(Block and lot of property)

MOUNT OLIVE, MORRIS CO.
(Town and county)

Dear Government Commission, Board or Official:

I am sending you this letter to inform you that I am submitting an application for a Highlands Applicability Determination to the New Jersey Department of Environmental Protection (NJDEP) under the Highlands Water Protection and Planning Act rules, N.J.A.C. 7:38. The determination will establish that a project or activity on the above property is one of the following: exempt from these rules, a major Highlands development or unregulated by the NJDEP. In addition, the Highlands Applicability Determination will also establish whether or not the project or activity on the above property is consistent, not addressed or inconsistent with the applicable areawide Water Quality Management Plan.

I am applying for the following determinations:

Exemption (establishes whether the project or activity proposed on the above property is exempt from the Highlands Water Protection and Planning Act rules)

Major Highlands development (establishes whether or not the project or activity proposed on the above property is a major Highlands development under the Highlands Water Protection and Planning Act rules. If a proposed project or activity is determined to be a major Highlands development and is not exempt, the proposal will be subject to these rules.)

Unregulated by NJDEP (establishes if the project or activity proposed on the above property is

agricultural or horticultural and thus not regulated by the NJDEP under the Highlands Water Protection and Planning Act rules)

X All projects or activities proposed on the above property receiving a Highlands Applicability Determination shall also be reviewed for consistency with the applicable areawide Water Quality Management Plan. A determination of consistent/not addressed, or inconsistent shall be issued.

If you would like to inspect a copy of my application, it is on file at the Municipal Clerk's Office in the town in which the property is located, or you can call NJDEP at (609) 984-6888 to make an appointment to see my application at NJDEP offices in Trenton during normal business hours.

The rules governing Highlands Applicability Determinations are found in the NJDEP's Highlands Water Protection and Planning Act rules at N.J.A.C. 7:38. You can view or download these rules on the NJDEP Highlands website at www.nj.gov/dep/highlands, or you can find a copy of these rules in the county law library in your county courthouse.

The NJDEP welcomes any comments you may have on my application. If you wish to comment on my application, comments should be submitted to the NJDEP *in writing* within 30 days after the NJDEP publishes notice of the application in the DEP Bulletin. The NJDEP shall consider all written comments submitted within this time. The Department may, in its discretion, consider comments submitted after this date. Comments cannot be accepted by telephone. Please submit any comments you may have in writing, along with a copy of this letter, to:

New Jersey Department of Environmental Protection
Division of Watershed Management
Bureau of Watershed Regulation
PO Box 418
Trenton, New Jersey 08625
Attn: Highlands Applicability Determination

When NJDEP has decided whether or not my application is exempt, major Highlands development, or not regulated by NJDEP and consistent, not addressed or inconsistent with the applicable areawide Water Quality Management Plan, NJDEP will notify the municipal clerk of the determination on my application.

If you have any questions about my application, you can contact me or my agent, address(es) below.

Sincerely,

97 SAND SHORE ROAD LLC
(Print applicant's name)

49 CARRELL ROAD
(Applicant's address - required)

RANDOLPH, N.J. 07869

973-610-5977
(Applicant's phone or e-mail - optional)

Reza Hashemi, 49 CARRELL ROAD, RANDOLPH, N.J.
(Applicant's agent's address, phone, and/or e-mail - optional) 07869, Tel: 973-610-5977