(c)

cc: Admin
Plan
Eng

09/07/06

V:/Polplan/Envplan/Wqmpforms/Highlands/Applicability Form 06-23-05

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: 1/25/13

Re: Application submitted by:

Sunlight General Morris LLC

(Print applicant's name)

MAR 27 2013

Regarding property at:

24 Tinc Road

(Street address of property)

Block 7100 Lot 67

(Block and lot of property)

Flanders, Morris County

(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 (NJPEP) 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:

X 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,

Sunlight General Morris LLC
(Print applicant's name)

28 West 44th Street, Suite 1011
(Applicant's address – required)

New York, NY 10036

(Applicant's phone or e-mail – optional)

(Applicant's agent's address, phone, and/or e-mail – optional)