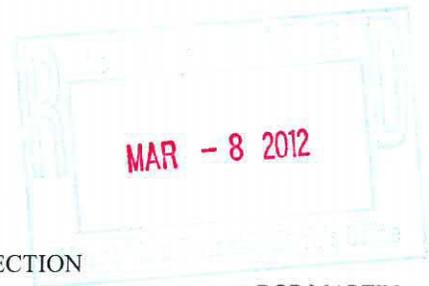




State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Planning  
Office of Land Use Planning  
P.O. Box 420, 401 East State Street  
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Trenton, New Jersey 08625-0420  
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CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Commissioner

cc: Admin  
Plan

Date: MAR - 1 2012

John Rumeau  
Fellowship Chapel  
P.O. Box 242  
Budd Lake, New Jersey 07828

Re: Fellowship Chapel, Single-Family Home  
Block: 7800, Lot(s): 2  
70 Wolfe Road  
Mount Olive Township, Morris County  
Upper Raritan Water Quality Management Plan (WQMP)  
Program Interest No.: 435434  
Activity No.: CSD110005

**Agency Determination:**      **Highlands Act – Exempt**  
Exemption #2  
**Water Quality Management Plan – Consistent**

Dear Mr. Rumeau:

This letter is forwarded in reply to your request for a Highlands Applicability Determination and Water Quality Management Plan Consistency Determination. Based on the information submitted, it has been determined that your proposed project/activity is located within the Highlands Preservation Area. Therefore, your project/activity has been reviewed to determine the applicability of the New Jersey Highlands Water Protection and Planning Act Rules at N.J.A.C. 7:38 (Highlands Rules) as well as the requirements defined in the Statewide Water Quality Management Planning Rules at N.J.A.C. 7:15.

The project/activity subject of this review includes the proposed construction of a four-bedroom single family dwelling and associated appurtenances including a septic system, well and driveway on Block 7800, Lot 2 in Mount Olive Township, Morris County. The total acreage of the project site is 4.796 acres. The plan submitted for review was prepared and certified by David B. Swanson, P.L.S., of Swanson, Halsey & Associates, LLC, and Vincent Iacampo, P.E., titled: "PLOT PLAN TAX LOT 2

BLOCK 7800 IN THE TOWNSHIP OF MOUNT OLIVE MORRIS COUNTY NEW JERSEY”, with an original date of March 11, 2011 and last revised November 14, 2011. As shown on the aforementioned plan, the proposed cumulative increase in impervious surface is 8,739 square feet (SF), or 0.201 acre, and the proposed maximum area of disturbance is 43,410 SF, or 0.997 acre. The projected wastewater flow for this proposal is 650 gallons per day (GPD). The proposed project plans to utilize an individual subsurface sewage disposal system of less than 2,000 GPD for wastewater disposal.

During the application review process, items of information appeared to be missing and/or inaccurate and, therefore, were requested in telephone conversations. Those requested items of information were received on December 29, 2011.

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 does not meet the definition of “Major Highlands Development” as defined at N.J.A.C. 7:38-1.4 since the project does not result in the ultimate disturbance of one acre or more of land, it does not result in a cumulative increase in impervious surface by one-quarter acre or more, and, according to the application, it does not require an environmental land use or water permit. Notwithstanding, 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 your project/activity qualifies for the following exemption:

Construction of a single family dwelling on a lot in existence on August 10, 2004 provided construction does not result in one or more acres of disturbance or one-quarter acre or more of new impervious surfaces.

Supporting documentation includes:

- A copy of the Deed for the subject property, Block 7800, Lot 2, in Mount Olive Township, Morris County, made on November 10, 1997 and recorded by the County of Morris on November 20, 1997.
- A copy of the “Affidavit of Title” dated November 10, 1997, for property located at 74 Wolfe Road. [Note: There is written notification on this document from Donald Rutledge, applicant on this application, that “Mount Olive Township records show this property (Block 7800, Lot 2) to be 70 Wolfe Road.]
- A letter by Jack Marchione, Tax Assessor for the Township of Mount Olive, dated October 18, 2011, stating that the subject property (Block 7800, Lot 2, Mount Olive Township) owned by the Fellowship Chapel has a street address of 70 Wolfe Road.
- A notarized statement by John Rumeau dated March 22, 2011, and notarized by Connie M. Scanlon, Notary Public of New Jersey, certifying that 70 Wolfe Road, Budd Lake, New Jersey 07828, the subject property referred to in the application, has not been subdivided, merged, or in other ways had its lot lines adjusted subsequent to the date of the submitted title policy (in lieu of the property deed).

- The aforementioned site plan prepared and certified by David B. Swanson, P.L.S., of Swanson, Halsey & Associates, LLC, and Vincent Iacampo, P.E., with an original date of March 11, 2011 and last revised November 14, 2011. Included on the plan were supporting calculated values for impervious surfaces and areas of disturbance for the project/activity, along with the proposed metes and bounds disturbance area delineation with narrative description.

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.

This determination is limited to the extent of activities shown on the referenced site plan and shall not result in one acre or more of land disturbance or an increase of impervious surface of one-quarter acre or more. Therefore, no additional impervious surfaces such as a shed, pool, deck, addition, or other improvement (see N.J.A.C. 7:38-2.3(a)5) may be added to the property in the future that would cause such threshold to be reached. Should additional disturbance beyond the metes and bounds area delineation (depicted on the above referenced site plan) or impervious covering occur that would reach or exceed either of these thresholds, this determination shall be null and void.

Prior to obtaining any building permits for the project, the applicant must modify the deed for the subject property to include the required Notice of Highlands Applicability language and submit a copy of the deed to the Department. Until such date that the above requirement is met, this exemption will not be considered to be final. Enclosed is an example of the Notice of Highlands Applicability that should be included in the referenced property deed.

It is permissible to slightly modify the above-cited plan to allow for additional impervious surface or ultimate disturbance or to slightly modify the metes and bounds disturbance area delineation without the need for separate concurrence of this Department as long as the required thresholds are not met or exceeded.

The Department also reviewed your project/activity for consistency with the Statewide Water Quality Management Planning Rules at N.J.A.C. 7:15 and the provisions and recommendations of the Upper Raritan WQMP. Based on our review, the proposed project is consistent with the WQMP and is in accordance with the WQMP Rule (N.J.A.C. 7:15). This determination is made based on the following:

The project/activity will be served by an individual subsurface sewage disposal system with a discharge to ground water of 2,000 GPD or less. Furthermore, the project site is mapped in the WQMP as service area for Individual Subsurface Sewage Disposal Systems <2,000 GPD.

A copy of this determination letter must be enclosed with any future permit application(s) filed with the Department.

This Highlands Applicability and Consistency Determination is subject to the following limitations:

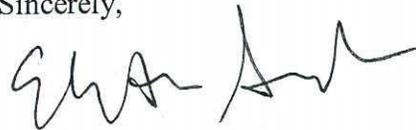
- (1) This determination does not eliminate the need for any permits, approvals, or certifications required by any other Federal, State, County or municipal review agency with jurisdiction over this project/activity.
- (2) This determination shall be considered null and void if changes are made to the 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, Fellowship Chapel, Single-Family Home, was published in the May 11, 2011 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 Land Use Planning. If you have any questions or require further assistance, please call Jennifer Desmond at (609) 984-6888.

Sincerely,



Elizabeth Semple, Manager  
Office of Land Use Planning

Enclosure(s)

c: Donald R. Rutledge, Designated Congregant, Fellowship Chapel  
Mount Olive Township Clerk  
Mount Olive Township Construction Official  
Mount Olive Township Planning Board  
Mount Olive Township Environmental Commission  
Morris County Planning Board  
Morris County Environmental Commission  
Eileen Swan, NJ Highlands Council  
Office of Land Use Planning - File

Copy via E-mail:

Barbara Baus, NJDEP, Bureau of Coastal & Land Use Compliance & Enforcement (w/o encl.)  
Armand Perez, NJDEP, Bureau of Coastal & Land Use Compliance & Enforcement (w/o encl.)  
Dan Bello, NJDEP, Bureau of Inland Regulation (w/o encl.)  
Barbara Greenhalgh-Weidman, NJDEP, Office of Land Use Planning (w/o encl.)  
Jennifer Desmond, NJDEP, Office of Land Use Planning (w/o encl.)  
Debra Frails, NJDEP, Office of Land Use Planning (w/o encl.)