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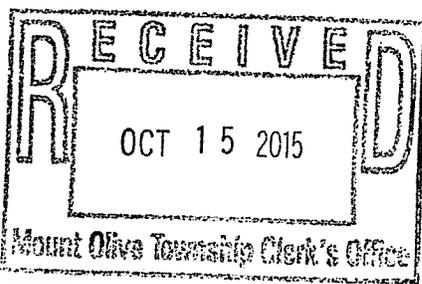


STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.state.nj.us/dep/landuse



PERMIT

* Map on file in Clerk's Office

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		Approval Date OCT 06 2015
		Expiration Date OCT 05 2020
<p>Permit Numbers:</p> <p>1427-04-0016.1 FHA150001 1427-04-0016.1 FHA150002</p>	<p>Type of Approvals:</p> <p>Flood Hazard Area Individual Permit Flood Hazard Area Verification</p>	<p>Enabling Statutes:</p> <p>N.J.S.A. 58:10A-1 et seq. N.J.S.A. 58:16A-50 et seq. N.J.S.A. 13:1D-29 et seq. N.J.S.A. 13:1D-1 et seq.</p>
<p>Permittee: William Stroud 81 River Rd Flanders, NJ 07836</p>	<p>Site Location: Block(s) & Lot(s): [7000, 81] [7000, 82] Municipality: Mount Olive Township County: Morris</p>	
<p>Description of Authorized Activities:</p> <p>This permit verifies the limits of the flood hazard area and the riparian zone along South Branch Raritan and authorizes the construction of a single family dwelling and a septic disposal bed, within the riparian zone of said river, located adjacent to River Road, within Lots 81 & 82, of Block 7000, Mount Olive Township, Morris County, New Jersey.</p>		
		
<p>Prepared by: <i>Neelofar Qureshi</i> Neelofar Qureshi</p>	<p>Received and/or Recorded by County Clerk:</p>	
<p>THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.</p>		

This permit is not valid unless authorizing signature appears on the last page.

SPECIAL CONDITIONS:

1. **Recording of Permit:** This permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this project is located. Verified notice of this action shall be forwarded to the Division immediately thereafter. **NOTE:** The following information is to be submitted to the clerk for all Flood Hazard Area Verifications:
 - a. The Department file number for the verification;
 - b. The approval and expiration dates of the verification;
 - c. A metes and bounds description of any flood hazard area limit approved under the verification;
 - d. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification; and
 - e. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area. Certain activities in flood hazard areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a permit. Contact the Division of Land Use Regulation at (609) 777-0454 for more information prior to any construction onsite."
2. This verification establishes the flood hazard area design flood elevation and the riparian zone limits onsite as shown on the approved plans.
3. For the purposes of this permit, the Department has determined that this project is not a Major Development as defined in the Stormwater Management rules at N.J.A.C. 7:8-1.2. Therefore, the Department did not review the proposed stormwater management system onsite for compliance with these rules.
4. The Division has determined that the riparian zone required adjacent to the South Branch Raritan River is 300 feet. Therefore, vegetation within 300 feet of the top of the bank shall only be disturbed in the areas specifically shown on the approved drawings. No other vegetation within 300 feet of the top of bank shall be disturbed for any reason.
5. Prior to the commencement of site clearing, grading or construction, the permittee shall have silt fences erected at the proposed limits depicted on the approved plans, or around the entire limit of disturbance if work will occur during the restricted time periods for the protection of wood turtles, as specified below. In addition, construction fences, such as orange construction fences, shall be placed along any remaining limits of disturbance to prevent encroachment by construction vehicles or activities outside of the approved limits of disturbance. These fences shall be maintained in proper working condition throughout the entire duration of the project.
6. While no disturbance to any watercourse is proposed for this project, in order to protect the trout production resource within the South Branch Raritan River, any activity outside a watercourse which would likely introduce sediment into the watercourse and/or increase its turbidity is prohibited anytime but especially from **September 15 through March 15** of each year. The Department reserves the right to suspend all regulated activities onsite should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
7. In order to prevent adverse impacts to wood turtles, a State listed threatened species, or their resting, breeding or foraging habitats within the regulated areas (Freshwater Wetlands/Transition

Areas/Riparian Zone) associated with the referenced watercourse, no authorized activities may commence or continue from **April 1 through May 30** and **September 1 through November 15** of the calendar year *unless* the following measures have been taken:

- a. Prior to the commencement or continuation of site preparation, disturbance, grading, clearing or construction activity the permittee shall erect a silt/debris fence around the footprint of *all* proposed activities (temporary and permanent) sufficient to exclude small wildlife species, and specifically wood turtle, from entering the proposed construction area.
- b. Immediately thereafter, a qualified herpetologist must thoroughly inspect the fenced-in work area for wood turtles. Any wood turtles found must be reported to the NJDEP, Division of Fish and Wildlife, Endangered and Nongame Species Program (<http://www.state.nj.us/dep/fgw/ensp/rprtform.htm>), and relocated outside of the proposed work area. Once this inspection is complete, authorized activities may commence within the fenced work area.
- c. The fence must be monitored weekly and maintained until project completion.

The Department reserves the right to suspend all regulated activities onsite should it be determined that the permittee has not taken proper precautions to ensure continuous compliance with this condition.

8. **RIPARIAN ZONE COMPENSATION CONDITIONS**

- a. The permittee shall compensate for the permanent disturbance to 617 square feet (0.014 of an acre) of forested riparian zone through an on-site project as shown on the plan entitled "Site Plan, River Road, Lot 82, Block 7000, Situated in: Township of Mount Olive, Morris County, New Jersey", Sheet No. 1 of 2, dated June 19, 2015, last revised September 4, 2015, and prepared by Careaga Engineering Inc.
- b. The compensation project must be conducted prior to or concurrent with the construction of the approved project. Concurrent means that at any given time, the compensation must track at the same or greater percentage of completion as the project as a whole.
- c. Prior to the initiation of regulated activities authorized by this permit, the permittee shall sign Department approved conservation restrictions to protect the compensation area from future development that would remove the vegetation planted. (N.J.A.C. 7:13-10.2(t)3) The conservation restrictions shall conform to the format and content of the Riparian Zone Compensation Area model located at <http://www.nj.gov/dep/landuse/forms/index.html>. The Division has reviewed the draft conservation restrictions (as revised on September 14, 2015) and hereby approves of those versions for executing and recording with all required exhibits. The restrictions shall be included on the deeds and recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages in some counties) in the county wherein the lands of the compensation project are located. Within 10 days of filing the conservation restrictions, the permittee must send a copy of the recorded conservation restrictions to the attention of Susan Michniewski, NJDEP, Division of Land Use Regulation at Mail Code 501-02A, P.O. Box 420, Trenton, NJ 08625-0420.
- d. The permittee shall monitor the riparian project for at least 3 years beginning the year after the riparian zone compensation project has been completed (N.J.A.C. 7:13-

10.2(u)5). The permittee shall submit monitoring reports to the Division of Land Use Regulation, no later than December 31st of each full monitoring year.

- i. All monitoring reports except the final one must include documentation and field data demonstrating that the goals of the riparian zone compensation project will be achieved as stated in the approved riparian zone compensation proposal and the permit requirements will be satisfied. If the permittee is finding problems with the compensation project and does not anticipate the site will be a full success, recommendations on how to rectify the problems shall be included in the report with a time frame in which they will be completed.
 - ii. The final monitoring report must include documentation and data demonstrating the following:
 - (1.) That the goals of the riparian zone compensation project as stated in the approved riparian zone compensation proposal and the permit conditions have been satisfied.
 - (2.) That at least 85 percent of the compensation plantings have survived and that at least 85 percent of the compensation area is established with native species similar to ones identified on the compensation planting plan. All plant species in the compensation area must be healthy and thriving. All trees must be at least 5 feet in height; and
 - (3.) That the site is less than 10 percent occupied by invasive or noxious species.
 - iii. If the riparian compensation project does not meet the success criteria established above the project shall be considered a failure and the permittee shall submit a revised riparian compensation plan. The revised plan shall be submitted within 60 days of receipt of notification from the Division indicating the riparian compensation project was a failure.
 - iv. If the Division determines that the riparian zone compensation project is not constructed in conformance with the approved plan, the permittee will be notified in writing by the Department and will have 60 days to submit a proposal to indicate how the project will be corrected.
9. This site falls within the range of the federally listed Indiana bat. Guidance from the United States Fish and Wildlife Service (USFWS) specifies that forest clearing should be avoided from April 1 to September 30 to protect the Indiana bat. The applicant is encouraged to abide by this restriction. Please contact the USFWS's New Jersey Field Office at (609) 383-3938 for additional information.

STANDARD CONDITIONS:

1. **Responsibilities:**
 - a. The permittee, its contractors and subcontractors shall comply with all conditions of this permit, authorizing and/or supporting documents and approved plans and drawings.

- b. A copy of this permit, other authorizing documents, records and information including all approved plans and drawings shall be maintained at the authorized site at all times and made available to Department representatives or their designated agents upon request.
2. **Permit modification:** Plans and specifications in the application and conditions imposed by this permit shall remain in full force and effect so long as the proposed development or any portion thereof is in existence, unless modified by the Department. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department. The filing of a request to modify an issued permit by the permittee, or a notification of planned changes or anticipated noncompliance does not stay any condition of this permit.
3. **Duty to minimize environmental impacts:** The permittee shall take all reasonable steps to prevent, minimize or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.
4. **Proper site maintenance:** While the regulated activities are being undertaken, neither the permittee, its contractors nor subcontractors shall cause or permit any unreasonable interference with the free flow of a regulated feature by placing or dumping any materials, equipment, debris or structures within or adjacent to the regulated area. Upon completion or abandonment of the work, the permittee, its contractors or subcontractors shall remove and dispose of in a lawful manner all excess materials, debris, equipment, silt fences and other temporary soil erosion and sediment control devices from all regulated areas. Only clean non-toxic fill shall be used where necessary.
5. **Sediment control:** Development which requires soil disturbance, creation of drainage structures, or changes in natural contours shall conduct operations in accordance with the latest revised version of "Standards for Soil Erosion Sediment Control in New Jersey," promulgated by the New Jersey State Soil Conservation Committee, pursuant to the Soil Erosion and Sediment Control Act of 1975, N.J.S.A. 4:24-42 et seq. and N.J.A.C. 2:90-1.3-1.14.
6. **Rights of the State:**
 - a. This permit does not convey any property rights of any sort, or any exclusive privilege.
 - b. Upon notification and presentation of credentials, the permittee shall allow Department representatives or their designated agents, to enter upon the project site and/or where records must be kept under the conditions of this permit, inspect at reasonable times any facilities, equipment, practices or operations regulated or required under the permit, and sample or monitor for the purposes of determining compliance. Failure to allow reasonable access shall be considered a violation of this permit and subject the permittee to enforcement action.
 - c. The issuance of this permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction, structure or structures. Neither the State nor the Department shall, in any way, be liable for the loss of life or property which may occur by virtue of the activity of development resulting from any permit.

7. **Duty to Reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit authorization, the permittee must apply for and obtain a new permit authorization.
8. **Transfer of Permit:** This permit may not be transferable to any person unless the transfer is approved by the Department. Please refer to the applicable rules for more information.
9. **Other Approvals:** The permittee must obtain any and all other Federal, State and/or Local approvals. Authorization to undertake a regulated activity under this permit does not indicate that the activity also meets the requirements of any other rule, plan or ordinance.
10. **Noncompliance:**
 - a. Any noncompliance with this permit constitutes a violation, and is grounds for enforcement action, as well as modification, suspension and/or termination of the permit.
 - b. The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. In addition, the permittee shall report all noncompliance to Bureau of Coastal and Land Use Compliance and Enforcement, 401 E. State Street, 4th Floor, P.O. Box 420, Mail Code: 401-04C, Trenton, NJ 08625, in writing within five business days of the time the permittee becomes aware of the noncompliance. The written notice shall include: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter.
11. **Appeal of Permit:** In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the Checklist is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information about this process.

APPROVED PLANS:

The drawings hereby approved are two (2) sheets prepared by Careaga Engineering Inc., dated June 19, 2015, last revised September 17, 2015, entitled:

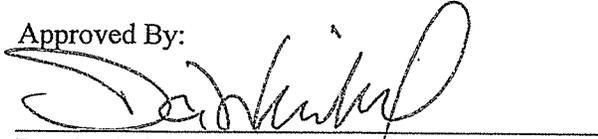
“RIVER ROAD LOT 82 BLOCK 7000 SITUATED IN: TOWNSHIP OF MOUNT OLIVE
MORRIS COUNTY, NEW JERSEY”

“SITE PLAN”, Sheet no. 1 of 2, and

“SESC PLAN”, Sheet no. 2 of 2.

If you need clarification on any section of this permit or conditions, please contact the Division of Land Use Regulation's Technical Support Call Center at (609) 777-0454.

Approved By:



Damian Friebel, Environmental Engineer III
Division of Land Use Regulation

10/6/2015
Date

Original sent to Agent to record
C: Permittee

