cc: Admin
Planning
Gene B
3/20/15 SJ
orig. w/
Lisa

Highlands Applicability Determination

Water Main Replacement

Hackettstown Municipal Utilities Authority

Submittal to NJDEP,
Highlands WQMP

March 2015

CDM Smith

(C)

Maps on file in Clerks Office.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

TABLE OF CONTENTS

Tab 1 – Consistency Determination Application Form (Signed)

Tab 2 – Attachment A, Notice Letters; Copy of Transmittal to City Clerk

Tab 3 – Application Review Fee

Tab 4 – USGS Quad Map

Tab 5 – Impervious Coverage Map (2007 Land Use)

Tab 6 – Site Plan for Water Main Replacement (Signed and Sealed)

RECEIVED
MAR 18 2015
Mount Olive Township Clerk's Office

Orig. w/ Lisa

CC:
Adm.
Plan
Gene B.

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

Tab 1

Consistency Determination Application Form (Signed)

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

Tab 2

Attachment A, Notice Letters; Copy of Transmittal to City Clerk

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:** Hackettstown Municipal Utilities Authority, Water Main Replacement
Property Owner's Last Name or Company Name, Type of Development (Example: Doe, Minor Subdivision; Doe, Single-Family Home)

2. **DATE OF APPLICATION:** March 11, 2015

3. **PROPERTY OWNER:**
NAME/AGENCY/COMPANY: Hackettstown Municipal Utilities Authority

ADDRESS: 424 Hurley Drive
Street Address Apt. or Suite Number

Hackettstown New Jersey 07840
City State Zip

CONTACT PERSON: Bruce D. Smith TITLE: Executive Director

PHONE: (908) 852-3622 FAX: (908) 852-2681 E-MAIL bdsmith@hmua.com

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

NAME/AGENT/ENGINEER: Thomas A. Laustsen, P.E., CBEE

AGENCY/COMPANY: CDM Smith

ADDRESS: 110 Fieldcrest Avenue, #8 (Street Address) 6th Floor (Apt. or Suite Number)

Edison (City) New Jersey (State) 08837 (Zip)

PHONE: (732) 225-7000 FAX: (732) 225-7851 E-MAIL laustsent@cdmsmith.com

CONTACT PERSON: Thomas A. Laustsen, P.E., BCEE
TITLE: Associate

PHONE: (732) 590-4649 FAX: (732) 590-4649 E-MAIL laustsent@cdmsmith.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:

- o The fee shall be paid by personal check, certified check, attorney check, government purchase order, or money order;
- o The fee shall be made payable to "**Treasurer, State of New Jersey**";
- o Each check, purchase order, or money order must be marked with the name of the applicant, and
- o 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 $ 825,000 .

6. **LOCATION OF PROJECT:**

A. MUNICIPALITY: Mt. Olive Township

B. COUNTY: Morris

C. LOT(S): Indian Lane, John Street and Francis Terrace

D. BLOCK(S): Indian Lane, John Street and Francis Terrace

E. ADDRESS OF PROJECT LOCATION: Indian Lane, John Street and Francis Terrace

F. TOTAL ACREAGE OF PROJECT SITE: 1.75 acres

G. STATE PLANE COORDINATES OF CENTER OF DEVELOPMENT AREA*
X: 406,757.36 Y: 736,398.56
(See item number 7 below for information on obtaining state plane coordinates)
**Location based on intersection of John Street and Indian Lane*

H. WATER QUALITY MANAGEMENT PLAN: Upper Delaware

I. WATERSHED MANAGEMENT AREA: 01 Musconetcong River (above Trout Brook)

7. ADDITIONAL REQUIREMENTS:

- o Municipal Tax Map(s) delineating the project site by Lot(s) and Block(s); and
- o 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 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:

The proposed project consists of the replacement of water mains along Francis Terrace, portions of John Street and portions of Indian Lane in Mt. Olive, NJ. Existing water main will remain in place and new water mains will be installed in the right-of-way. The new water mains will then be connected to the household laterals. All proposed work shall take place in the public right-of-way.

No new impervious coverage will be created as part of this project. All proposed work will take place in existing impervious areas with minimal disturbance of natural areas and wildlife.

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) N/A.

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.?

   o No X Yes

4. Is the project proposed solely for Agricultural or Horticultural purposes pursuant to N.J.A.C. 7:38-1.4?

   X No o Yes

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

o Water Allocation X Water Main Extension o Freshwater Wetlands

o Flood Hazard Control Area o 50 or More Realty Improvements (residential)

o Sewer Extension (TWA) o Other type of Treatment Works Approval

o New NJPDES DSW o Modification to NJPDES DSW o Expansion/Re-rating NJPDES DSW

o New NJPDES DGW o Modification to NJPDES DGW o Expansion/Re-rating NJPDES DGW

o New NJPDES SIU o Modification to NJPDES SIU

o **No Department permits are required**

NOTE HERE which, if any, of the above permits have already been received:
None

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?**

X No o 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. 13:20-1et 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:

N/A 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:

- o 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
- o 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
- o 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
- o 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
- o A land survey certified by a licensed New Jersey Professional Land Surveyor showing what currently exists on the lot.

N/A 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:

- o 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

- o 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
- o 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.
- o 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.)

N/A 3. For an exemption for the construction of a <u>major Highlands development that has received certain municipal and state approvals</u> on or before March 29, 2004, the following information is required:

- o 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.

- o 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.

- o 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

- 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..

o 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.

o 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.

o F. Any other information necessary to determine if the applicant is eligible for exemption under N.J.S.A. 13:20-1et seq.

N/A 4. For an exemption for <u>reconstruction of any building or structure</u> 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:

o 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;

o 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

o Photographs keyed to the site plan; and

o 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).

N/A 5. For an exemption for <u>improvement(s) to a legally existing single-family dwelling</u> 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:

o A copy of any official documentation proving the single-family dwelling was in existence on August 10, 2004;

o A certification from the municipal clerk that the municipality considers the dwelling lawfully constructed and occupied;

o A description of the proposed improvement; and

o A certification from the applicant that the property and all improvements will continue to be used for single-family dwelling purposes.

N/A 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:

- o 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;
- o 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;
- o 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
- o A certification of occupancy for any existing buildings or structures on the property.

N/A 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:

- o 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.;
- o 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
- o A copy of the approved woodlot management plan; or

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

- o 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
- o 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).

N/A 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:

- o 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;
- o A written description of the non-impervious materials to be used; and

o 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.

N/A 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:

- o A site plan certified by the appropriate licensed New Jersey Professional showing the existing and proposed transportation or infrastructure system;
- o 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
- o A brief description of the State entity or local government unit that is sponsoring and overseeing the proposed activities.

N/A 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:

- o A site plan certified by the appropriate licensed New Jersey Professional showing the proposed transportation safety project, bicycle or pedestrian facility;
- o A written description of the specific type of project to be constructed and the purpose of the project; and
- o A brief description of the State entity or local government unit that is sponsoring and overseeing the proposed activities.

X 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:

- X A site plan certified by the appropriate licensed New Jersey Professional showing the existing and proposed public utility lines, rights of way, or systems;
- X 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
- X The identity of the public utility that is sponsoring the proposed activities.

N/A 12. For an exemption for the reactivation of rail lines and rail beds existing on August 10, 2004, the following information is required:

- o A site plan certified by the appropriate licensed New Jersey Professional showing the location of the existing rail lines and rail beds; and
- o 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.

N/A 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:

- o A copy of the public referendum question as it appeared on the official ballot;
- o Documentation showing that the referendum was approved; and
- o 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.

N/A 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:

- o A site plan certified by the appropriate licensed New Jersey Professional showing the location of existing and proposed activity and development;
- o 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
- o A copy of a Certificate of Registration issued by the Commissioner of Labor pursuant to N.J.S.A. 34:6-98.4.

N/A 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:

- o 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;
- o A brief description of the remediation activity to be conducted including any structures, impervious surfaces, clearing of vegetation or water diversion being proposed;
- o 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
- o The name of the case manager handling or supervising remediation at DEP.

N/A 16. For an exemption for activities on lands of a federal military installation existing on August 10, 2004, the following information is required:

- o 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
- o A letter briefly describing the proposed activities signed by an official of the installation.

N/A 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:

- o A copy of the settlement agreement and stipulation of dismissal filed in the Superior Court, or builder's remedy issued by the Superior Court;
- o 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;

- o A copy of all municipal approvals obtained for the project, or the schedule for applying and obtaining such approvals; and
- o 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"

N/A 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:
  - o The types of farming or horticulture that will be pursued;
  - o Best management practices currently employed and/or to be employed;
  - o The length of time that the area to be disturbed has been in use for farming or horticulture; and
- o 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.)

N/A For a residential project in the preservation area that does not constitute a major Highlands Development at N.J.S.A. 13:20-3.

- o 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.

o 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.)

o 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:

X 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:

o N.J.A.C. 7:9A-7.4, Standards for Individual Subsurface Sewage Disposal Systems
o 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): N/A

o Residential
- Type of Dwelling Units _____
- Number of Dwelling Units _____
- Bedrooms Per _____

o Commercial/Institutional
- Total Square Footage of Structures _____
- Maximum Building Occupancy _____
- Specify Type of Establishment _____

o Industrial
- Total Square Footage of Structures _____
- Maximum Building Occupancy _____
- Specify Type of Establishment _____

o 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)
N/A			X		=	
			X		=	
			X		=	
			X		=	
Total amount of wastewater being generated					=	

Table 2. PROPOSED wastewater flows

Establishment Type *	Measurement Unit	Number of Units		Gallons per day (gpd)		Projected Flows (gpd)
N/A			X		=	
			X		=	
			X		=	
			X		=	
Total amount of wastewater this project will generate					=	

*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):

N/A **A.** Individual Subsurface Sewage Disposal Systems < 2,000 gallons per day

N/A **B.** New Discharge to Ground Water ≥ 2,000 gallons per day

N/A **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:**

N/A 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.

N/A 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):

X Water Purveyor

Name of Purveyor Hackettstown Municipal Utilities Authority

o Residential Wells

Number of residential wells_____

o Commercial or Industrial Wells

Number of wells_____

o Irrigation Wells

Number of wells_____

Projected peak water use in gallons per day N/A

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: 03/10/15

PRINT OR TYPE NAME Bruce D. Smith

TITLE: Executive Director

WHICH OF THE ABOVE CERTIFICATION CATEGORIES IS BEING PROVIDED? 3

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 LAND USE REGULATION
ATTN: HIGHLANDS APPLICABILITY DETERMINATION
MAIL CODE 501-02A
P.O. BOX 420
TRENTON, NEW JERSEY 08625-0420

N.J.A.C. 7:14A - 23.3Projected Flow Criteria N/A

The values specified below are to be used in computing the projected flow to wastewater conveyance and treatment facilities. The specific measurement unit listed for each category must be used as the basis for the projected flow. No additional provisions for inflow and infiltration are required. Flow for facilities that have combined uses must be determined by the summation of all appropriate projected flow values for each use. In the event that a facility is not covered by the table below, the applicant must propose the projected flow based upon operation of similar facilities or best professional judgment.

Type of Establishment	Measurement Unit	Gallons Per Day
Residential Dwellings		
(single family home, duplex units, townhouses, condominiums, apartments)		
1 bedroom unit	Per Dwelling	150
2 bedroom unit	Per Dwelling	225
3 bedroom unit or larger	Per Dwelling	300
Transit dwelling units		
Hotels	Bedroom	75
Lodging houses and tourist homes	Bedroom	60
Motels and tourist cabins	Bedroom	60
Boarding houses (max. permitted occupancy)	Boarder	50
Camps		
Campground/mobile rec. vehicle/tent	Site	100
Parked mobile trailer site	Site	200
Children's camps	Bed	50
Labor camps	Bed	40
Day camps--no meals	Person	15
Restaurants (including washrooms and turnover)		
Average restaurant	Seat	35
Bar/cocktail lounges	Seat	20
Fast food restaurant	Seat	15
24 hour service restaurant	Seat	50
Curb service/drive-in restaurant	Car space	50
Clubs		
Residential	Member	75
Nonresidential	Member	35
Racquet club	court per hour	80
Bathhouse with shower	Person	25
Bathhouse without shower	Person	10

Type of Establishment	Measurement Unit	Gallons Per Day
Institutions (includes staff)		
Hospitals	Bed	175
Other institutions	Bed	125
Schools (includes staff)		
No shower or cafeteria	Student	10
With cafeteria	Student	15
With cafeteria and showers	Student	20
With cafeteria, showers and laboratories	Student	25
Boarding	Student	75
Automobile service stations		
Service bays	Filling position	125
Mini-market	Sq. Ft.	0.100
Miscellaneous		
Office buildings (gross area)	Sq. Ft.	0.100
Stores and shopping centers (gross area)	Sq. Ft.	0.100
Factories/warehouses (add process water)	Employee	25
with showers, (add process water)	Employee	40
Laundromats	Machine	580
Bowling alleys	Alley	200
Picnic Parks (restrooms only)	Person	10
Picnic Parks with showers	Person	15
Fairgrounds (based upon average attendance)	Person	5
Assembly halls	Seat	3
Airports (based on passenger use)	Passenger	3
Churches (worship area only)	Seat	3
Theater (indoor)	Seat	3
Dinner theater	Seat	20
Catering/Banquet Hall	Person	20
Sports stadium	Seat	3
Visitor Center	Visitor	5

PROJECTED FLOW CRITERIA

SOURCE: N.J.A.C. 7:9A-7.4, STANDARDS FOR INDIVIDUAL SUBSURFACE DISPOSAL SYSTEMS N/A

Type of Establishment	Measurement Units	Gallons per day
Residential Dwellings (single family homes, Duplex units, townhouses, condominiums, Apartments)		
First bedroom	Per Dwelling	200
Each additional bedroom	Per Dwelling	150
Minimum volume	Per Dwelling	350
Minimum volume	Per apartment	350
Minimum volume deed restricted senior citizen community or mobile home park	Per dwelling unit (< 5001 ft2) .	200
Transit dwelling units		
Boarding house, meals[2]	Per guest	75
non-resident	Per guest	15
Dormitory, bunkhouse	Per bed	40
Hotel	Per room	130
Motel	Per room	130
Rooming house, no meals	Per bed	65
Cottages[2]	Per person	100
Minimum volume	Per dwelling unit	350
Camps		
Cottage, barracks type	Per person	65
Day, no meals	Per person	20
Resort[2]	Per site	100
Trailer[2]	Per site	100
with toilets, add	Per person	10
Restaurants		
Bar	Per patron	5
Cafeteria	Per patron	5
Cocktail lounge	Per patron	5
Coffee shop	Per patron	5
Restaurant		
sanitary waste only	per patron	5
with kitchen wastes, add	per patron	5
Clubs		
Bathhouse, with showers	Per person	25
Bathhouse, without showers	Per person	10
Beach dub	Per person	25
Country club		
Member	Per person	60
Non-member	Per person	25
Institutional facilities		
Hospital, medical	Per bed	250
Hospital, mental	Per bed	150
Institution, other than hospital '	Per bed	150
Nursing/rest home	Per bed	150
Prison	Per inmate	150
Schools		
Boarding	Per student	100
Day		
No cafeteria or showers	Per student	10
Cafeteria only	Per student	15
Cafeteria and showers	Per student	20
Cafeteria, showers and laboratories	Per student	25

Type of Establishment	Measurement Units	Gallons per day
Miscellaneous		
Airport	Per passenger	5
Assembly hall	Per seat	3
Auto service station	Per car	10
Beauty parlors and salons	Per sink	120
Bowling alley, no food	Per lane	125
with food, add	Per patron	5
Bus stop rest area	Per passenger	5
Church	Per seat	3
Comfort station/Picnic grounds		
with toilets	Per person	10
with toilets and showers	Per Person	15
Dining hall	Per customer	5
Factory/Industrial building(1)	Per employee, 8-hr	15
with showers, add(1)	Per employee, 8-hr	15
Laundry, self service	Per wash	50
Office building	Per employee, 8-hr	15
(whichever is greater)(1)	Per square foot	0.125
Shopping center(1)	Per square foot	0.125
Stadium	Per seat	3
store(1)	Per square foot	0.125
Swimming Pool	Per person	10
Theater, Indoor	Per seat	3
Theater, outdoor	Per parking space	10
Visitor Center	Per visitor	5

(1) Volume of sanitary sewage for employees included within method of estimation indicated. If laundry wastes are anticipated, increase the estimated flow by 50 percent.

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)

J. Ferrante
Environmental Committee
Mount Olive Township
Post Office Box 450
Budd Lake, NJ 07828
(973) 691-0900 x 7310

Date: March 11, 2015

Re: Application submitted by:

Hackettstown Municipal Utilities Authority
(Print applicant's name)

Regarding property at:

Indian Lane, John Street and Francis Terrace
(Street address of property)

(Block and lot of property)

Mount Olive, 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 Land Use Regulation
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
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,

Bruce D. Smith

Hackettstown Municipal Utilities Authority
(Applicant's address – required)

424 Hurley Drive
Hackettstown, NJ 07840

(908) 852-3622
(Applicant's phone or e-mail – optional)

(908) 852-3622
(Applicant's agent's address, phone, and/or e-mail – optional)

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)

Catherine Natafalusy
Planning Coordinator
Mount Olive Township
Post Office Box 450
Budd Lake, NJ 07828
(973) 691-0900 x 7310

Date: March 11, 2015

Re: Application submitted by:

Hackettstown Municipal Utilities Authority
(Print applicant's name)

Regarding property at:

Indian Lane, John Street and Francis Terrace
(Street address of property)

(Block and lot of property)

Mount Olive, 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 Land Use Regulation
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
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,

Bruce D. Smith

Hackettstown Municipal Utilities Authority
(Applicant's address – required)

424 Hurley Drive
Hackettstown, NJ 07840

(908) 852-3622
(Applicant's phone or e-mail – optional)

(908) 852-3622
(Applicant's agent's address, phone, and/or e-mail – optional)

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)

Gary Lindsay
Construction
Building Sub-Code Official
Post Office Box 450
Budd Lake, NJ 07828
(973) 691-0900 x 7392

Date: March 11, 2015

Re: Application submitted by:

Hackettstown Municipal Utilities Authority
(Print applicant's name)

Regarding property at:

Indian Lane, John Street and Francis Terrace
(Street address of property)

(Block and lot of property)

Mount Olive, 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 Land Use Regulation
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
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,

Bruce D. Smith

Hackettstown Municipal Utilities Authority
(Applicant's address – required)

424 Hurley Drive
Hackettstown, NJ 07840

(908) 852-3622
(Applicant's phone or e-mail – optional)

(908) 852-3622
(Applicant's agent's address, phone, and/or e-mail – optional)

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)

Morris County Planning Board
P.O. Box 900
Morristown, NJ 07963-0900

Date: March 11, 2015

Re: Application submitted by:

Hackettstown Municipal Utilities Authority
(Print applicant's name)

Regarding property at:

Indian Lane, John Street and Francis Terrace
(Street address of property)

_____
(Block and lot of property)

Mount Olive, 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.

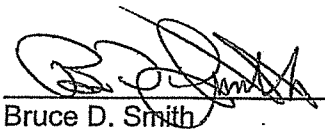
The NJDEP welcomes any comments you may have on my application. If you wish to comment on my application, comments should be submitted to the NJDEP *in writing* within 30 days after the NJDEP publishes notice of the application in the DEP Bulletin. The NJDEP shall consider all written comments submitted 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 Land Use Regulation
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
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,



Bruce D. Smith

Hackettstown Municipal Utilities Authority
(Applicant's address – required)

424 Hurley Drive
Hackettstown, NJ 07840

(908) 852-3622
(Applicant's phone or e-mail – optional)

(908) 852-3622
(Applicant's agent's address, phone, and/or e-mail – optional)

7013 3020 0000 7458 3360

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.48

Postmark Here
3/17/15

Sent To J. Ferrante
Environmental Committee
Street, Apt. No., or PO Box No. Mount Olive Township
City, State, ZIP+4 P.O. Box 450
Budd Lake, NJ 07828

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0000 7458 3377

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.48

Postmark Here
3/17/15

Sent To Gary Lindsay, Construction
Building Sub-Code Official
Street, Apt. No., or PO Box No. P.O. Box 450
City, State, ZIP+4 Budd Lake, NJ 07828

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0000 7458 3353

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.48

Postmark Here
3/17/15

Sent To Catherine Natafalusy
Planning Coordinator
Street, Apt. No., or PO Box No. Mount Olive Township
City, State, ZIP+4 P.O. Box 450
Budd Lake, NJ 07828

PS Form 3800, August 2006 See Reverse for Instructions

7013 3020 0000 7458 3384

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	$ .48
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	$ 6.48

Postmark Here
3/17/15

Sent To Morris County Planning Board
P.O. Box 900
Street, Apt. No., or PO Box No.
City, State, ZIP+4 Morristown, NJ 07963-0900

PS Form 3800, August 2006 See Reverse for Instructions

Transmittal

CDM Smith

110 Fieldcrest Avenue, #8
Edison, New Jersey 08837
732-225-7000
732-225-7851

To:	Lisa Lashway	**From:**	Thomas Laustsen, CDM Smith
Organization/ Address:	Mount Olive Township Clerk, P.O. Box 450 Budd Lake, NJ 07828	**Date:**	March 10, 2015

Re: WQMP Highlands Applicability Determination - HMUA Water Main Replacement

Job #: 108119.PA.PERM

Via: *Mail:* *Two Day:* X *Courier:*

Enclosed please find:

For your information	X	**Approved**	
For your review		**Approved as noted**	
For your signature		**Returned to you for correction**	

Message:

Please find enclosed, one (1) copy of the submittal to the Highlands WQMP, Highlands Applicability Determination Application for Hackettstown Municipal Utilities Authority (HMUA) for the Water Main Replacement project.

Signed

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

Tab 3

Application Review

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.

IT[illegible]TMENT HAS A COLORED SECURITY BACKGROUND. DO NOT CASH IF THE WORD "VOID" IS VISIBLE. THIS PAPER HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE AND IS ALTERATION PROTECTED.

HACKETTSTOWN MUNICIPAL UTILITIES AUTHORITY
424 HURLEY DRIVE • P.O. BOX 450
HACKETTSTOWN, NJ 07840

First Hope Bank
Hackettstown, NJ 07840
55-459/212

R&R **1819**

3/11/2015

PAY TO THE ORDER OF Treasurer - State of New Jersey $ **100.00

One Hundred and 00/100********** DOLLARS

NJ Dept. of Treasury
Division of Revenue
PO Box 417
Trenton, NJ 08646-0417

MEMO Highlands Applicability Determination

AUTHORIZED SIGNATURE

⑈0001819⑈ ⑆021204597⑆ 11000228488⑈

HACKETTSTOWN MUNICIPAL UTILITIES AUTHORITY **R&R** **1819**

Treasurer - State of New Jersey 3/11/2015

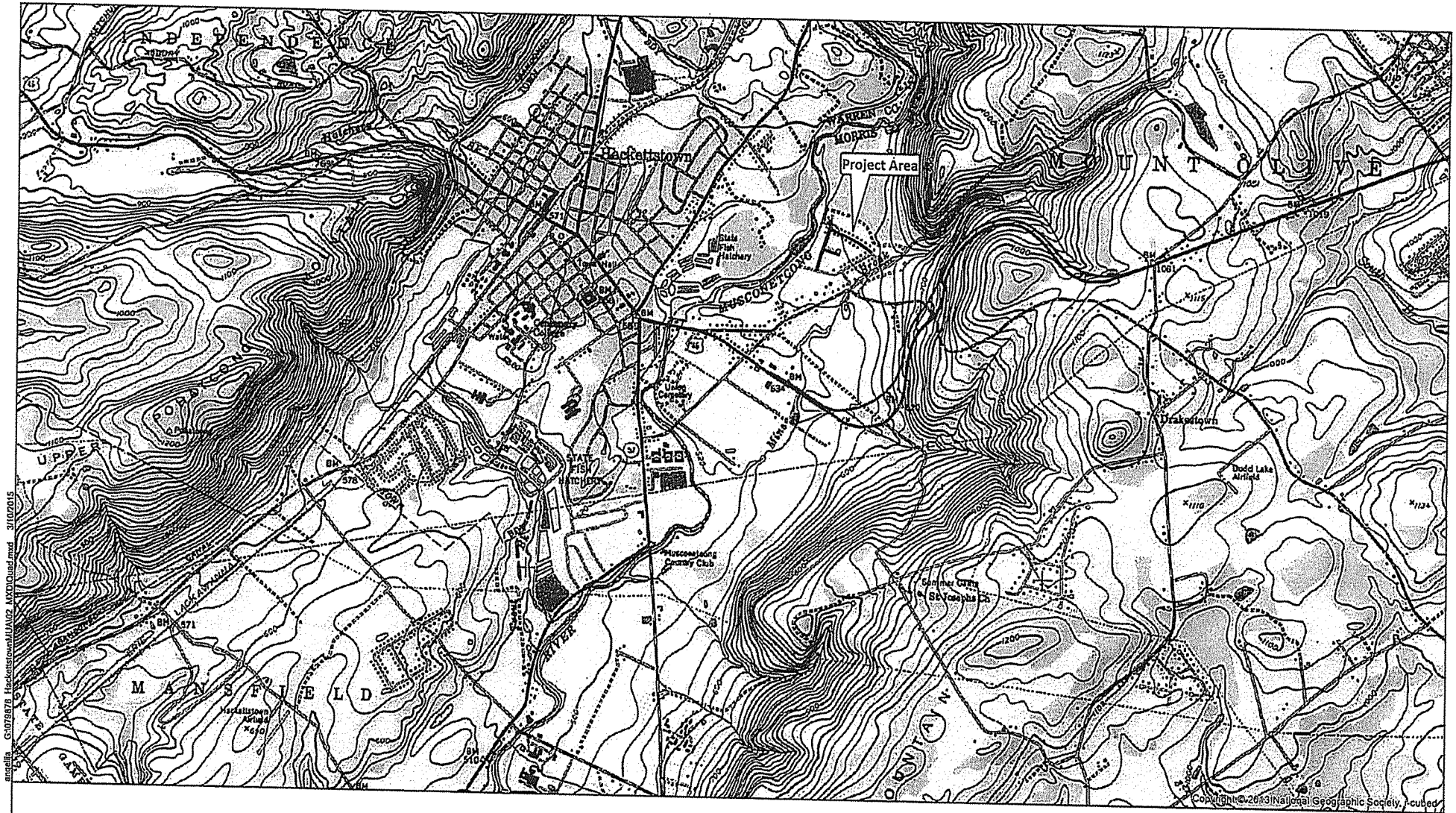
Date	Type	Reference	Original Amt.	Balance Due	Discount	Payment
3/11/2015	Bill	Highlands App. Det.	100.00	100.00		100.00
					Check Amount	100.00

Renewal & Replacem	Highlands Applicability Determination	100.00

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

Tab 4

USGS Quad Map



0 500 1,000 2,000 3,000 4,000
Feet

CDM Smith

Highlands WQMP Consistency Determination

Hackettstown Municipal Utilities Authority

USGS 7.5 minute
Hackettstown Quad for Water Main Replacement
Mount Olive, Morris County, New Jersey

angelia G:\079878 HackettstownMUA\02 MXD\Quad.mxd 3/10/2015

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

Tab 5

Impervious Coverage Map (2007 Land Use)

angelia G:\079878 Hackettstown\MUA\02 MXD\Impervious.mxd 3/10/2015

N

0 37.5 75 150 225 300
Feet

CDM Smith

Highlands WQMP Consistency Determination

Hackettstown Municipal Utilities Authority

Impervious Area for Water Main Replacement Mount Olive, Morris County, New Jersey

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
HIGHLANDS APPLICABILITY AND WATER QUALITY MANGEMENT PLAN (WQMP)
CONSISTENCY DETERMINATION APPLICATION FORM FOR
HACKKETTSTOWN MUNICIPAL UTILTIES AUTHORITY-
WATER MAIN REPLACEMENT

Tab 6

Site Plan for Water Main Replacement (Signed and Sealed)