

The Law Offices Of
THOMAS J. CATLEY

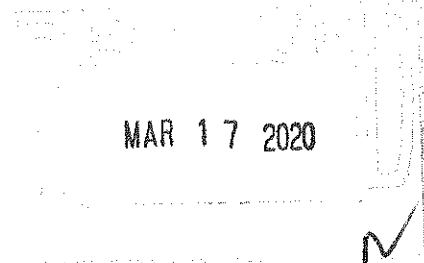
3536 Route 66
Neptune NJ 07753

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FAX: 732-922-4864

March 16, 2020

Neptune Township Zoning Bd. of Adjustment
Attn: Kristie Armour, Admin Officer
25 Neptune Blvd
Neptune, New Jersey 07753



Re: *The Best Car Detailing*
Proposed Subdivision, etc.
1824 Columbus Avenue, (aka 425 Hwy. 35)
Block 617; Lot 39

Dear Ms. Armour:

In regard to the above-referenced project, please find enclosed 25 copies of the Wetlands information regarding this project. This was not submitted with the original applications. Kindly add this to our package. Please advise if any additional documents are needed.

I look forward to our presentation on May 6, 2020.

Very truly yours,


Thomas J. Catley,

TJC/mr

July 27, 2018

Mr. Darryl Jackson
432 Highway 35 North
Neptune, NJ 07753

RE: Wetlands & NJDEP Permitting at 432 Highway 35 North
Block 617 Lot 39, Neptune Township, NJ

Dear Mr. Jackson:

This letter will serve to summarize the wetlands information and anticipated permitting as per the Freshwater Wetlands Protection Act Rules administered by the New Jersey Department of Environmental Protection (NJDEP) with regard to your proposed project at the above referenced property.

As you are aware, the wetlands on this property were previously delineated by others in 2006. At that time, the site was known as Block 227 Lot 1. The wetland delineation was verified by NJDEP and a Letter of Interpretation (LOI) was issued on February 8, 2007, NJDEP File Number 1334-06-0004.1 FWW 060001 (copy enclosed). As per the LOI, the wetlands were determined to be of intermediate resource value thereby requiring a 50-foot wide transition area, also known as a buffer. The LOI has since expired.

Makofka Environmental Consulting, LLC (MEC) conducted a site visit on April 23, 2017 to evaluate the extent of wetlands on the site. Based on MEC's observations, the wetlands on the site correspond to the wetland boundaries verified in the 2007 LOI. The wetlands on this site are confined to a wooded area surrounded by development so there is very little room for the wetlands to have expanded.

The wetlands on the site extend onto the neighboring property located to the south of the site, known as 420 Route 35 North, Block 617 Lot 38, formerly known as Block 227 Lot 2. The wetlands on this neighboring lot were delineated in 2005. The wetlands were verified by NJDEP via a LOI dated January 26, 2006 (copy enclosed), NJDEP File Number 1334-05-0007.1 FWW 050001. The wetlands were determined to be of intermediate resource value thereby requiring a 50-foot wide buffer. The LOI was reissued/extended on February 16, 2011 without any changes (copy enclosed).

On May 1, 2012, the DEP issued General Permits 6 and 6A for proposed activities at 420 Route 35 North, Block 617 Lot 38, NJDEP File Number 1334-05-0007.1 FWW 110001 & 110002 (copy enclosed). GP 6 authorizes regulated activities in freshwater wetlands that are not part of a surface water tributary system, i.e., isolated wetlands. The GP 6A authorizes regulated activities in buffers of isolated freshwater wetlands. The relevance of this information regarding the adjacent property is to point out that DEP had previously issued a GP 6 authorizing activities, such as filling and grading, in the same isolated wetland that extends into the property occupied by your business.

Page 2 of 2

MEC has evaluated the wetlands on the property occupied by your business as well as the current Freshwater Wetlands Protection Act Rules and your proposed site plan. Based on this information as well as previous permits issued on the adjoining property, it is MEC's opinion that your proposed activities can be authorized by a GP 6 to conduct regulated activities within an isolated wetland.

As your project progresses, MEC will be preparing an application to request the GP 6 from NJDEP on your behalf. The wetland boundary line that will be shown on the permit application plan depicting your proposed activities will be the same wetland boundary line that was approved by the LOI for this property in 2007, since MEC has not observed any differences in the wetland boundary line. NJDEP will review the wetland boundary line as part of their review of the GP 6 application. If the NJDEP identifies any discrepancies with the wetland boundary line, the NJDEP will notify MEC. If, after a discussion and evaluation of their findings, it becomes necessary to make minor adjustments to the wetland boundary line, your GP 6 application plan will be modified to reflect changes to the wetland boundary line. It is not a NJDEP requirement to have a valid LOI in order to process a GP 6 application, since the NJDEP will validate the wetland boundary line if the GP 6 is issued. Based on MEC's evaluation, MEC does not see any reason why your proposed activities would not qualify for the GP 6 which authorizes regulated activities in up to one acre of an isolated, freshwater wetland.

This information is based on MEC's more than 25 years of experience in delineating wetlands and assisting clients with obtaining approvals from NJDEP. It should be noted, however, that NJDEP has final authority over all applications.

Please feel free to contact me, if you require any additional explanation or questions.

Sincerely,



Nancy A. Makofka, P.W.S.
Managing Member

2/13/07
HB



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Land Use Regulation Program
P.O. Box 439, Trenton, NJ 08625-0439
Fax # (609) 777-3656
www.state.nj.us/dep/landuse

LISA P. JACKSON
Commissioner

JON S. CORZINE
Governor

Maeve Desmond
Taylor Wiseman & Taylor
1000 Airport Road, Suite 101
Lakewood, NJ 08701

FEB 08 2007

Re: **Letter of Interpretation/Line Verification**

File No.: 1334-06-0004.1
Activity No.: FWW 060001
Applicant: Edken Properties
Block: 227; Lot: 1
Neptune Township, Monmouth County

Dear Ms. Desmond:

This letter is in response to your request for a Letter of Interpretation to verify the jurisdictional boundary of the freshwater wetlands and waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, Land Use Regulation Program is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon a site inspection conducted on August 3, 2006 the Land Use Regulation Program has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled "**PRELIMINARY MAJOR SUBDIVISION PLAN, WETLANDS DELINEATION MAP, BLOCK 227 - LOT 1, TOWNSHIP OF NEPTUNE, MONMOUTH COUNTY, N.J.**", dated March 16, 2006, last revised December 13, 2006, and prepared by R.C. Associates Consulting, Inc. is accurate as shown.

Any activities regulated under the Freshwater Wetlands Protection Act proposed within the wetlands or transition areas or the deposition of any fill material into any water area, will require a permit from this office unless exempted under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 *et seq.*, and implementing rules, N.J.A.C. 7:7A. A copy of this plan, together with the information upon which this boundary determination is based, has been made part of the Program's public records.

Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A-1 et seq.), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above LURP file number and the following note:

"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP."

The Department has determined that the wetlands on the subject property are isolated and of intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-5) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

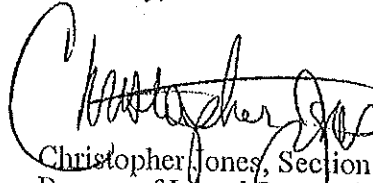
It should be noted that this wetland classification is based upon the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including, but not limited to, information supplied by the applicant. Under NJSA 13:9B-7a(2), if the Department has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Land Use Regulation Program, P.O. Box 439, Trenton, New Jersey 08625.

This letter in no way legalizes any fill that may have been placed, or other regulated activities that may have occurred on-site. Also this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

Please contact Robert Kozachek at (609) 633-6754 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

Sincerely,



Christopher Jones, Section Chief
Bureau of Inland Regulation
Raritan Region

c: Neptune Township Construction Official



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

Land Use Regulation Program
P.O. Box 439, Trenton, NJ 08625-0439
Fax # 609-777-3656
www.State.nj.us/dep/landuse

LISA P. JACKSON
Acting Commissioner

Glenn Donohue
Potomac-Hudson Engineering, Inc.
106 Apple Street, Suite 102
Tinton Falls, NJ 07724

JAN 26 2006

Re: **Letter of Interpretation/Line Verification**

File No. 1334-05-0007.1 FWW 050001
Applicant: Dwek Properties, LLC
Block: 227; Lot: 2
Neptune Township, Monmouth County

Dear Mr. Donohue:

This letter is in response to your request for a Letter of Interpretation to verify the jurisdictional boundary of the freshwater wetlands and waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, Land Use Regulation Program is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon a site inspection conducted on November 17, 2005 the Land Use Regulation Program has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled "SURVEY OF #420 N.J. STATE HIGHWAY 35, NEPTUNE TOWNSHIP, MONMOUTH COUNTY, NJ", dated 9/22/05, last revised 12/20/05, and prepared by Asimuth Land Surveying Co., Inc, is accurate as shown.

Any activities regulated under the Freshwater Wetlands Protection Act proposed within the wetlands or transition areas or the deposition of any fill material into any water area, will require a permit from this office unless exempted under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq., and implementing rules, N.J.A.C. 7:7A. A copy of this plan, together with the information upon which this boundary determination is based, has been made part of the Program's public records.

Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A-1 et seq.), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above LURP file number and the following note:

"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP."

The Department has determined that the wetlands on the subject property are of intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-5) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

It should be noted that this wetland classification is based upon the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including, but not limited to, information supplied by the applicant. Under NJSA 13:9B-7a)(2), if the Department has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Land Use Regulation Program, P.O. Box 439, Trenton, New Jersey 08625.

This letter in no way legalizes any fill that may have been placed, or other regulated activities that may have occurred on-site. Also this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, 401 East State Street, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation

P.O. Box 439, Trenton, NJ 08625-0439

Fax # (609) 777-3656

www.state.nj.us/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

FEB 16 2011

Vivck Maggu
Maggu Properties, LLC
29 Harvey Jones Drive
Jackson, NJ 08527

RE: Authorization for Freshwater Wetlands Letter of Interpretation - Reissuance
File No.: 1334-05-0007.1-FWW100001
Ref. File No.: 1334-05-0007.1-FWW050001 (issued 1/26/06)
Applicant: [Addressee]
Original Applicant: Dwek Properties, LLC
Block: 227; Lot(s): 2, Neptune Township, Monmouth County

Dear Mr. Maggu:

The Division issued an original Freshwater Wetlands Letter of Interpretation (LOI) for the referenced site on January 26, 2006. You have requested that this LOI be extended in accordance with the requirements at N.J.A.C. 7:7A-3.6.

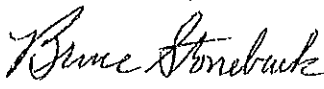
After review of the most recently updated resource value information, the Division hereby extends the original LOI without modification to January 25, 2016, five years from expiration of the original LOI. Please be advised that wetland resource value is subject to change if new information is received by the Division.

Appeal Process

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice shall be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin.

Please contact Ryan J. Anderson at (609) 777-0454 should you have any questions regarding this letter. Be sure to indicate the Division's file number in all communication.

Sincerely,


for Ryan J. Anderson, Supervisor
Bureau of Coastal Regulation

c: Municipal Clerk
Municipal Construction Official
John Zingis, Agent



mailed
5/1/12

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

Division of Land Use Regulation
Mail Code 501-02A

BOB MARTIN
Commissioner

KIM GUADAGNO
Lt. Governor

P.O. Box 420
Trenton, New Jersey 08625-0420
www.state.nj.us/dep/landuse

MAY 01 2012

Ms. Meera Maggu
Maggu Properties, LLC
29 Harvey Jones Drive
Jackson, NJ 08527

RE: Freshwater Wetlands Statewide General Permits No. 6 & 6A, and Water Quality Certification
DLUR File No.: 1334-05-0007.1, FWW110001 & FWW110002
Block: 227 Lot: 2
Township of Neptune, Monmouth County

Dear Ms. Maggu:

The Division of Land Use Regulation has reviewed the referenced applications pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A.

The proposal to expand an existing auto repair facility and parking lot and construct a stormwater basin within freshwater wetlands is authorized by a Statewide General Permit 6, which authorizes regulated activities in freshwater wetlands, if the freshwater wetlands are not part of a surface water tributary system discharging into an inland lake or pond, or a river or stream.

The disturbances to transition areas that are required for this project are authorized by a Statewide General Permit 6A, which authorizes regulated activities in transition areas adjacent to freshwater wetlands, if the freshwater wetlands are not part of a surface water tributary system discharging into an inland lake or pond, or a river or stream.

A review by the U.S. EPA has determined that the wetland in question is not a Water of the U.S. Additionally, the wetland has been determined to not be suitable vernal habitat.

Limit of Authorized Disturbance

Based on the three approved plan sheets entitled, "PRELIMINARY AND FINAL SITE PLANS, MAGGU PROPERTIES, LLC, TAX BLOCK 227, TAX LOT 2, TOWNSHIP OF NEPTUNE, MONMOUTH COUNTY, NEW JERSEY," dated May 17, 2011, last revised on April 24, 2012, and prepared by NELSON ENGINEERING ASSOCIATES, INC.:

- "CONSTRUCTION PLAN, SHEET 2 OF 11,"
- "GRADING AND UTILITIES PLAN, SHEET 3 OF 11," AND
- "ENVIRONMENTAL PERMITTING PLAN, SHEET 11 OF 11."

the authorized areas of disturbance are:

- 11,102 sq. ft. (0.25 acres) of freshwater wetlands via a Statewide General Permit #6, and
- 7,857 sq. ft. (0.18 acres) of transition areas via a Statewide General Permit #6A.

Permit Conditions

In addition to the standard conditions noted at N.J.A.C. 7:7A-5.6 and N.J.A.C. 7:7A-5.6A, the following special conditions must be met for the activities authorized under Statewide General Permits #6 & 6A, respectively. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

1. All excavated material and dredged spoils shall be disposed of in a lawful manner outside of any flood hazard area riparian zone, open water, freshwater wetland and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
2. Construction equipment shall not be stored, staged or driven within any channel, freshwater wetland or transition area, unless expressly approved by this permit and/or described on the approved plans.
3. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.
4. 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.
5. This permit to conduct regulated activities within a wetland includes the Division's approval of a Water Quality Certificate for these activities.
6. This authorization is valid for five (5) years from the date of this letter unless more stringent standards are adopted by rule prior to this date. The permittee shall allow an authorized Division representative the right to inspect the construction site.
7. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
8. This permit is revocable in accordance with the NJDEP regulations and State law.
9. The issuance of this permit shall not be deemed to affect in any way other actions by the Division on any future application.
10. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.
11. No change in plans or specifications shall be made except with the prior written permission of the Division.

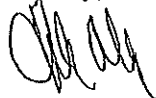
12. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Division or the State a party in any suit or question of ownership of the property.
13. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work on site have been obtained.
14. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
15. Acceptance of this decision and all conditions shall be assumed, unless the permittee requests an adjudicatory hearing to contest the permit and/or permit conditions, in accordance with the requirements of the Freshwater Protection Act rules at N.J.A.C. 7:7A-1.7.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, 401 East State Street, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist. If a person submits the hearing request after this time, the Department shall deny the request. The DEP bulletin is available through the Department's website at www.state.nj.us/dep.

Please contact Becky Mazzei of our staff at 609-984-6216, or by email at Becky.Mazzei@dep.state.nj.us, should you have any questions regarding this letter. Be sure to indicate the Division's file number in all communication.

Sincerely,

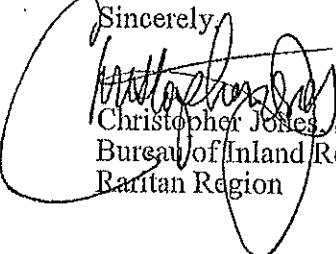


Charlie Welch, Supervisor
Bureau of Urban Growth & Redevelopment

cc. Township of Neptune Construction Official
Agent

Please contact Robert Kozachek at (609) 633-6754 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

Sincerely,



Christopher Jones, Section Chief
Bureau of Inland Regulation
Raritan Region

c: Neptune Township Clerk
Neptune Township Construction Official