
ENVIRONMENTAL IMPACT STATEMENT

for

**3501 State Route 66 Redevelopment
Block 3903, Lots 12 and 13
Neptune Township, Monmouth County, New Jersey**

Prepared For:

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Prepared By:

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NJ Certificate of Authorization No: 24GA27996400**



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The original of this report was appropriately signed and sealed in accordance with laws and regulations pertaining to the practice of Professional Planning in New Jersey (N.J.S.A. 45:14A and N.J.A.C. 13:41-1.3(b)).

**15 September 2023
100775002**

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1.0 INTRODUCTION

Langan has prepared this Environmental Impact Statement (EIS) on behalf of 3501 Rt 66 LLC (“applicant”) for its preliminary and major site plan application to develop a warehouse and retail (the “project”) in Neptune Township, Monmouth County, New Jersey (Figure 1 – USGS Site Location Map). The EIS outlines the environmental site conditions and evaluates the potential environmental impacts of the project.

1.1 Project Site Description

The project site is at the northwest corner of New Jersey State Highway Route 66 and Green Grove Road (Figure 2 – Vicinity Map). Tax records identify the project site as Lots 12 and 13 of Block 3903 (Figure 3 – Tax Map and Appendix A – Tax Record). A 100-foot-wide Jersey Central Power & Light Co. (JCP&L) utility right-of-way (ROW) traverses the northeast section of the project site from the northern side lot line to Green Grove Road between Smith Lane and Princeton Avenue. The project site is 47.378 acres (Partial Topographic & Utility Survey, Drawing No. VT107, bound separately), comprised of two lots:

- Existing Lot 12: 11.638 acres
- Existing Lot 13: 35.740 acres

Project site access is via two full-access, stop-sign controlled driveways on Route 66 and two full-access, stop-sign controlled driveways on Green Grove Road.

Existing development consists of the vacant Continental Data Building, a three-story, 114,000 square foot masonry office building with accessory parking lots (Figure 4 – Aerial Photograph Map). The Continental Data Building was built in 1971 and was last used by the Federal Emergency Management Agency (FEMA), which left the site in 2014. The project site is in disrepair. Property damage includes, but is not limited to, multiple broken windows and unrestricted access to structures. The area in need of redevelopment study completed by the township found that the project site has been allowed to fall into such a state of disrepair as to be untenable.

The project site is in the Route 66 Redevelopment Area. Based on the findings of a redevelopment investigation report of the project site, the Neptune Township Planning Board held a public hearing on the investigation report and recommended the Township Committee designate the project site as an “area in need of redevelopment.” The Township Committee declared an area in need of redevelopment on March 22, 2021, and adopted Resolution No. 2021-05.

1.2 Proposed Project

The project would demolish the office building, parking lots, and access driveways. Three tax lots would result from the proposed minor subdivision, as noted on Table 1.

Table 1: Proposed Subdivision

Proposed Block/Lot	Proposed Use	Acreage
3903 / 12.01	Warehouse	37.591
3903 / 13.01	Retail building	7.971
3903 / 13.02	Municipal recreation facility	1.845
TOTAL PROJECT SITE LOT AREA		47.378

Source: Master Minor Subdivision Plan, Drawing Nos. CB100-CB104 (bound separately).

The project includes the following improvements:

- Proposed Lot 12.01: 251,022 square foot warehouse, including 237,022 square feet of warehouse floor area and 14,000 square feet of office floor area, 144 car parking spaces, 32 loading docks, and 25 trailer parking spaces.
- Proposed Lot 13.01: 15,000 square foot retail building, 100 parking spaces.
- Proposed Lot 13.02: dedicated to Neptune Township for recreation facility.

Other improvements include access roads, stormwater management facilities, landscaping, and lighting.

2.0 ENVIRONMENTAL CONDITIONS AND IMPACTS

2.1 Wetlands and Surface Waters

Existing Conditions

Wetlands are in the western section of the project site (Figure 5 – NJDEP Freshwater Wetlands Map). The project site is in the Jumping Brook (Ocean Co) HUC-14 watershed (Figure 6 – NJDEP HUC-14 Watershed Map). Jumping Brook traverses the southwest corner of the project site and along its western lot line (Figure 7 – NJDEP Surface Waters Map). According to its Surface Water Quality Standards, the New Jersey Department of Environmental Protection (NJDEP) classifies Jumping Brook as a freshwater non-trout water (FW2-NT/SE1).

Impacts

A Letter of Interpretation (LOI) Line Verification, File No. 1334-09-0002.1 FWW200001 was issued by NJDEP on May 24, 2021, classifying onsite wetlands as intermediate resource value with a 50-foot transition area (Appendix B – NJDEP Approved Permits).

No project related activities are proposed in the freshwater wetlands or buffer areas, and the project has received an NJDEP permit for the proposed limited impacts to regulated areas. No category one or trout maintenance/trout production waters are in the same HUC-14 watersheds as the project site. No onsite work will occur in or along Jumping Brook, or within 25 feet of any top of bank.

The project is considered a “major development” since it disturbs more than one acre of land. The project will comply with water quality standards set forth in the NJDEP Stormwater Management Rules (N.J.A.C. 7:8, Subchapter 5) and related Best Management Practices (BMP) which support the water quality design (Appendix C - Stormwater Management Report, bound separately). The project would not have an adverse impact on hydrology.

2.2 Flood Hazard Area

Existing Conditions

The western section of the project site is in Zone AE, a 100-year flood associated with Jumping Brook, at elevation (EL) 71.4 NAVD 1988 (Figure 8 – FEMA Effective FIRM Map). The onsite flood hazard elevation was determined using Method 3 (FEMA Fluvial), pursuant to N.J.A.C. 7:13-3.4, to be EL 71.4 plus one foot for EL 72.4 NAVD 1988.

Impacts

Based on the Route 66 elevation and assumed grading based on the future Route 66 widening, the western driveway on Route 66 will be more than one foot below the flood hazard area elevation. On September 1, 2023, NJDEP approved an FHA Individual Permit and Verification for the project site (Appendix B – NJDEP Approved Permits). No project related activities are proposed to impact the mapped habitat, the freshwater wetlands, or the wetland buffer outside of what is permitted by the Freshwater Wetland Protection Act Rules. Based on the permit conditions, the project would not have an adverse impact on flood hazard areas.

2.3 Drainage

Existing Conditions

The project site topography slopes from northeast to southwest toward Jumping Brook, with approximately 50 feet of grade change occurring across the project site. Slopes on the project site vary from two percent grade to approximately 50 percent grade along steeper embankments. Existing conveyance networks bring much of the existing stormwater runoff generated from the subject site toward Jumping Brook. Stormwater runoff generated from the southeastern section of the project site is conveyed southward across Route 66 to Betty Brook, a Jumping Brook tributary (Appendix C – Stormwater Management Report, bound separately).

Impacts

The stormwater management systems have been designed so the post-construction peak runoff rates either meet the required peak rate reductions, or do not exceed at any point in time the pre-construction peak runoff rates, for the 2-, 10-, and 100-year design storm events, depending on the design criteria governing each point of analysis. The proposed small-scale bioretention basins and small-scale infiltration basin have been designed according to the BMP Manual to achieve the required Total Suspended Solids (TSS) removal rate for the project, while providing quantity control for the 2-, 10-, and 100-year design storm events.

The large-scale infiltration basin has been designed to also provide quantity control for the respective storm events. The small-scale infiltration basins have been designed to satisfy the annual groundwater recharge requirements. The proposed stormwater conveyance systems have been designed to safely and effectively convey the runoff generated from the 25-year design storm event.

The engineering design of the stormwater management systems has been performed in accordance with the Township of Neptune Stormwater Management Ordinance, New Jersey Department of Transportation (NJDOT) Roadway Design Manual, and the NJDEP stormwater rules (N.J.A.C. 7:8). NJDOT and NJDEP have issued permits after their review of the project design, including compliance with stormwater management criteria. The project would not have an adverse impact on drainage.

2.4 Geology and Soils

Existing Conditions

United States Geological Survey (USGS) data identifies the project site bedrock geology as Lower Member Kirkwood Formation (Tki), which consists of quartz sand and clay (Figure 9 – NJDEP Bedrock Geology). USGS data identifies the following surficial geology types at the project site (Figure 10 – NJDEP Surficial Geology):

- Weathered Coastal Plain Formations: exposed sand and clay of Coastal Plain bedrock formations; includes thin, patchy alluvium and colluvium, and pebbles left from the erosion of surficial deposits.
- Upland Gravel, Lower Phase: sand, clayey sand, pebble gravel, and minor silt; yellow to reddish yellow and can be up to 20 feet thick.
- Upper Stream Terrace Deposits: sand and pebble gravel, minor silt and cobble gravel, yellow, yellowish brown, reddish yellow; up to 20 feet thick.
- Lower Stream Terrace Deposits: sand, pebble gravel, minor silt and cobble gravel, reddish brown, yellowish brown, reddish yellow; up to 30 feet thick.

- Alluvium: sand, gravel, silt, minor clay, and peat; reddish brown, yellowish brown, brown, gray; up to 20 feet thick; contains variable amounts of organic matter.

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey, the underlying soils in the project area consist primarily of Atsion sand, Downer-urban land complex, and Evesboro-urban land complex, with smaller areas of other soil types. Soils are assumed to have a hydrologic soil group classification of "A" or "D," depending on the presence of wetlands, an indicator of a high groundwater table (Figure 11 – NRCS Soils Map).

Impacts

No long-term changes are expected to geology due to the project. Soil erosion and sediment control (SESC) measures have been designed and located at the project site to minimize the sediment carried by stormwater runoff, both during and after project construction. The SESC design was completed according to the New Jersey Standards for Soil Erosion and Sediment Control. The project will secure the required Soil Erosion and Sediment Control certification prior to conducting earth moving activities. The project would not have an adverse impact on geology and soils.

2.5 Vegetation

Existing Conditions

Outside of the vacant office building and parking areas, the remainder of the project site consists of forested areas and wetlands.

Impacts

The project improvements will be in the same general area as the vacant office building and parking areas. Added landscape features include trees on parking lot islands, retention basin plantings, and landscaping along the Green Grove Road frontage. The project complies with the Neptune Township requirements for landscaping, buffering, screening, sight triangles, and street trees.

The landscape plan includes large quantities of proposed shade trees, ornamental trees, evergreen trees, evergreen shrubs, deciduous shrubs, perennials, and ornamental grasses (Master Landscape Plan, Drawing No. LP100, bound separately).

The project would not have an adverse impact on vegetation. Substantial landscape enhancements are proposed, including a recreation area at the southeast corner of the project site. The forested area and wetlands at the western section of the project site will remain largely untouched.

2.6 Wildlife Habitat

Existing Conditions

According to the NJDEP Natural Heritage Program's (NHP) Landscape Project data, potential foraging habitat for Black-crowned Night-heron is mapped in the western section of the project site along the Jumping Brook riparian corridor (Figure 12 – NJDEP Threatened and Endangered Species Map). An August 24, 2022, letter from NJDEP NHP confirms the habitat mapping (Appendix D – Threatened and Endangered Species Correspondence).

Impacts

The LOI issued May 24, 2021, by NJDEP classifies all wetlands onsite as intermediate resource value with a 50-foot transition area. No project related activities are proposed to impact the mapped habitat, the freshwater wetlands, or the wetland buffer outside of what is permitted by the Freshwater Wetland Protection Act Rules. The NJDEP FWW and FHA permits have been issued (Appendix B – NJDEP Approved Permits). Due to the existing developed nature of the project site and improvement area, the project would not have an adverse impact on wildlife habitat.

2.7 Noise

Existing Conditions

Existing noise at and around the project site is primarily background traffic noise as the site is inactive.

Impacts

Construction would temporarily increase noise levels. Construction hours would comply with municipal requirements. The loading docks are on the western side of the warehouse, facing away from the residential lots east of Green Grove Road, with the western driveway on Route 66 as the primary access for the warehouse. Site geometry and distance will sufficiently attenuate on-site HVAC and vehicle noise to comply with local and State requirements. The project would not result in an adverse impact due to noise.

2.8 Historic Resources

Existing Conditions

The southwest corner of the project site, where no improvements are proposed, is in Historic Archaeological Site Grid EX157 (Figure 13 – NJDEP Historic Resources). No historic properties or districts are on or adjacent to the project site.

Impacts

There are no historic resources and districts on or adjacent to the project site. The project would not have an adverse impact on historic resources.

2.9 Air Quality

Existing Conditions

The project site is vacant and inactive, having no impact on air quality.

Impacts

Construction vehicles and machinery are anticipated to cause temporary air quality impacts. The project will implement a soil erosion and sediment control plan (Overall Soil Erosion and Sediment Control Plan, Drawing No. CE100, bound separately) to control dust levels. At project completion, air quality would be similar to existing conditions. Emissions for equipment associated with proposed buildings will be subject to and will comply with state and federal regulations. The project would not have an adverse impact on air quality.

3.0 LICENSES, PERMITS OR OTHER APPROVALS REQUIRED

Table 2 lists the following permits and approvals required for the project and their status:

Table 2: Licenses, Permits, and Approvals Required

Jurisdiction / Agency	Approval Type
Neptune Township Planning Board	Major site plan (pending) Minor subdivision (pending)
Freehold Soil Conservation District	Soil erosion and sediment control plan certification (pending)
Monmouth County Planning Board	Site plan (pending)
New Jersey Department of Environmental Protection (NJDEP)	Letter of Interpretation (approved) Flood Hazard Area Interpretation and Individual Permit (approved)
New Jersey Department of Transportation (NJDOT)	Major access permit (approved)

4.0 ADVERSE IMPACTS WHICH CANNOT BE AVOIDED

The project will result in short-term and long-term commitment of environmental resources. In the short term, project construction would require the commitment of building materials such as sand, aggregate, concrete, wood, asphalt, and other building materials typically used in the construction of nonresidential development. Energy resources expended include gasoline and diesel fuel for the operation of construction equipment. The amounts of water and energy used in operation of the project would be small in relation to regional consumption.

5.0 STEPS TO MINIMIZE ADVERSE IMPACTS

During construction, best management practices (BMPs) will be implemented to provide a clean and orderly work environment, which will be maintained throughout the construction period. A soil and sediment control plan (Soil & Sediment Control Plan, Drawing No. CE100, bound separately) will be implemented to mitigate the effects of construction on water quality. This plan will minimize the movement of sediments off-site during construction reducing the potential impact these sediments may otherwise have on the surrounding environment. As outlined in this EIS, any potential impacts will be minimal and are addressed.

6.0 REFERENCE LIST

Continental Data Area In Need of Redevelopment Investigation Report, prepared by Leon S. Avakian Inc. Consulting Engineers, for the Township of Neptune, Monmouth County, New Jersey, dated November 2020.

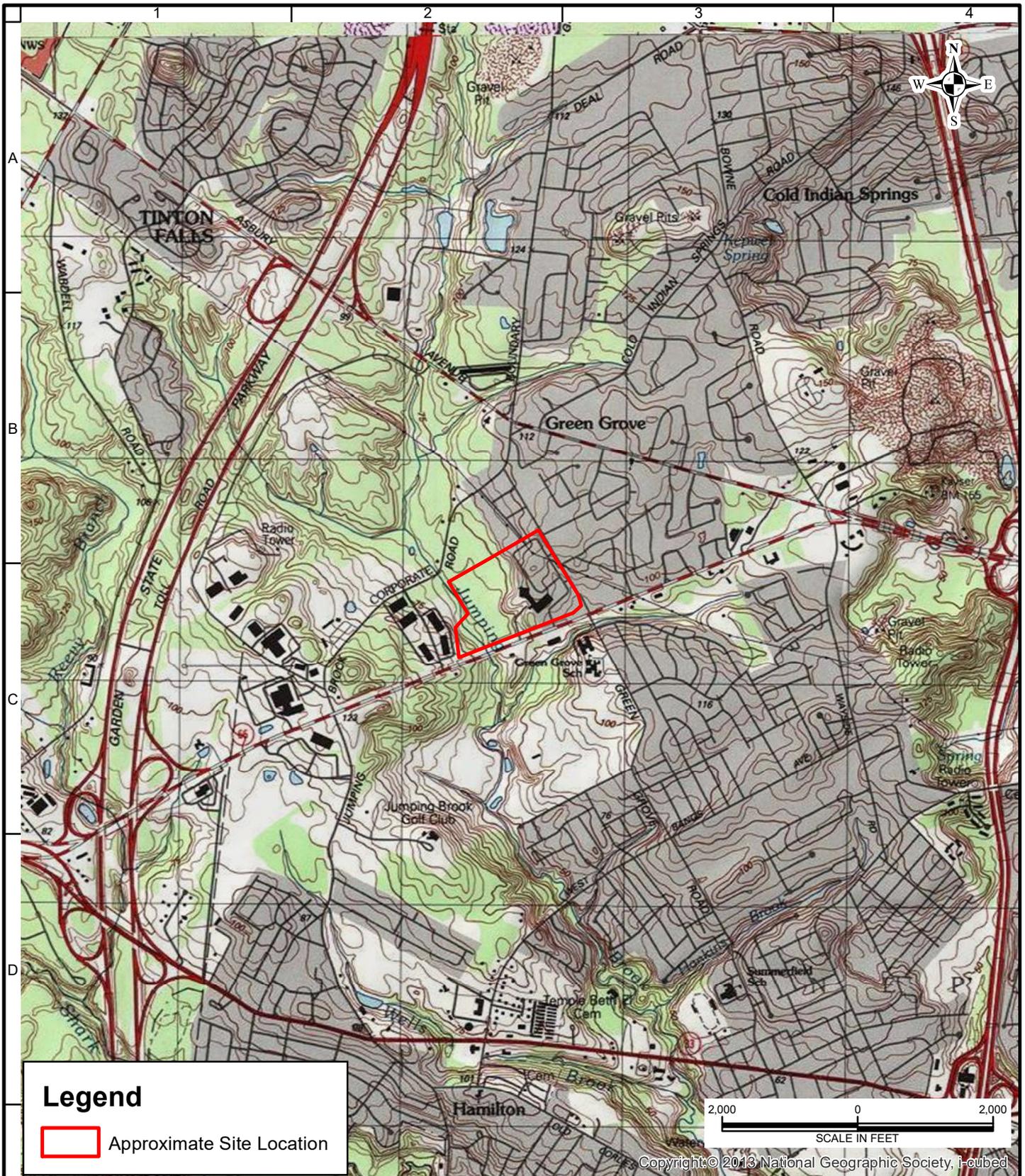
Redevelopment Plan, Block 3903, Lot 12, Township of Neptune, Monmouth County, New Jersey, prepared by Leon S. Avakian Inc. Consulting Engineers, adopted by the Neptune Township Committee March 22, 2021.

1989 Soil Survey: Monmouth County, New Jersey. United States Department of Agriculture, Soil Conservation Service, in cooperation with New Jersey Agricultural Experiment Station, Cook College, Rutgers, The State University, and the New Jersey Department of Agriculture State Soil Conservation Committee.

2021 Natural Heritage Database and Landscape Project (Version 3.3) Report, NJDEP, Office of Natural Lands Management.

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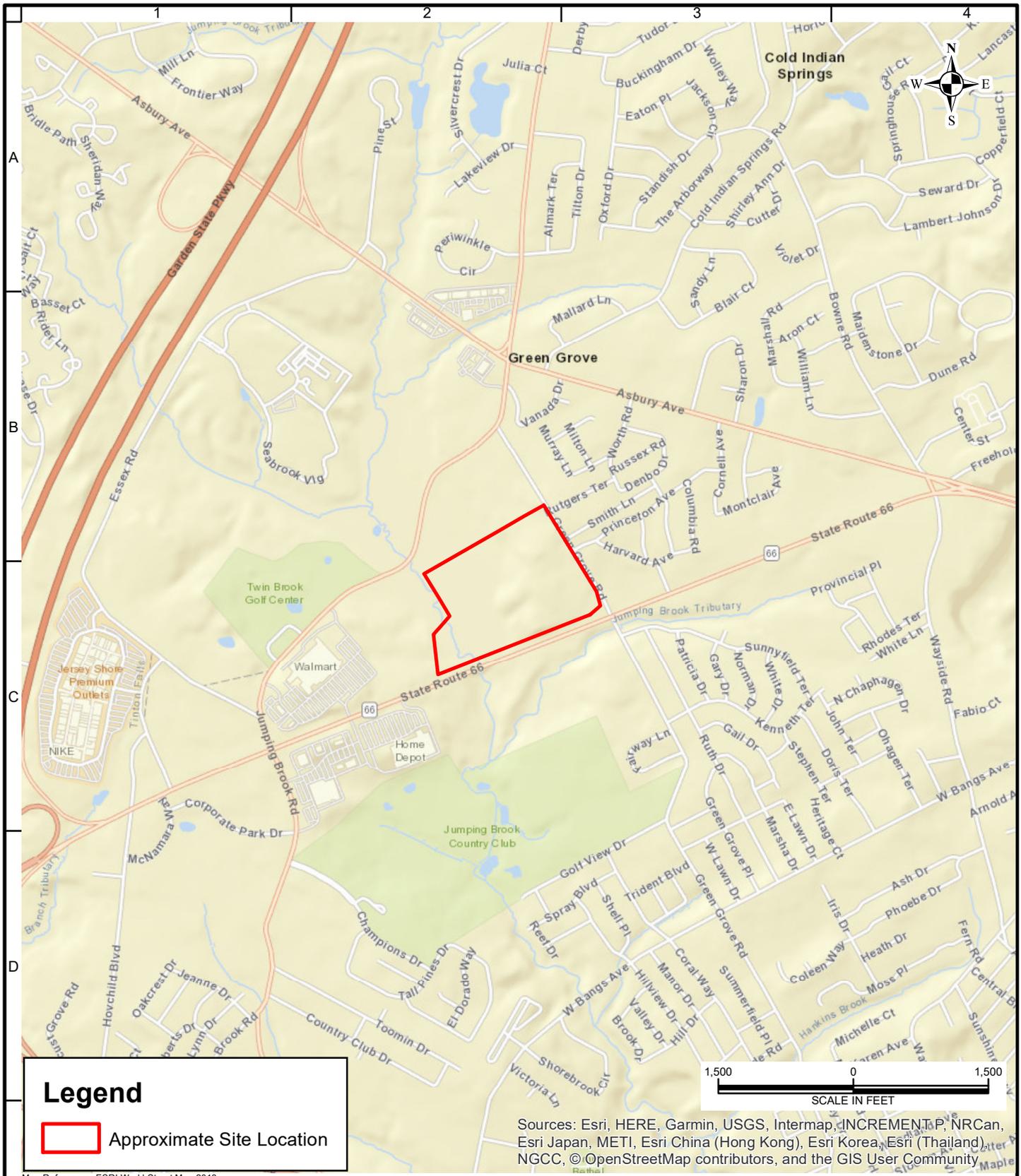
FIGURES



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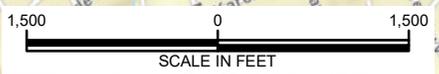
Map References: ESRI USA Topo Basemap 2018

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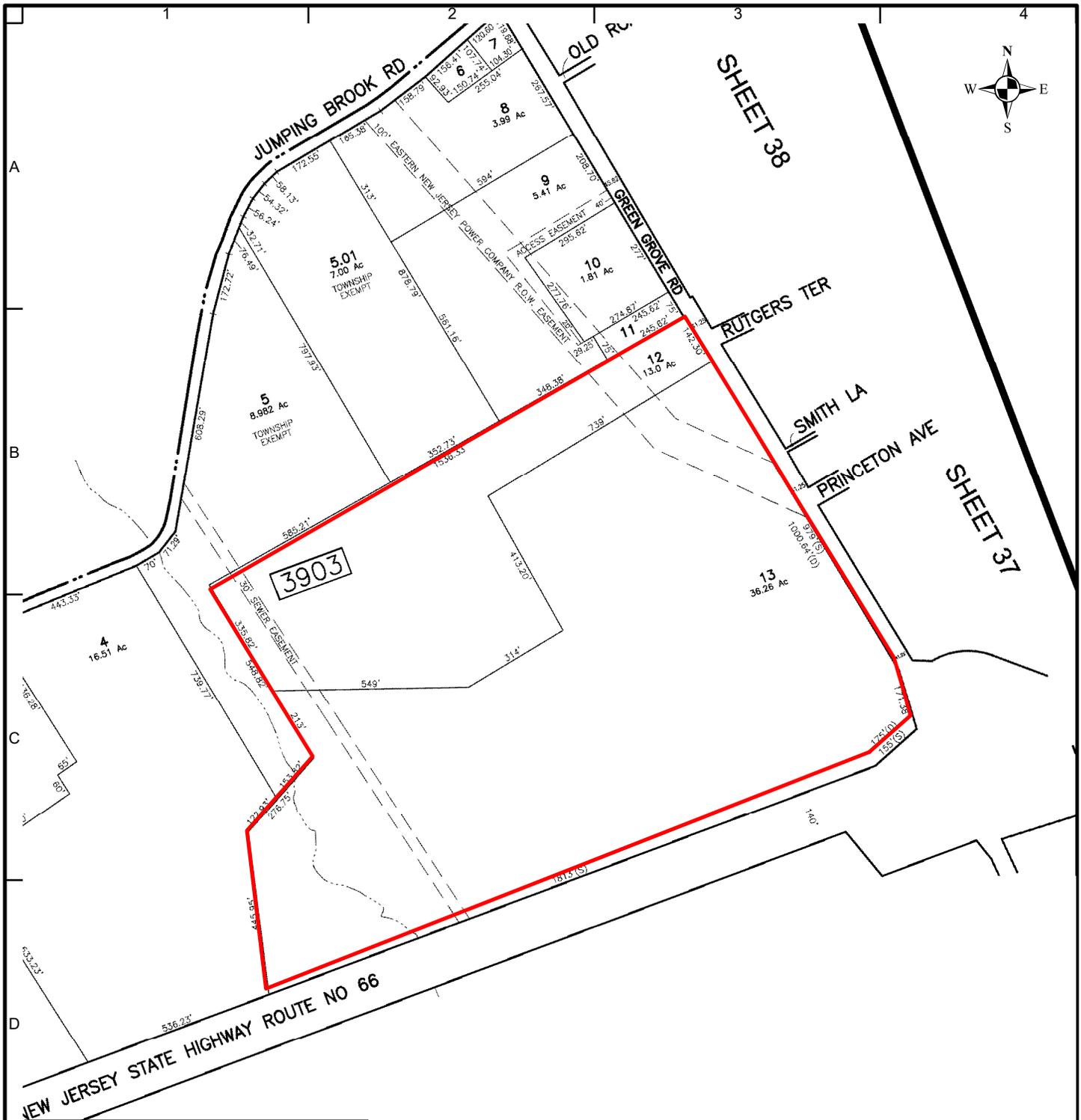
Approximate Site Location



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

Map References: ESRI World Street Map 2018

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Legend

Approximate Site Location



Map References: Tax Map Township of Neptune, Robert R. Heggan, December 2013, revised 11/2014

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Legend

Approximate Site Location



Map References: NJDEP Aerial Imagery 2015

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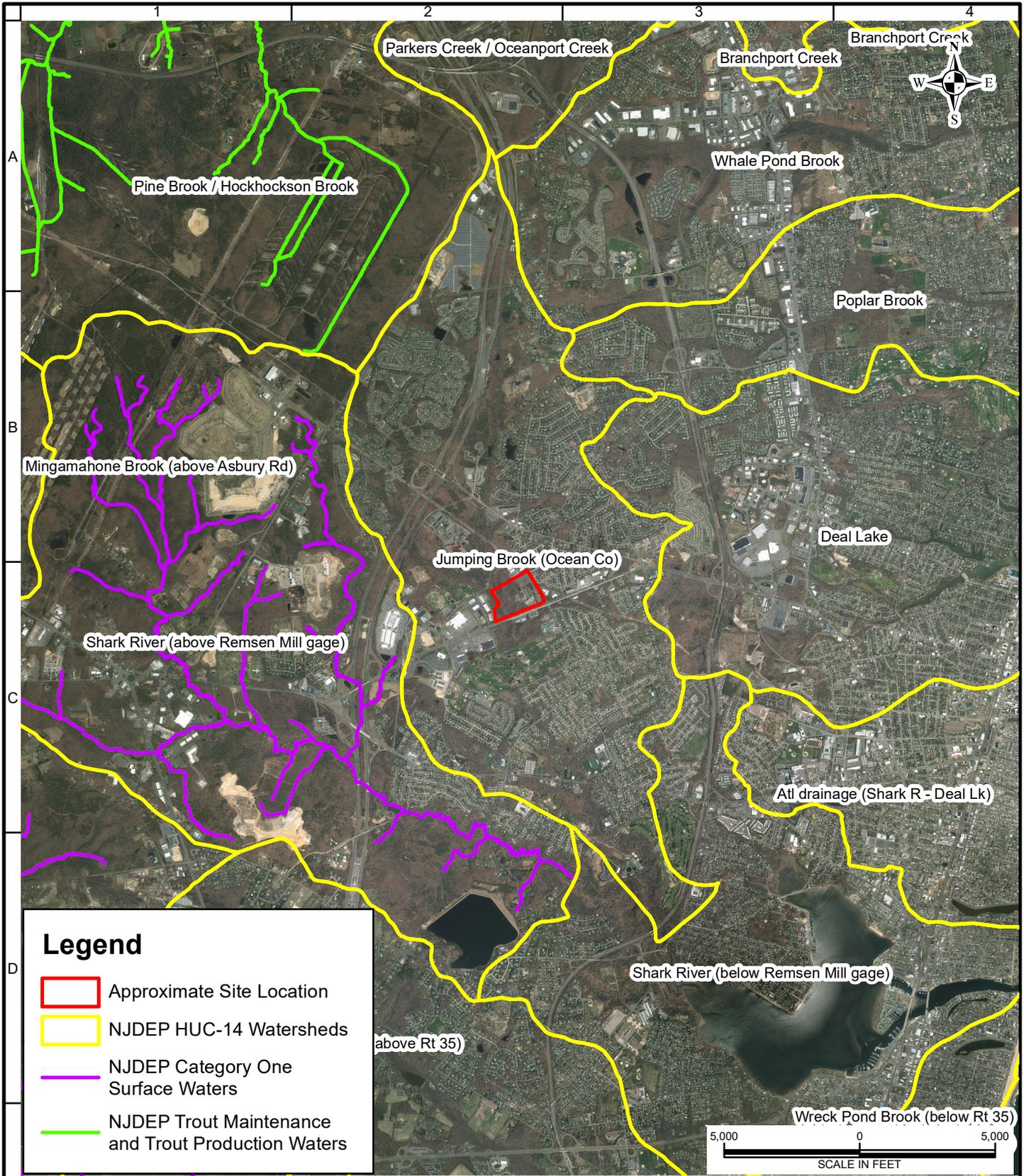


Legend

- Approximate Site Location
- NJDEP Freshwater Wetlands

Map References: NJDEP Land Use/Land Cover, Mullica Toms Subbasin GIS Data 2012; NJDEP Aerial Imagery 2015

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- Approximate Site Location
- NJDEP HUC-14 Watersheds
- NJDEP Category One Surface Waters
- NJDEP Trout Maintenance and Trout Production Waters

Map References: NJDEP Watershed GIS Data 2019; NJDEP Surface Water Quality Standards Data 2020; NJDEP Aerial Imagery 2015

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Map References: NJDEP Surface Water Quality Standards GIS Data 2011; NJDEP Aerial Imagery 2015

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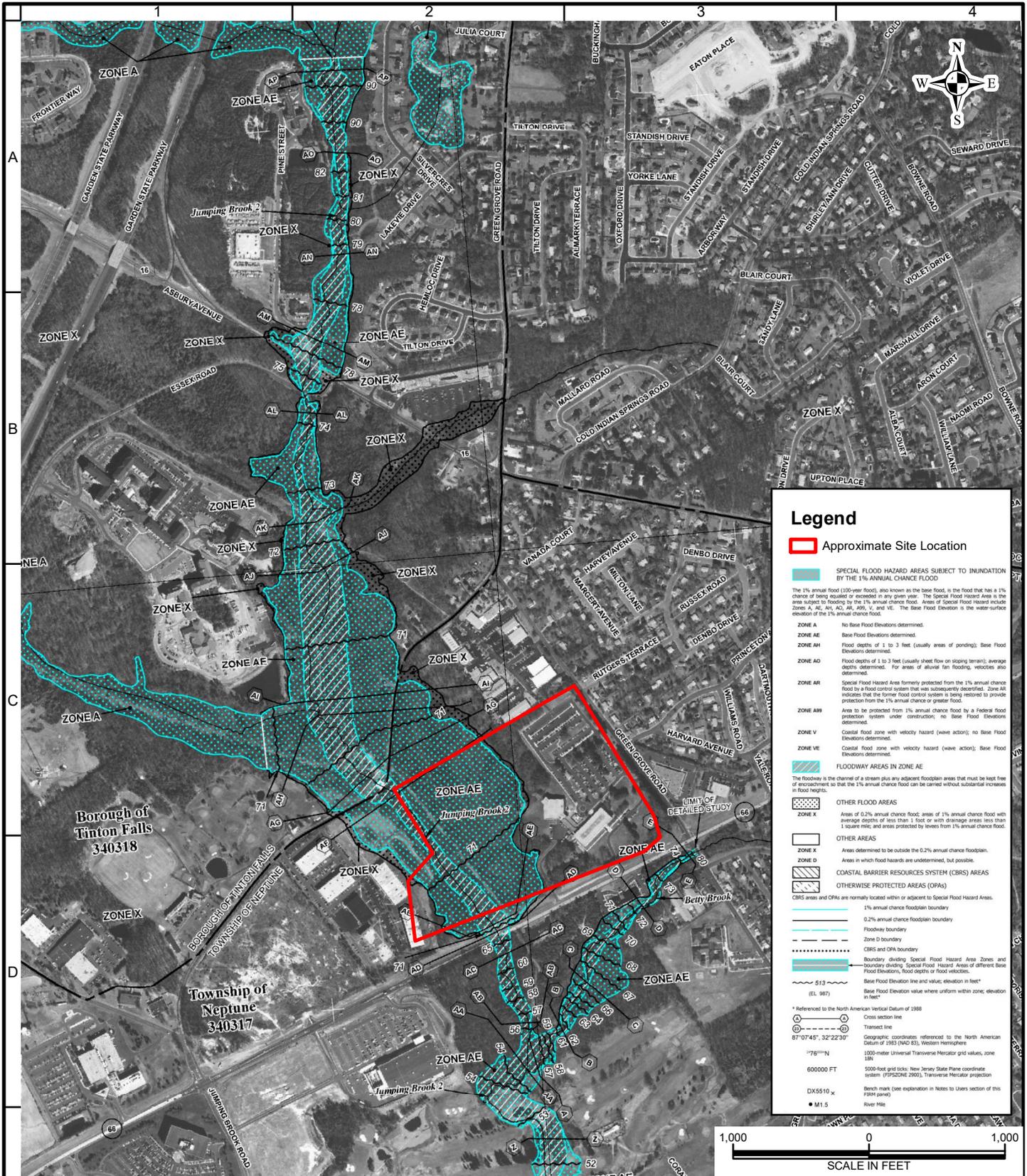
NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project
3501 ROUTE 66
 BLOCK No. 3903, LOT Nos. 12 & 13
 NEPTUNE
 MONMOUTH COUNTY NEW JERSEY

Drawing Title
**NJDEP SURFACE
 WATERS MAP**

Project No.
 100775001
 Date
 12/11/2018
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Figure
7



Legend

- Approximate Site Location
- SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, AP, V, and VE. The Base Flood Elevation is the water surface elevation of the 1% annual chance flood.

- ZONE A**
No Base Flood Elevations determined.
- ZONE AE**
Base Flood Elevations determined.
- ZONE AH**
Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); Base Flood Elevations determined.
- ZONE AO**
Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR**
Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently destroyed. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE AP**
Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V**
Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE**
Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

- FLOODWAY AREAS IN ZONE AE

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

- OTHER FLOOD AREAS

- ZONE X**
Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from the 1% annual chance flood.

- OTHER AREAS**
- ZONE D**
Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE E**
Areas in which flood hazards are undetermined, but possible.

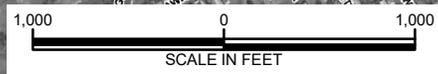
- COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS
- OTHERWISE PROTECTED AREAS (OPAs)

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary
- Zone D boundary
- Zone E boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths or flood velocities.
- Base Flood Elevation line and value; elevation in feet*
- Base Flood Elevation value where uniform within zone; elevation in feet*

* Referenced to the North American Vertical Datum of 1988

- Cross section line
- Transect line
- Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere
- 1000-foot Universal Transverse Mercator grid values, zone 18N
- 5000-foot grid ticks: New Jersey State Plane coordinate system (FPZONE 2900), Transverse Mercator projection
- Bench mark (see explanation in Notes to Users section of this FIRM panel)
- M 1.5
River Mile



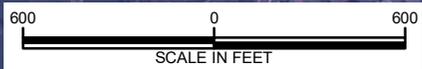
Map References: FEMA Effective Flood Insurance Rate Map (FIRM) Monmouth County, NJ - Panel No. 34025C0327F, Effective date: 09/26/2009

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		<p>Figure</p> <p>8</p>	



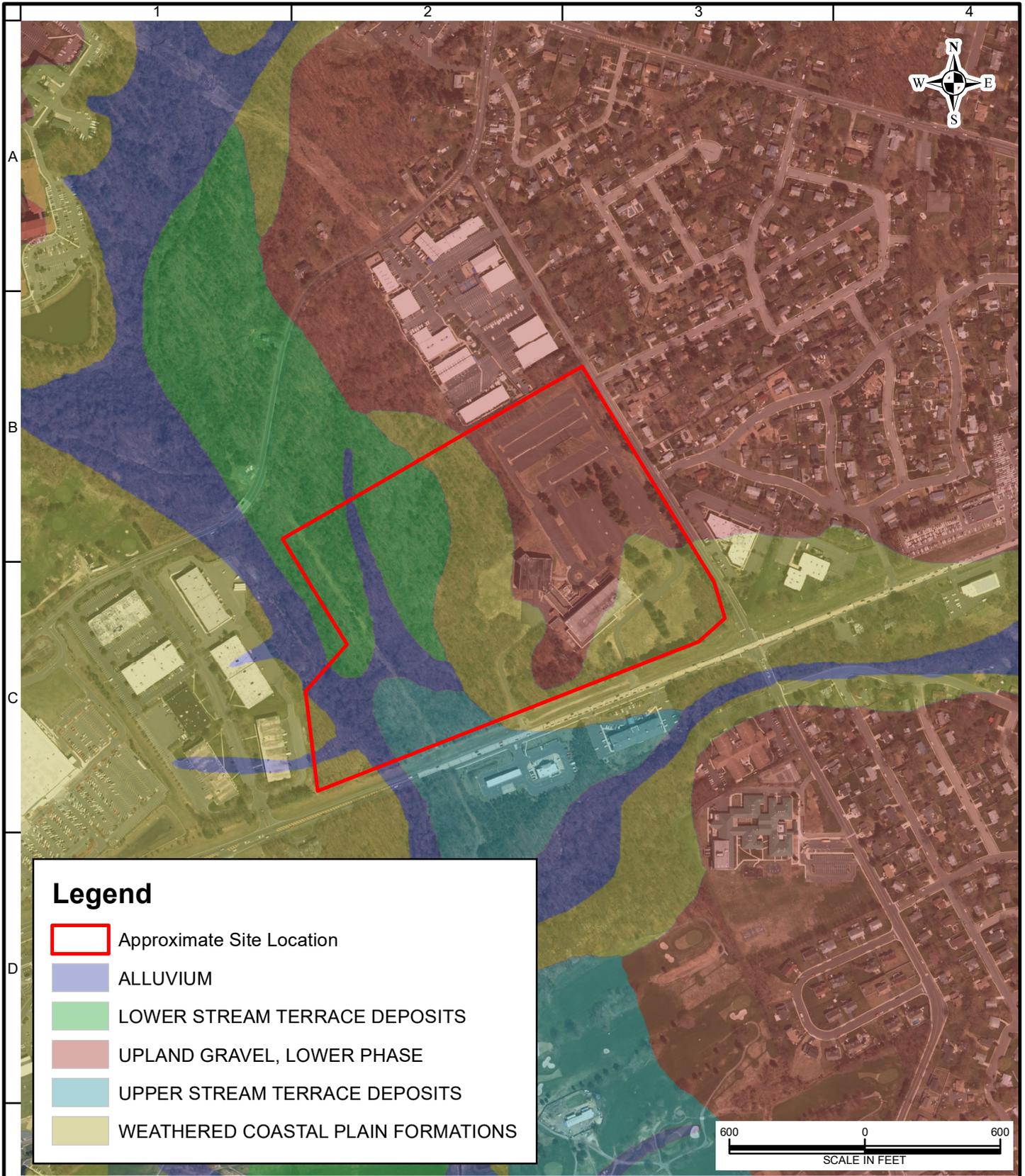
Legend

- Approximate Site Location
- Lower Member Kirkwood Formation



Map References: NJDEP Bedrock Geology; NJDEP Aerial Imagery 2015

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Project No. 100775001	Figure								
Date 09/12/2023	9								
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Drawn By RAF									

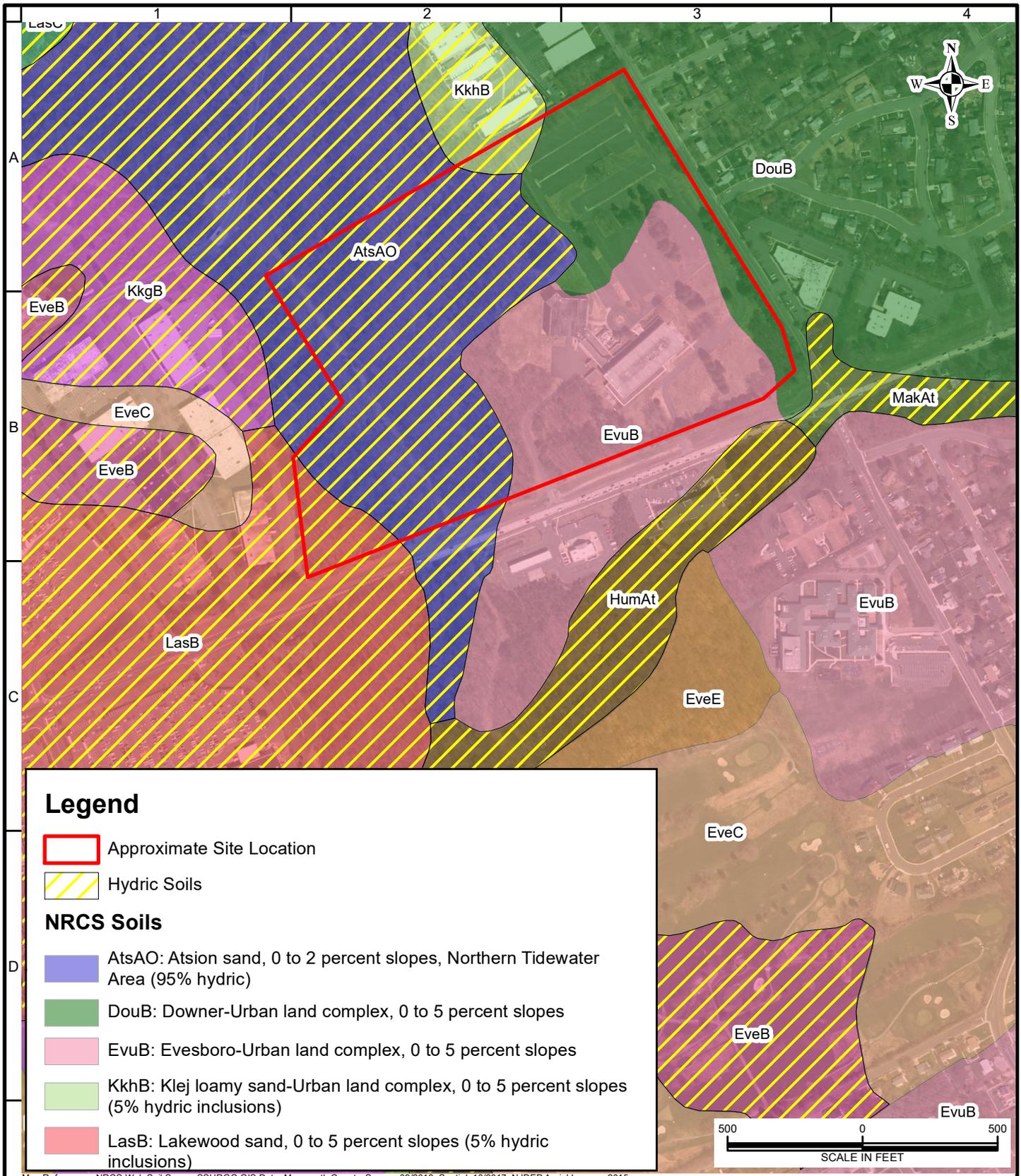


Legend

- Approximate Site Location
- ALLUVIUM
- LOWER STREAM TERRACE DEPOSITS
- UPLAND GRAVEL, LOWER PHASE
- UPPER STREAM TERRACE DEPOSITS
- WEATHERED COASTAL PLAIN FORMATIONS

Map References: NJDEP Surficial Geology; NJDEP Aerial Imagery 2015

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LANGAN
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 Parsippany, NJ 07054
 T: 973.560.4900 F: 973.560.4901 www.langan.com

Langan Engineering & Environmental Services, Inc.
 Langan Engineering, Environmental, Surveying and
 Landscape Architecture, D.P.C.
 Langan International LLC
 Collectively known as Langan

NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400

Project
3501 ROUTE 66
 BLOCK No. 3903, LOT Nos. 12 & 13
 NEPTUNE
 MONMOUTH COUNTY NEW JERSEY

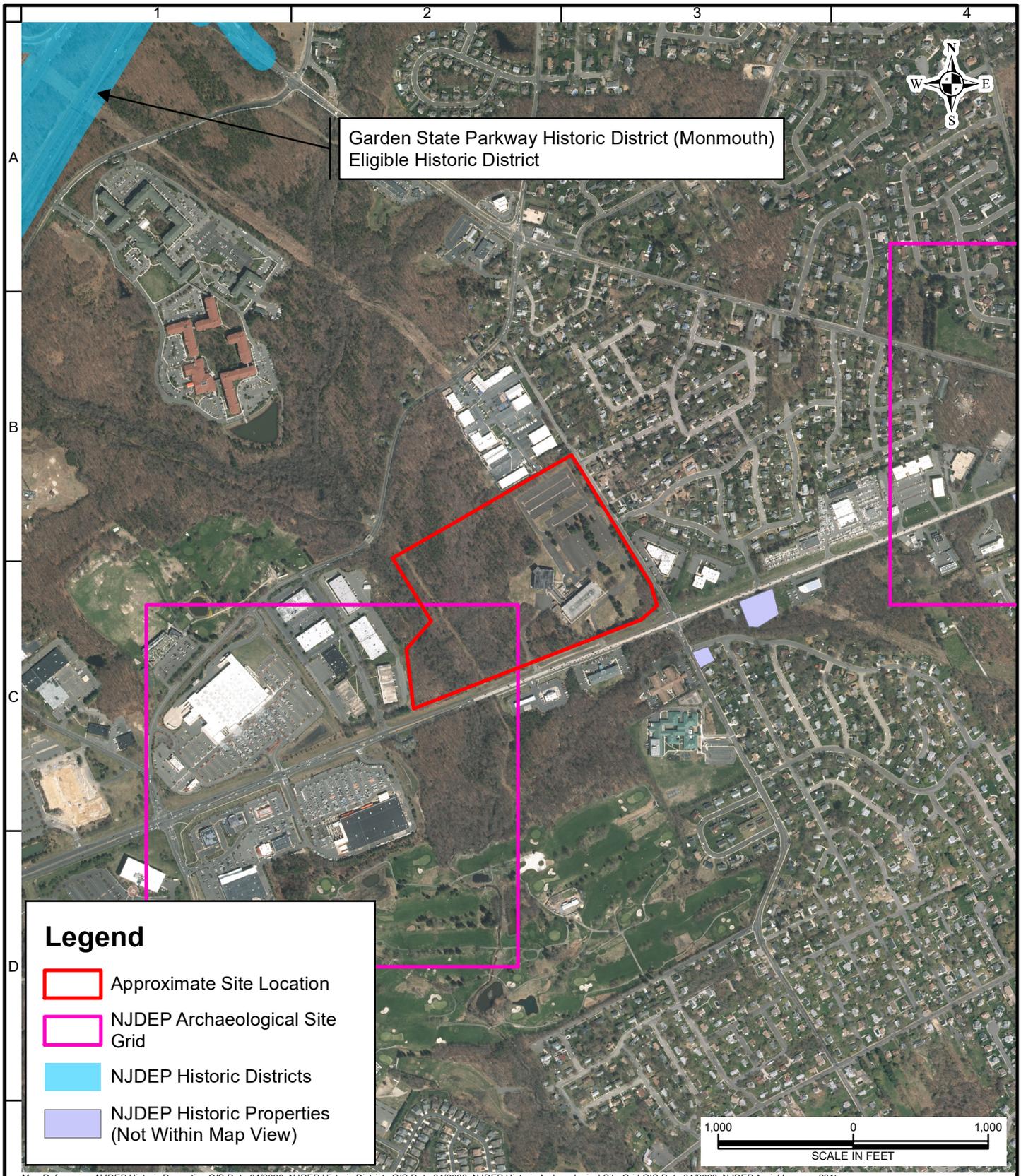
Drawing Title
**NRCS SOILS
 MAP**

Project No. 100775001	Figure 11
Date 10/20/2020	
Scale 1" = 500'	
Drawn By MWen	



Map References: NJDEP Landscape Habitat Project, Piedmont Plains Version 3.3 GIS Data 2017; NJDEP Natural Heritage Grid Map 2009; NJDEP Aerial Imagery 2015

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	<p>© 2016 Langan</p>			



Garden State Parkway Historic District (Monmouth)
Eligible Historic District

Legend

- Approximate Site Location
- NJDEP Archaeological Site Grid
- NJDEP Historic Districts
- NJDEP Historic Properties (Not Within Map View)

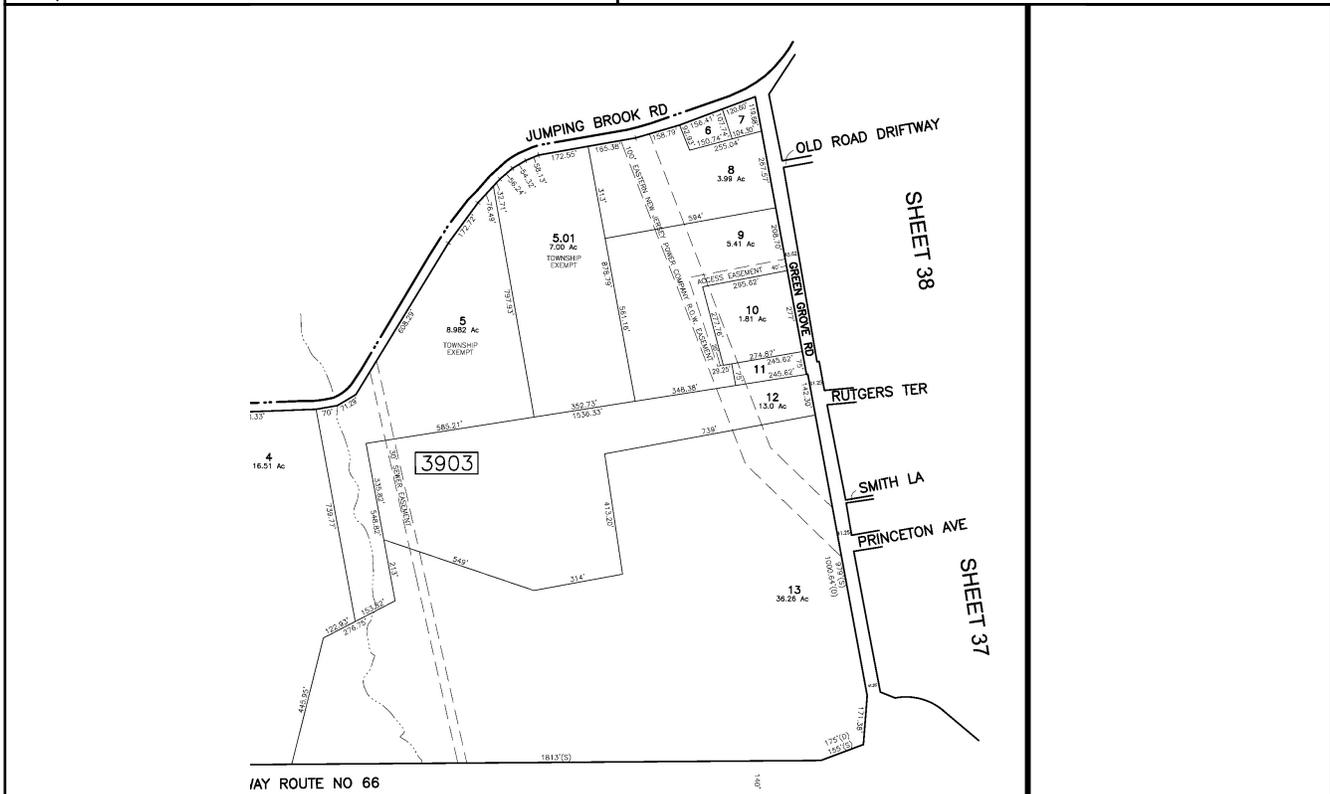


Map References: NJDEP Historic Properties GIS Data 04/2020; NJDEP Historic Districts GIS Data 04/2020; NJDEP Historic Archaeological Site Grid GIS Data 04/2020; NJDEP Aerial Imagery 2015

<p>LANGAN</p> <p>300 Kimball Drive Parsippany, NJ 07054 T: 973.560.4900 F: 973.560.4901 www.langan.com</p> <p>Langan Engineering & Environmental Services, Inc. Langan Engineering, Environmental, Surveying and Landscape Architecture, D.P.C. Langan International LLC Collectively known as Langan</p> <p>NJ CERTIFICATE OF AUTHORIZATION No. 24GA27996400</p>	<p>Project</p> <p style="font-size: 1.2em; text-align: center;">3501 ROUTE 66</p> <p style="text-align: center;">BLOCK No. 3903, LOT Nos. 12 & 13 NEPTUNE MONMOUTH COUNTY NEW JERSEY</p>	<p>Drawing Title</p> <p style="font-size: 1.5em; text-align: center;">NJDEP HISTORIC RESOURCES MAP</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Project No.</td> <td style="width: 50%;">Figure</td> </tr> <tr> <td>100775001</td> <td rowspan="3" style="text-align: center; font-size: 1.5em;">13</td> </tr> <tr> <td>Date</td> </tr> <tr> <td>10/20/2020</td> </tr> <tr> <td>Scale</td> <td></td> </tr> <tr> <td>1" = 1,000'</td> <td></td> </tr> <tr> <td>Drawn By</td> <td></td> </tr> <tr> <td>MAD</td> <td></td> </tr> </table>	Project No.	Figure	100775001	13	Date	10/20/2020	Scale		1" = 1,000'		Drawn By		MAD	
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MAD																	
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APPENDIX A
TAX RECORD

Property Location			
3501 ROUTE 66, Neptune 07753-2641 1335 (Neptune Township), Block: 3903, Lot: 12 (Old Block: 10017, Old Lot: 6)			
Property Information		Assessment Data	
Class: Class: 4A - Commercial		Total Value: \$5,749,800.00	
Additional Lots: 13		Land Value: \$4,137,800.00	
Bld Description: 3S-B-A-3U		Improvement Value: \$1,612,000.00	
Land Description: 49.26 AC		% Improvement: 28.04	
Acreage: 49.26		Special Tax Codes: F01	
Square Footage: 0		Deductions: Senior() Veteran() Widow() Surv. Spouse() Disabled()	
Zoning: C-1, Usage:		Exemption: 0	
Year Constructed: 1971		Exemption statute:	
Use Code: 560		2020 Rate: 2.019; 2020 Ratio: 96.19%; 2020 Taxes: \$104,927.43	
# Dwellings: 0		2021 Rate: 2.016; 2021 Ratio: 95.53%; 2021 Taxes: \$115,915.96	
Census Tract: 8079		2022 Rate: 1.828; 2022 Ratio: 94.45%; 2022 Taxes: \$105,106.34	
Current Owner		Sale Data	
3501 RT 66 LLC		Date: 04/29/2019	
4488 W BOY SCOUT BLVD#250		Price: \$5,750,000.00	
Tampa, FL 33607-7210		Ratio: 1.0%	
Previous Owner:		Deed Book: 09346	
		Deed Page: 06441	
Latest Sales Detail			
Recorded: 09/15/2021	Sales Price: \$1.00	Recorded: 05/06/2019	Sales Price: \$5,750,000.00
Sales Date: 09/15/2021	Sales Ratio: 161200000.0%	Sales Date: 04/29/2019	Sales Ratio: 18.42%
Deed Book: 95430	Use Code: 560	Deed Book: 93460	Use Code: 560
Deed Page: 74500	Not Usable: 15	Deed Page: 64410	Not Usable: 13
Buyer		Buyer	
3501 RT 66 LLC 4488 W BOY SCOUT BLVD#250 Tampa, FL 33607-7210		3501 RT 66 LLC 4488 W BOY SCOUT BLVD#250 Tampa, FL 33607-7210	
Seller		Seller	
3501 RT 66 LLC 4488 W BOY SCOUT BLVD#250 Tampa, FL 33607-7210		AC 1 NEPTUNE LLC % ARMSTRONG 307 WEST 38TH ST, 20TH FL New York, NY 10018-0516	



APPENDIX B
NJDEP APPROVED PERMITS



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHAWN M. LATOURETTE
Acting Commissioner

SHEILA Y. OLIVER
Lt. Governor

Division of Land Resource Protection
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

May 24, 2021

3501 RT 66, LLC
c/o Gregory Williams
4488 W Boy Scout Blvd., Suite 250
Tampa, FL 33607

RE: Freshwater Wetlands Letter of Interpretation: Line Verification
File No.: 1334-09-0002.1
Activity Number: FWW200001
Applicant: 3501 RT 66 LLC
Block(s) and Lot(s): [3903, 12] [3903, 13]
Neptune Twp., Monmouth County

Dear Mr. Williams:

This letter is in response to your request for a Letter of Interpretation to have Division of Land Resource Protection (Division) staff verify the boundary of the freshwater wetlands and/or State open waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection (NJDEP), the U.S. Army Corps of Engineers (USACOE) Philadelphia and New York Districts, and the U.S. Environmental Protection Agency (USEPA), the NJDEP 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 by Division staff on December 23, 2020 and January 11, 2021, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: **“AC I NEPTUNE LLC 3501 NJ ROUTE NO. 66 BLOCK 3903 LOT NO. 12 & 13 TOWNSHIP OF NEPTUNE MONMOUTH COUNTY NEW JERSEY BOUNDARY AND TOPOGRAPHIC SURVEY”**, consisting of five (5) sheets, dated October 27, 2020, last revised April 07, 2021, and prepared by Lagan Engineering and Environmental Services, Inc., is accurate as shown.

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 file number and the following note:

“Freshwater Wetlands/Waters Boundary Line as verified by NJDEP”

Wetlands Resource Value Classification (“RVC”)

In addition, the Division has determined that the resource value and the standard transition area or buffer required adjacent to the delineated wetlands are as follows:

Intermediate: All wetlands onsite. [50-foot wetland buffer]

RVC may affect requirements for wetland and/or transition area permitting. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-9 and 10), the types of Statewide General Permits available for the property (see N.J.A.C. 7:7A-5 and 7) and any modification available through a transition area waiver (see N.J.A.C. 7:7A-8). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

Wetlands resource value classification is based on the best information available to the Division. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant.

Under N.J.S.A. 13:9B-7a(2), if the Division 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 Division at the address at the top of this letter.

Flood Hazard Area & Riparian Zones

The Department has determined that there is a feature onsite that is regulated under the Flood Hazard Area Control Act Rules (FHACAR) N.J.A.C. 7:13. If the proposed project is regulated by the FHACAR, then the applicant may obtain a Flood Hazard Area Verification in accordance with N.J.A.C. 7:13-6.1 to determine the limits of any flood hazard area and/or riparian zone onsite.

General Information

Pursuant to the Freshwater Wetlands Protection Act Rules, you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original letter of interpretation and issue a revised letter of interpretation.

Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.3 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.4. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

Please be advised that any surface water features on the site or adjacent to the site may possess flood hazard areas and/or riparian zones and development within these areas may be subject to the Flood Hazard Area Control Act rules at N.J.A.C. 7:13. The Division can verify the extent of flood hazard areas and/or riparian zones through a flood hazard area verification under the application procedures set forth at N.J.A.C. 7:13-5.1.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are “isolated” or part of a surface water tributary system unless specifically

called out in this letter as such. Furthermore, obtaining this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

Recording

Within 90 calendar days of the date of this letter, the applicant shall submit the following information to the clerk of each county in which the site is located, and shall send proof to the Division that this information is recorded on the deed of each lot referenced in the letter of interpretation:

1. The Department file number for the letter of interpretation;
2. The approval and expiration date of the letter of interpretation;
3. A metes and bounds description of the wetland boundary approved under the letter of interpretation;
4. The width and location of any transition area approved under the letter of interpretation; and
5. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a freshwater wetland and/or transition area. Certain activities in wetlands and transition areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a freshwater wetland permit. Contact the Division of Land Use Regulation at (609) 777-0454 or <http://www.nj.gov/dep/landuse> for more information prior to any construction onsite."

Failure to have this information recorded in the deed of each lot and/or to submit proof of recording to the Division constitutes a violation of the Freshwater Wetlands Protection Act rules and may result in suspension or termination of the letter of interpretation and/or subject the applicant to enforcement action pursuant to N.J.A.C. 7:7A-22.

Appeal Process

In accordance with N.J.A.C. 7:7A-21, 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, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, 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 may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Katherine Todoroff of our staff by e-mail at Katherine.Todoroff@dep.nj.gov or by phone at (609) 777-0454 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Digitally signed by Gary
Nickerson
Date: 2021.05.24
19:45:45 -04'00'

Gary Nickerson, Environmental Specialist III
Office of Dredging & Sediment Technology
Division of Land Resource Protection

c: Municipal Clerk
Municipal Construction Official
Agent (original)



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



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		Approval Date September 1, 2023
		Expiration Date August 31, 2028
Permit Number(s): 1334-09-0002.1 LUP220001	Type of Approval(s): Flood Hazard Area Individual Permit Flood Hazard Area Verification	Governing Rule(s): N.J.A.C. 7:13-1.1(b)
Permittee: 3501 RT 66 LLC c/o Gregory Williams 4488 West Boy Scout Boulevard., Suite 250 Tampa, FL 33607	Site Location: Block(s) & Lot(s): [3903, 12] [3903, 13] Municipality: Township of Neptune County: Monmouth	
Description of Authorized Activities: <p>This document authorizes the construction of a warehouse building, retail building, outdoor amenity area, and associated parking and drainage improvements partially within the flood hazard area of Jumping Brook, within Lots 12 and 13 of Block 3903, within the Township of Neptune, Monmouth County. This document also verifies the flood hazard area design flood elevation on site as 72.4 feet NAVD.</p> <p><i>The Department has determined that the herein approved activities meet the requirements of the Flood Hazard Area Control Act rules. This approval does not obviate the local Floodplain Administrator's responsibility to ensure all development occurring within their community's Special Flood Hazard Area is compliant with the local Flood Damage Prevention Ordinance, and minimum NFIP standards, regardless of any state-issued permits. FEMA requires communities to review and permit all proposed construction or other development within their SFHA in order to participate in the NFIP.</i></p>		
Prepared by: Michael Sheehan	Received and/or Recorded by County Clerk:	
If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.		
This permit is not valid unless authorizing signature appears on the last page.		

STATEMENT OF AUTHORIZED IMPACTS:

The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:13-24.

Riparian Zone Vegetation	Area of riparian zone (Acres)
Permanent Disturbed	0
Temporary Disturbed	0

PRE-CONSTRUCTION CONDITIONS:

1. This portion of the permit verifies the Flood Hazard Area Design Flood Elevation of 72.4 feet NAVD88. It also verifies that the limits of the floodway and a 50-foot riparian zone on site. This permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this project is located. Verified notice of this action shall be forwarded to the Division immediately thereafter. NOTE: The following information is to be submitted to the clerk for all Flood Hazard Area Verifications:
 - a. The Department file number for the verification;
 - b. The approval and expiration dates of the verification;
 - c. A metes and bounds description of any flood hazard area limit and/or floodway limit approved under the verification;
 - d. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification;
 - e. The width and location of any riparian zone approved under the verification; and
 - f. The following statement: “The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area. Certain activities in flood hazard areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a permit. Contact the Division of Land Use Regulation at (609) 777-0454 for more information prior to any construction onsite.”
2. Prior to the commencement of site clearing, grading, or construction onsite, the permittee shall install a sediment barrier at the limits of disturbance authorized herein which is sufficient to prevent the sedimentation of Jumping Brook and shall serve as a physical barrier protecting all regulated areas from encroachment by construction vehicles or other soil-disturbing activities. All sediment barriers and soil erosion control measures shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized.

SPECIAL CONDITIONS:

1. Any new, reconstructed, enlarged, or elevated structure within a flood hazard area shall be secured to resist flotation, collapse, and displacement due to hydrostatic and hydrodynamic forces from floodwaters.

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 excavated and dredged material must 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.
4. The Department has determined that this project meets the requirements of the Stormwater Management rules at N.J.A.C. 7:8. Any future expansion or alteration of the approved stormwater management system, which would affect water quality, increase the rate or volume of stormwater leaving the site, affect the infiltration capacity on the site, or alter the approved green infrastructure best management practices, shall be reviewed and approved by the Department by obtaining a modification or new permit as appropriate prior to construction. This includes any proposed changes to the discharge characteristics of any basin, the construction of new inlets or pipes that tie into the storm sewer network and/or the replacement of existing inlets or pipes with structures of different capacity.
5. The permittee shall make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed stormwater management measures onsite. This includes the inspection (and cleaning where necessary) of any and all constructed swales, basins, inlets, and pervious pavement systems at least four times per year and after every major storm totaling 1 inch of rainfall or more, the use of appropriate soil conservation practices onsite, and any other reasonable effort required to maintain the stormwater management system in good working order.
6. Prior to the start of any construction onsite, the permittee/owner shall record a deed notice for all stormwater management measures authorized under this permit which shall be recorded in the Office of the County Clerk or the registrar of deeds and mortgages of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located. A form of deed notice shall be submitted to the Watershed and Land Management Program (Program) for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at N.J.A.C. 7:8-5.3, 5.4, 5.5, and 5.6 and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to N.J.A.C. 7:8-5.8(d). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the Program. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the Program is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the Program within 180 calendar days of the authorization granted by the Program.
7. The Department has determined that the riparian zone along Jumping Brook is 50 feet and does not encroach into the project area.
8. Regulated areas onsite feature documented and suitable habitat for the federally listed endangered species Northern Long-eared Bat (*Myotis septentrionalis*), the proposed federal listing species Tricolored Bat (*Perimyotis subflavus*), and for nesting migratory bird species protected under the federal Migratory Bird Treaty Act. To avoid adverse impacts to these species, the permittee shall

adhere to a seasonal restriction on the clearing of all woody vegetation onsite from April 1 to September 30 of each calendar year.

STANDARD CONDITIONS:

1. The issuance of a permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.
2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District or designee having jurisdiction over the site.
5. The permittee shall take all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
6. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of the permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Watershed & Land Management by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter. The written notice shall include:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.
9. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.

10. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.
11. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.
12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - a. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
 - c. Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action.
14. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris or structures within or adjacent to the channel while the regulated activity, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, the permittee shall remove and dispose of in a lawful manner all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.
15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.
16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.
17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.
18. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.
20. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.
21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.

22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
23. A permit can be modified, suspended, or terminated by the Department for cause.
24. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.
25. Where the permittee becomes aware that it failed to submit any relevant facts in an application or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
26. The permittee shall submit email notification to the Bureau of Coastal & Land Use Compliance & Enforcement at CLU_tomsriver@dep.nj.gov at least 3 days prior to commencement of site preparation and/or regulated activities, whichever comes first. The notification shall include proof of completion of all pre-construction conditions, including proof of recording of permits, approved plans and/or conservation easements, if required. The permittee shall allow an authorized Bureau representative on the site to inspect to ensure compliance with this permit.
27. The permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to Watershed & Land Management at the address listed on page one of this permit.

APPROVED PLANS:

The drawings hereby approved consist of nineteen (19) sheets prepared by Langan Engineering and Environmental Services, Inc., dated August 26, 2022, last revised August 30, 2023, unless otherwise noted, entitled:

“3501 STATE ROUTE 66 REDEVELOPMENT BLOCK NO. 3903, LOT NO. 12 & 13 NEPTUNE TOWNSHIP MONMOUTH COUNTY NEW JERSEY,”

- “EXISTING FLOOD HAZARD AREA VERIFICATION PLAN,” sheets 2 through 5 of 5, dated August 30, 2022, unrevised,
- “PROPOSED FLOOD HAZARD AREA VERIFICATION PLAN,” sheets 2 through 5 of 5, dated August 30, 2022, last revised July 28, 2023,
- “MASTER SITE PLAN,” sheet 11 of 47, last revised July 28, 2023
- “PARTIAL SITE PLAN,” sheets 11 and 12 of 47, last revised July 28, 2023
- “MASTER GRADING PLAN,” sheet 18 of 47,
- “PARTIAL GRADING PLAN,” sheets 19 and 20 of 47,
- “MASTER DRAINAGE PLAN,” sheet 21 of 47,
- “PARTIAL DRAINAGE PLAN,” sheets 22 and 23 of 47, and,
- “DRAINAGE DETAILS,” sheets 29 and 30 of 47, last revised July 28, 2023.

APPEAL OF DECISION:

Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at www.nj.gov/dep/bulletin). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing Request Checklist (available at www.nj.gov/dep/landuse/forms.html). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. Additionally, a copy of the hearing request shall be submitted to the Director of Watershed & Land Management at the address listed on page one of this permit. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see www.nj.gov/dep/odr for more information on this process.

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

Approved By:

Damian T. Friebe, P.E., Supervisor
Watershed & Land Management

c: Agent – John Cote, P.E., Langan Engineering and Environmental Services, Inc.
Township of Neptune Municipal Clerk

APPENDIX C

**STORMWATER MANAGEMENT REPORT (BOUND
SEPARATELY)**

APPENDIX D

**THREATENED AND ENDANGERED SPECIES
CORRESPONDENCE**



State of New Jersey

MAIL CODE 501-04

DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE PARKS, FORESTS & HISTORIC SITES

OFFICE OF NATURAL LANDS MANAGEMENT

501 East State Street

P.O. Box 420, Mail Code 501-04

Trenton, NJ 08625-0420

Tel. (609) 984-1339 • Fax (609) 984-0427

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

August 24, 2022

Rachel Fifield
Langan Engineering and Environmental Services, Inc.
300 Kimball Drive, 4th Floor
Parsippany, NJ 07054

Re: 3501 Route 66
Block(s) - 3903, Lot(s) - 12, 13
Neptune Township, Monmouth County

Dear Ms. Fifield:

Thank you for your data request regarding rare species information for the above referenced project site.

Searches of the Natural Heritage Database and the Landscape Project (Version 3.3) are based on a representation of the boundaries of your project site in our Geographic Information System (GIS). We make every effort to accurately transfer your project bounds from the map(s) submitted with the Natural Heritage Data Request Form into our GIS. We do not typically verify that your project bounds are accurate, or check them against other sources.

We have checked the Landscape Project habitat mapping and the Biotics Database for occurrences of any rare wildlife species or wildlife habitat on the referenced site. The Natural Heritage Database was searched for occurrences of rare plant species or ecological communities that may be on the project site. Please refer to Table 1 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented on site. A detailed report is provided for each category coded as 'Yes' in Table 1.

We have also checked the Landscape Project habitat mapping and Biotics Database for occurrences of rare wildlife species or wildlife habitat in the immediate vicinity (within ¼ mile) of the referenced site. Additionally, the Natural Heritage Database was checked for occurrences of rare plant species or ecological communities within ¼ mile of the site. Please refer to Table 2 (attached) to determine if any rare plant species, ecological communities, or rare wildlife species or wildlife habitat are documented within the immediate vicinity of the site. Detailed reports are provided for all categories coded as 'Yes' in Table 2. These reports may include species that have also been documented on the project site.

We have also checked the Landscape Project habitat mapping and Biotics Database for all occurrences of rare wildlife species or wildlife habitat within one mile of the referenced site. Please refer to Table 3 (attached) to determine if any rare wildlife species or wildlife habitat is documented within one mile of the project site. Detailed reports are provided for each category coded as 'Yes' in Table 3. These reports may include species that have also been documented on the project site.

For requests submitted in order to make a riparian zone width determination as part of a Flood Hazard Area Control Act (FHACA) rule application, we report records for all rare plant species and ecological communities tracked by the Natural Heritage Program that may be on, or in the immediate vicinity of, your project site. A subset of these plant species is also covered by the FHACA rules when the records are located within one mile of the project site. One-mile searches for FHACA plant species will only report precisely located occurrences for those wetland plant species identified under the FHACA regulations as being critically dependent on the watercourse. Please refer to Table 3 (attached) to determine if any precisely located rare wetland plant species covered by the FHACA rules have been documented. Detailed reports are

NHP File No. 22-4007421-25602

provided for each category coded as 'Yes' in Table 3. These reports may include species that have also been documented on, or in the immediate vicinity of, the project site.

The Natural Heritage Program reviews its data periodically to identify priority sites for natural diversity in the State. Included as priority sites are some of the State's best habitats for rare and endangered species and ecological communities. Please refer to Tables 1, 2 and 3 (attached) to determine if any priority sites are located on, in the immediate vicinity, or within one mile of the project site.

A list of rare plant species and ecological communities that have been documented from the county (or counties), referenced above, can be downloaded from <https://nj.gov/dep/parksandforests/natural/heritage/database.html>. If suitable habitat is present at the project site, the species in that list have potential to be present.

Status and rank codes used in the tables and lists are defined in EXPLANATION OF CODES USED IN NATURAL HERITAGE REPORTS, which can be downloaded from https://nj.gov/dep/parksandforests/natural/docs/nhpcodes_2010.pdf.

Beginning May 9, 2017, the Natural Heritage Program reports for wildlife species will utilize data from Landscape Project Version 3.3. If you have questions concerning the wildlife records or wildlife species mentioned in this response, we recommend that you visit the interactive web application at the following URL, <https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=0e6a44098c524ed99bf739953cb4d4c7>, or contact the Division of Fish and Wildlife, Endangered and Nongame Species Program at (609) 292-9400.

For additional information regarding any Federally listed plant or animal species, please contact the U.S. Fish & Wildlife Service, New Jersey Field Office at <http://www.fws.gov/northeast/njfieldoffice/endangered/consultation.html>.

Information supplied by the Natural Heritage Program summarizes existing data known to the program at the time of the request regarding the biological elements (species and/or ecological communities) or their locations. They should never be regarded as final statements on the elements or areas being considered, nor should they be substituted for on-site surveys required for environmental assessments.

Thank you for consulting the Natural Heritage Program. The attached invoice details the payment due for processing this data request. Feel free to contact us again regarding any future data requests.

Sincerely,



Robert J. Cartica
Administrator

c: NHP File No. 22-4007421-25602

Table 1: On Site Data Request Search Results (6 Possible Reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Possibly on Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites On Site	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat on the Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat on the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species On the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

**Rare Wildlife Species or Wildlife Habitat on the
Project Site Based on Search of
Landscape Project 3.3 Species Based Patches**

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<i>Aves</i>								
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Cooper's Hawk	Accipiter cooperii	Nest	2	NA	Special Concern	G5	S3B,S4N
	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Wood Thrush	Hylocichla mustelina	Breeding Sighting	2	NA	Special Concern	G4	S3B,S4N

**Vernal Pool Habitat on the
Project Site Based on Search of
Landscape Project 3.3**

Vernal Pool Habitat Type	Vernal Pool Habitat ID
Potential vernal habitat area	1508
Total number of records:	1

**Other Animal Species
On the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
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Invertebrate Animals

Metarranthis pilosaria	Coastal Bog Metarranthis			G3G4	S3S4
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Total number of records: 1

Table 2: Vicinity Data Request Search Results (6 possible reports)

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Immediate Vicinity of the Project Site Based on Search of Natural Heritage Database: Rare Plant Species and Ecological Communities Currently Recorded in the New Jersey Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within the Immediate Vicinity	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat Within the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat In the Immediate Vicinity of Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat In the Immediate Vicinity of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species In the Immediate Vicinity of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

**Rare Wildlife Species or Wildlife Habitat Within the
Immediate Vicinity of the Project Site Based on Search of
Landscape Project 3.3 Species Based Patches**

Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Srank
<i>Aves</i>								
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Cooper's Hawk	Accipiter cooperii	Nest	2	NA	Special Concern	G5	S3B,S4N
	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Wood Thrush	Hylocichla mustelina	Breeding Sighting	2	NA	Special Concern	G4	S3B,S4N

**Vernal Pool Habitat
In the Immediate Vicinity of
Project Site Based on Search of
Landscape Project 3.3**

Vernal Pool Habitat Type

Vernal Pool Habitat ID

Potential vernal habitat area

1508

Total number of records: 1

**Other Animal Species
In the Immediate Vicinity of the Project Site Based on
Additional Species Tracked by
Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
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Invertebrate Animals

Metarranthis pilosaria	Coastal Bog Metarranthis			G3G4	S3S4
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Total number of records: 1

**Table 3: Within 1 Mile for Riparian Zone Width Determination
(6 possible reports)**

<u>Report Name</u>	<u>Included</u>	<u>Number of Pages</u>
1. Rare Plant Species Occurrences for Riparian Zone Width Determination (Flood Hazard Area Control Act Rule Application) - Within One Mile of the Project Site Based on Search of Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites for Riparian Zone Width Determination - Within One Mile of the Project Site	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat for Riparian Zone Width Determination - Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches	Yes	1 page(s) included
4. Vernal Pool Habitat for Riparian Zone Width Determination - Within One Mile of the Project Site Based on Search of Landscape Project 3.3	Yes	1 page(s) included
5. Rare Wildlife Species or Wildlife Habitat for Riparian Zone Width Determination - Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Stream Habitat File	No	0 pages included
6. Other Animal Species for Riparian Zone Width Determination - Within One Mile of the Project Site Based on Additional Species Tracked by Endangered and Nongame Species Program	Yes	1 page(s) included

<p>Rare Wildlife Species or Wildlife Habitat for Riparian Zone Width Determination Within One Mile of the Project Site Based on Search of Landscape Project 3.3 Species Based Patches</p>
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Class	Common Name	Scientific Name	Feature Type	Rank	Federal Protection Status	State Protection Status	Grank	Strank
<i>Aves</i>								
	Black-crowned Night-heron	Nycticorax nycticorax	Foraging	3	NA	State Threatened	G5	S2B,S3N
	Cooper's Hawk	Accipiter cooperii	Nest	2	NA	Special Concern	G5	S3B,S4N
	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N
	Osprey	Pandion haliaetus	Foraging	3	NA	State Threatened	G5	S2B,S4N
	Osprey	Pandion haliaetus	Nest	3	NA	State Threatened	G5	S2B,S4N
	Wood Thrush	Hylocichla mustelina	Breeding Sighting	2	NA	Special Concern	G4	S3B,S4N
<i>Reptilia</i>								
	Eastern Box Turtle	Terrapene carolina carolina	Occupied Habitat	2	NA	Special Concern	G5T5	S3

**Vernal Pool Habitat for Riparian Zone Width Determination
Within One Mile of the Project Site
Based on Search of Landscape Project 3.3**

Vernal Pool Habitat Type	Vernal Pool Habitat ID
Potential vernal habitat area	1508
Potential vernal habitat area	1510
Potential vernal habitat area	1513
Potential vernal habitat area	1524
Potential vernal habitat area	1525
Total number of records:	5

**Other Animal Species for Riparian Zone Width Determination
 Within One Mile of the Project Site
 Based on Additional Species Tracked by
 Endangered and Nongame Species Program**

Scientific Name	Common Name	Federal Protection Status	State Protection Status	Grank	Srank
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Invertebrate Animals

Metarranthis pilosaria	Coastal Bog Metarranthis			G3G4	S3S4
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Total number of records: 1

APPENDIX E

QUALIFICATION OF PREPARERS

SEAN F. MORONSKI, PP, AICP

SENIOR PROJECT MANAGER

PLANNING, ENVIRONMENTAL ASSESSMENTS AND IMPACT STATEMENTS

Mr. Moronski has over 24 years of experience on behalf of private and public clients in project management of planning consulting services. Specific consulting services completed include the preparation of master plans, environmental impact statements, redevelopment investigation and plans, housing plans, fiscal and socio-economic impact reports, open space plans, wireless telecommunications site services, and public testimony for variance and site plan development applications. He has been qualified as a professional planning expert before planning and zoning boards in over 100 municipalities in Delaware, New Jersey, New York, and Pennsylvania. Previously, Mr. Moronski has served as the consultant planner for several New Jersey municipalities.



SELECTED PROJECTS

- Alameda Housing Authority, North Housing Development, NEPA HUD EA, Alameda, CA
- American Dream Meadowlands, East Rutherford, NJ
- Amazon Last Mile Facility, Planning Testimony, Mahwah, NJ
- Arbok Partners, Planning Testimony, Carneys Point, NJ
- Ashley Furniture Loading Expansion, Edison, NJ
- Baker Residential, L.P., Bayonne, NJ
- BCB Commercial Bank, Jersey City, NJ
- Bensalem Township, PA, Comprehensive Plan
- Bluewater Industrial Partners LLC, EIS, Montgomery Town, NY
- Brixmor Property Group, Planning Testimony, Glassboro, NJ
- Buckeye Terminals, Planning Testimony, Newark, NJ
- Central Avenue Redevelopment Study and Plan, West Orange, NJ
- Clifton Plaza, Planning Testimony, Clifton, NJ
- Deltech Properties, LLC, Planning Testimony, Newark, NJ
- Edgewater Borough, NJ, Unilever Redevelopment Study and Plan
- Engel Berman Group, Planning Testimony, Englewood, NJ and Wayne, NJ
- Essex Green Shopping Center Redevelopment, Planning Testimony, West Orange, NJ
- FedEx Freight, Planning Testimony, Elizabeth, NJ
- Fort Lee Redevelopment Associates, LLC, Planning and Socio-Economic Report, Fort Lee, NJ
- Hirschmann Consulting, NEPA HUD EA, Brooklyn and Bronx, NY
- Kingsland Meadowlands, Project Impact and Planning Reports, Lyndhurst, NJ
- Lackawanna Plaza Associates Redevelopment, Planning Testimony, Montclair, NJ
- Land Use Plan Update and Master Plan Reexamination Report, Parsippany-Troy Hills, NJ
- Liberty Property Trust, Planning Testimony, Newark, NJ

EDUCATION

M.S., Urban Planning
Tulane University

B.S., Management
Tulane University

PROFESSIONAL REGISTRATION

Professional Planner (PP)
in NJ

American Institute of
Certified Planners (AICP)

40 Hour HAZWOPER

8 Hour HAZWOPPER

AFFILIATIONS

American Planning
Association – NJ Chapter

New Jersey Planning
Officials

- Logisticenter at I-95, Planning Report and Testimony, New Castle County, DE
- Manufacturers Reserve Supply, Planning Testimony Irvington, NJ
- Morris Kearny Associates, LLC, Project and Fiscal Impact Analysis, USACE application and NJDEP multi-permit application, Kearny, NJ
- Montclair Kimberley Academy, Planning Testimony, Montclair, NJ
- Mountain Creek, Planning Testimony Vernon, NJ
- My 1st Time Child Care Center, Planning Testimony, East Orange, NJ
- Nassau Park Shopping Center, Planning Testimony, West Windsor, NJ
- National Institute of Health (NIH), Temporary Research Facility, Alzheimer Disease and Dementia, NEPA HHS EA, Bethesda, MD
- New Jersey City University, EIS, Oceanport, NJ
- New Jersey Community Development Corporation, Planning Testimony, Paterson, NJ
- New York Life Insurance Company, Planning Testimony, Elizabeth, NJ
- Parsippany-Troy Hills Township, NJ, Land Use Plan Update and Master Plan Reexamination Report
- Preakness Shopping Center, Planning Testimony, Wayne, NJ
- Red Bank Veterinary Hospital, Planning Testimony, Hillsborough, NJ
- RG Edison Warehouse Development, EIS, Edison, NJ
- Riverfront Square Redevelopment, Newark, NJ
- SAC Realty – Bristol Manor, Planning Testimony, Rochelle Park, NJ
- Scannell Properties, EIS, Mount Olive, NJ
- SciTech Scity, Jersey City, NJ
- Scotch Plains Township, NJ, Parking Capacity Study
- Shops at Riverside, Planning Testimony, Hackensack, NJ
- Sisters of Christian Charity, Rezoning Report and Planning Testimony, Mendham Borough, NJ
- Springpoint Senior Living, Planning Testimony, Hightstown, NJ
- Stone Harbor Borough, NJ, Master Plan
- Torah Academy, Planning Testimony, Teaneck, NJ
- Trammell Crow Company, Full EAF, Clay, NY and Grand Island, NY
- United Paterson Enterprises, Planning Testimony, Passaic, NJ
- Value Industry Corp., Planning Testimony, Newark, NJ
- Wal-Mart, Planning Testimony, Riverdale, NJ
- West Falls Plaza Starbucks, Planning Testimony, Woodland Park, NJ

**DRAWINGS
(BOUND SEPARATELY)**