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# Environmental Assessment Report

483 – 485 Elizabeth Avenue  
Block 507.14, Lots 61 & 62  
Franklin Township, Somerset County, New Jersey

October 2020

*Prepared For*  
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MC Project No. 19000649A





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SOIL SURVEY MAP

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## 1.0 INTRODUCTION

### 1.1 Purpose of Document

This report has been prepared in accordance with Franklin Township's Municipal Code (Chapter 112-199, Requirements for Environmental Assessment) which requires the preparation and submittal of an Environmental Assessment (EA) for certain applications which come before the Planning or Zoning Board.

The property for which the approvals are requested currently contains 8.4+ acres of land known as Block 507.14, Lots 61 and 62 in the Township of Franklin, Somerset County, New Jersey (herein Project Site or Site). The property is in the M-1 (Light Manufacturing) Zone. The property currently contains two residential lots. A minor subdivision is proposed to consolidate and reconfigure the lots. The existing residential structure to the northwest will remain on a proposed 40,000 SF lot. The existing southwest structure will be removed. The proposed 7.48-acre lot will be developed in accordance with the M-1 Zone requirements.

The proposed development on the proposed 7.48-acre lot consists of the construction of a 76,230 SF one-story, single-loaded warehouse building which will contain 74,730 S.F. of warehouse space and 1,500 S.F. of office space. The project also includes 36 parking spaces for cars, 10 loading docks, and one stormwater management basin (wet pond).

The proposed development project is shown on a Site Plan set entitled, "Preliminary and Final Major Site Plan for 483-485 Elizabeth Avenue, Block 507.14, Lots 61 & 62, Franklin Township, Somerset County, New Jersey", consisting of 18 sheets, dated October 30, 2020 and prepared by Maser Consulting. The proposed minor subdivision is shown on a plan entitled "Minor Subdivision Plan for 483-485 Elizabeth Avenue, Block 507.14, Lots 61 & 62, Franklin Township, Somerset County, New Jersey", consisting of 1 sheet, dated October 30, 2020 and prepared by Maser Consulting.



This EA documents environmental resources on the project Site, potential impacts to these resources resulting from the proposed warehouse development, and measures to avoid or reduce impacts.

## **1.2 Methods**

Various sources of background information including databases, maps, plans, and reports referenced herein were utilized in preparing the EA. The New Jersey Department of Environmental Protection's (NJDEP) NJ-GeoWeb (NJDEP, 2020) database was an important source of information in this EA. Background information was supplemented with observations from Maser Consulting staff regarding Site characteristics and biological resources observed during field visits. Land use related areas assessed include, but are not limited to, natural resources, community resources, water quality (stormwater management), and assessment of impacts from the conversion of maintained lawn and wooded area to a warehouse building.

Staff from Maser Consulting visited the Site to make field observations regarding Site character and biological resources on June 14, 2019. Maser Consulting staff (Appendix A) utilized the information gathered from the field visits and background sources to develop the descriptions, analyses, and interpretations provided herein. Report figures including maps are presented in Appendix B; photographs are presented in Appendix C; existing approvals including a Freshwater Wetlands Letter of Interpretation and Flood Hazard Area Verification are included in Appendix D, and the results of a Natural Heritage Program Database search are included in Appendix E.

## **1.3 Site Location and Characteristics**

The Site is an approximate 8.4± acre tract of land in the Township of Franklin, Somerset County, New Jersey. The property appears on the Bound Brook, NJ quadrangle of the U.S. Geological Survey Map and is known as Block 507.14, Lots 61 and 62 per the Township of Franklin Tax Map. (Appendix B)



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The Site is located on the eastern (northbound) side of Elizabeth Avenue between New Brunswick Road and Weston Road. Access to the property is from Elizabeth Avenue which borders the property to the west.

The Site is currently developed with two (2) residential dwellings, with one dwelling on each tax lot comprising the Site (Lots 61 and 62). Both tax lots contain lawn and landscaped areas with scattered trees. A riparian corridor associated with the unnamed tributary of the Raritan River traverses the western portion of the Site in a general southwest to northeast direction. Wooded areas primarily occur as a narrow band along the portion of the tributary on Lot 61 and in the eastern portion of Lot 61.

There are freshwater wetlands, transition areas, flood hazard areas, and stream buffers associated with the Raritan River tributary on Site. The Site is bordered by Elizabeth Avenue to the west, residential and forested area to the north, a landscape nursery to the south, and forested land to the east.

#### **1.4 Zoning**

The property is currently contained within the M-1, Light Manufacturing Zoning District (Appendix B), in which the proposed warehouse development is a permitted use. The purpose of the Zoning District is as follows:

- M-1 Light Manufacturing. The purpose of the M-1 District is to permit light manufacturing and industrial uses on five-acre minimum lots.

#### **Principal uses include:**

- Manufacturing, fabrication and assembly of light machinery
- Manufacturing and fabrication of wire, sheet and related strip; wood and paper products; toys; bags; book binding; boxes and packaging materials; office supplies; bottling of food and beverage; food and cereal mixing and milling food processing; food sundry manufacturing; ice



cream manufacturing; manufacturing of spirituous liquors; other uses of the same nature and type.

- Biological, chemical, dental, electronic, pharmaceutical and general laboratories
- Industrial parks
- General office buildings
- Warehouses**
- Indoor recreational
- Hotels, extended stay
- Child-care centers
- Personal storage/mini-warehouses
- Administrative and dispatch services excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or Site

The proposed construction is classified as warehousing. Warehouses are permitted principal uses in the M-1 Light Manufacturing zoning district (Ch 112 Attachment 1 - Schedule 1). The proposed warehouse development is a permitted use in the M-1 Zoning District. The existing residential use on the reconfigured 40,000 SF lot is a non-conforming use in the zone and will require a Use Variance from the Zoning Board of Adjustment.

### **1.5 Compatibility with State Plan**

The State Plan Map indicates that the Site is located within Planning Area 2 (PA-2), or the Suburban Planning Area (Appendix B). According to the *New Jersey State Development and Redevelopment Plan*, the Suburban Planning Area promotes the following:

- Provide for much of the State's future development
- Promote growth in center-based developments by increasing densities and employing attractive community design to encourage more compact forms of development
- Protect the character of existing stable communities
- Revitalize existing cities and towns
- Promote increased coordination and integration of transportation planning and land-use decision-making
- Encourage multi-modal transportation alternatives to the automobile



- Protect natural resources
- Re-design and retrofit existing areas of sprawl
- Reverse the current trend toward additional sprawl (2010).

## **1.6 Licenses, Permits**

Permits or approvals from Local, State, and/or Federal departments or agencies may be required for the proposed project, some of which included the following:

- Township of Franklin Zoning Board for Use Variance, Minor Subdivision, and Preliminary and Final Major Site Plan approval
- Somerset County Planning Board for Minor Subdivision and Site Plan approval;
- Somerset County Soil Conservation District for Soil Erosion and Sediment Control Plan Certification;
- NJDEP NJPDES Stormwater Discharge Permit (R.F.A.);
- NJDEP Freshwater Wetland General Permits and Transition Area Waivers;
- NJDEP Flood Hazard Area Control Act Individual Permit
- Delaware Raritan Canal Commission Approval.

## **2.0 PROJECT DESCRIPTION**

### **2.1 Reasons for Project**

The applicant Elizabeth Realty Partners, LLC is applying for a Use Variance for one existing residence, a Minor Subdivision, and Preliminary and Final Site Plan approval for a proposed warehouse development on the Site, which is an approved use in the Township's M-1 Zoning District.

### **2.2 Description of Proposed Operations**

The proposed warehouse development will involve the construction of a 76,230 SF one-story, single-loaded warehouse building which will contain 74,730 S.F. of warehouse space and 1,500



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S.F. of office space. The project also includes 36 parking spaces for cars, 10 loading docks, one stormwater management basin (wet pond) and typical appurtenant site improvements on land currently located in the Light Manufacturing (M-1) Zoning District.

### **2.2.1 Sanitary Sewage**

No public sanitary sewer is currently being provided to the Site. The Site will utilize a septic disposal system.

### **2.2.2 Potable Water Supply**

Water service connection will be to an existing water main in Elizabeth Avenue. Water service will be provided by the Franklin Township Department of Public Works.

### **2.2.3 Stormwater Management Facilities and Plan**

One stormwater retention basin is proposed for the project, located southwest of the proposed warehouse. The basin will discharge to stormwater pipe in the proposed access driveway which will then discharge to the tributary of the Raritan River. The proposed stormwater management system has been designed in accordance with the standards described in the NJDEP's Stormwater Management Rules at N.J.A.C. 7:8.

### **2.2.4 Utilities Plan**

A Utilities Plan has been prepared and is include in the Site Plan set. Telephone, electric, cable, and gas utilities will be installed subsurface within the access driveway. The telephone, electric, and cable lines will connect to an existing pole at Elizabeth Avenue and the gas line will connect to an existing main in Elizabeth Avenue. The water line will also be installed subsurface from the proposed warehouse to the existing water main in Elizabeth Avenue.

### **2.2.5 Solid Waste Plan**

Solid waste and recyclables will be serviced by a private carrier.



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### **3.0 ENVIRONMENTAL SETTING**

The environmental setting of a region is the sum of the physical and biological features and processes that characterize the region. The physical conditions including the location, topography, geology, soils, water resources, and other features directly influence the overlying biotic communities that occur in an area. The constraints on the property resulting from the interaction of physical and biological features directly influence the design of the development plan proposed for the Site and analyzed herein. Photographs of the Site and project area can be found in Appendix C.

#### **3.1 Physical Resources and Conditions**

##### **3.1.1 Physiographic Landscape**

Areas that have similar rock types, geologic structures, landforms, and histories are organized into regions called Physiographic Provinces. New Jersey has five provinces, which make it a rather complex state for its small size. From northwest to southeast across the State, the provinces are (1) Ridge and Valley, (2) Highlands, (3) Piedmont, (4) Inner Coastal Plain, and (5) Outer Coastal Plain. The project area is situated within the Piedmont Physiographic Province of New Jersey, a province described as flat with gentle rolling hills and is mainly made up from the Newark rift basin. (Collins and Anderson 1994).

##### **3.1.2 Topography**

The Site gently slopes from east to west with a high elevation of approximately 83 ft. in the northeast corner to a low elevation of approximately 63 ft. in the stream channel.

##### **3.1.3 Geologic Characteristic**

The bedrock geology of the Site is characterized by the Passaic Formation (JTrp) (Appendix B). The Passaic Formation can be described as reddish-brown to purplish brown and grayish red. The formation is made up of siltstone as well as very fine-grained



sandstone, silty mudstone, and shale; and has a geologic age dating from the Lower Jurassic to Upper Triassic time period. According to the NJ-GeoWeb, the Passaic Formation is not mapped as a potential acid-producing formation (NJDEP 2020).

### **3.1.4 Soils**

The Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) provides soil data and information produced by the National Cooperative Soil Survey, including information that is useful at the planning level to draw general conclusions about the suitability of a site for certain land uses.

In the capability system, soils are generally grouped at three levels - capability class, subclass, and unit. *Capability classes*, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

- Class I soils have slight limitations that restrict their use.
- Class II soils have moderate limitations that restrict the choice of plants or that require moderate conservation practices.
- Class III soils have severe limitations that restrict the choice of plants or that require special conservation practices, or both.
- Class IV soils have very severe limitations that restrict the choice of plants or that require very careful management, or both.
- Class V soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.
- Class VI soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.





- Class VII soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.
- Class VIII soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or aesthetic purposes (Kirkham 1989).

*Capability subclasses* are soil groups within one class. They are designated by adding a small letter, *e*, *w*, *s*, or *c*, to the class numeral, for example, IIe. The letter *e* shows that the main hazard is the risk of erosion unless close-growing plant cover is maintained; *w* shows that water in or on the soil interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage); *s* shows that the soil is limited mainly because it is shallow, droughty, or stony; and *c*, used in only some parts of the United States, shows that the chief limitation is climate that is very cold or very dry (Kirkham 1989).

Prime Farmlands include those soils in Land Capability Class I and selected soils from Land Capability Class II. Prime Farmland is considered those lands with the combination of physical and chemical properties that produce the highest yield of crops. Prime Farmland does not include those soils that are excessively wet, excessively dry, or are highly erodible.

The Site is characterized by four (4) soil types (Appendix B): Croton silt loam: 0 to 2 percent slopes (CoxA), Norton loam: 2 to 6 percent slopes (NotB), Penn silt loam: 2 to 6 percent slopes (PenB), Reaville silt loam: 0 to 2 percent slopes (RehA). The following information is derived from the NRCS Web Soil Survey. Specific depths to groundwater and water table are identified in the Geotechnical Report.



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**Croton silt loam, 0 to 2 percent slopes (CoxA):** This soil occupies a portion along the eastern boundaries of the Site. These soils have a parent material of residuum weathered from sandstone and shale and are poorly drained. The depth to the water table is 8 to 12 inches from the surface. The depth to a restrictive feature is 18 to 20 inches to fragipan, and 40 to 60 inches to lithic bedrock. This soil type has a Land Capability Class of **4w** and a hydrologic soil group of **D**. These soils are classified as farmland of statewide importance, if drained (Web Soil Survey 2020).

**Norton loam, 2 to 6 percent slopes (NotB):** This soil occupies most of the project site. These soil types are formed in parent material comprised of red fine-silty till and/or colluvium and are well drained. The depth to the water table is more than 80 inches and the depth to a restrictive feature is 42 to 80 inches to lithic bedrock. This soil type has a Land Capability Class of **2e** and a hydrologic soil group of **C**. These soils are classified as prime farmland (Web Soil Survey 2020).

**Penn silt loam, 2 to 6 percent slopes (PenB):** This soil occupies a portion of land in the northwest corner of the project site. These soil types are formed in parent material comprised of fine-loamy residuum weathered from acid reddish shale, siltstone, and fine-grain sandstone and are well drained. The depth to the water table is more than 80 inches and the depth to a restrictive feature is 20 to 40 inches to lithic bedrock. This soil type has a Land Capability Class of **2e** and a hydrologic soil group of **C**. These soils are classified as prime farmland (Web Soil Survey 2020).

**Reaville silt loam, 0 to 2 percent slopes (RehA):** This soil occupies various portions of land throughout the project site. These soil types are formed in parent material comprised of interbedded fine-grained fine-loamy residuum weathered from sandstone and siltstone and/or shale and are somewhat poorly drained. The depth to the water table is about 12 to 24 inches and the depth to a restrictive feature is 20 to 39 inches to lithic bedrock. This



soil type has a Land Capability Class of **3w** and a hydrologic soil group of **C**. These soils are classified as farmland of statewide importance. (Web Soil Survey 2020).

### **3.1.5 Hydrology and Drainage**

The Site currently consists of two residential dwellings, maintained lawn area and wooded areas. Freshwater wetlands occur on the property and within the project boundaries. Aside from freshwater wetlands, surface water drainage features include the Raritan River tributary which traverses the western portion of the property in a general southwest to northeast direction.

The NJ-GeoWeb shows that the project site is located within the Raritan River Lower (Lawrence to Millstone) HUC11 watershed and Raritan River Lower (I-287 Piscataway-Millstone) HUC14 sub-watershed (Appendix B)

### **3.1.6 Floodplains**

The geomorphic area inundated by flood waters of rivers or streams is the floodplain, which has a series of structural subdivisions defined largely by elevation, position and the periodicity of inundation. Floodplains provide important ecosystem functions and socio-economic values including the dissipation of flood waters, groundwater recharge, water quality improvement, wildlife habitat, etc.

According to the FEMA's Flood Insurance Rate Map (Map No. 34035C0168E), dated Effective as of September 28, 2007, the Site is in Zone X, outside of the 100-year and 500-year floodplains, but shows Raritan River Tributary running through the Site, which is in Zone A, a Special Flood Hazard Area. A Flood Hazard Area Verification Approval (File No. 1808-19-0009.1 LUP 190001) was received January 9, 2020 from the NJDEP, in which it verified the flood hazard area, floodway, and riparian zones on the Site (Appendix D).



In addition to riparian zones regulated by the NJDEP pursuant to N.J.A.C. 7:13, the Delaware and Raritan Canal Commission regulates a stream buffer on the Site.

### **3.1.7 Freshwater Wetlands**

Wetlands are those areas that are inundated or saturated with surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted to life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas. Wetlands are recognized for their many important ecosystem functions and socio-economic values and are provided protection pursuant to the New Jersey Freshwater Wetlands Protection Act of 1987.

According to the NJ-GeoWeb, no wetlands are located on the Site (Appendix B). In New Jersey, wetlands may be classified into one of three categories: (1) exceptional resource value wetlands are typically identified as such because they are present or documented habitat for threatened and/or endangered species or drain to a trout production stream; (2) intermediate resource value wetlands are essentially any wetland not identified as exceptional or ordinary; and (3) ordinary resource value wetlands can be (i) drainage ditches, (ii) swales, (iii) detention facilities created in uplands, and (iv) isolated wetlands that are smaller than 5,000 S.F. and have the following land uses covering more than 50 percent of the area within 50 feet of the wetland boundary: lawns, maintained landscaping, impervious cover, active railroads or gravel or stoned parking areas and roads.

Freshwater wetlands were documented along the tributary stream and in the eastern portion of the Site and are shown on the Site Plan. The NJDEP verified the location and resource value of the freshwater wetlands through the issuance of a Letter of Interpretation (LOI) dated February 27, 2020 (File No. 1808-19-0009.1 FWW190001).



The wetlands were classified as ordinary and intermediate resource value and State open waters were determined to be present. (Appendix D).

### **3.1.8 Groundwater Quality and Quantity**

Groundwater is all water within the soil and subsurface strata that is not at the surface of the land. It includes water that is within the earth that supplies wells and springs. It includes groundwater basins and water in perched water tables that lies above restrictive subsurface layers. Groundwater resources are often functionally linked to overlying land areas and surface water bodies; groundwater is often recharged through “outcrop” areas at the land surface and ground water discharges (“seeps”) may contribute to base flows of streams and rivers.

The groundwater yields of any particular geological formation or soil horizon are a function of the porosity and permeability of the material comprising the formation (consolidated rock or unconsolidated deposits and soils). Porosity describes the water-containing spaces between individual mineral grains, while permeability is the ease or difficulty with which water is transmitted through interconnecting spaces in the formation. Formations lacking open spaces between the mineral grains have both low porosity and low permeability. Weathering and cracking of the parent bedrock can induce secondary porosity in the formation; water can accumulate and move through these fractures in the primary rock formation.

The Brunswick aquifer (ba) is mapped for the Site by NJ-GeoWeb (Appendix B). The Brunswick aquifer consists of sandstone, siltstone and shale of the Passaic, Towaco, Feltville and Boonton Formations. Here, groundwater is stored and transmitted in fractures. The water of the Brunswick aquifer is typically fresh, slightly alkaline, non-corrosive and hard, and calcium-bicarbonate type waters dominate (Herman 1998)



New Jersey aquifers are ranked based on their ability to yield groundwater to high-capacity wells, including water supply, irrigation and industrial supply wells. The Brunswick aquifer is assigned a value of “C” on a scale of “A” through “E”, with a rank of “A” yielding the greatest amount of groundwater and a rank of “E” yielding a minimal amount of groundwater. Aquifers with a rank of “C” have a yield of 100 to 250 gpm (gallons per minute).

The NJDEP’s mapping of groundwater recharge on the NJ-GeoWeb shows most of the property to have a recharge rate of 8 to 10 inches of groundwater recharge per year. The western portion of the Site does not have groundwater recharge calculated and is ranked “W” for wetlands/open water. (Appendix B)

### **3.1.9 Surface Water Quality**

A tributary of the Raritan River which flows through the western portion of the project site from the northern Site boundary to the southern Site boundary, in a general southwest to northeast direction. According to the NJDEP Surface Water Quality Standards (N.J.A.C. 7:9B), the Raritan River tributary is classified as FW2-NT, freshwater with non-trout waters and is not considered to be a category one water. (Appendix B)

### **3.1.10 Air Quality**

Since the passage of the Clean Air Act in 1970, New Jersey’s air quality has significantly improved, to the point where New Jersey complies with all National Ambient Air Quality Standards (NAAQS) (NJDEP 2020). The Federal Clean Air Act requires each state to attain and maintain specified air quality standards. Ambient Air Quality Standards have been promulgated by the federal government and by New Jersey for total suspended particulate (TSP), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), lead and ozone. The New Jersey standards are generally the same as the federal standards for these pollutants. Primary air quality standards are set to protect human health and secondary standards are set to protect human welfare. The following air quality



assessment is taken from the 2019 New Jersey Air Quality Report published by the NJDEP Bureau of Air Monitoring. In 2019, there were 162 “Good” days, 190 were “Moderate,” and 13 were “Unhealthy for Sensitive Groups,” This indicates that air quality in New Jersey is mostly good or moderate (44% and 52% of days, respectively); however, air pollution was still bad enough in 2018 to adversely affect sensitive people about 4% of the time.

The air quality sampling station closest to the project site is Rutgers University. The Rutgers University station monitors and records a number of pollutant and meteorological parameters, including the following pollutants: Ozone, Particulate Matter, and Nitrogen Dioxide (NJDEP Bureau of Air Monitoring 2020). The Rutgers University Station recorded one (1) day in which the NAAQS for ozone was recorded and also recorded three (3) “unhealthy” days due to ozone. No other pollutants were reported to exceed the NAAQS.

At ground level, ozone is considered an air pollutant that can have serious health effects. Ground-level ozone is created when nitrogen oxides and volatile organic compounds (VOCs) react in the presence of sunlight and heat (NJDEP 2018). Nitrogen oxides are primarily emitted by motor vehicles, power plants, and other sources of combustion. VOCs are emitted from motor vehicles, chemical plants, factories, consumer and commercial products, and natural sources. Because ozone needs sunlight and heat to form, it is mainly a daytime problem during the summer.

### **3.2 Biological Resources**

Information on the biological resources of the project area was compiled from reports, database searches, and personal observation from field visits conducted by staff members from Maser Consulting.



### 3.2.1 Vegetation

The vegetation of the Site is influenced by and reflects the geographic location (Piedmont Physiographic Province), topography and exposure, bedrock geology and soils, landscape processes, hydrogeology (i.e., the streams, ponds, high water tables, etc.), and land use history.

Much of the Site has been modified and contains lawn and landscaped areas associated with the current residential land use. Upland, wooded communities contain early successional, mixed-deciduous/coniferous forest. Wetland communities contained palustrine forested and emergent wetland cover types. A summary of representative vegetative communities and species observed within each community type is included in Table 1.

**Table 1. Representative vegetative communities**

Mid-Successional Woodlands (Deciduous/Coniferous)		Palustrine Forested Wetlands	
Common Name	Scientific Name	Common Name	Scientific Name
Eastern red cedar	<i>Juniperus virginiana</i>	Red maple	<i>Acer rubrum</i>
Hickory sp.	<i>Carya sp.</i>	Pin oak	<i>Quercus palustris</i>
Sweet cherry	<i>Prunus avium</i>	Soft rush	<i>Juncus effusus</i>
White pine	<i>Pinus strobus</i>	Tussock sedge	<i>Carex stricta</i>
Poison ivy	<i>Toxicodendron radicans</i>	Sensitive fern	<i>Onoclea sensibilis</i>
Mugwort	<i>Artemisia vulgaris</i>		
Multiflora rose	<i>Rosa multiflora</i>		
Japanese honeysuckle	<i>Lonicera japonica</i>		
<b>Palustrine Emergent Wetlands</b>			
Common Name	Scientific Name		
Broadleaf cattail	<i>Typha latifolia</i>		
Soft rush	<i>Juncus effusus</i>		
Skunk cabbage	<i>Symplocarpus foetidus</i>		
Arrowleaf tearthumb	<i>Polygonum sagittatum</i>		

### 3.2.2 Wildlife

The term wildlife pertains to zoological (non-plant) resources, such as insects and animals. Terrestrial wildlife includes insects and animals that are not primarily aquatic. Terrestrial wildlife includes species that primarily occur on land and also includes avian





species. Aquatic wildlife includes species that spend the majority of time in aquatic environments. Aquatic wildlife also describes certain life stages of insects and animals, as is the case for most species of salamanders, frogs, and toads within this region which require aquatic habitats for breeding, egg, and larval life stages.

The project site primarily consists of maintained lawn areas and wooded areas containing uplands and wetlands. Based on the disturbed nature of the Site and surrounding disturbances associated with roadways and development, wildlife species that may utilize the Site are expected to be common and somewhat tolerant of human disturbances. Examples of common wildlife that could potentially use the Site were derived from species expected to occur in the municipality per the Franklin Township Environmental Resource Inventory (Franklin Township, 2008) and are included below.

Avian species that could occur on the Site mainly include any number of passerine birds.

The Site has the potential to support a number of reptile and amphibian species. The stream on the Site has the potential to support a variety of aquatic herptiles including the eastern painted turtle (*Chrysemys picta*), snapping turtle (*Chelydra serpentina*), musk turtle (*Sternotherus odoratus*) and red-bellied turtles (*Chrysemys rubriventris*). The Site in general could also potentially support snake species along the stream, in the wooded areas and within the lawn areas, including Garter snake (*Thamnophus sirtalus*), black racer (*Coluber constrictor*), ringneck snake (*Diadophis punctatus punctatus*), milk snake (*Lampropeltis triangulum*), black ratsnake (*Elaphe obsoleta*), northern brown snake (*Storeria dekayii*) and northern water snake (*Nerodia sipedon*). Amphibians that potentially occur on the Site may include including bullfrogs (*Rana catesbiana*), pickerel frogs (*Rana palustris*), green frogs (*Rana clamitans*), northern gray treefrogs (*Hyla versicolor*) and spring peepers (*Pseudacris crucifer*). Red-backed salamanders (*Plethodon cinereus*) could occur in forest areas and two-lined salamanders (*Eurycea bislineata*) could occur along the stream.



Mammalian species that potentially occur on their Site include white-footed mice (*Peromyscus leucopus*), coyote (*Canis latrans*), red fox (*Vulpes vulpes*), eastern gray squirrel (*Sciurus canadensis*), white tailed deer (*Odocoileus virginianus*), opossum (*Didelphis virginiana*) and raccoons (*Procyon lotor*). A number of bat species including big brown bat (*Eptesicus fuscus*), little brown bat (*Myotis lucifugus*), long-eared bat (*Myotis septentrionalis*) and the Eastern pipistrelle (*Perimyotis subflavus*) can be associated with waterbodies, forests, agricultural and residential land uses/land covers.

### **3.2.3 Rare Species and Species of Special Concern**

The New Jersey Landscape Project uses geographic information system (GIS) technology to map critical wildlife habitat, including for threatened and endangered species, throughout the State based on species location data, land cover data and species life history and habitat requirements. Habitat patches are assigned a numbered rank based on the criteria listed below.

**Rank 5** is assigned to patches containing one or more occurrences of at least one wildlife species listed as endangered or threatened on the Federal list of endangered and threatened species.

**Rank 4** is assigned to patches with one or more occurrences of at least one State endangered species.

**Rank 3** is assigned to patches containing one or more occurrences of at least one State threatened species.

**Rank 2** is assigned to patches containing one or more occurrences of species considered to be species of special concern.

**Rank 1** is assigned to patches that meet habitat-specific suitability requirements such as minimum size criteria for endangered, threatened or priority wildlife species, but that do not intersect with any confirmed occurrences of such species.



The New Jersey Landscape Project data accessed through the NJ-GeoWeb (Appendix B) identified one habitat cover type with a corresponding patch rank (Rank 1) on the Site. Rank 1 habitats are not associated with threatened or endangered species occurrences.

A request was made to the Natural Heritage Program (NHP) for a search of its database for records of rare species or wildlife habitat. The NHP response letter, dated July 18, 2019 did not identify any rare wildlife species or wildlife habitat on the project site. The letter did report foraging habitat for Great blue heron (*Ardea herodias*) in the immediate vicinity of the project site (Appendix E).

A request was submitted to the New Jersey Natural Heritage program (NHP) for a list of rare species that may occur on, or within one mile of the project site. The response dated July 18, 2019 (Appendix E), as well as the NJ-GeoWeb species-based habitat mapping (Appendix B), indicated there are no threatened or endangered species on the property. These results indicated Great Blue Heron (*Ardea Herodias*), a species of special concern, may use the Raritan River tributary as a foraging area.

A Letter of Interpretation (LOI) verifying the accuracy of the wetland boundary and assigning a resource value classification to the wetlands was issued by the NJDEP on February 27, 2020 (File No. 1808-19-0009.1 FWW190001) (Appendix D). The LOI classified all wetlands on the property as ordinary resource value and intermediate resource value, which supports that the wetlands do not represent habitat for threatened or endangered species.

### **3.2.4 Floodplains**

The geomorphic area inundated by flood waters of rivers or streams is the floodplain, which has a series of structural subdivisions defined largely by elevation, position and the periodicity of inundation. Floodplains provide important ecosystem functions and socio-economic values including the dissipation of flood waters, groundwater recharge, water quality improvement, wildlife habitat, etc.



According to the FEMA's Flood Insurance Rate Map (Map No. 34035C0168E), dated Effective as of September 28, 2007, the Site is in Zone X, outside of the 100-year and 500-year floodplains, but shows Raritan River Tributary running through the Site, which is in Zone A, a Special Flood Hazard Area (Appendix B). A Flood Hazard Area Verification Approval (File No. 1808-19-0009.1 LUP 190001) was received January 9, 2020 from the NJDEP, in which it verified the flood hazard area, floodway, and riparian zones on the Site (Appendix D).

### **3.3 Cultural and Aesthetic Resources**

#### **3.3.1 Historic and Archaeological Resources**

According to the Township's Environmental Resource Inventory, the *New Jersey & National Registers of Historic Places - Somerset County* (2020), identifies the following sites for Franklin Township:

- Cornelius S. Conover Farm (ID#3960)
- Delaware and Raritan Canal Historic District Extension (ID#2503)
- Delaware and Raritan Canal Historic District (ID#1600)
- East Millstone Historic District (ID#2494)
- Hendrick Fisher House (ID#4470)
- Garretson House and Barn (Site 5) (ID#2495)
- Griggstown Historic District (ID#2496)
- Hageman Farm Complex (ID#2497)
- Howe Farmstead (ID#4626)
- Inch Lines Linear Multistate Historic District (ID#1914)
- King's Highway Historic District (ID#353)
- Kingston Mill Historic District (ID#1746)
- Kingston Village Historic District (ID#2498)



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- Middlebush Village Historic District (ID#4704)
  - Charles B. Moore House (ID#3530)
  - NJ Route 27 (3E) Bridge (SI&A #1216158) (ID#1889)
  - Old Kingston Bridge (SI&A # 1105151) (ID#5121)
  - Rockingham (ID#2499)
  - Rocky Hill Historic District (ID#2580)
  - Six Mile Run Reformed Church (ID#3527)
  - Six Mile Run Village Historic District (ID#3528)
  - Percy Smith Farm Site (Site 19) (ID#2501)
  - Somerset County Courthouse Archaeological Site (28-So-112) (ID#2502)
  - Stankovich Auto Body (ID#4797)
  - Tulipwood (ID#4226)
  - Symen Van Wickle House (The Meadows) (ID#2504)
  - Voorhees Site (28-So-153) (ID#4845)
  - Weston Mill Archaeological Site (ID#5602)

Based on the NJ-GeoWeb database, the Site does not contain any historic properties, historic districts, or fall within an archaeological site grid (Appendix B).

### **3.3.2 Aesthetic Features**

The project site is partially wooded and contains maintained lawns and does offer some aesthetic value in its current undeveloped state that would be impacted by developing the Site. Aesthetic resources such as scenic vistas or parkland are not present and will not be impacted. The proposed use is consistent with existing, surrounding land uses of commercial / industrial development.



## **3.4 Community Resources and Conditions**

### **3.4.1 Traffic and Transit**

**Elizabeth Avenue (CR 621)** is a north/south oriented urban minor arterial under the jurisdiction of Somerset County. Within the vicinity of the project, the roadway provides one travel lane in each direction with shoulders. The posted speed limit is 35 MPH. Significant adverse impacts to traffic movement are not anticipated. Please refer to the Traffic Impact Study prepared by Maser Consulting (2020) in regard to the above and for additional information and traffic conditions under existing and proposed conditions.

### **3.4.2 Schools**

The project is a proposed warehouse which will not generate any school age children. This commercial facility will contribute to the Township tax base which is anticipated to provide additional tax revenue that could be allocated to the school system or other community resources. The project will not negatively impact the Township's school system.

### **3.4.3 Public Safety**

No impacts are anticipated for police, fire and rescue services due to the proposed project producing no new residents and because it is a land use consistent with the surrounding development and the ordinance.

## **4.0 ASSESSMENT OF ENVIRONMENTAL IMPACTS**

The proposed development will result in some temporary and permanent impacts to existing land covers/land uses and natural resources. Potential impacts are identified below according to specific site characteristics set forth in the previous sections of this document. Mitigation measures to avoid or minimize these impacts are identified for the construction and operational phases of the proposed project and are also summarized in the following section on steps to minimize environmental impacts.



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## **4.1 Impacts to Physical Conditions**

### **4.1.1 Topography, Geology, and Soils**

The project site currently contains two residential dwellings, maintained lawn area and is partially wooded. Under existing conditions, the Site is gently sloping and elevations on the Site range from approximately 85 ft. to 63 ft.

The topography and existing soils of the project site will be altered as part of the proposed development through grading and the placement of the single-loaded warehouse building, roads, utilities, landscaping and lighting, and stormwater management facility.

Out of the four soil types listed for the project site, two are classified as prime farmland soils (soil map unit symbols PenB and NotB). The construction of the project site will result in the loss of prime farmland soils; however, the Site is not in an agricultural land use under current conditions, so no active farmland will be lost.

Considering the geographic location of the Site on the Piedmont province of New Jersey, no bedrock outcrops exist on the Site. The NJ-GeoWeb does not show any bedrock outcrop existing onsite; therefore, impacts to these features are not anticipated.

Impacts to topography, soil and geology, as a result of the development, are expected to be minor and typical of this type of development project.

### **4.1.2 Hydrology/Water Quality**

#### ***Hydrology***

The proposed development will alter the current hydrology of the Site, as the development will increase impervious cover on-site, which will in turn increase the amount of stormwater runoff generated by the Site. Non-point source pollutants that may



be associated with the proposed project primarily include pollutants that would be generated by runoff from rooftops, parking areas, and landscaped areas.

Stormwater management will be provided to mitigate for the increase in stormwater runoff and addresses runoff quantity, quality, and recharge in accordance with the NJDEP's Stormwater Management Rules at N.J.A.C. 7:8. One stormwater management basin (wet pond) and best management practices are proposed to mitigate stormwater runoff from the Site. Additionally, a Soil Erosion and Sediment Control Plan has been prepared and incorporated into the Site Plan to reduce the potential for erosion and sedimentation during the construction phase.

### ***Water Quality***

The proposed project will utilize a stormwater management basin (wet pond) and porous pavement in a portion of the parking area. The wet pond has been designed in accordance with the design recommendations provided in the New Jersey Stormwater Best Management Practices Manual. The NJDEP's Stormwater Management Rules require at least 80% removal of Total Suspended Solids (TSS); however, when considering the removal of existing impervious surfaces on the Site, the required TSS removal for this Site is 74.2%. The stormwater management measures including the basin basin (wet pond) and porous pavement achieve and exceed the required rate of TSS removal. Furthermore, the peak rates of runoff will be reduced and groundwater recharge requirements will be achieved in accordance with NJDEP Regulations for flow reduction and recharge. The proposed development has been designed in accordance with NJAC 5:21, NJAC 7:8 & the New Jersey Stormwater Best Management Practices Manual.

Based on the project implementation of a Stormwater Management Plan developed in accordance with the NJDEP's Stormwater Management Rules and implementation of a Soil Erosion and Sediment Control Plan, no adverse impacts to existing hydrology or





water quality are anticipated. Refer to the Stormwater Management Report (Maser Consulting, 2020) for details.

#### **4.1.3 Floodplains**

The flood hazard area and riparian zone associated with the onsite tributary of the Raritan River will be encroached upon for the construction of an access driveway to the proposed warehouse facility and for a stormwater outfall structure. The driveway is necessary to provide access to the development area and the stormwater outfall structure is required to discharge stormwater from the retention basin to a stable point. These activities are subject to NJDEP review and approval through a Flood Hazard Area Individual Permit. The proposed building, parking and loading areas, and stormwater management basin are located outside of flood hazard areas and riparian zones.

A minor encroachment/reduction into the Delaware and Raritan Canal Commission's (DRCC) Stream Corridor Buffer will be required for the construction of parking areas associated with the proposed warehouse facility; however, this encroachment will be compensated for through expansion of the DRCC Buffer and revegetation of existing disturbed areas of the DRCC Buffer.

#### **4.1.4 Freshwater Wetlands**

The project will require minor disturbances to freshwater wetlands and transition areas. These minor disturbances will require NJDEP review and approval pursuant to the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. Anticipated permits or approvals include the following:

- Freshwater Wetlands General Permit 10 – required for the access driveway from Elizabeth Avenue and the fire access road around the building.
- Freshwater Wetlands General Permit 11 – required for the stormwater outfall structure.



- Transition Area Waiver – Averaging Plan – required to modify the shape of the standard transition area through reduction and expansion to accommodate the proposed layout.

#### **4.1.5 Groundwater**

The stormwater management measures proposed for the Site have been designed to meet the standards as set forth by N.J.A.C 7:8 (stormwater quantity, quality and groundwater recharge) and the standards as enforced by the Somerset County Soil Conservation District (soil erosion and sediment control); therefore, groundwater impacts are not anticipated from the project's stormwater runoff.

Potential impacts to groundwater quality can be associated with underground storage tanks and septic disposal systems. There are no underground storage tanks proposed for the project. An individual septic disposal system is proposed; however, the septic system does not occur within or adjacent to a community or non-community wellhead protection area. Therefore, adverse impacts to groundwater as a result of the septic system area not expected.

## **4.2 Impacts to Biological Resources**

### **4.2.1 Vegetation and Flora**

The project site consists primarily of two residential dwellings with maintained lawn areas which are devoid of natural or undisturbed plant communities. Most of the vegetation to be impacted consists of lawn area and scattered trees. Other areas of the Site include woodlands in the riparian corridor and in the eastern portion of the property, some of which will be permanently impacted for the proposed development. Impacts to the vegetation within the riparian corridor will be limited to the access driveway and a



small area of the DRCC Stream Buffer will be disturbed for the construction of a parking area but will be mitigated.

The Landscape Plans for the Site include a mix of deciduous trees, evergreen trees, ornamental trees, shrubs, and perennial and annual herbaceous vegetation. The plantings will be throughout the Site but concentrated to the rear of the building for buffer and aesthetic effect and along the riparian corridor in the western portion of the property which, in combination with the riparian zone vegetation to remain, will provide aesthetic buffering between the warehouse building and Elizabeth Avenue, additional wildlife habitat, and vegetated stream buffer.

#### **4.2.2 Wildlife**

Significant impacts to wildlife species are not expected as a result of the proposed warehouse as the Site is in a disturbed land setting characterized by two houses and lawn/landscaped areas with scattered trees which provides limited wildlife habitat for common species. Some other habitat for common wildlife species will be lost, including a small area of woodlands in the eastern portion of the Site and minor impacts to the riparian corridor for the construction of the access driveway.

Offsite woodlands to the north and east, onsite freshwater wetlands and transition areas, and the onsite riparian corridor associated with Raritan River tributary will provide habitat, including for dispersal, foraging, and refuge, during and after construction. Additionally, portions of the Site to be landscaped will provide habitat value to common wildlife species, primarily for mobile species and passerine birds, after construction.

#### **4.2.3 Rare Species and Species of Special Concern**

A request was submitted to the New Jersey Natural Heritage program (NHP) for a list of rare species that may occur on, or within one mile of the project site. The response letter did not identify rare wildlife species or wildlife habitat on the project site; therefore,



impacts to threatened or endangered species are not anticipated. The NHP letter did indicate the presence of the special concern Great Blue Heron (*Ardea Herodias*) as foraging within the immediate vicinity of the Site. Onsite and offsite portions of the riparian corridor associated with the Raritan River tributary will continue to provide foraging habitat for Great Blue Heron during and after construction.

#### **4.3 Impacts to Cultural Resources**

Based on the absence of documented historic resources on the project site, impacts to known historic resources are not anticipated. The NJDEP State Historic Preservation Office (SHPO) is anticipated to review the freshwater wetland permit applications to be submitted for potential impacts to historic resources. If SHPO determines there is a potential impact to historic resources, the applicant will further coordinate with SHPO regarding the appropriate actions to be taken.

#### **4.4 Impacts to Aesthetic Resources**

The primary aesthetic impact of the single-loaded warehouse development will be the change in land use from maintained lawn areas and wooded natural vegetative communities to a warehouse development. The loss of vegetative communities visible from Elizabeth Avenue represent a potential aesthetic impact; however, the proposed land use conforms to the zoning and surrounding land uses and a Landscape and Lighting Plan has been included in the site design to mitigate for aesthetic impacts during the operational phase. Proper site construction sequences and proper maintenance of the Site during the construction phase will be implemented to avoid adverse visual impacts during construction.

#### **4.5 Potable Water Supply**

The estimated projected project demands for potable water average 938 gallons per day (GPD) as shown in Table 2. Potable water service will be provided by the Franklin Township Department of Public Works.



Estimated Projected Water Demand:

			Shifts	
Office	1,500 s.f.	X 0.125	1	= 188 GPD
Warehouse (Shifts 1 & 2)	74,730 s.f./5,000 = 15 employees (1 employee / 5,000 s.f.)	X 25 GPD per employee	2	= 750 GPD
<b>Total GPD</b>				<b>= 938 GPD</b>

#### 4.6 Sewerage Facilities

The Site will be served by an individual septic disposal system; therefore, no impacts to sewerage facilities are anticipated. The septic demand is as follows:

Estimated Projected Septic Demand:

74,730 sf/5,000 sf/employees = 15 employees

15 gals/employees x 15 x 2 shifts = 450 gpd

1,500 sf office x 0.125 gpd/sf = 188 gpd

**Total = 638 gpd**

#### 4.7 Air Quality

The proposed warehouse facility may have minor impacts on air quality during the construction and operational phases.

Minor, localized, short-term effects on air quality will occur during the construction phase of the proposed project. Potential air pollutants generated during the construction phase include carbon monoxide (CO) from the exhaust of vehicles and construction equipment and particulates from dust generated during construction activities. Earth moving and excavation have the highest engine emissions and dust generation (SAEFL, 2004). The levels of CO and particulates are expected to be greatest during the land clearing and site preparation stages of the construction phase, which is when diesel construction vehicles and heavy equipment will be the most prevalent. The CO and particulate levels are expected to diminish upon completion of earthwork and during the construction phase of the project. The minor impacts to air quality during the construction phase are not anticipated to be significant.



Once the project is complete, and during the operational phase, the anticipated outdoor air pollution will primarily be that of vehicle exhaust from commuting workers and truck traffic which is consistent with existing impacts associated with the surrounding land uses. Large equipment such as boilers and generators may also have minor impacts on local air quality. The minor impacts to air quality during the operational phase are not anticipated to be significant.

The acceptable air quality standards are not anticipated to be impacted by the proposed project due to its relatively small scale. While air quality may be locally impacted during construction and operation, no significant net-impacts to air quality are anticipated to result from the proposed project.

Measures that can be taken to minimize air quality impacts during the construction phase include:

- Dust control
- No vehicle idling policy
- Maintenance of vehicles and equipment in accordance with manufacturer's specifications
- Use of licensed and experienced contractors

## **5.0 STEPS TO MINIMIZE ENVIRONMENTAL IMPACTS**

### **5.1 Planning Phase Measures**

The planning phase is perhaps the most important aspect of proposing measures or controls that will minimize or eliminate negative impacts. The single-loaded warehouse development project is proposed for only a portion of the 8.4± acre Site. The proposed project includes a series of design features included to reduce impacts to waters and wetlands and aesthetic values such as views. These include but are not limited to the following:

- Delineation of wetlands and transition areas, including agency verification;
- Delineation of flood hazard areas and riparian zones, including agency verification;



- 
- Obtain freshwater wetland and flood hazard area permits;
  - Obtain Soil Erosion and Sediment Control Plan certification;
  - Avoidance of, and provision for appropriate buffers to, delineated waters and wetlands where feasible;
  - Preparation of a Landscape Plan associated with the proposed Site Plan;
  - Grading and drainage plans have been prepared in accordance with the requirements for the Site Plan and have been submitted for approval;
  - A Stormwater Management Plan/Report; and
  - Preparation of a Traffic Impact Statement

## **5.2 Construction Phase Measures**

Construction phase impacts may include noise, dust, traffic, environmental safety, and other short-term potential impacts. Some measures to reduce construction phase impacts may include, but are not limited to:

- Implementation of the Soil Erosion and Sediment Control Plan;
- Implementation of the Stormwater Management Plan;
- Designated construction vehicle access routes;
- Dust control;
- Vehicle idling policies;
- Construction in accordance with local ordinances and requirements, including work hours;
- Adherence to OSHA and other required workplace safety protocols;
- Construction in accordance with local, State, and/or Federal permits and conditions, including Freshwater Wetland General Permits and Transition Area Waivers and Flood Hazard Area Individual Permits.
- If any historic resources are discovered during excavations and grading of the site, the State Historic Preservation Office will be contacted for guidance.



### **5.3 Operational Phase Measures**

Operation phase impacts include traffic, noise, environmental health and safety, landscape maintenance, and other long-term potential impacts. The project shall include the following measures:

- Implement Stormwater Management Plan Operations and Maintenance Manual.
- Maintain all landscaping, setbacks, and buffers for the maximum aesthetic effect including replacement of landscape and buffer trees and other plantings as needed.

### **6.0 UNAVOIDABLE ADVERSE IMPACTS**

Unavoidable adverse impacts are those residual impacts that remain after the implementation design control measures and specific mitigation measures, as listed and discussed herein, to reduce or eliminate, as feasible, the identified adverse impacts. Unavoidable, adverse impacts include alteration of soils, topography and vegetation, minor loss of habitat for common wildlife, loss of prime farmland soils but no loss of active agricultural or cultivated land, and minor impacts to freshwater wetland and flood hazard area resources. No other significant or long-term adverse impacts to environmental resources are anticipated from the construction of the proposed warehouse.

Implementation of a Soil Erosion and Sediment Control Plan and a Stormwater Management Plan will protect soil and water and prevent significant impacts related to water quality and quantity. The Landscape Plan will provide mitigation for the loss of vegetation, aesthetic values, and loss of wildlife habitat. Short-term impacts to air quality may occur during the construction phase of the project.

### **7.0 BENEFICIAL IMPACTS**

The proposed project will bolster the local economy by providing tax ratables. The economic and fiscal benefits to the local economy will also be realized during the construction and operational





phases of the project. The construction phase will generate short term job opportunities which will stimulate the local economy. Due to the short duration of the construction phase of the project, construction workers will likely not seek permanent housing and therefore not result in long-term or permanent changes to the demographics of the community. However, construction workers are expected to contribute to the local economy on a short-term basis through procurement of goods and services from the local community, examples of which may include the purchase of short-term housing, food and entertainment, construction equipment, and building materials.

The operational phase will generate long-term job opportunities. Operational workers will contribute to the local economy on a long-term basis through procurement of goods and services from the local community, examples of which may include the purchase of housing, food, and entertainment.

## **8.0 ALTERNATIVES**

The proposed warehouse project is an approved use within the Light Manufacturing (M-1) Zoning District. Other feasible land uses are anticipated to require a similar commitment of resources and would be anticipated to have potential impacts of the same nature as the currently proposed development. Different configurations of the proposed project were considered; however, the proposed layout was selected because it largely avoids sensitive resources such as freshwater wetlands, flood hazard areas, riparian zones and stream buffers associated with a tributary of the Raritan River.

## **9.0 CONCLUSION**

The proposed warehouse development project on the proposed 7.48-acre lot is an approved use in the Light Manufacturing (M-1) Zoning District within which it occurs. The existing residence on the proposed 40,000 SF lot is a preexisting non-conforming use in the M-1 Zone. There will



some short-term and long-term environmental impacts associated with the project; however, most of the environmental impacts can be minimized, avoided or mitigated for through site design elements and best management practices which reduces the likelihood of significant adverse impacts occurring as a result of the project.



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**APPENDIX A**  
**QUALIFICATIONS OF PREPARERS**

**KEVIN JAMIESON, PWS**

Principal Associate/Environmental Scientist

## EXPERIENCE

Mr. Jamieson is an Environmental Scientist/Ecologist with over 15 years of experience in ecological and regulatory consulting. He specializes in wetland assessment and delineation, wetland and riparian zone mitigation, threatened and endangered species assessments and surveys, natural resource inventories and evaluations, environmental impact analyses, and environmental permitting and compliance at the local, state, and federal levels.

Mr. Jamieson is certified as a Professional Wetland Scientist by the Society of Wetland Scientists. He has managed and performed wetland assessments and delineations throughout the northeast and mid-Atlantic and secured freshwater wetland permit authorizations for various types of projects, including utilities, energy, industrial, commercial, residential, and recreational. He has also assisted in the preparation of compensatory wetland mitigation and riparian zone mitigation plans. Mr. Jamieson is recognized by the U.S. Fish and Wildlife Service as a qualified bog turtle (*Glyptemys muhlenbergii*) surveyor and qualified Indiana bat (*Myotis sodalis*) surveyor in New York and New Jersey and is familiar with the biology and survey techniques for a variety of flora and fauna that occur in the northeast and mid-Atlantic regions of the United States. He has performed habitat assessments, presence/absence surveys, and construction monitoring for a number of threatened and endangered species.

Mr. Jamieson is proficient in performing ecological field studies and is an experienced project manager who possesses the necessary technical skills, regulatory knowledge, and creativity to effectively and responsibly guide projects through local, state, and federal reviews. With his positive attitude, technical skill set, regulatory knowledge, and diverse experience, Mr. Jamieson has established himself as a well-respected professional in the ecological and regulatory consulting industry.

## WETLAND INVESTIGATIONS &amp; DELINEATION PROJECTS

**Telecommunications Towers, Various Clients  
Locations in NJ, DE, PA, WV, and MD**

Served as Lead Investigator to telecommunications carriers and tower construction companies for the siting of new towers. Duties included desktop analysis and site visit to delineate wetlands and provide a report of findings along with an assessment of local, state, and federal wetland regulations and permits required.

**Federal Aviation Administration - Atlantic City International  
Airport, William J. Hughes Technical Center  
Atlantic City, Atlantic County, NJ**

Performed a delineation of freshwater wetlands and waters, including riparian zones, for a water main extension. The delineation included

## EDUCATION

- M.S. Biology, Montclair State University, 2012
- B.S. Natural Resource Management (Ecology), Rutgers University, 2001

## PROFESSIONAL CERTIFICATIONS

- Professional Wetland Scientist (Certification Number 2439)
- Wetland Delineation Certification, Rutgers University, 2001
- USFWS List of Recognized Qualified Indiana Bat Surveyors, 2008 to Present, New Jersey and New York
- USFWS List of Recognized Qualified Bog Turtle Surveyors, 2010 to Present, New Jersey and New York
- OSHA 40 Hr Health and Safety and 8 Hr Refresher
- OSHA 10 Hr Construction

## PROFESSIONAL AFFILIATIONS

- Society of Wetland Scientists
- New York State Wetlands Forum
- Southern Gas Association

## CURRENT APPOINTMENTS

- Delaware Township, Senior Environmental Scientist



an assessment of alternatives and permits required by the New Jersey Department of Environmental Protection (NJDEP) pursuant to the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A and the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13.

**New York City Economic Development Corporation – Wetland Delineations**

**Various Locations, New York City, NY**

Performed a delineation, characterization, and GPS location of wetlands in coastal settings at multiple locations in New York City to help the New York City Economic Development Corporation monitor wetland conditions and trends.

**Central Hudson Gas & Electric Corporation - La Grange Gas Expansion Project**

**Town of La Grange, Dutchess County, NY**

Performed a delineation of freshwater wetlands and waters regulated by the New York State Department of Environmental Conservation (NYSDEC) and/or the U.S. Army Corps of Engineers (USACE) for an approximate 3.5-mile proposed gas line.

**Central Hudson Gas & Electric Corporation – SM-Line Gas Reinforcement Project**

**Town of Carmel, Putnam County, NY**

Performed a delineation of freshwater wetlands and waters regulated by the NYSDEC and/or the USACE for an approximate 3.5-mile proposed gas main reinforcement project.

**Proposed Commercial Development**

**Township of East Windsor, Mercer County, NJ**

Performed vernal habitat survey and delineation to determine the extent of vernal habitats regulated by the NJDEP. The vernal habitat survey included a review of previously delineated wetlands for accuracy and assessment of each wetland area to determine which areas qualify as vernal habitats. A Letter of Interpretation (extension) application was prepared and submitted to the NJDEP along with a report of the vernal habitat survey results.

**Proposed Residential Development**

**Township of Plumsted, Ocean County, NJ**

Performed a delineation of freshwater wetlands and waters regulated by the New Jersey Department of Environmental Protection and the USACE for a 200+ acre property on which a residential development is proposed.

**Proposed Office Building for Delaware River Joint Toll Bridge Commission**

**Township of Lower Makefield, Bucks County, PA**

Performed a delineation of freshwater wetlands and waters regulated by the USACE for a 15-acre property and prepared and submitted to the USACE a request for a Jurisdictional Determination.

PERMITTING & COMPLIANCE PROJECTS

**Enterprise Products – Integrity Management Portfolio Support**

**Various Locations, NY**

Assisted Enterprise Products with environmental site reviews following integrity management surveys that revealed anomalies along its existing lines in New York State. Tasks included conducting a desktop review of identified dig locations, field investigation and delineation of wetlands/waters, identifying site access, and providing a summary of potential environmental permits that may be required from the USACE and the NYSDEC. Following desktop and field investigations, an environmental (wetlands) permit application was prepared and submitted to the appropriate agency.



**Federal Aviation Administration - Atlantic City International Airport, William J. Hughes Technical Center  
Atlantic City, Atlantic County, NJ**

Prepared an Environmental Assessment (EA) pursuant to the National Environmental Policy Act for improvements to the Airport Research Technology Center at the William J. Hughes Technical Center. The EA led to a Finding of No Significant Impact.

**The Point at Sayreville (Former National Lead Site)  
Borough of Sayreville, Middlesex County, NJ**

Assisted in obtaining USACE and NJDEP permits for freshwater wetland impacts associated with the largest brownfield redevelopment project in the history of the State of New Jersey. The project consists of a mixed-use waterfront development with more than 2.8 miles of waterfront; 3,000,000 SF of retail space; 1,250 hotel rooms; a government complex; 2,000 residential units; an entertainment complex; marina; and multiple digital media towers.

**Atlantic County Priority Repairs to Mill Road Bridge  
City of Absecon, Atlantic County, NJ**

Served as Environmental Consultant to the County of Atlantic, Division of Engineering to provide freshwater and coastal wetland permitting services for priority repairs to Mill Road Bridge (A-04) over Absecon Creek in the City of Absecon. Services included a delineation of wetlands, plan review for environmental compliance issues, and obtaining a Waterfront Development Permit and Tidelands License from the NJDEP and a Nationwide Permit from the USACE.

**Middlesex County Improvements to Stelton Road/Plainfield Avenue  
Townships of Edison and Piscataway, Middlesex County, NJ**

Assisted in securing a NJDEP Flood Hazard Area Individual Permit and obtained NJDEP Freshwater Wetlands General Permits and a Special Activity Transition Area Waiver for over one-mile of roadway, intersection, and drainage improvements to Stelton Road/Plainfield Avenue (County Route 529).

**Bayside Residential Development  
Town of Marlborough, Ulster County, New York**

Delineated freshwater wetlands on this 25-acre site and obtained a Jurisdictional Determination from the U.S. Army Corps of Engineers. Assisted in the preparation of a Draft and Final Environmental Impact Statement to satisfy State Environmental Quality Review Act requirements.

**Orange County Towers  
Various Locations, Orange County, NY**

Served as Project Lead for ecological services for the siting of six new emergency radio towers. Duties included freshwater wetland assessment and delineation, National Environmental Policy Act screening, and Section 7 Endangered Species Act consultation with the USFWS and NYSDEC which involved habitat assessments for Dwarf wedgemussel, Small whorled pogonia, Indiana bat, Northern long-eared bat, Bog turtle, and Timber rattlesnake.

**Sanitary Sewer Pump Station Upgrades and Bulkhead Reconstruction  
Township of Ocean, Monmouth County, NJ**

Obtained NJDEP Coastal General Permit 14 for the reconstruction of over 500 ft of bulkhead and Coastal General Permit 24 for the legalization of filled tidelands on a tract of land containing a sanitary sewer pump station adjacent to a former tidal water. Also obtained exemption from coastal permitting requirements for the reconstruction of the sanitary sewer pump station.





## THREATENED &amp; ENDANGERED SPECIES

**NJ State Highway Route 23 Reconstruction – Bog Turtle and Wood Turtle Construction Monitoring  
Borough of Sussex and Township of Wantage, Sussex County, NJ**

Provided pre-construction survey and construction monitoring services for bog turtle and wood turtle for an approximate one-mile long highway reconstruction and bridge replacement project to ensure turtle protective measures are functional in accordance with freshwater wetland and flood hazard area permit conditions.

**Rolling Knolls Superfund Site Monitoring Wells – Bog Turtle Construction Monitoring  
Township of Chatham, Morris County, NJ**

Provided pre-construction survey and monitoring services for the installation of monitoring wells within freshwater wetlands that were determined to be suitable habitat for bog turtle in accordance with freshwater wetland permit conditions.

**Hercules Incorporated, Kenvil Works Facility – Bog Turtle Phase 1 Survey and Construction Monitoring  
Township of Roxbury, Morris County, NJ**

Provided bog turtle habitat surveying and construction monitoring services on an approximate 1,000-acre site. Services included a site-wide Phase 1 survey for bog turtle followed by construction monitoring for subsurface exploration activities located adjacent to a potential bog turtle habitat.

**Six Flags Great Adventure Proposed Solar Farm - Mist Net Survey  
Township of Jackson, Ocean County, NJ**

Served as Lead Investigator for a summer mist net survey to detect the presence or probable absence of the Federally-threatened Northern long-eared bat on an approximate 100-acre site proposed for a solar facility.

**Honeywell Headquarters Proposed Redevelopment – Combined Acoustic and Mist Net Survey  
Township of Morris, Morris County, NJ**

Served as Project Manager and Lead Investigator for a combined acoustic and mist-net survey to detect the presence or probable absence of Indiana bat and Northern long-eared bat for a proposed redevelopment project on the Honeywell headquarters property.

**Burlington County Route 541 and Hancock Road – Phase 1 Bog Turtle Survey  
Township of Burlington, Burlington County, NJ**

Performed a Phase 1 bog turtle survey for a roadway and intersection improvement project at Burlington County Route 541 and Hancock Road.

**Project Mustang - Phase 1 Bog Turtle Survey  
City of Bethlehem, Northampton County, PA**

Performed a Phase 1 bog turtle survey in response to the Pennsylvania Natural Diversity Index for an approximate 30-acre site on which a commercial development is proposed.

**New Jersey Division of Fish and Wildlife – Phase 2 Bog Turtle Surveys  
Multiple Sites in Burlington County, NJ and Sussex County, NJ**

Performed contract bog turtle surveys for the New Jersey Division of Fish and Wildlife using Phase 2 survey techniques.

## PUBLICATIONS

*Vernal Pools: Look Before You Leap. Mid-Atlantic Real Estate Journal Spring Preview; 2010.*



## SPEAKING ENGAGEMENTS

New Jersey Chapter of The Wildlife Society-Spring Meeting. NJ Division of Fish and Wildlife Assunpink Conservation Center, Upper Freehold, New Jersey. *Surviving Salt: Impact of Road De-icers on New Jersey Amphibian Species*; 2013.

New York State Wetlands Forum 2013 Annual Conference and Meeting. Fort William Henry Hotel and Conference Center, Lake George, New York. *Behavioral Aversion of Northern Gray Treefrogs (*Hyla versicolor*) to Road Salts*.

Central Hudson Gas and Electric. Long Term Vegetation Management Training Program. Central Hudson Gas and Electric Training Center, Rifton, New York. *Regulatory Requirements for Vegetation Management*; annually presented 2013 through 2017.

Society of Wetland Scientists Mid-Atlantic Chapter 2014 Conference "Wetland Mitigation, Restoration, and Ecology" Days Inn Penn State, State College, Pennsylvania. *Recognizing Opportunities for Restoring Freshwater Tidal Marshes – Mill Brook Pond Restoration, Highland Park, New Jersey*.

Pulte Homes, Basking Ridge, New Jersey. *The Path to Land Development in New Jersey*.

Maser Consulting P.A., Red Bank, New Jersey. *Freshwater Wetland Rules and Regulations in New Jersey*.

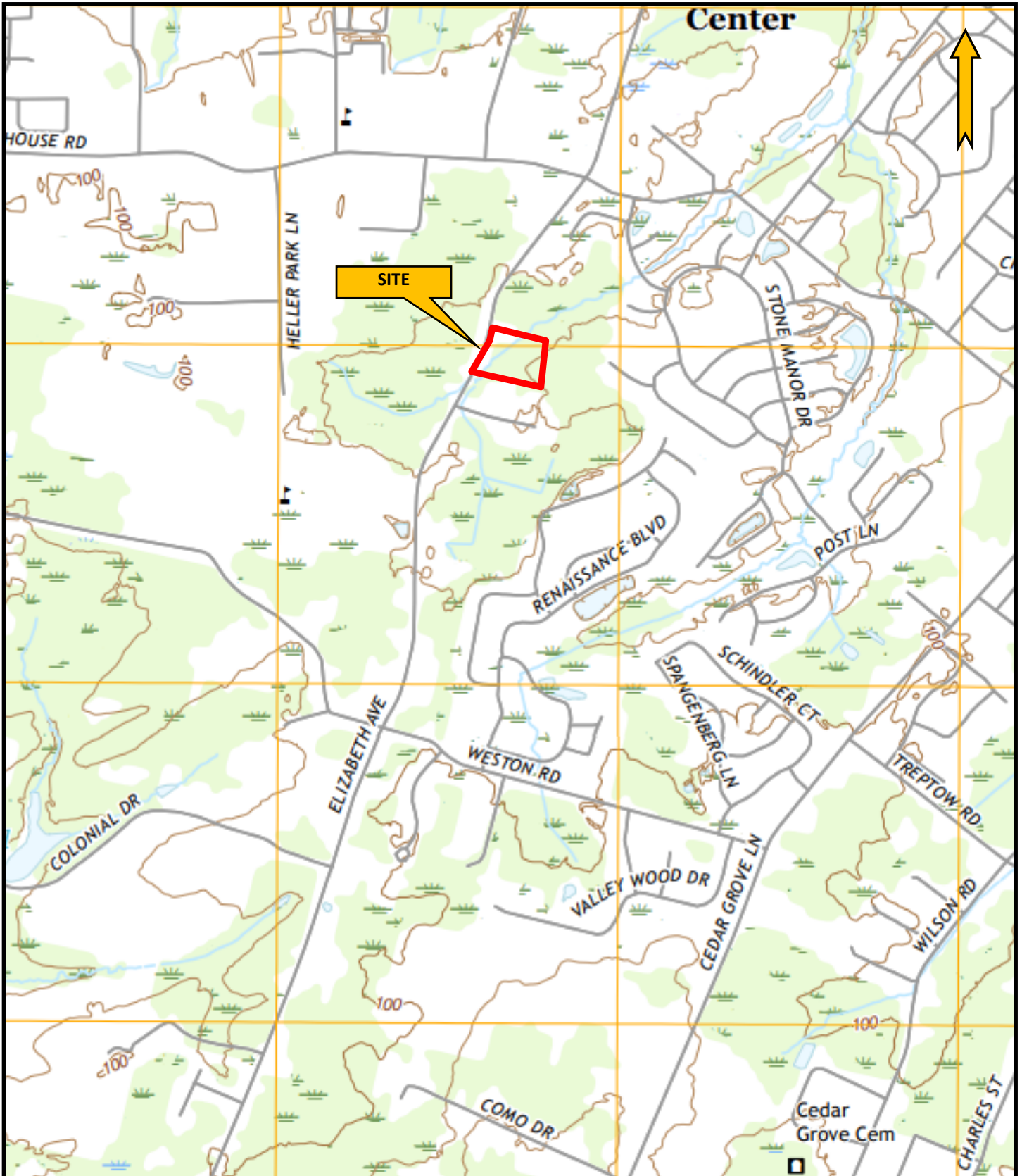
## CONTINUING EDUCATION &amp; WORKSHOPS

*FERC Environmental Review & Compliance for Natural Gas Facilities*  
*Southern Gas Association Technical Conference on Environmental Permitting and Construction*  
*Southern Gas Association Environmental, Safety & Health Training Conference*  
*Methodology for Delineating Wetlands*, Rutgers University.  
*Radon Measurement Proficiency Course*, Rutgers University.  
*Environmental Site Assessment for Commercial Real Estate*  
*T&E Species of Southern New Jersey*, Rutgers University.  
*T&E Species of Northern New Jersey*, Rutgers University.  
*Freshwater Wetland Construction Techniques*, Rutgers University.  
*Bat Conservation and Management Workshop*, Bat Conservation International.  
*Identification of Freshwater Wetland Sedges, Grasses & Rushes*  
*Basic Processes in Hydric Soils*, NC State University.  
*SonoBat Field Techniques Workshop*, Bat Conservation and Management.  
*Bat Acoustic Data Management*, Bat Survey Solutions.





**APPENDIX B**  
**REPORT FIGURES**



**Corporate Headquarters**  
 331 Newman Springs Road  
 Suite 203  
 Red Bank, NJ 07701  
 T: 732.383.1950  
 F: 732.383.1984  
[www.maserconsulting.com](http://www.maserconsulting.com)

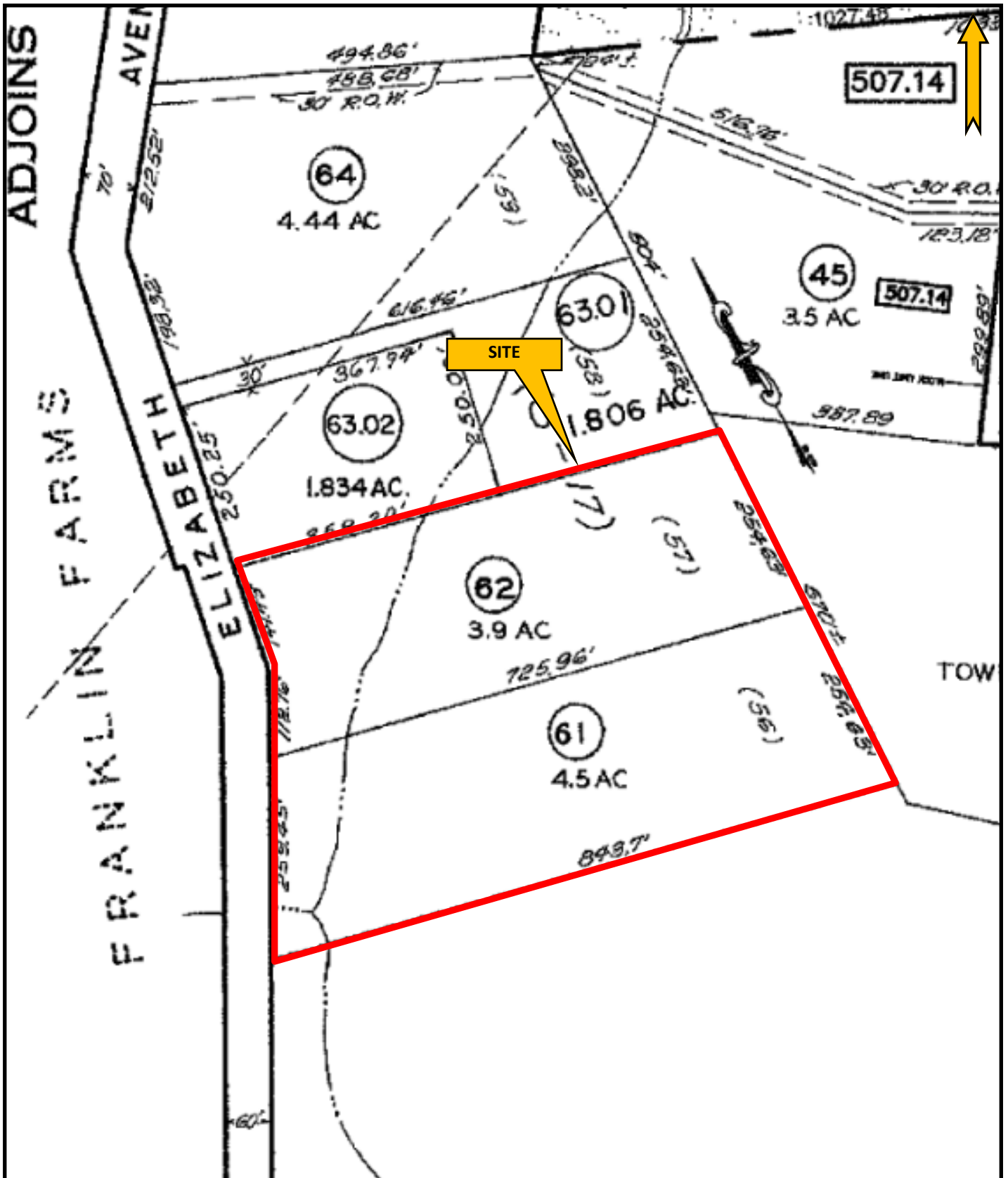
**USGS Map**  
**Block 507.14, Lots 61 & 62**  
**Franklin Township, Somerset County,**  
**New Jersey**

Source: Bound Brook NJ Quadrangle

Scale: Not to Scale

Date: July 10, 2019

MC Project No. 19000649A



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 www.maserconsulting.com

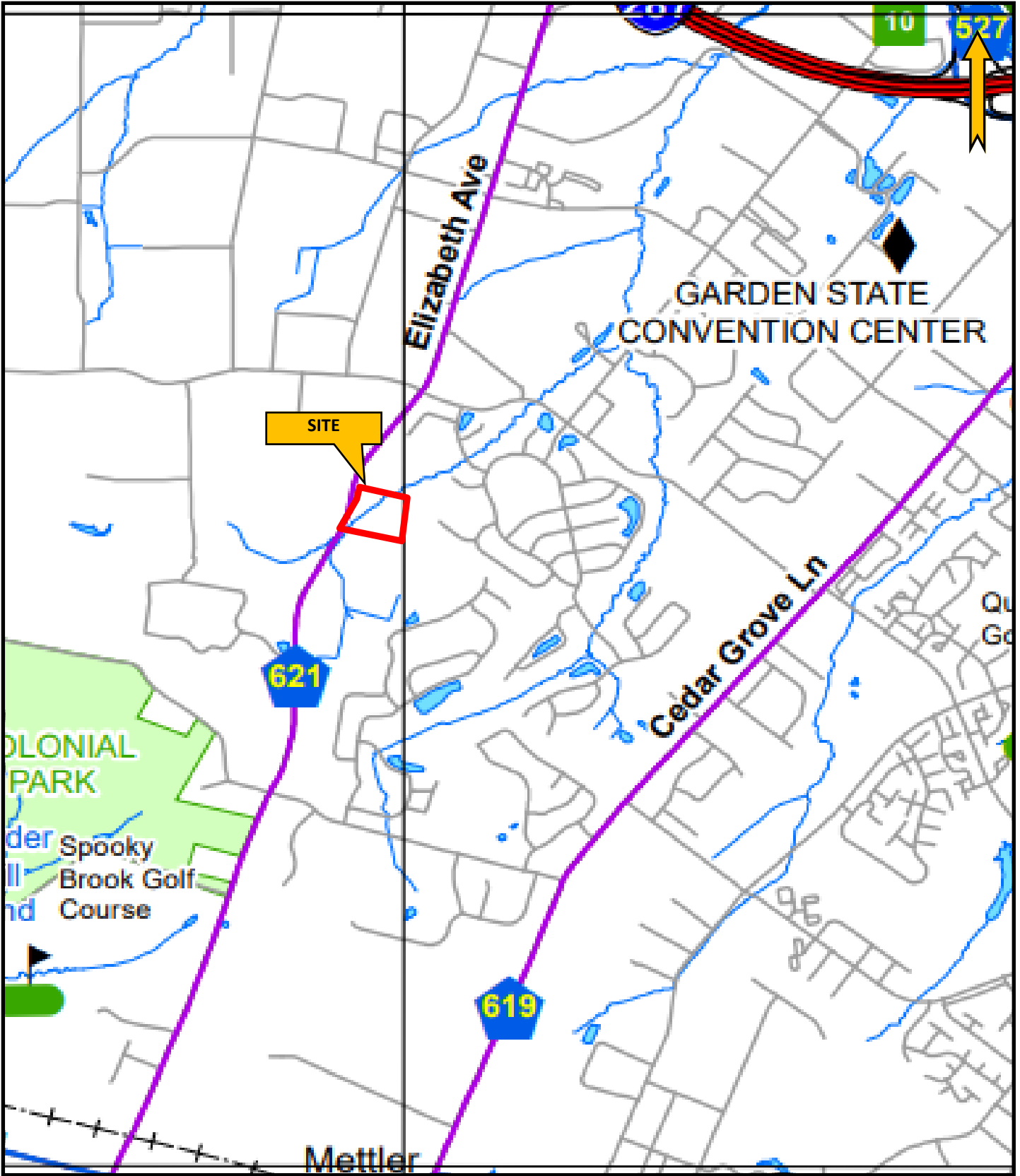
**Tax Map**  
 Block 507.14, Lots 61 & 62  
 Franklin Township, Somerset County,  
 New Jersey

Source: Franklin Township Tax Map

Scale: Not to Scale

Date: July 10, 2019

MC Project No. 19000649A



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**County Road Map**

**Block 3603, Lots 1, 5, 6, 14, 15 & 17**  
 Franklin Township, Gloucester County,  
 New Jersey

Source: NJDOT County Road Map

Scale: Not to Scale

Date: July 10, 2019

MC Project No. 19000649A





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**Aerial Map**  
**Block 507.14, Lots 61 & 62**  
**Franklin Township, Somerset County,**  
**New Jersey**

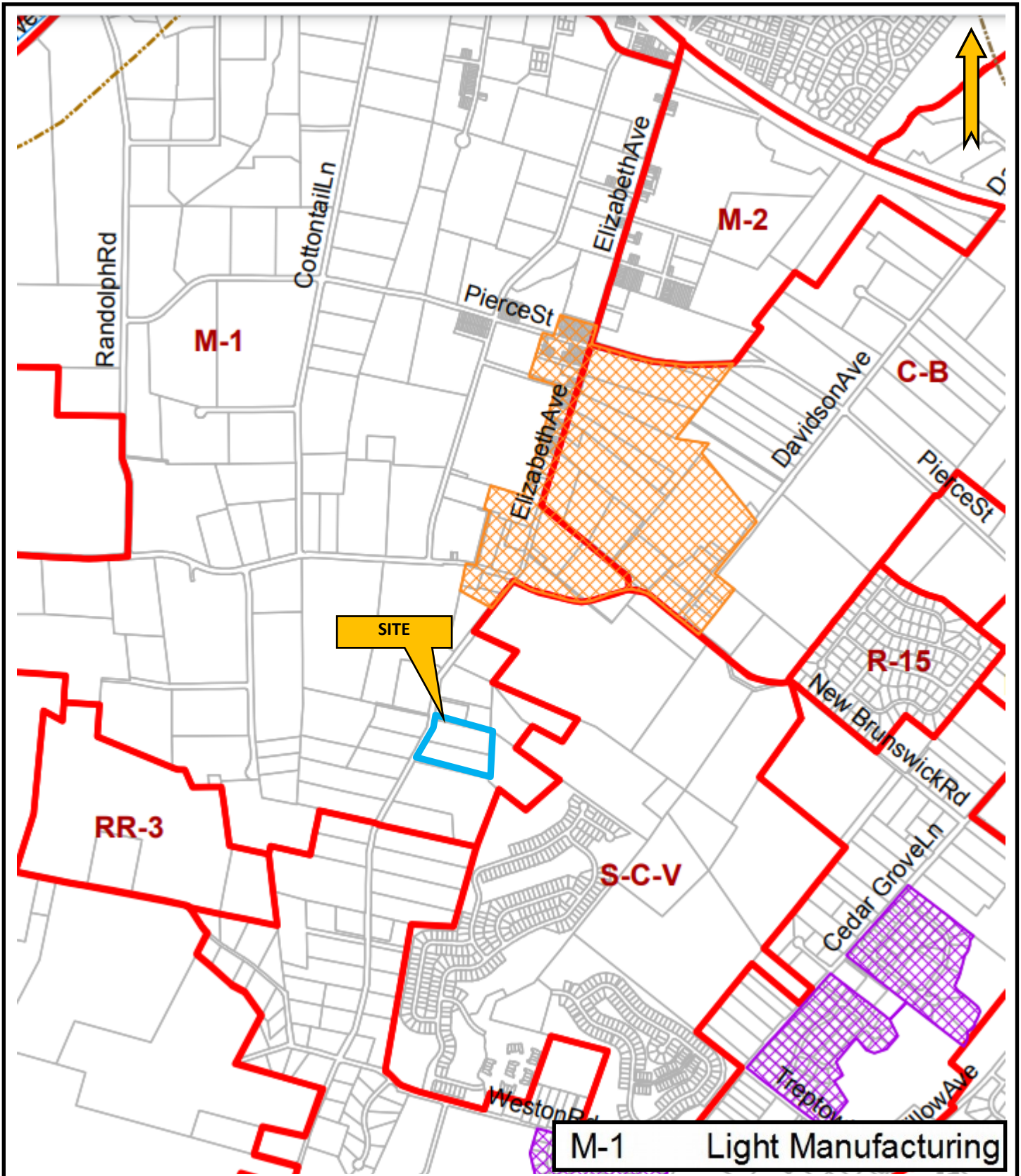
Source: Google Earth

Scale: Not to Scale

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M-1 Light Manufacturing



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**Zoning Map**

**Block 507.14, Lots 61 & 62**  
 Franklin Township, Somerset County,  
 New Jersey

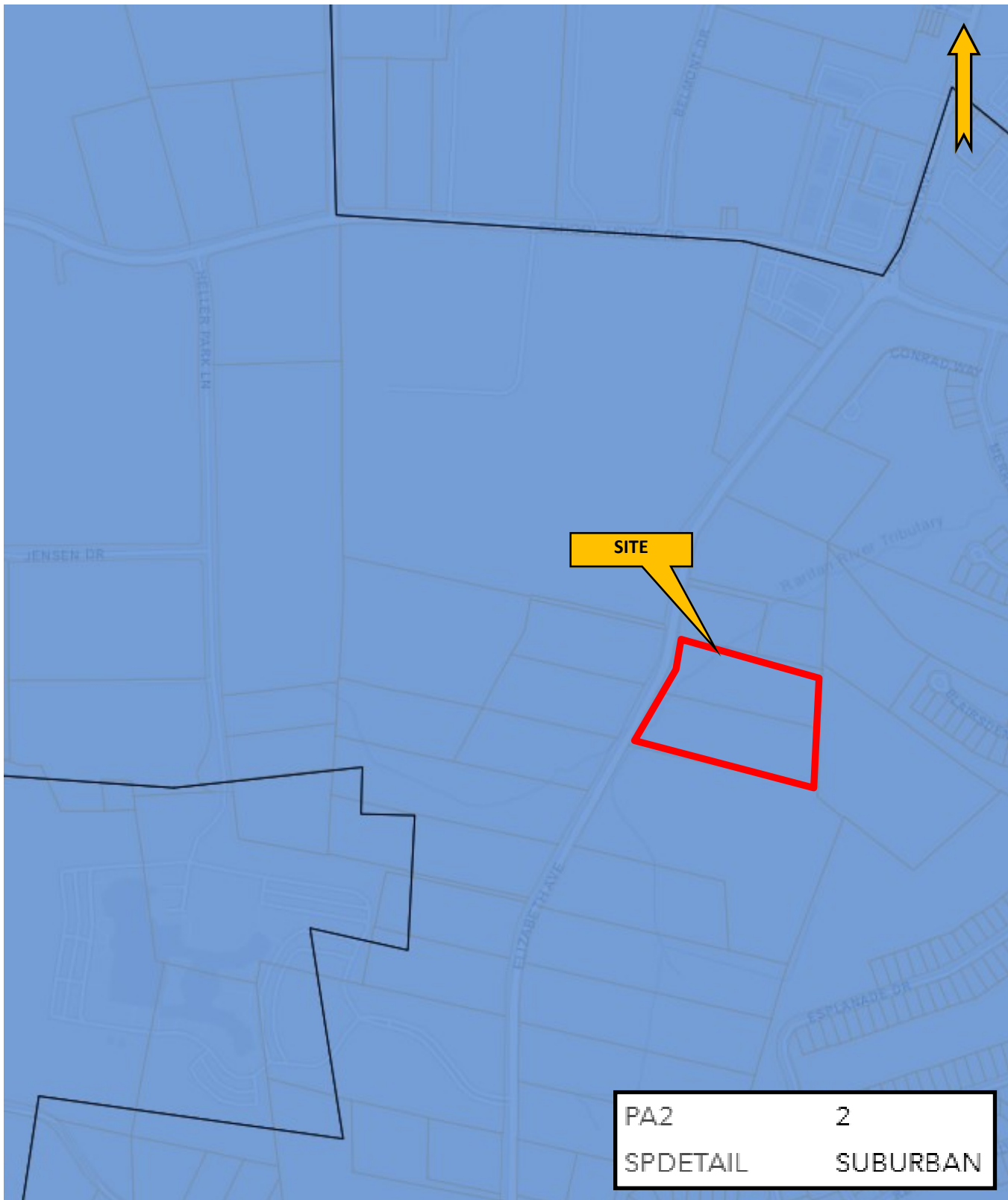
Source: Zoning Map Franklin Township (Somerset Co.)  
 September 2010

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A





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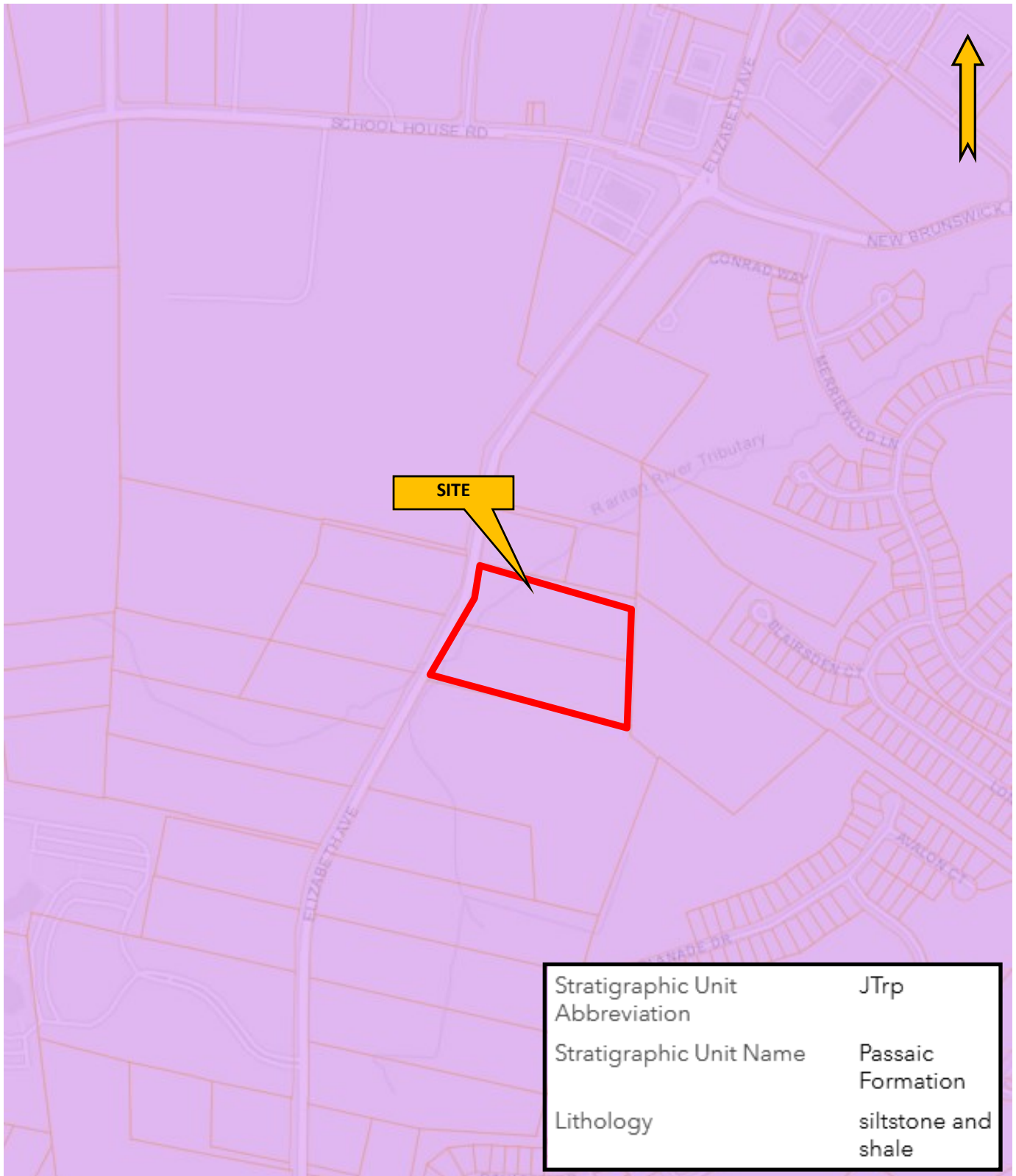
**State Planning Area Map**  
**Block 507.14, Lots 61 & 62**  
**Franklin Township, Somerset County,**  
**New Jersey**

Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A



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**Bedrock Geology Map**  
**Block 507.14, Lots 61 & 62**  
 Franklin Township, Somerset County,  
 New Jersey

Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

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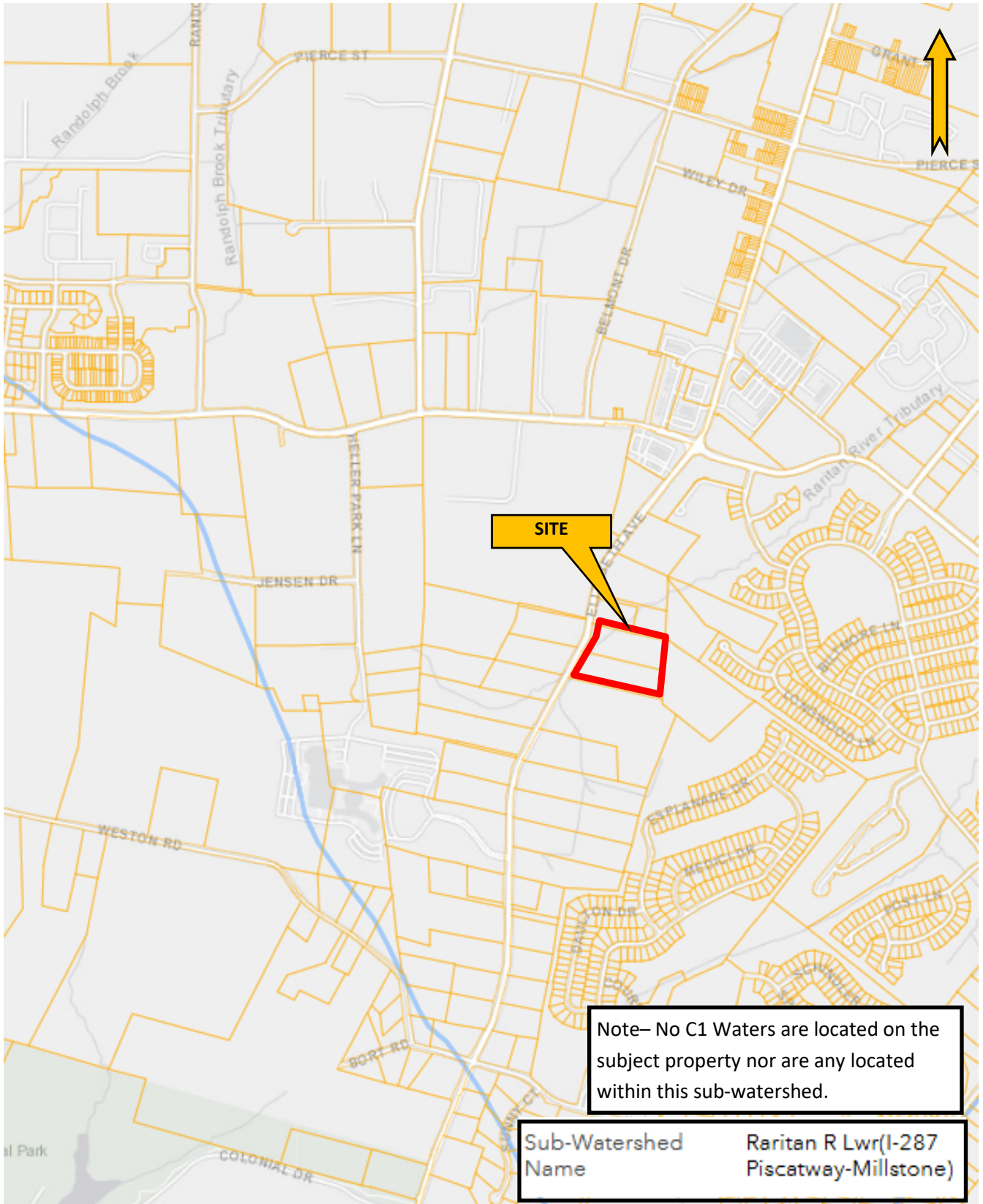
**Soil Map**  
**Block 507.14, Lots 61 & 62**  
**Franklin Township, Somerset County,**  
**New Jersey**

Source: Web Soil Survey

Scale: Not to Scale

Date: July 10, 2019

MC Project No. 19000649A



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**HUC 14 & C1 Waters Map**  
**Block 507.14, Lots 61 & 62**  
 Franklin Township, Somerset County,  
 New Jersey

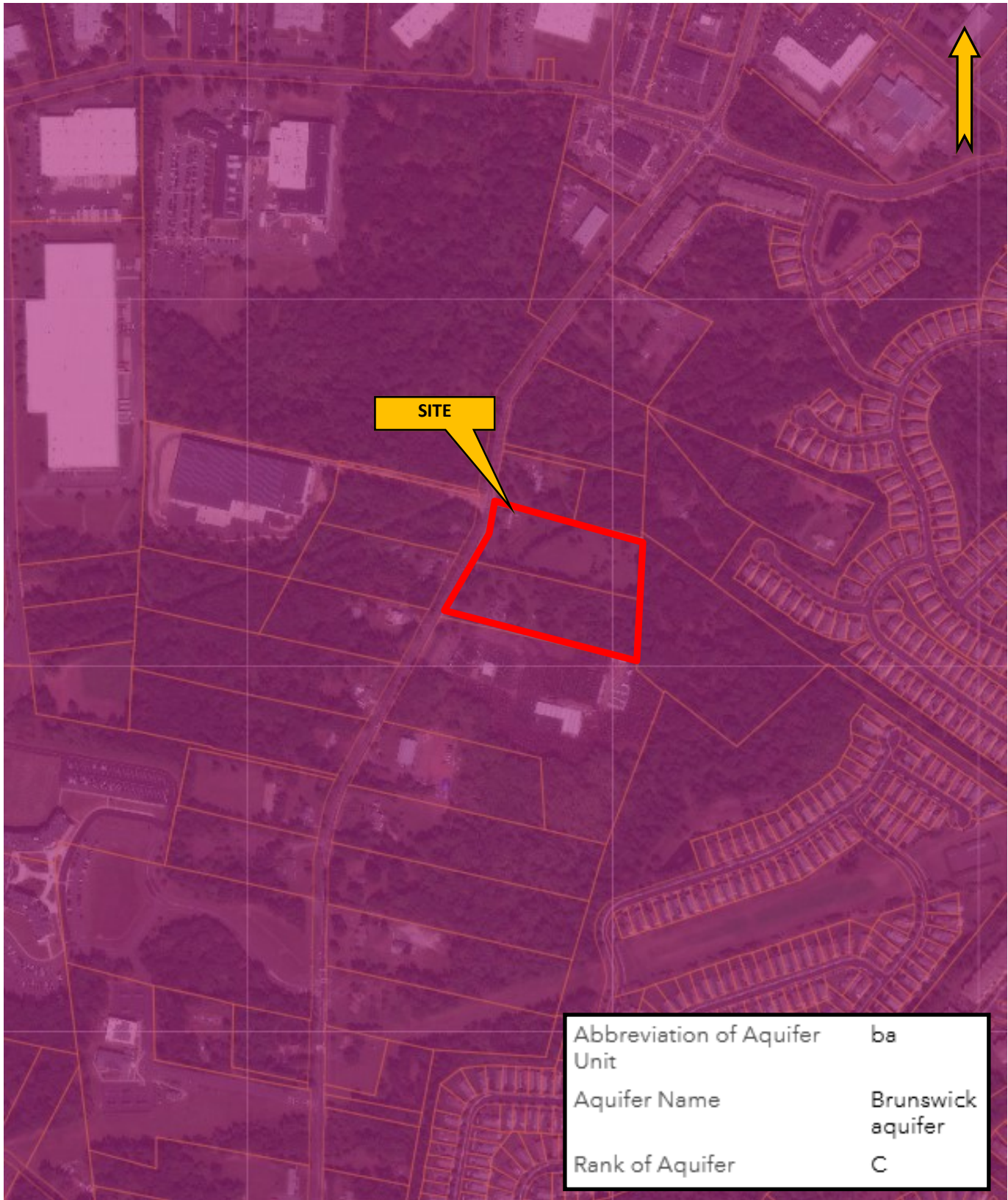
Source: NJ-GeoWeb

Scale: Not to Scale

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Abbreviation of Aquifer Unit	ba
Aquifer Name	Brunswick aquifer
Rank of Aquifer	C



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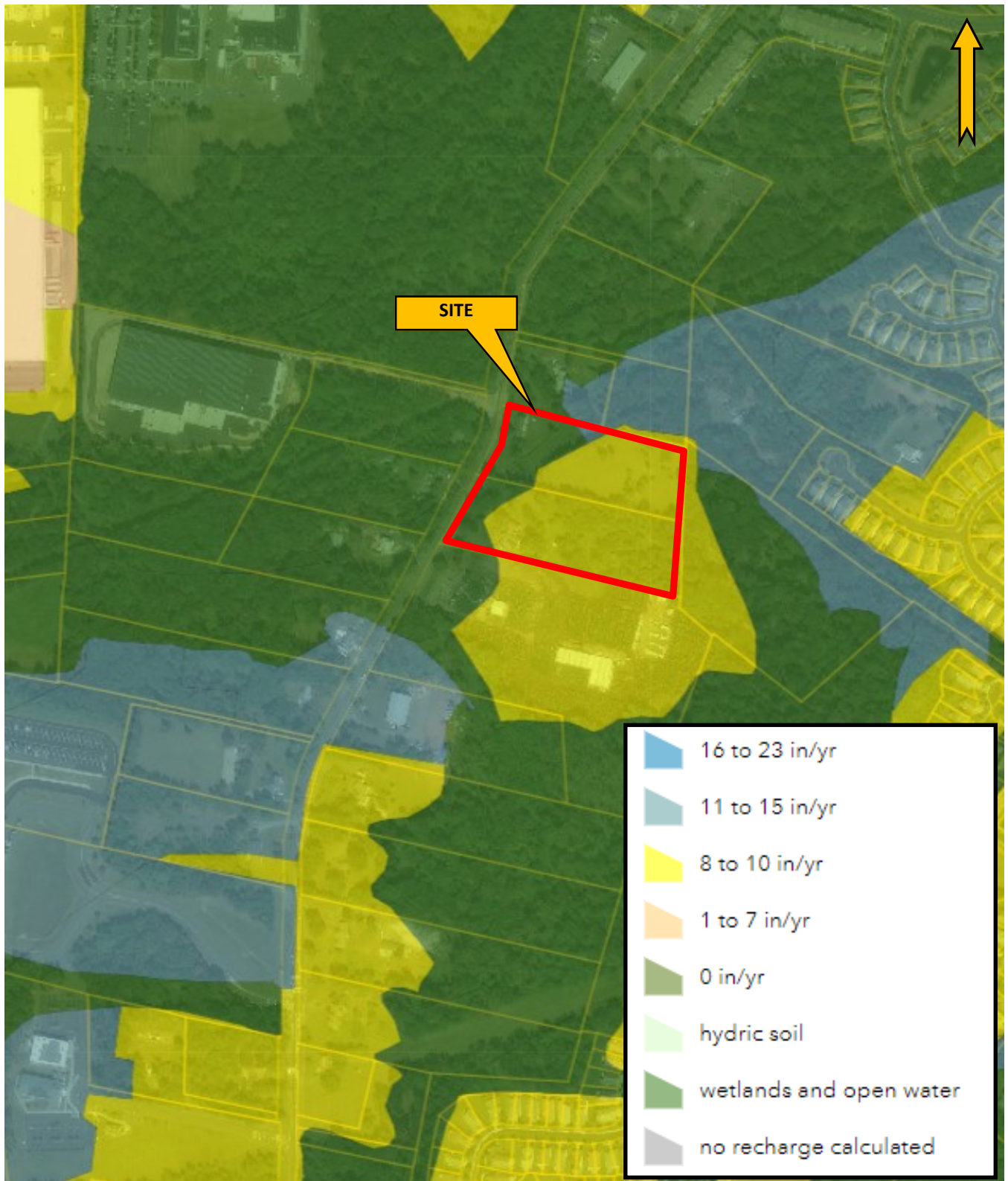
**Bedrock Aquifer Map**  
**Block 507.14, Lots 61 & 62**  
**Franklin Township, Somerset County,**  
**New Jersey**

Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A



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### Groundwater Recharge Map

**Block 507.14, Lots 61 & 62**  
 Franklin Township, Somerset County,  
 New Jersey

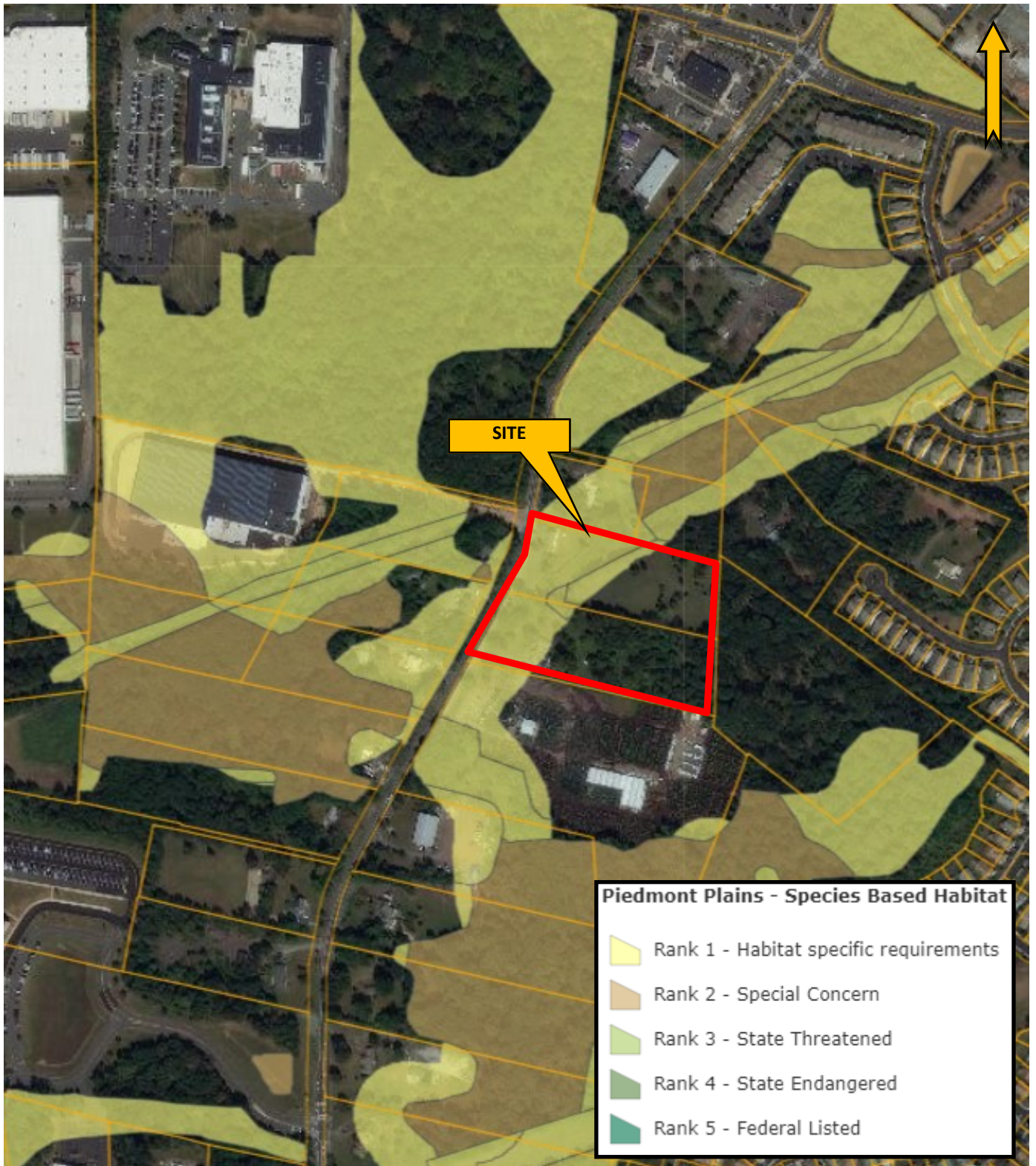
Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

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**Species-Based Habitat Map**  
 Block 507.14, Lots 61 & 62  
 Franklin Township, Somerset County,  
 New Jersey

Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A





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## Wetlands and Streams Map

**Block 507.14, Lots 61 & 62**  
Franklin Township, Somerset County,  
New Jersey

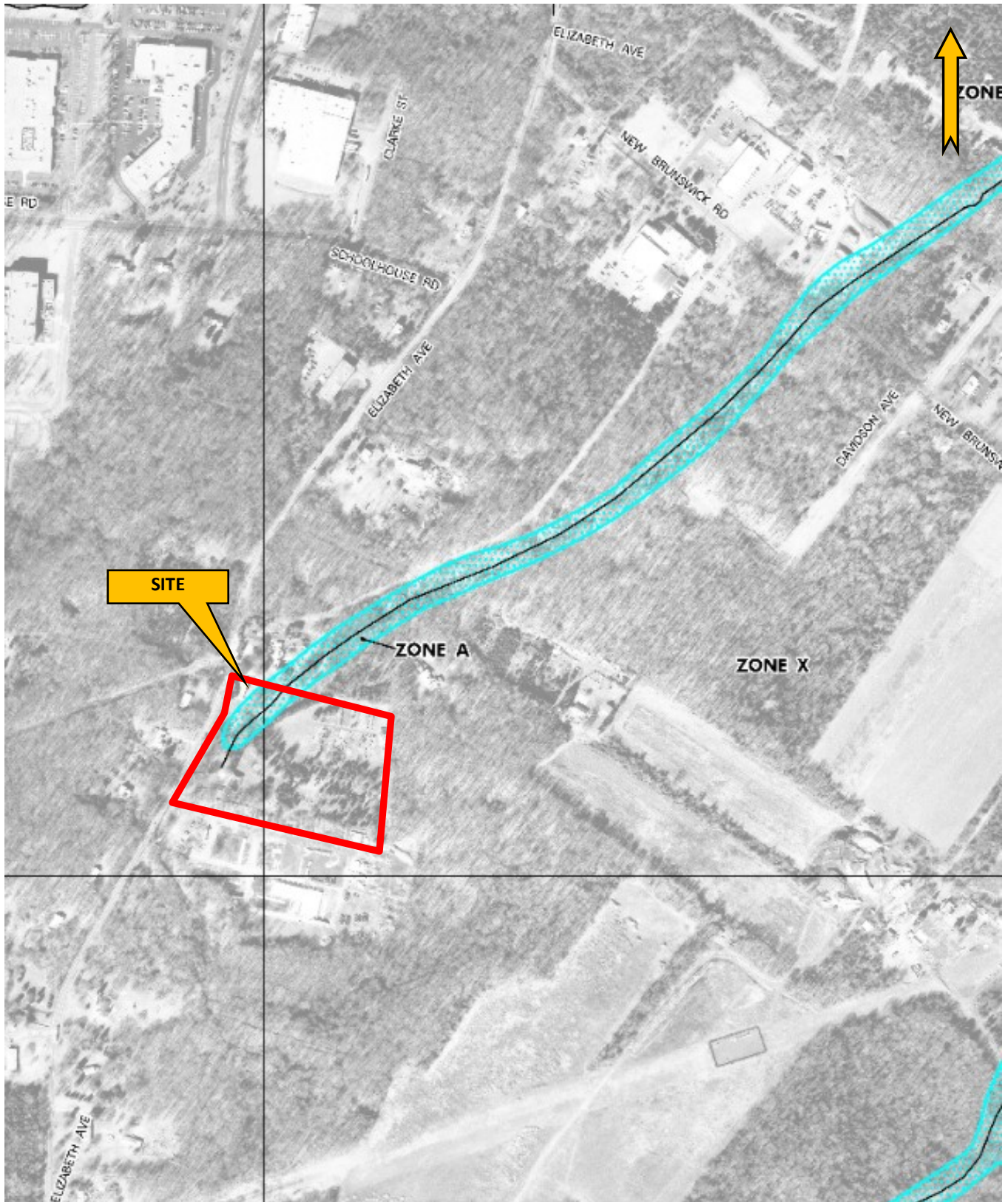
Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A





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**FEMA Flood Map**  
**Block 507.14, Lots 61 & 62**  
**Franklin Township, Somerset County,**  
**New Jersey**

Source: FIRM Map No. 34035C0168E dated Effective  
 9/28/07

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A





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**Historic Preservation Map**  
**Block 507.14, Lots 61 & 62**  
Franklin Township, Somerset County,  
New Jersey

Source: NJ-GeoWeb

Scale: Not to Scale

Date: September 29, 2020

MC Project No. 19000649A



**APPENDIX C**  
**SITE PHOTOGRAPHS**





**Looking north along tributary through the site showing existing land uses/land covers.**



**Looking into the Site across existing stream crossing**





**Characterizing palustrine forested freshwater wetlands on the Site**



**Characterizing palustrine emergent wetlands on the Site.**





**Existing headwall at Elizabeth Avenue where tributary enters the Site.**



**APPENDIX D**  
**LETTER OF INTERPRETATION**  
**AND**  
**FLOOD HAZARD AREA VERIFICATION**



## State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. McCABE  
Commissioner

SHEILA Y. OLIVER  
Lt. Governor

Division of Land Use Regulation  
Mail Code 501-02A  
P.O. Box 420  
Trenton, New Jersey 08625-0420  
[www.nj.gov/dep/landuse](http://www.nj.gov/dep/landuse)

FEB 27 2020

John Kainer  
Elizabeth Realty Partners, LLC  
16 Lehigh Dr.  
Kendall Park, NJ 08824

RE: Freshwater Wetlands Letter of Interpretation: Line Verification  
File No.: 1808-19-0009.1  
Activity Number: FWW190001  
Applicant: ELIZABETH REALTY PARTNERS, LLC  
Block(s) and Lot(s): [507.14, 61] [507.14, 62]  
Franklin Township, Somerset County

Dear Mr. Kainer:

This letter is in response to your request for a Letter of Interpretation to have Division of Land Use Regulation (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 site inspections conducted by Division staff on September 20, 2019 and October 24, 2019, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "WETLAND LOCATION PLAN WETLAND LOCATION PLAN FOR AMERICAN REALTY PARTNERS LLC 483 & 485 ELIZABETH AVENUE BLOCK 507.14 LOTS 61 & 62 TOWNSHIP OF FRANKLIN SOMERSET COUNTY NEW JERSEY", consisting of one (1) sheet, dated December 2, 2019, last revised February 10, 2020, and prepared by Michael F. Burns N.J. P.L.S., of Maser Consulting, P.A., 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: WA-1 to WA-4; WA-6 to WA-31; WB-4 to WB-5; and WC-5 to WC-17. [50-foot wetland buffer]

Ordinary: WC-1 to WC-5. [No wetland buffer]

State Open Water: WA-4 to WA-6; WA-1 to WB-1 to WB-4; WB-5 to WB-18; and within onsite wetlands;  
[No 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.

**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, 7<sup>th</sup> 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](http://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](http://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](http://www.nj.gov/dep/odr) for more information on this process.

Please contact Tina Wolff of our staff by e-mail at [tina.wolff@dep.nj.gov](mailto:tina.wolff@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.

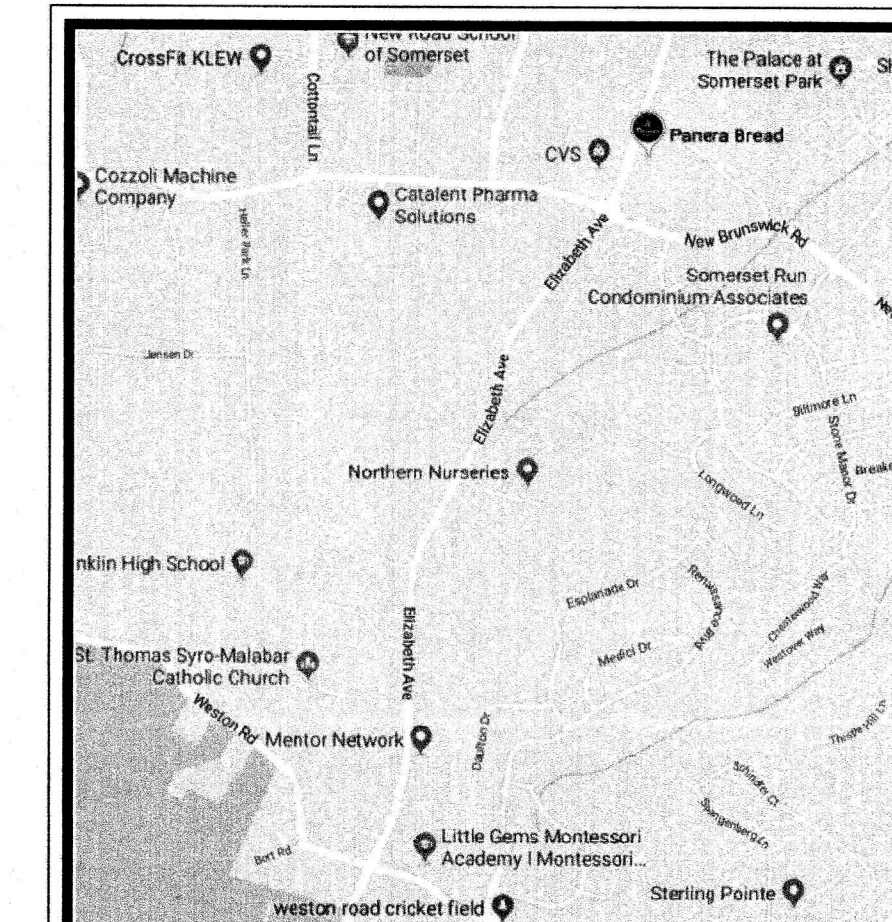
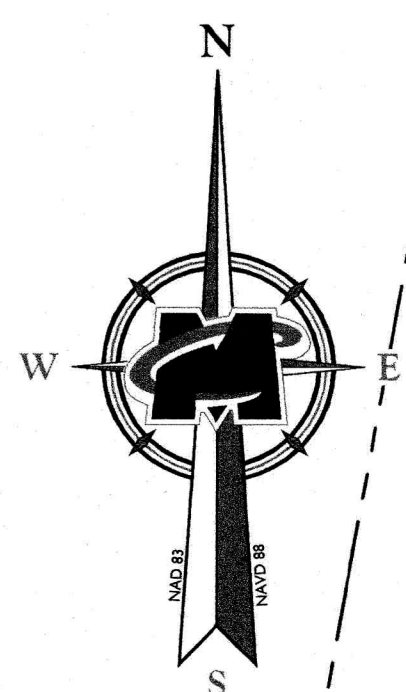
Sincerely,



Mark C. Davis, Environmental Specialist 4  
Division of Land Use Regulation

c: Municipal Clerk  
Municipal Construction Official  
Agent (original)





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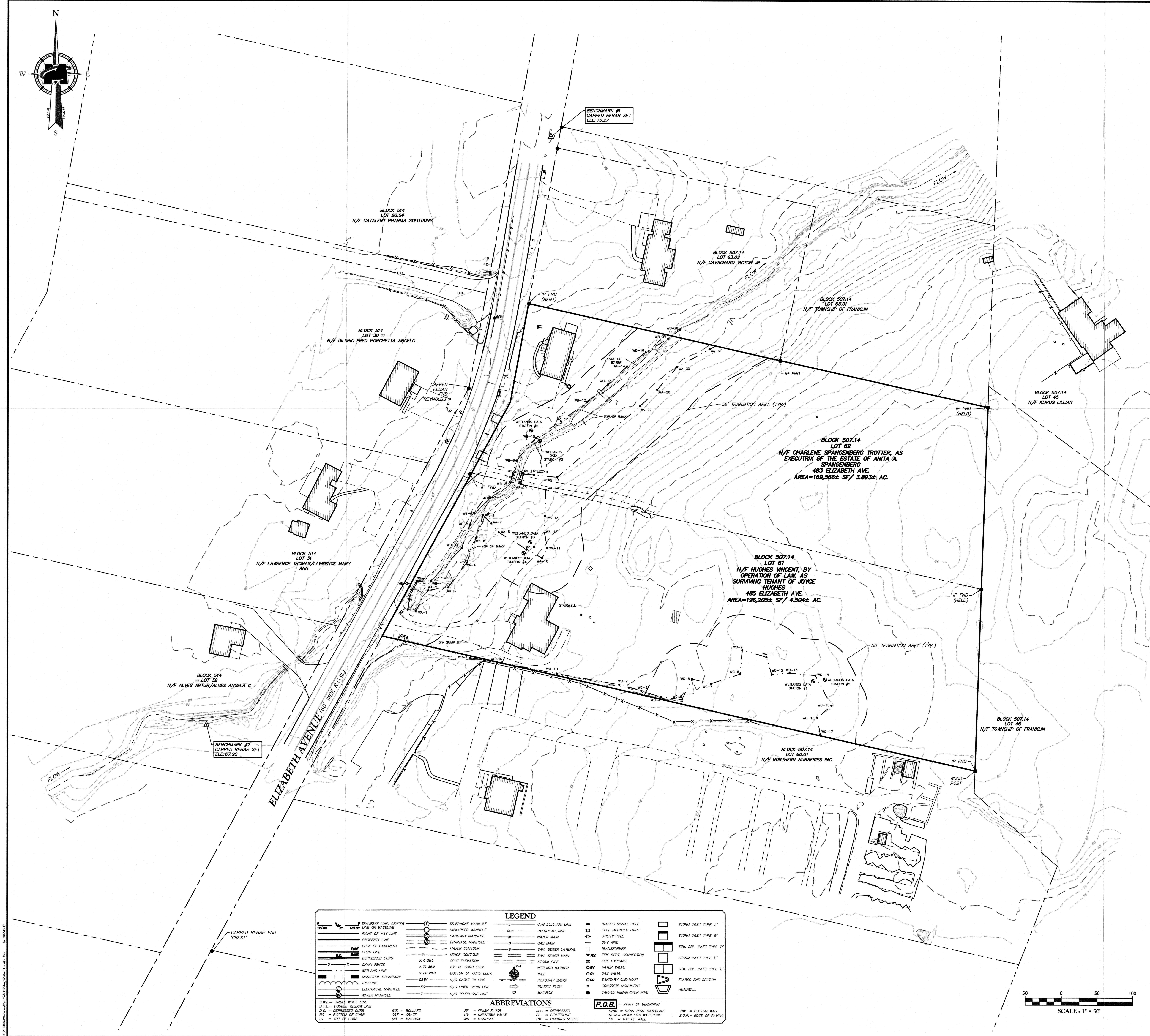
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 ■ NORTH CAROLINA ■ COLORADO

State of N.J. C.O.A.: 24GA2798500

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**LOCATION MAP**  
 SCALE: N.T.S.

**INFORMATION OF FACT**

- THIS IS TO CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS MAP OR PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED ON THE DATE BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH THE RULES AND REGULATIONS PROMULGATED BY THE STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THE INFORMATION DERIVED FROM THIS SURVEY IS INTENDED TO BE USED FOR THE PURPOSES STATED HEREIN AND AS OF THE DATE OF THE FIELD SURVEY. EXCEPT AS OTHERWISE SPECIFIED, I AM NOT RESPONSIBLE FOR THE SURFACE AND NOT VISIBLE ACCORDING TO THE UNDERGROUND PROFESSIONAL. I AM NOT RESPONSIBLE FOR THE PRESENCE OF UNDERGROUND UTILITIES OR STRUCTURES IF SAME ARE NOT VISIBLE OR OTHERWISE DISCLOSED BY ANY UNRECORDED DATA LISTED ABOVE.
- THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OR PREMISES WHICH ARE THE SUBJECT OF THE UNDERGROUND PROFESSIONAL'S KNOWLEDGE, INFORMATION AND BELIEF AND IN ACCORDANCE WITH THE COMMONLY ACCEPTED PROCEDURE CONSISTENT WITH THE APPLICABLE STANDARDS OR PRACTICES AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE EITHER EXPRESSED OR IMPLIED.
- REFERENCE:
  - PLAN ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY FOR AMERICAN REALTY PARTNERS LLC, 483 & 485 ELIZABETH AVENUE, BLOCK 507.14, LOTS 61 & 62, TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, DATED 01/18/2019 BY MASER CONSULTING P.A.
  - PLAN ENTITLED "NEED FLOOD HAZARD AREA VERIFICATION PLAN FOR ELIZABETH REALTY PARTNERS LLC, BLOCK 507.14, LOTS 61 & 62, TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, DATED 09/28/2018 BY MASER CONSULTING P.A.
- THE UNDERGROUND PROFESSIONAL IS NOT RESPONSIBLE FOR THE PRESENCE OF UNDERGROUND UTILITIES OR STRUCTURES IF SAME ARE NOT VISIBLE OR OTHERWISE DISCLOSED BY ANY OF THE ABOVE DATA.
- TOXIC WASTE: THE UNDERGROUND PROFESSIONAL IS NOT QUALIFIED TO DETERMINE THE EXISTENCE OR NON-EXISTENCE OF TOXIC WASTE. THEREFORE, IT SHOULD NOT BE ASSURED OR CONTRAID THAT ANY STATEMENT IS MADE BY THIS PLAN THAT NO PORTION OF TOXIC WASTE CONTAINS HEREIN. IT IS THE BEST INTEREST OF THE CLIENT TO OBTAIN AN APPROPRIATE CONSULTATION FROM THE SURVEYOR.
- CAREFUL: IF THE DOCUMENT DOES NOT CONTAIN A SIGNED PROFESSIONAL SEAL OR THE UNDERGROUND PROFESSIONAL IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND HAS BEEN ALTERED.
- HORIZONTAL DATUM = NORTH AMERICAN DATUM OF 1983 (NAD83), (NEW JERSEY STATE PLANE COORDINATE SYSTEM).
- VERTICAL DATUM = NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83). THE VERTICAL AND HORIZONTAL DATUM WERE ESTABLISHED AT THE PROJECT SITE BY USING GPS SURVEY METHODS. THE VERTICAL CONVERSION FROM NAVD83 TO NAD83 IS 14.5 CM. CONVERSION OBTAINED USING CONCOORD 8.11.
- THE LIMITS OF FRESHWATER WETLANDS SHOWN HEREIN WERE FIELD DELINEATED ON JUNE 14, 2018 BY MASER CONSULTING P.A. AND LOCATED ON MAPS 801 BY MASER CONSULTING P.A.
- BY GRAPHIC NOTATIONS LOTS 1 AND 42, BLOCK 507.14 LIE WITHIN FLOOD ZONE "X" AREAS OF FEDERAL FLOODING AND DRINKING AND "ZONE" "X" ARE FLOOD HAZARD ZONES DETERMINED AS SHOWN ON THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR THE TOWNSHIP OF WEST PHENIX, SOMERSET COUNTY, NEW JERSEY, FILED 04/29/2018, COUNTY FILE NUMBER: 1000000000, MAP EFFECTIVE DATE SEPTEMBER 28, 2007 PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- THIS PLAN IS MADE FOR AND REFERRED TO THE PARTIES NAMED HEREIN FOR THE PURPOSES STATED. NO OTHER PURPOSES IS INTENDED FOR THESE. THE UNDERGROUND PROFESSIONAL IS NEITHER RESPONSIBLE NOR LIABLE FOR THE USE OF THIS PLAN BEYOND ITS INTENDED PURPOSE.
- TOPOGRAPHIC INFORMATION AND PHYSICAL FEATURES SHOWN ARE BASED ON AN AERIAL SURVEY BY ASSE GEOGRAPHICAL, LLC, DATED 06/04/19.
- 50' TRANSITION AREA LINE PREPARED BY MASER CONSULTING'S ECOLOGICAL DEPARTMENT.
- TOP OF BANK SHOWN HEREIN IS TAKEN FROM THE PLAN DESCRIBED IN REFERENCE NOTE 10.

REV	DATE	DRAWN BY	DESCRIPTION
1	11/20/20	BAS	UPDATED PLAN TO SHOW TOP OF BANK
2	11/20/20	BAS	UPDATED PLAN TO SHOW TOP OF BANK ON CONCRETE SIDE OF STREET

REV	DATE	DRAWN BY	DESCRIPTION
1	11/20/20	BAS	UPDATED PLAN TO SHOW TOP OF BANK
2	11/20/20	BAS	UPDATED PLAN TO SHOW TOP OF BANK ON CONCRETE SIDE OF STREET

2/10/20  
**MICHAEL F. BURNS**  
 NEW JERSEY PROFESSIONAL  
 LAND SURVEYOR - LICENSE NUMBER: GS4941

**WETLAND LOCATION PLAN**  
 FOR  
**AMERICAN REALTY PARTNERS LLC**  
 483 & 485 ELIZABETH AVENUE  
 BLOCK 507.14 LOTS 61 & 62  
 TOWNSHIP OF FRANKLIN SOMERSET COUNTY NEW JERSEY

**MT. LAUREL OFFICE**  
 2000 Highland Drive  
 Suite 100  
 Mount Laurel, NJ 08054  
 Phone: 856.797.0412  
 Fax: 856.722.1120

Approved  
 New Jersey Department of Environmental Protection  
 Division of Land Use Regulation

SCALE	DATE	DRAWN BY	CHECKED BY
AS SHOWN	12/19/19	BAS	HH
PROJECT NUMBER	DRAWING NAME		
190064RA	WJURJ		

**WETLAND LOCATION PLAN**

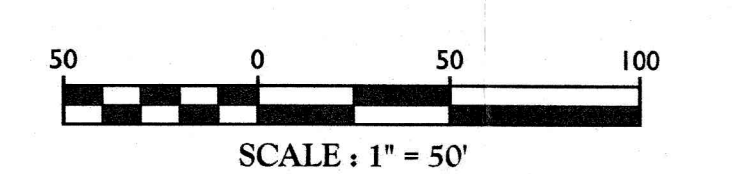
1 of 1

**LEGEND**

<ul style="list-style-type: none"> <li>— TRAVERSE LINE, CENTER LINE OR BASELINE</li> <li>— RIGHT OF WAY LINE</li> <li>— PROPERTY LINE</li> <li>— EDGE OF PAVEMENT</li> <li>— CURB LINE</li> <li>— CHAIN FENCE</li> <li>— WETLAND LINE</li> <li>— MONOCULTURE BOUNDARY</li> <li>— TREELINE</li> <li>— ELECTRICAL MANHOLE</li> <li>— WATER MANHOLE</li> </ul>	<ul style="list-style-type: none"> <li>○ TELEPHONE MANHOLE</li> <li>○ UNMARKED MANHOLE</li> <li>○ SANITARY MANHOLE</li> <li>○ DRAINAGE MANHOLE</li> <li>— MAJOR CONTOUR</li> <li>— MINOR CONTOUR</li> <li>— SPOT ELEVATION</li> <li>— TOP OF CURB ELEV.</li> <li>— BOTTOM OF CURB ELEV.</li> <li>— CATV</li> <li>— U/G CABLE TV LINE</li> <li>— U/G FIBER OPTIC LINE</li> <li>— U/G TELEPHONE LINE</li> </ul>	<ul style="list-style-type: none"> <li>— U/G ELECTRIC LINE</li> <li>— OVERHEAD WIRE</li> <li>— WATER MAIN</li> <li>— GAS MAIN</li> <li>— SAN. SEWER LATERAL</li> <li>— SAN. SEWER MAIN</li> <li>— STORM PIPE</li> <li>— WETLAND MARKER</li> <li>— TREE</li> <li>— ROADWAY SIGNS</li> <li>— MALEBARK</li> </ul>	<ul style="list-style-type: none"> <li>— TRAFFIC SIGNAL POLE</li> <li>— POLE MOUNTED LIGHT</li> <li>— UTILITY POLE</li> <li>— OUT ROSE</li> <li>— TRANSFORMER</li> <li>— FIRE DEPT. CONNECTION</li> <li>— FIRE HYDRANT</li> <li>— WATER VALVE</li> <li>— GAS VALVE</li> <li>— SANITARY CLEANSOUT</li> <li>— CONCRETE MONUMENT</li> <li>— CAPPED REBAR/IRON PIPE</li> </ul>	<ul style="list-style-type: none"> <li>□ STORM INLET TYPE "A"</li> <li>□ STORM INLET TYPE "B"</li> <li>□ STIM. DBL. INLET TYPE "D"</li> <li>□ STORM INLET TYPE "E"</li> <li>□ STIM. DBL. INLET TYPE "E"</li> <li>□ FLARED END SECTION</li> <li>□ HEADWALL</li> </ul>
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**ABBREVIATIONS**

<ul style="list-style-type: none"> <li>S.W.L. = SINGLE WHITE LINE</li> <li>D.L. = DOUBLE YELLOW LINE</li> <li>D.C. = DEPRESSION CURB</li> <li>B.C. = BOTTOM OF CURB</li> <li>T.C. = TOP OF CURB</li> </ul>	<ul style="list-style-type: none"> <li>B.S. = BOLLARD</li> <li>G.T. = GATE</li> <li>M.B. = MALEBARK</li> <li>P.F. = FINISH FLOOR</li> <li>U.V. = UNKNOWN VALUE</li> <li>M.H. = MANHOLE</li> <li>D.P. = DEPRESSED</li> <li>C.L. = CENTERLINE</li> <li>M.H.C. = MEAN HIGH WATERLINE</li> <li>M.H.L. = MEAN LOW WATERLINE</li> <li>T.W. = TOP OF WALL</li> </ul>	<ul style="list-style-type: none"> <li>P.O.B. = POINT OF BEGINNING</li> <li>M.H.C. = MEAN HIGH WATERLINE</li> <li>M.H.L. = MEAN LOW WATERLINE</li> <li>T.W. = TOP OF WALL</li> <li>B.W. = BOTTOM WALL</li> <li>E.O.D. = EDGE OF DRIVE</li> </ul>
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NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.





## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

PHIL MURPHY  
Governor  
SHEILA OLIVER  
Lt. Governor

CATHERINE R. McCABE  
Commissioner

Division of Land Use Regulation  
Mail Code 501-02A  
P.O. Box 420  
Trenton, New Jersey 08625-0420  
[www.nj.gov/dep/landuse](http://www.nj.gov/dep/landuse)

January 9, 2020

Elizabeth Realty Partners, LLC  
Attn: John Kainer  
16 Lehigh Drive  
Kendall Park, NJ 08824

Re: Flood Hazard Area Verification Approval  
File No.: 1808-19-0009.1 LUP190001  
Applicant: Elizabeth Realty Partners, LLC  
Block: 507.14; Lots: 61 & 62  
Township of Franklin; County of Somerset

Dear John Kainer:

This letter is in response to your request for a flood hazard area verification along a tributary to the Raritan River at the above-referenced site. The Department has reviewed your application and hereby verifies the flood hazard area elevation and limits, floodway limits, and riparian zone limits on this site, as depicted on the approved plans described below.

The flood hazard area and floodway was established using Method 6 (calculation method) as described at N.J.A.C. 7:13-3.6, which is based on hydrologic and hydraulic calculations provided by the applicant.

The riparian zone extends 50 feet from the top of bank along both sides of each regulated water on this site. If a discernible bank is not present along a regulated water, the top of bank shall be established per the definition cited in N.J.A.C. 7:13-1.2.

Please note that altering land cover or topography in a flood hazard area is regulated by the Flood Hazard Area Control Act rules, and may be prohibited or restricted in some cases. A flood hazard area permit is required prior to undertaking any regulated activity within a flood hazard area described at N.J.A.C. 7:13-2.4. Some projects may qualify for a permit-by-rule at N.J.A.C. 7:13-7. All other projects must receive a general permit-by certification under N.J.A.C. 7:13-8, general permit under N.J.A.C. 7:13-9 or an individual permit under N.J.A.C. 7:13-10. Projects situated entirely outside both the flood hazard area and riparian zone do not require a flood hazard area approval.

This verification is based on the best information presently available to the Department and is subject to change if this information is no longer accurate or if additional information is made available to the Department including, but not limited to, information supplied by the applicant.

The drawing hereby approved was prepared by MASER CONSULTING P.A., dated September 30, 2019, last revised December 30, 2019, and entitled:

"NJDEP FLOOD HAZARD AREA VERIFICATION PLAN FOR ELIZABETH REALTY PARTNERS LLC BLOCK 507.14 LOTS 61 & 62 FRANKLIN TOWNSHIP SOMERSET COUNTY, NJ" sheet no. 1 of 4.

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 Department that this information is recorded on the deed of each lot referenced in the verification:

1. The Department file number for the verification;
2. The approval and expiration dates of the verification;
3. A metes and bounds description of any flood hazard area limit and/or floodway limit approved under the verification;
4. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification;
5. The width and location of any riparian zone approved under the verification; and
6. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area and/or riparian zone. Certain activities in flood hazard areas and riparian zones are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a flood hazard area permit. Contact the Division of Land Use Regulation at (609) 292-0060 or [www.nj.gov/dep/landuse](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 Department constitutes a violation of the Flood Hazard Area Control Act rules and may result in suspension or termination of the verification and/or subject the applicant to enforcement action pursuant to N.J.A.C. 7:13-24.

A copy of this plan, together with the information upon which this boundary determination is based, has been made part of the Division's public records. Please note that this letter in no way legalizes any fill that may have been previously placed onsite, or any other regulated activities that may have previously occurred. Also, this determination does not affect the applicant's responsibility to obtain any local, State or Federal permits that may be required, such as local building permits or freshwater wetlands approvals.

This verification is valid for five years from its issuance date. A verification shall be extended, modified and/or transferred pursuant to N.J.A.C. 7:13-22. Pursuant to N.J.A.C. 7:13-5.3(c), if the Department issues a verification for a site, and within five years issues a permit for a regulated activity that relies upon the verification at that site, the Department shall automatically reissue the verification upon approval of the permit or authorization so that the verification and permit or authorization have the same expiration date. This automatic reissuance shall occur only once per verification and there is no fee for this reissuance. The reissued verification shall reflect any alterations to the flood hazard area design flood elevation, flood hazard area limit and/or floodway limit that will result from the regulated activities authorized under the permit authorization. All pre-construction and post-construction elevations and limits shall be demarcated on drawings approved under the reissued verification.

In accordance with N.J.A.C. 7:13-23, 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, Mail Code 401-04L, 401 East State Street P.O. Box 402, 7<sup>th</sup> Floor Trenton, NJ 08625-0402 and submit a copy of the hearing request to the Director of the Division of Land Use Regulation, at the address set forth at N.J.A.C. 7:13-1.3. This request must include the information listed at N.J.A.C. 7:13-23.1(c) on a adjudicatory hearing request form, available from the Department, at the address set forth

at N.J.A.C. 7:13-1.3. The DEP Bulletin is available through the Department's website at [www.nj.gov/dep](http://www.nj.gov/dep) and the Checklist is available through the Division's website at [www.nj.gov/dep/landuse/forms/.html](http://www.nj.gov/dep/landuse/forms/.html).

Please contact Damian Friebe, P.E. of my staff at [damian.friebe@dep.nj.gov](mailto:damian.friebe@dep.nj.gov) or by telephone at (609) 633-6563 should you have any questions regarding this letter. Be sure to indicate the Division's file number in all communication.

Sincerely,

A handwritten signature in cursive script that reads "Dennis Contois".

Dennis Contois  
Supervising Environmental Engineer  
Bureau of Inland Regulation

- c. Agent  
Municipal Clerk



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REV	DATE	DESCRIPTION
1	12/20/19	LMB

REV	DATE	DESCRIPTION
1	12/20/19	LMB

**JULIA ALGEO**  
 NEW JERSEY PROFESSIONAL ENGINEER  
 ENGINEERING LICENSE NUMBER: GEH13

**NIDEP FLOOD HAZARD AREA VERIFICATION PLAN**

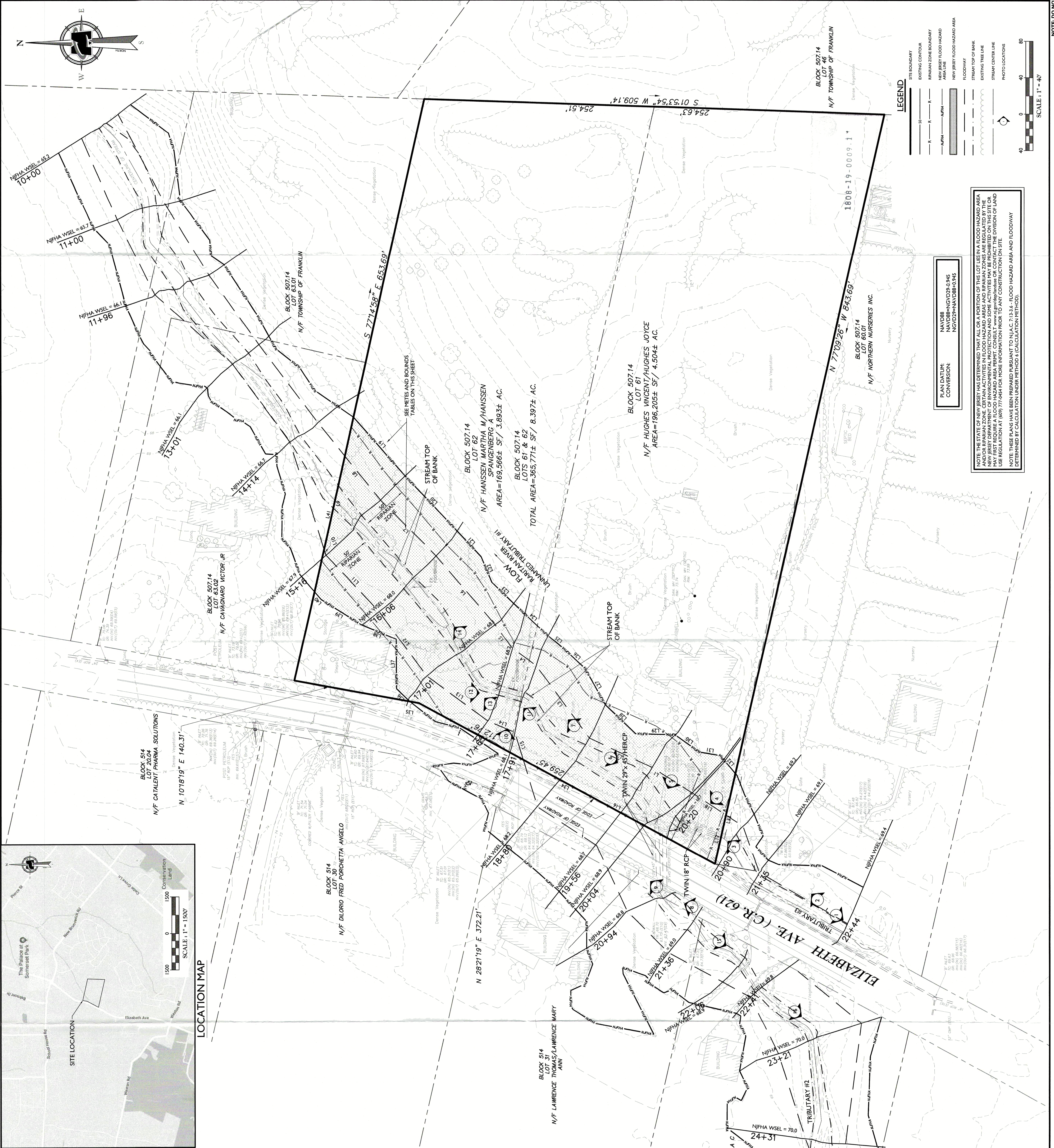
FOR  
**ELIZABETH REALTY PARTNERS LLC**

BLOCK 507.14  
 LOTS 61 & 62

FRANKLIN TOWNSHIP  
 SOMERSET COUNTY, NJ

DATE: 09/20/19  
 DRAWN BY: JMB  
 CHECKED BY: JMB  
 PROJECT NUMBER: 19-0009-1  
 SHEET NUMBER: 1 of 4

**FLOOD HAZARD AREA VERIFICATION PLAN**



**METES AND BOUNDS TABLES**

FLOOD WAY LINE DATA			FLOOD HAZARD AREA LINE DATA		
SEGMENT	DIRECTION	LENGTH	SEGMENT	DIRECTION	LENGTH
L1	S 32° 11' 00" W	55.61	L19	S 48° 31' 53" W	86.14
L2	S 24° 52' 32" W	76.07	L20	S 46° 31' 30" W	83.67
L3	S 52° 30' 17" W	98.87	L21	S 46° 19' 37" W	38.27
L4	S 32° 39' 12" W	32.67	L22	S 46° 54' 45" W	39.66
L5	S 54° 35' 44" W	33.07	L23	S 46° 01' 44" W	33.68
L6	S 46° 07' 35" W	99.94	L24	S 42° 48' 37" W	53.37
L7	S 44° 49' 35" W	86.69	L25	S 40° 35' 46" W	23.38
L8	S 51° 02' 51" W	62.48	L26	S 41° 52' 32" W	31.07
L9	S 77° 14' 55" E	109.72	L27	S 07° 30' 00" W	46.17
L10	N 27° 54' 57" E	34.82	L28	S 09° 28' 00" W	41.17
L11	N 48° 25' 09" E	85.60	L29	S 12° 59' 15" W	45.97
L12	N 23° 37' 46" E	89.25	L30	S 34° 52' 33" W	21.77
L13	N 38° 17' 01" E	85.82	L31	S 39° 49' 59" W	25.55
L14	N 32° 48' 28" E	33.57	L32	S 49° 34' 30" W	25.98
L15	N 27° 41' 45" E	31.27	L33	N 27° 39' 29" W	103.07
L16	N 38° 31' 19" E	58.21	L34	N 28° 31' 19" E	37.21
L17	N 77° 09' 26" W	10.46	L35	N 10° 14' 19" E	10.46
L18	S 33° 19' 59" W	41.27	L36	N 40° 37' 06" E	28.41
			L37	N 89° 42' 09" E	55.12
			L38	N 22° 37' 51" E	42.78
			L39	N 33° 02' 32" E	51.37
			L40	N 48° 26' 24" E	11.34
			L41	S 77° 14' 50" E	194.97

TRIBUTARY	STARTING STA.	ENDING STA.
1	1000	1956
2	2004	2628
3	2020	2244

**GENERAL NOTES**

- THESE PLANS HAVE BEEN PREPARED FOR BLOCK 507.14, LOTS 61 & 62, AS SHOWN ON SHEET 75 OF THE OFFICIAL TAX MAP OF THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, NEW JERSEY, DATED NOVEMBER 1984 AND REVISED THROUGH AUGUST 2003.
- OWNER: LOT 61, 62, THE FRANKENBURG WROTTER, 483 ELIZABETH AVE, SOMERSET, NEW JERSEY 08873
- APPLICANT: ELIZABETH REALTY PARTNERS, LLC, 14 LEBURG DR., NEW JERSEY 08824 (732) 496-8493
- BOUNDARY AND TOPOGRAPHIC SURVEY INFORMATION SHOWN HEREON IS TAKEN FROM A PLAN ENTITLED "BOUNDARY AND TOPOGRAPHIC SURVEY FOR AMERICAN REALTY PARTNERS LLC, LOTS 61 & 62, BLOCK 507.14, FRANKLIN TOWNSHIP, SOMERSET COUNTY, NEW JERSEY," PREPARED BY PAHR CONSULTING P.A., DATED JULY 28, 2019.
- HORIZONTAL DATUM = NORTH AMERICAN DATUM OF 1983 (NAD83); (NEW JERSEY STATE PLANE VERTICAL DATUM = NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88)).
- THE LIMITS OF FRESHWATER WETLANDS SHOWN HEREON WERE FIELD Delineated BY MASER CONSULTING P.A. ON JUNE 14, 2019 AND LOCATED BY MASER CONSULTING P.A. ON JUNE 24, 2019. THE VERTICAL AND HORIZONTAL DATUM WERE ESTABLISHED AT THE PROJECT SITE BY USING GPS SURVEYING METHODS (WETLAND HIGH WATER) TO (NAD83) & (NAV88) CONVERSION OBTAINED USING CORCON 6.5.1.
- DO NOT SCALE DRAWINGS AS THEY PERTAIN TO ADJACENT AND SURROUNDING PHYSICAL FEATURES, ETC. THEY ARE GRAPHIC ONLY. EXCEPT WHERE SHOWN OTHERWISE.
- THE SET OF PLANS HAS BEEN PREPARED FOR THE PURPOSE OF OBTAINING A FLOOD HAZARD AREA VERIFICATION FROM NIDEP. THIS SET OF PLANS SHALL NOT BE UTILIZED AS CONSTRUCTION DOCUMENTS.
- THE APPROXIMATE CENTER OF SITE IS NORTH (Y) 486,108 FT. EAST (X) 615,533 FT.
- THE FLOOD HAZARD AREA FOR THE RARITAN RIVER UNIMPAIRED TRIBUTARY HAS BEEN DETERMINED BY NIDEP. THE FLOOD HAZARD AREA DESIGNATION ON SITE VARY FROM 67.1 TO 69.3.
- CHERRY LINDER REALTY OF LAW THAT HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED IN THIS DOCUMENT AND THAT, BASED ON THE INFORMATION, BELIEVE THAT THE INFORMATION IS TRUE, ACCURATE AND COMPLETE. I AM PROVIDING THIS INFORMATION AS A PROFESSIONAL SERVICE AND AM NOT PROVIDING ANY GUARANTEE, INCLUDING THE POSSIBILITY OF FINE AND IMPROVEMENT.
- THESE GENERAL NOTES SHALL APPLY TO ALL SHEETS IN THIS SET.

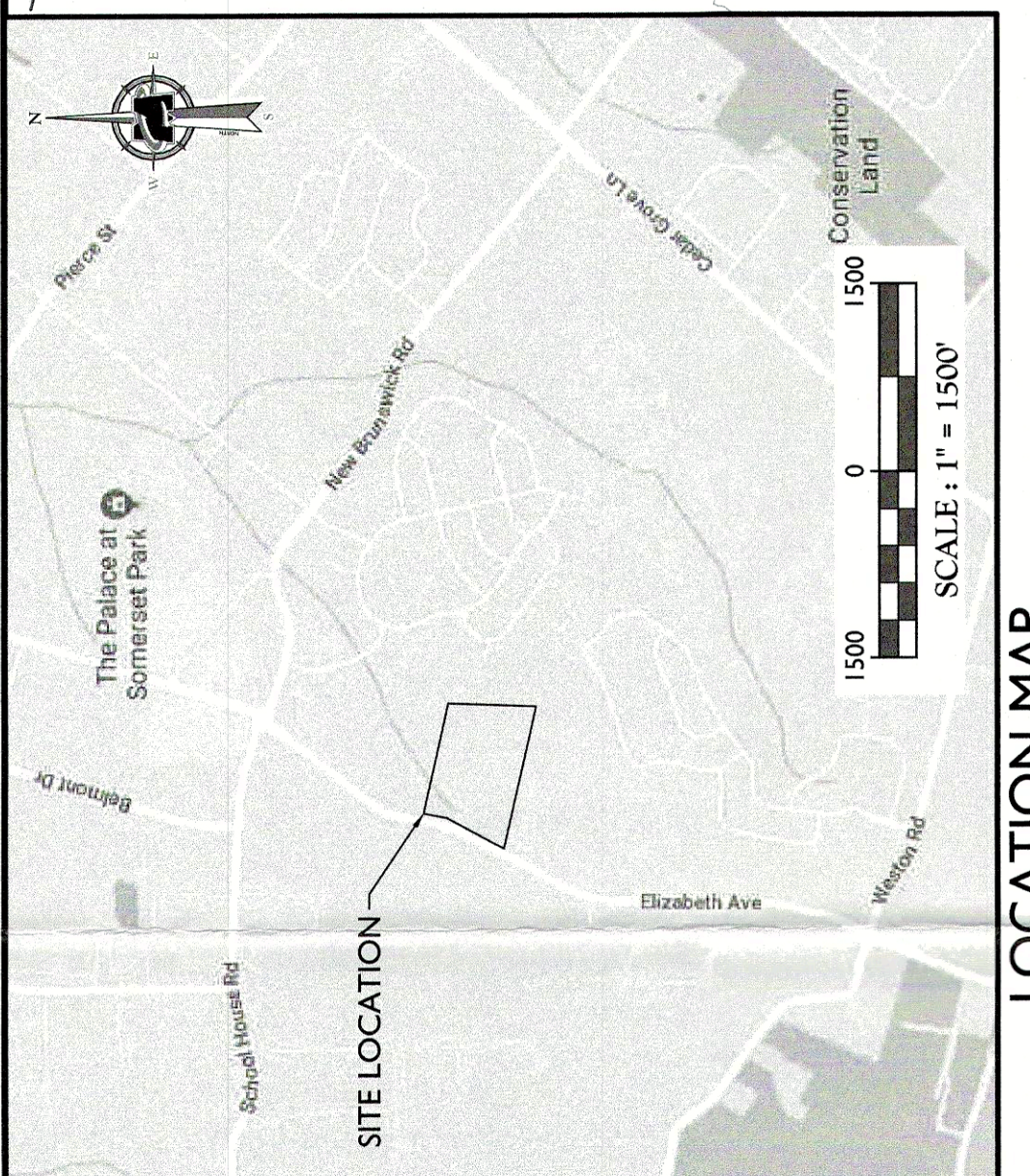
**LEGEND**

- SITE BOUNDARY
- EXISTING CONTOUR
- BRITANNIA ZONE BOUNDARY
- NIPHA
- NIPHA FLOOD HAZARD AREA LINE
- NEW JERSEY FLOOD HAZARD AREA
- FLOODWAY
- STREAM TOP OF BANK
- EXISTING TREE LINE
- STREAM CENTER LINE
- PHOTO LOCATIONS

**PLAN DATUM:**  
 CONVERSION:  
 NAVD83  
 NAD83  
 NAVD83  
 NAD83

NOTE: THE STATE OF NEW JERSEY HAS DETERMINED THAT ALL OR A PORTION OF THIS LOT LIES IN A FLOOD HAZARD AREA AND/OR RIPARIAN ZONE. CERTAIN ACTIVITIES IN FLOOD HAZARD AREAS AND RIPARIAN ZONES ARE REGULATED BY THE STATE OF NEW JERSEY. THE INFORMATION SHOWN ON THESE PLANS IS FOR INFORMATIONAL PURPOSES ONLY. YOU MAY BE REQUIRED TO OBTAIN A FLOOD HAZARD AREA PERMIT, CONSTRUCTION PERMIT, AND/OR OTHER PERMITS FROM THE DIVISION OF LAND USE REGULATION AT (609) 777-6454 FOR MORE INFORMATION PRIOR TO ANY CONSTRUCTION ON SITE.

NOTE: THESE PLANS HAVE BEEN PREPARED PURSUANT TO N.J.A.C. 7:13.3.4 - FLOOD HAZARD AREA AND FLOODWAY DETERMINED BY CALCULATION UNDER METHOD 4 (CALCULATION METHOD).







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**APPENDIX E**  
**NATURAL HERITAGE PROGRAM**  
**DATABASE SEARCH RESULTS**





## State of New Jersey

MAIL CODE 501-04

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF PARKS & FORESTRY

NEW JERSEY FOREST SERVICE

OFFICE OF NATURAL LANDS MANAGEMENT

P.O. BOX 420

TRENTON, NJ 08625-0420

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

PHILIP D. MURPHY

*Governor*

SHEILA Y. OLIVER

*Lt. Governor*

CATHERINE R. McCABE

*Commissioner*

July 18, 2019

Taylor Weathers  
Maser Consulting P.A.  
1000 Waterview Drive, Suite 201  
Hamilton, NJ 08691

Re: 483-485 Elizabeth Ave.  
Block(s) - 507.14, Lot(s) - 61 and 62  
Franklin Township, Somerset County

Dear Taylor Weathers:

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 topographic map(s) submitted with the Natural Heritage Data Request Form into our Geographic Information System. 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 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 are 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 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 <http://www.state.nj.us/dep/parksandforests/natural/heritage/countylist.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 [http://www.state.nj.us/dep/parksandforests/natural/heritage/nhpcodes\\_2010.pdf](http://www.state.nj.us/dep/parksandforests/natural/heritage/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>.

PLEASE SEE 'CAUTIONS AND RESTRICTIONS ON NHP DATA', which can be downloaded from <http://www.state.nj.us/dep/parksandforests/natural/heritage/newcaution2008.pdf>.

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. 19-4007455-17072

Mail Code 501-04  
 Department of Environmental Protection  
 New Jersey Forest Service  
 Office of Natural Lands Management  
 P.O. Box 420 Trenton, New Jersey 08625-0420  
 Tel. (609) 984-1339 Fax. (609) 984-1427

# *Invoice*

		Date	Invoice #
		7/18/2019	17072
Bill to: Maser Consulting P.A. 1000 Waterview Drive, Suite 201 Hamilton, NJ 08691		Make check payable to: <b>DEP - Office of Natural Lands Management</b> And forward with a copy of this statement to: <b>Mail Code 501-04</b> <b>Office of Natural Lands Management</b> <b>P.O. Box 420 Trenton, New Jersey 08625-0420</b>	
Quantity (hrs.)	Description	Rate (per hr.)	Amount
1	Natural Heritage Database search for locational information of rare species and ecological communities. Project: 19-4007455-17072	\$ 70.00	\$ 70.00
Taylor Weathers Project Name: 483-485 Elizabeth Ave.		<b>Total</b>	\$ 70.00

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

<b><u>Report Name</u></b>	<b><u>Included</u></b>	<b><u>Number of Pages</u></b>
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	No	0 pages 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	No	0 pages included

**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

1817

Total number of records: 1

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

<b><u>Report Name</u></b>	<b><u>Included</u></b>	<b><u>Number of Pages</u></b>
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	No	0 pages 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**

<b>Class</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Feature Type</b>	<b>Rank</b>	<b>Federal Protection Status</b>	<b>State Protection Status</b>	<b>Grank</b>	<b>Srank</b>
<i>Aves</i>	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	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

1817

Total number of records: 1



**Table 3: Within 1 Mile for FHACA Searches (6 possible reports)**

<b><u>Report Name</u></b>	<b><u>Included</u></b>	<b><u>Number of Pages</u></b>
1. Rare Plant Species Occurrences Covered by the Flood Hazard Area Control Act Rule Within One Mile of the Project Site Based on Search of Natural Heritage Database	No	0 pages included
2. Natural Heritage Priority Sites within 1 mile	No	0 pages included
3. Rare Wildlife Species or Wildlife Habitat 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 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 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 Within One Mile 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  
One Mile of the Project Site Based on Search of  
Landscape Project 3.3 Species Based Patches**

<b>Class</b>	<b>Common Name</b>	<b>Scientific Name</b>	<b>Feature Type</b>	<b>Rank</b>	<b>Federal Protection Status</b>	<b>State Protection Status</b>	<b>Grank</b>	<b>Strank</b>
<i>Aves</i>								
	Bald Eagle	Haliaeetus leucocephalus	Nest	4	NA	State Endangered	G5	S1B,S2N
	Cooper's Hawk	Accipiter cooperii	Breeding Sighting	2	NA	Special Concern	G5	S3B,S4N
	Great Blue Heron	Ardea herodias	Foraging	2	NA	Special Concern	G5	S3B,S4N

**Vernal Pool Habitat 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

1817

Total number of records: 1

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

<b>Scientific Name</b>	<b>Common Name</b>	<b>Federal Protection Status</b>	<b>State Protection Status</b>	<b>Grank</b>	<b>Srank</b>
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***Invertebrate Animals***

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