ENVIRONMENTAL IMPACT STATEMENT RESIDENTIAL DEVELOPMENT GROVERS MILL RD & MALL ACCESS RD BLOCK 4201.01, LOT 33.03 LAWRENCE TOWNSHIP, NEW JERSEY

Prepared For:

Tricone Engineering 2525 US-130 Suite B4 Cranbury, New Jersey 08512

Prepared By:

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> Eric M. Hough, P.E. NJ License # 51893

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PROJECT DESCRIPTION

The site is located at the northeast corner of the intersection of Grovers Mill Road and Mall Access Drive in Lawrence Township, New Jersey as shown in the aerial photo below. The lot is 6.86 acres in size and currently wooded. The lot is wooded and contains wetlands along Grovers Mill Road. There is evidence that the property was disturbed during the construction of the neighboring Quaker Bridge Mall. In 2000, site plan approval was granted for the Marriot Towne Plan Suites Hotel on the property.



Aerial photograph of site (source: Google)

The application proposes constructing six (6) multi-family buildings consisting of four (4) townhouse buildings (Buildings B, C, D, and E) and two (2) apartment buildings (Buildings A and F), and a pool house. Townhouse Buildings B, C, and D will consist of eight (8) units each and Building E will consist of seven (7) units for a total of 31 townhouse units including 25 4-bedroom units and 6 3-bedroom units. Apartment Building A will contain nine (9) 1-bedroom apartments and fifteen (15) 2-bedroom apartments, for a total of 24 units. Building F will house six (6) 1-bedroom apartments, twenty-one (21) 2-bedroom apartments and three (3) 3-bedroom apartments, for a total of 30 units. In all, there will be 31 3-bedroom townhouses, 15 1-bedroom apartments, 36 2-bedroom apartments, and 3 3-bedroom apartments yielding 85 dwellings.

An amenity area is proposed in the center of the site consisting of a swimming pool, pool house, barbeque area, and dog run. An open lawn area is located adjacent to these features to provide a wide variety of recreational opportunities for the residents.

There are two access driveways from Mall Access Road that provide continuous circulation through the site. Each townhouse has a two-car garage and driveway, which accounts for three private parking spaces per the NJ Residential Site Improvement Standards. The apartment buildings have garage parking and site parking totaling 105 shared parking spaces. Electric vehicle charging stations are also proposed.

New pedestrian sidewalks are proposed along the Grovers Mill Road and Mall Access Road frontages where none currently exist. Sidewalk access is provided from the street through the stie.

The on-site wetland area will remain undisturbed. Due to the shape of the wetland, it is necessary to disturb a portion of the 50-foot-wide wetland transition area (buffer). This will require approval by the NJ Department of Environmental Protection.

Reason for Project

The site is currently vacant with no prior documented history of past development on the property. The project will introduce a mixture of residential housing types, townhomes and flats, to the site. The project will also provide the required 20% set aside (17 units) for affordable housing.

Demographics

According to statistics published in the Residential Site Improvement Standards (NJSA Title 5, Chapter 21) there will be approximately 206 residents. Table 5.1 of the standard provides population statistics based on the residential unit type and size.

Anticipated Population							
Unit Type	Number	Residents	Total				
and Size	of Units	Per Unit					
1-BR Apartment	15	1.57	23.55				
2-BR Apartment	36	2.33	83.88				
3-BR Apartment	3	3.56	10.68				
3-BR Townhouse	31	2.83	87.73				
Total			205.84				

The anticipated resident population from the project is 206 people. The anticipated working-age population (18-64 years) from the project is 114 people.

Please refer to the Community Impact Statement prepared for Tricone by Mark A. Remsa, PP, LLA, AICP, ASLA, dated February 2024, for more information.

Master Plan Compatibility

The project site is located within the AT-3 zoning district, where apartments and townhouses are permitted land use types. The Master Plan calls to maintain the predominantly residential nature of the municipality, with which this project conforms. As it is largely surrounded by non-residential development, this project encourages a balanced mixture of residential and nonresidential uses, compatible with the master plan. This project also helps to foster a diverse community with a mix of residential housing types, as both apartments and townhouses are proposed. There will be two apartment buildings, providing a mixture of one, two and three-bedroom apartments. The townhomes each contain three bedroom. This complies with the Master Plan, as it will meet the needs of varied income and age levels, family compositions, and lifestyles.

The open lawn and amenity areas encourage and promote the social interaction of groups and will help to maintain the strength of the community, an objective in line with the Master Plan. There are no historic landmarks on site.

As it is the Master Plans policy to retain and enhance the existing patterns of development, the design of the proposed buildings will be compatible with the style and scale of existing buildings. This project proposes to conserve the wetlands, which exist on the southeastern area of the property. No disturbance will take place outside of the adjusted buffer line. This helps to support a natural ecological balance, as mentioned in the Master Plan.

SITE DESCRIPTION AND INVENTORY

- a. Types of Soils: The soils found on the site are mostly Fallsington sandy loams and Metapeake loam (about 26% each), but also include Mattapex and Bertie loams (6%), Othello silt loams (4%), Portsmouth variant silt loam (20%), Sassafras sandy loam (2%), Sassafras gravelly sandy loam (4%) as well as Pits, sand and gravel (12%). Since the project is not developing in the wetlands area, the Sassafras gravelly sandy loam and the Mattapex and Bertie loams will not be disturbed. All of the disturbed soils have medium to slow infiltration rates which are taken into account during drainage design (See Soil Map attached).
- b. <u>Topography:</u> The elevations on the project site range from approximately 64 feet to 84 feet. The site includes lands with steep slopes exceeding 12%. These currently exist along Mall Access Road. As the site is developed, a portion of steep slopes will be disturbed; however, the steep slopes will remain to the northeast and southwest of Building A, to the north of Building B, to the south of Building C,

in between building E and Building D/the pool house, to the west of Building E and to the southeast of Building F. The proposed grading will blend in to the existing terrain to be able to construct the proposed residential facility while maintaining the existing grades to the greatest extent possible. There are no remarkable geological features associated with the property (See Grading & Drainage Plan attached).

- c. <u>Geology:</u> The property is forested with an area of wetlands on the eastern side of the property. Residential improvements are proposed outside of the wetlands and the wetland's adjusted buffer line. This is the area identified on-site where the residential improvements could be built without significant impacts to the surrounding environment.
- d. <u>Vegetation:</u> According to the NJDEP's online geographic information system (NJ-GeoWeb), the subject site is mapped by the NJDEP Landscape Project as being within the Piedmont Plains landscape region. This site is largely covered by deciduous forest, with greater than 50% crown closure. There is also the presence of deciduous wooded wetlands on the eastern side of the property.
- e. <u>Wildlife:</u> The site is comprised of woodlands and is bordered to the south by woodlands. It is anticipated that the area is inhabited by some terrestrial wildlife common to the area. However, this area has been isolated due to the surrounding urban development and the road separating the site from the adjacent woodlands. Therefore, it is believed that the project site is not home to significant wildlife.

The Piedmont Plains data layer depicts the majority of the property and surrounding lands as having a habitat ranking of 2. Rank 2 is assigned to species-specific habitat patches containing one or more occurrences of species considered to be species of special concern. On this site, the species of concern is the Accipeter cooperii, commonly known as Cooper's Hawk. There have been breeding sightings in this area.

f. Surface Water: The existing site is vacant land. Under the existing conditions, most of the surface water on the site drains towards the existing wetlands in the eastern part of the site. Due to a high point in the northwestern area of the property, a small amount of water drains northerly and westerly onto Mall Access Road. Post-construction conditions will capture a majority of the runoff. Due to the increase in impervious surface, small-scale infiltration basins will be required to reduce the proposed runoff to meet the required rate reductions. The outlet of the drainage system will be connected directly into the existing stormwater system in Grovers Mill Road. To address water quality, runoff from the proposed parking areas and driveways will be treated by a sand filter located in each above-ground infiltration basin. A separate underground infiltration basin is proposed to collect the rooftop runoff from Building B.

- g. <u>Subsurface Water:</u> No private or community wells are proposed. There are no existing wells within 500 feet of the site.
- h. <u>Cultural resources:</u> This activity will not adversely impact any cultural resources, as there are none on site.
- Historic resources: The activity will not adversely impact properties which are listed or eligible for listing on the National Register of Historic Places as no historic sites were identified on or proximate to the subject property.
- j. <u>Existing development features:</u> The existing site is vacant land (forest and wetlands). No existing improvements exist.

AREA AND REGIONAL DESCRIPTION

The area directly south of our site is mainly wetlands and open space (with a small area of forest and water). To the west (across Mall Access Road), there is a forested area, more wetlands and urban development. The area to the north is all urban development. On the eastern side of our property is mainly urban development with drainage facility and a small portion of undisturbed forest.

The northerly adjoining parcel (Block 4201.01; Lot 36) is owned by TF LWRCVL NJ/DEPT and is a shopping center, called Quaker Bridge Mall, with an associated parking lot.

The westerly adjoining parcels are Block 42.01, Lots 32.02 and 32.03. Lot 32.02 is owned by Fampec, LLC and Lot 32.03 is owned by Auto Campus Realty, LLC. These parcels consist of an existing auto body shop and its associated parking lot.

To the south, Block 4201, Lots 30.04, 33.01 and 33.02 are covered by forest and wetlands. Lots 30.04 and 33.02 are owned by the Department of Transportation. Lot 33.01 is owned by the Department of Environmental Protection, Sprint Spectrum and Verizon Wireless (See Tax Map attached).

ENVIRONMENTAL PERFORMANCE CONTROLS

a. Sewage Disposal Techniques

The site uses sanitary sewers for sewage disposal. The projected sewer demands have been calculated to be 20,550 gpd (as shown on the Utility Plan) and the sanitary sewer system has been designed accordingly. The sewer system for the subject property will connect into the existing sanitary sewer that runs easterly along the southern edge of the property. A will-serve request was sent to Ewing-Lawrence Sewage Authority on January 22, 2024 for confirmation.

b. Water Supply and Water Conservation Proposals

The projected water demand has been calculated to be 8,910 gpd for the apartments (Buildings A and F) and 8,135 gpd for the townhouses (Buildings B, C, D and E), for a total of 17,045 gpd. A will-serve request was sent to NJ American Water on January 22, 2024 for confirmation. A subsequent meeting took place with the water company to plan the water supply to the site: a new water main will loop through the property, connecting to an existing 12" water main in Grovers Mill Road.

c. Energy Conservation Measures

The estimated electric load to the site is 1,250 kw, which includes 6 residential buildings (54 apartments and 31 townhouse units), a pool house and site lighting. The estimated gas load is not currently known. A will-serve request was sent to Jersey Central Power & Light and PSE&G on January 22, 2024. The buildings will be constructed to comply with current energy conservation regulations.

d. Noise Reduction Techniques

A residential building generates little noise other than from the HVAC units. The units will be selected that meet the state noise limitations. However, there are no residential neighbors, except those on this site.

The subject property is currently vacant and not currently the source of any known or reported noise concerns. The property is largely bordered by vacant land with the exception of a shopping mall to the north and an auto body shop to the west. Each of the two above cited active adjoining properties are anticipated to generate higher noise levels than those of the planned residential development. Therefore, no noise reduction techniques will be necessary.

IMPACT

a. Flooding and Flood Plain Impact

According to FIRM map 34021C0141F with effective date 7/20/16, the subject parcel is in Zone X, an area of minimal flood hazard. No impact is expected (See attached FIRMette map).

b. Impact on Surface Water and Groundwater Quality

Soil erosion and sediment control (SESC) devices including erosion control fencing and stone tracking pads will be installed to mitigate erosion concerns during construction and will be required by the Mercer County Soil Conservation District. Following development, storm water from the project will be managed with the use of two above-ground infiltration basins and one underground infiltration basin. Runoff from the proposed parking areas and driveways will be treated by a sand filter located in each above-ground infiltration basin. The water will be discharged through rip-rap aprons to further reduce erosion. The proposed infiltration basins will meet the requirements of water quantity reduction and quality control in accordance with the New Jersey Stormwater Management regulations.

c. Impact on the Capacity to Supply Groundwater

As per the NJDEP, the required amount of groundwater recharge is determined by the Annual Groundwater Recharge Analysis worksheet, which can be found in the Drainage Report. According to the worksheet, there is an annual recharge deficit for the post-development condition of 58,289 (Vdef) for the portion of the site to be disturbed (5.224 acres). The proposed infiltration basins will compensate for the recharge deficit.

Basin 1 collects a large amount of the impervious area from the pavement. The amount of impervious area collected is 57,151 sf (Aimp) and provides the Annual BMP Recharge Volume (Vdef) at a calculated BMP effective depth (dBMP) of 2.4 inches. Since the provided BMP effective depth in the basin of 24 inches (below lowest orifice) is greater than the calculated depth, the stormwater recharge requirement is satisfied. This calculation omits the additional recharge provided by the other infiltration basins utilized on the property.

d. Sewage Disposal Impacts

The site uses sanitary sewers for sewage disposal. The projected sewer demands have been calculated to be 20,550 gpd (as shown on the Utility Plan) and the sanitary sewer system has been designed accordingly. The sewer system for the subject property will connect into the existing sanitary sewer that runs easterly along the southern edge of the property. No significant impacts are expected.

e. Alteration to Existing Vegetation & its Impact on Wildlife and Wildlife Habitats

The proposed residential development will result in a loss of approximately 5.2 acres of vegetation to accommodate the development within the project's proposed limit of disturbance.

Terrestrial wildlife and avian wildlife in the area of the proposed limit of disturbance may be displaced by construction development. However, based on surrounding developments, there will be minimal wildlife that will likely be displaced to the south, where the forest and wetlands extend across Grovers Mill Road or toward the eastern side of the property, where the wetlands on site will remain undisturbed. Displacement impacts on the affected species are anticipated to be minimal.

f. <u>Destruction or Disturbance of Cultural Resources</u>

There are no known cultural resources on site so this item is not applicable to our project.

g. Noise Level Impacts

The subject site is largely surrounded by forest and open space, with the exception of some urban development areas. These nearby urban areas are expected to generate more noise than the proposed residential development. A residential building generates little noise other than from the HVAC units. The units will be selected that meet the state noise limitations

h. Energy Utilization

The estimated electric load to the site is 1,250 kw, which includes 6 residential buildings (54 apartments and 31 townhouse units), a pool house and site lighting. The estimated gas load is not known at this time. A will-serve request was sent to Jersey Central Power & Light and PSE&G on January 22, 2024 for confirmation.

i. Blighting or Improving Effects on Neighborhoods

The relationship between local short-term uses of the site and the maintenance and enhancement of long-term productivity of the project was assessed for cumulative long-term effects from the perspective that each generation is a trustee of the environment for future generations.

Short term environmental use of the property during construction will result in impacts born by the physical construction activities (clearing, grading) which will include displacement of wildlife and loss of vegetation. The planned impacts were minimized and mitigated to the extent practical. Upon completion of construction, no further impacts to local environmental conditions are envisioned. The proposed residential development will not have long-term cumulative impacts on the local environment.

The property currently is underutilized (vacant) and not contributing to the productivity of the local economy. The short-term productivity of the site will be enhanced during development through the creation of construction-related employment. The proposed use of the property as a Residential Development will, upon completion, productively contribute to the local economy with its new residents.

The property is currently vacant land. Development of the property will improve the aesthetic value of the property and will be a benefit to the neighborhood and local community.

Minor fugitive dust emissions may be anticipated during construction redevelopment. The contractor will be responsible for controlling all dust emissions in conjunction with their site-specific health and safety plan for site construction.

ALTERNATIVES

The site is currently vacant with no documented history of past site use. The subject property project purpose is to provide residential housing to the site.

The site is in zone AT-3: Apartment & Townhouse Residential District. The proposed project complies with the intended use of the site (See Zoning Map).

Alternative Designs

The subject property is situated adjacent and north of Grovers Mill Road and east of Mall Access Road in the Township of Lawrence, Mercer County, New Jersey. The site currently is comprised of undeveloped wooded lands and, while no prior development is documented on-site, the property was approved for the Marriot Towne Plan Suites Hotel in 2000 consisting of three large hotel buildings. The hotel design would be a more intense use than the proposed townhouses from a traffic standpoint with more anticipated peak hour volume as well as direct access from the more traveled Grover's Mill Road.

LICENSES, PERMITS AND OTHER APPROVALS BY LAW

This project requires the following approvals:

Lawrence Township Planning Board Site plan - Pending

Mercer County Planning Board Site Plan - Pending

New Jersey DOT Not Applicable

Mercer County SCD Soil Erosion & Sediment Control - Pending

Lawrence Construction Department Construction permits - Pending

NJDEP, Land Use Flood Hazard – Not Applicable

NJDEP, Treatment Works Approval Sewer Extension – Pending

NJDEP, Buffer Averaging Approval Buffer Averaging - Pending

DOCUMENTATION & REFERENCES

Site Plan, Residential Development, Block 4201.01, Lot 33.03; Grovers Mill Road & Mall Access Road; Township of Lawrence; Mercer County, New Jersey; prepared by Bertin Engineering (Glen Rock, New Jersey) dated 10-12-23, last revised 3-19-24.

Aerial Photography obtained from Google Earth Pro, image date 01/25/2024.

Soil Boundary Map, Web Soil Survey from United Stateps Department of Agriculture, Natural Resources Conservation Service, dated 01-18-22.

Grading & Drainage Plan, Residential Development, Block 4201.01, Lot 33.03; Grovers Mill Road & Mall Access Road; Township of Lawrence; Mercer County, New Jersey; prepared by Bertin Engineering (Glen Rock, New Jersey) dated 10-12-23, last revised 3-19-24.

Tax Map, Township of Lawrence, Mercer County, New Jersey Sheets. 42.06 and 42.07, dated October 1990 prepared by John M. Dura, P.L.S., SSM/T.T.MOORE Associates, Inc. (W. Trenton, New Jersey); last revised January 1, 2017and January 1, 2012, respectively.

National Flood Hazard Layer FIRMette; 34021C0141F, with effective date 7/20/2016; from FEMA, exported 01-24-2024.

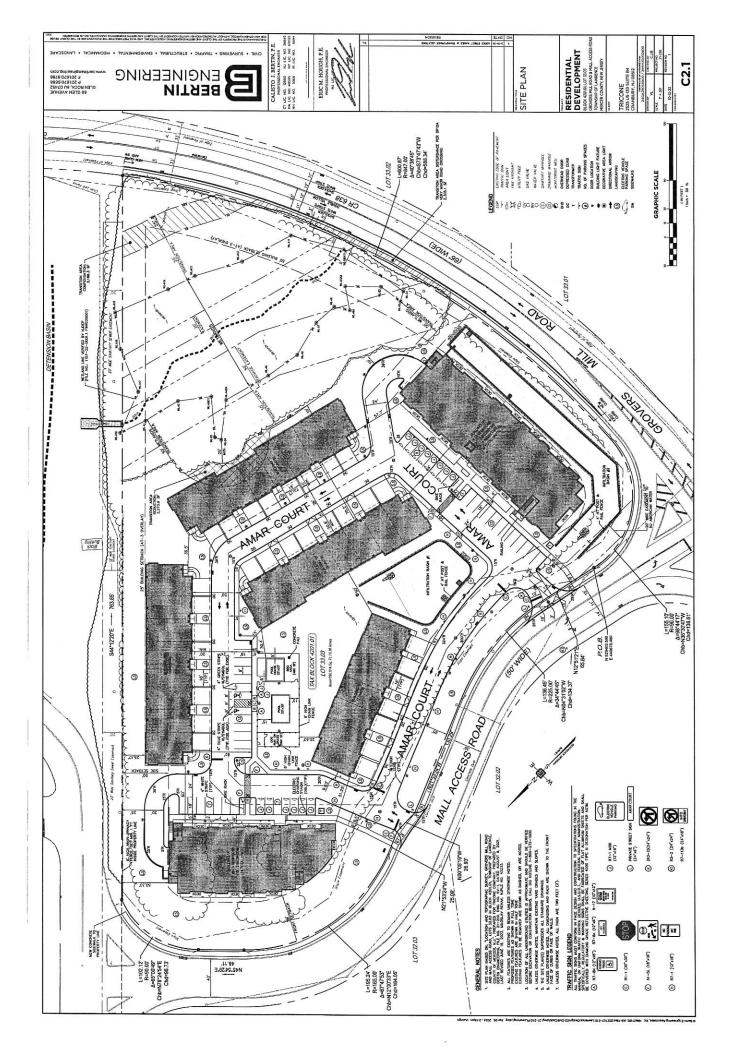
NJGeoWeb; http://www.state.nj.us/dep/gis/newmapping.htm

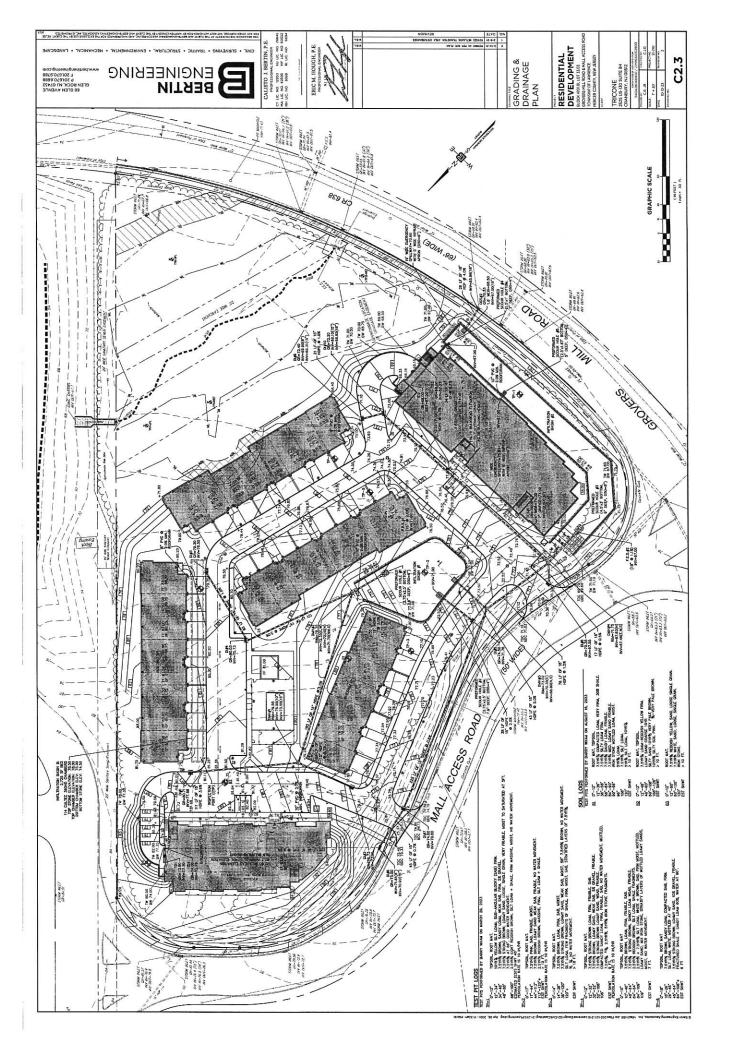
Zoning Map, Township of Lawrence, Mercer County, New Jersey; dated of January 2021 prepared by Township Of Lawrence, Departments of Planning & Engineering.

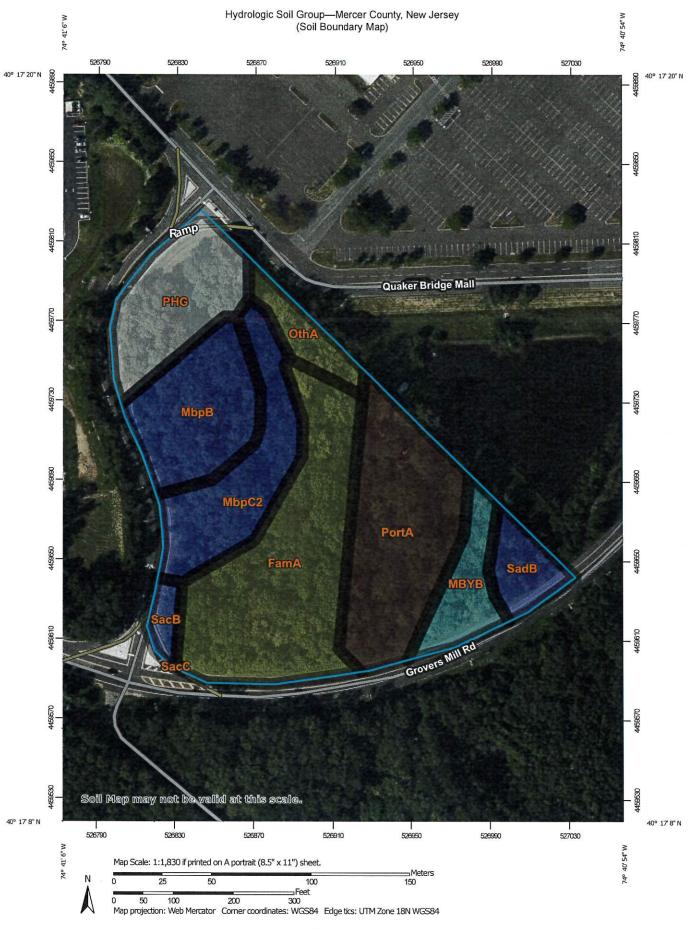
Freshwater Wetlands Letter of Interpretation: Line Verification; File and Activity No. 1107-22-0001.1FWW220001

issued to Tricone Engineers, Inc. from State Of New Jersey, Department of Environmental Protection, Division of Land Resource Protection dated January 18, 2024.

NJ Tax Maps (www.njtaxmaps.com).







Not rated or not available C/D Water Features MAP LEGEND 靈 攤 Area of Interest (AOI) Soil Rating Polygons Area of Interest (AOI) AD

Please rely on the bar scale on each map sheet for map measurements.

misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed

Enlargement of maps beyond the scale of mapping can cause

Warning: Soil Map may not be valid at this scale.

The soil surveys that comprise your AOI were mapped at

1:24,000

MAP INFORMATION

Source of Map: Natural Resources Conservation Service Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

distance and area. A projection that preserves area, such as the Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required. This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Mercer County, New Jersey Survey Area Data: Version 17, Aug 31, 2021 Soil map units are labeled (as space allows) for map scales 1:50,000 or larger. Date(s) aerial images were photographed: Sep 6, 2020—Sep

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Streams and Canals Interstate Highways Major Roads Local Roads US Routes Rails **Transportation** ŧ Not rated or not available Soil Rating Lines B/D C/D

Background

Aerial Photography

AD

B/D O

C/D

Not rated or not available .

Soil Rating Points

AP

B/D

В 觀

USDA

Hydrologic Soil Group

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
FamA	Fallsington sandy loams, 0 to 2 percent slopes, northern coastal plain	C/D	2.1	26.3%
MbpB	Matapeake loam, 2 to 5 percent slopes	В	1.0	12.6%
MbpC2	Matapeake loam, 5 to 10 percent slopes, eroded	В	1.0	12.9%
MBYB	Mattapex and Bertie loams, 0 to 5 percent slopes	С	0.5	6.1%
OthA	Othello silt loams, 0 to 2 percent slopes, northern coastal plain	C/D	0.3	4.1%
PHG	Pits, sand and gravel		0.9	11.9%
PortA	Portsmouth variant silt loam, 0 to 2 percent slopes	B/D	1.6	19.9%
SacB	Sassafras sandy loam, 2 to 5 percent slopes, Northern Coastal Plain	В	0.1	1.8%
SacC	Sassafras sandy loam, 5 to 10 percent slopes, Northern Coastal Plain	В	0.0	0.0%
SadB	Sassafras gravelly sandy loam, 2 to 5 percent slopes	В	0.3	4.3%
Totals for Area of Inter	rest	7.9	100.0%	

Description

Hydrologic soil groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

The soils in the United States are assigned to four groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

Group A. Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

Group B. Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group C. Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

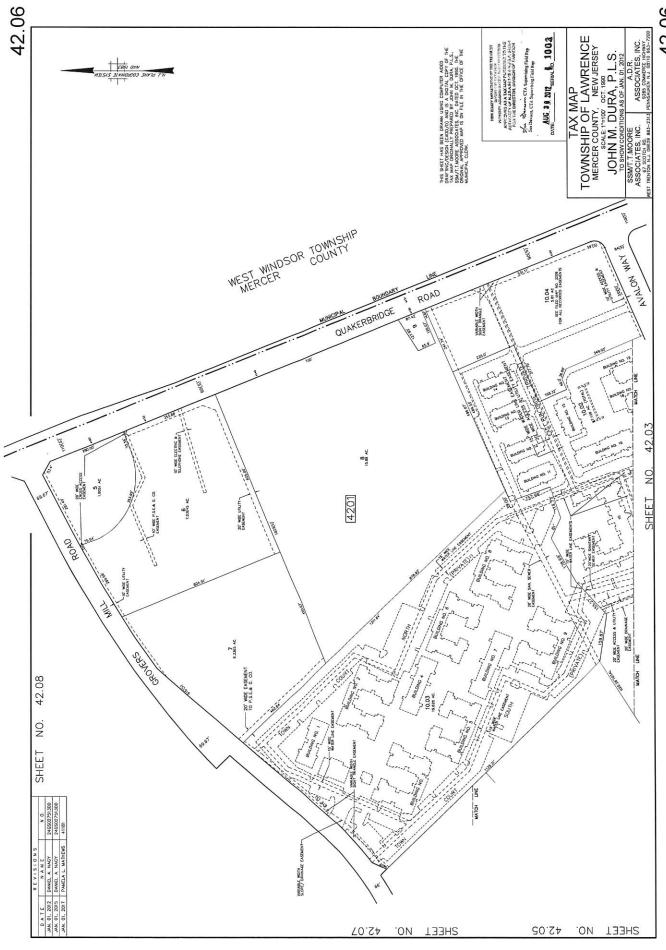
Group D. Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

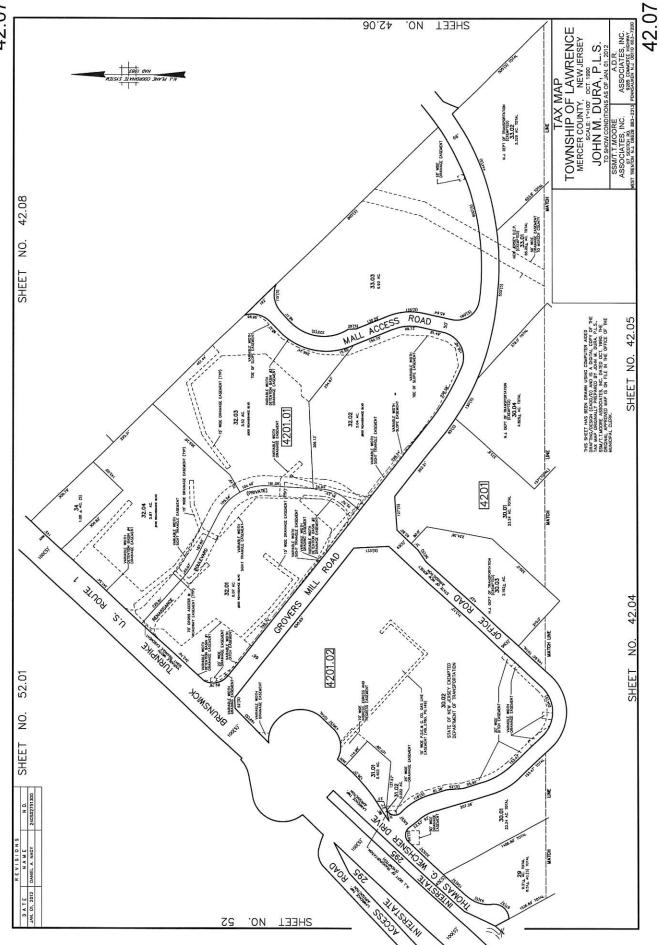
If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils that in their natural condition are in group D are assigned to dual classes.

Rating Options

Aggregation Method: Dominant Condition Component Percent Cutoff: None Specified

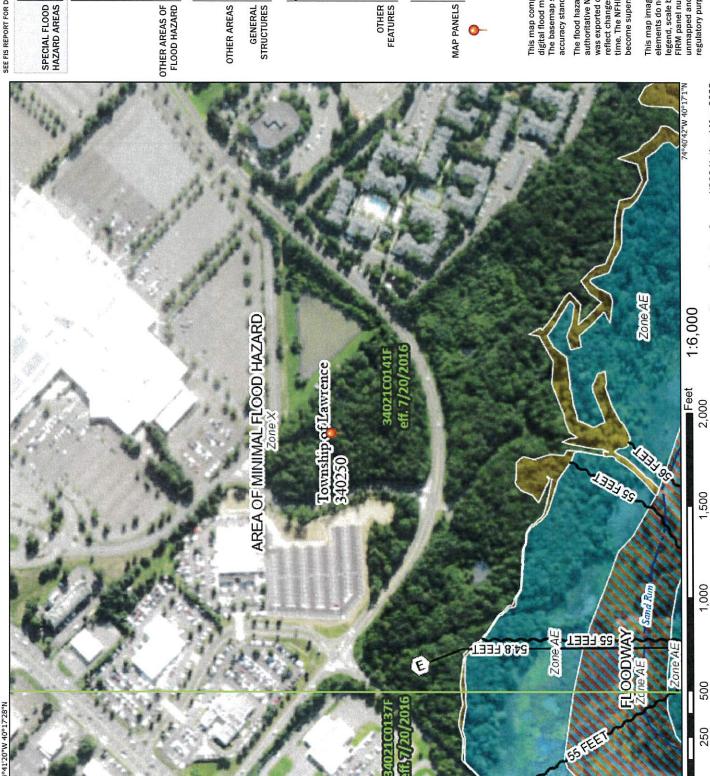
Tie-break Rule: Higher





National Flood Hazard Layer FIRMette



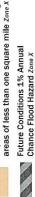


Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage Without Base Flood Elevation (BFE)
Zone A, V, A99
With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway



Area with Reduced Flood Risk due to Chance Flood Hazard Zone X Levee. See Notes. Zone X



Area with Flood Risk due to Levee Zone D

No screen Area of Minimal Flood Hazard Zone X

Effective LOMRs

Area of Undetermined Flood Hazard Zone D

- - - Channel, Culvert, or Storm Sewer GENERAL | - - - - Channel, Culvert, or Storn STRUCTURES | 1111111 Levee, Dike, or Floodwall B 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation

Base Flood Elevation Line (BFE) Coastal Transect - Limit of Study more \$13 more

Coastal Transect Baseline Jurisdiction Boundary

Hydrographic Feature Profile Baseline

OTHER FEATURES

Digital Data Available

No Digital Data Available Unmapped

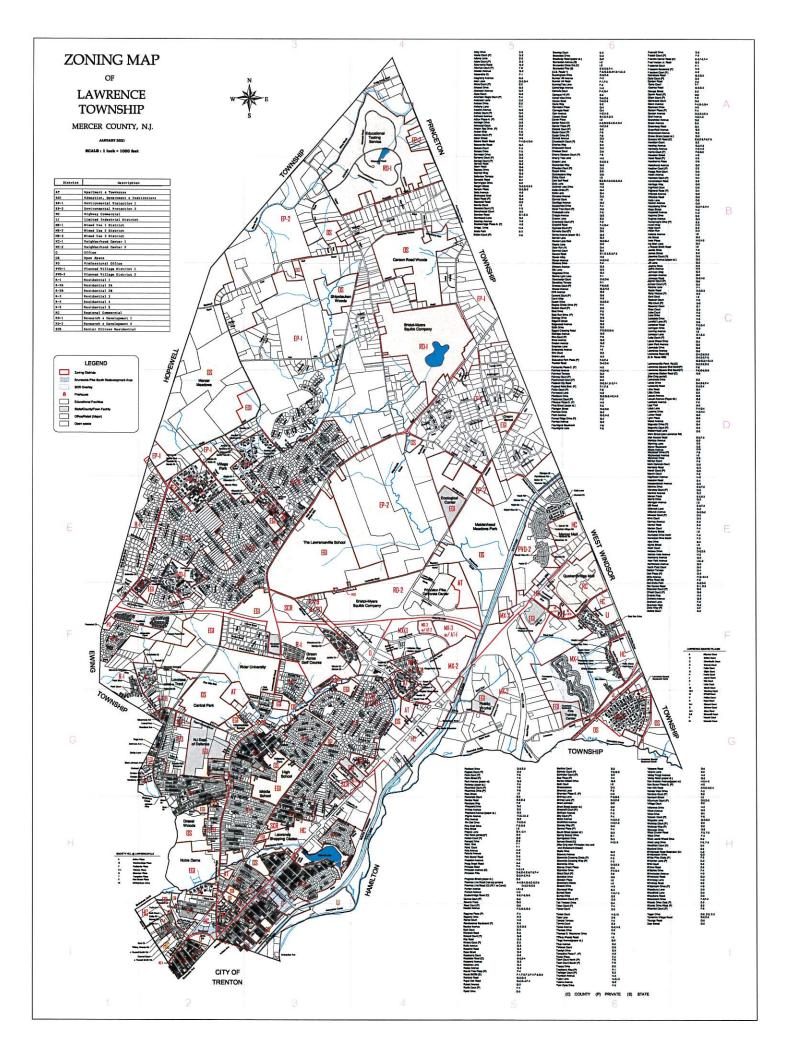
MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of The basemap shown complies with FEMA's basemap digital flood maps if it is not void as described below. accuracy standards

authoritative NFHL web services provided by FEMA. This map reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or The flood hazard information is derived directly from the was exported on 1/24/2024 at 1:35 PM and does not become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Basemap Imagery Source: USGS National Map 2023





State of New Jersey

PHILIP D. MURPHY Governor

TAHESHA L. WAY Lt. Governor DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Resource Protection

Mail Code 501-02A

P.O. Box 420

Trenton, New Jersey 08625-0420

www.nj.gov/dep/landuse

SHAWN M. LATOURETTE Commissioner

January 18, 2024

Mustafa Hassonjee Tricone Engineers, Inc. 2525 Rt. 130, Suite B4 Cranbury, NJ 08512 Via email

RE:

Freshwater Wetlands Letter of Interpretation: Line Verification

File and Activity No.: 1107-22-0001.1 FWW220001

Applicant: Tricone Engineers, Inc. Block and Lot: [4201.01; 33.03] Lawrence Township, Mercer County

Dear Mr. Hassonjee:

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

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

Based upon the information submitted, and upon a site inspection conducted by Division staff on April 25, 2022, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "LOCATION AND TOPOGRAPHIC SURVEY OF GROVERS MILL ROAD AND MALL ACCESS ROAD LOT 33.03 IN BLOCK 4201.01 TOWNSHIP OF LAWRENCE COUNTY OF MERCER, N.J.", Drawing No. SV-1, dated August 9, 2021, last revised June 16, 2022, and prepared by Bertin Engineering, 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-referenced file and activity number and the following note:

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

DLRP File No.: 1107-22-0001.1 FWW220001

Wetlands Resource Value Classification ("RVC")

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

Intermediate: All freshwater wetlands shown [50-foot wetland buffer]

RVC may affect requirements for wetland and 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 by Certification or Statewide General Permits available for the property (see N.J.A.C. 7:7A-5, 6 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 Department. 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 (N.J.A.C. 7:7A), 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 and 2.5. 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 Department 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;

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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 Resource Protection at (609) 292-0060 or http://www.nj.gov/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.

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 Administrative Hearings and Dispute Resolution, Attention: Adjudicatory Hearing Requests, 401 E. State Street, Mail Code 401-07A, P.O. Box 420, Trenton, NJ 08625-0420. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Ariana Tsiattalos of our staff by e-mail at Ariana. Tsiattalos@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,

Rebecca Grike, Environmental Specialist 4
Bureau of Freshwater Wetlands and Highlands Permitting
Division of Land Resource Protection

e-copy: Municipal Clerk

Municipal Construction Official

Agent