



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

The Downs Group
Attn: James M. Downs
44 Prentice Lane
Mendham, NJ 07945

February 25, 2020

Re: Flood Hazard Area Verification Approval
File No.: 1801-19-0004.2 LUP190001
Applicant: James M. Downs
Block: 39; Lot: 12, 15, 19, 21
Township Bedminster; County Somerset

Dear James M. Downs:

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

The flood hazard area was established using Method 3 (FEMA fluvial method) as described at N.J.A.C. 7:13-3.4(e), which is based on existing FEMA flood mapping in a fluvial flood hazard area.

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 drawings hereby approved were prepared by Marc J. Cifone, Professional Land Surveyor, and Jefferey O. Males, Professional Land Surveyor, dated October 7, 2019, last revised February 2, 2020, and entitled:

"NJ FLOOD HAZARD AREA (FHA) VERIFICATION PLAN TAX LOTS 12,15, 19 &21 – BLOCK 39
1120 & 1310 LAMINGTON ROAD, TOWNSHIP OF BEDMINSTER SOMERSET COUNTY, NEW
JERSEY" sheet nos. 1, 2, 3, and 4 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 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, 7th 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 and the Checklist is available through the Division's website at www.nj.gov/dep/landuse/forms/.html.

Please contact Danielle Ronquillo of my staff at danielle.ronquillo@dep.nj.gov or by telephone at (609) 984-0464 should you have any questions regarding this letter. Be sure to indicate the Division's file number in all communication.

Sincerely,



Damian T. Friebe
Environmental Engineer III
Bureau of Inland Regulation

c. Agent
Municipal Clerk



Approved

New Jersey Department of Environmental Protection
Division of Land Use Regulation



This survey certified to:
Jim Downs

This survey references:

Deed Book 2038 Page 7
Deed Book 7083 Page 2802
Somerset County Filed Map No. 2032
Somerset County Filed Map No. 1736
Survey of Lot 19 Block 39, Gladstone Design Inc., Dated May 3, 2017
Topography provided by Atlantic Aerial Survey Co. from and aerial survey dated May 3, 2017
A written Waiver and Direction Not to Set Corner Markers has been obtained from the ultimate user pursuant to P.L.2003, c.14 (C45:8-36.3) and N.J.A.C. 13:40-5.1 (d).

NJ FLOOD HAZARD AREA (FHA) VERIFICATION PLAN

Tax Lots 12,15,19 & 21 - Block 39
1120 & 1310 Lamington Road, Township of Bedminster
Somerset County, New Jersey

PROJECT NUMBER
190369

SHEET NO.
1/4

FIELD: JSG
DWN BY: JSG
CHECKED: MJC
DATE: 10/07/19

SCALE
1"=100'

Lakeland
Surveying

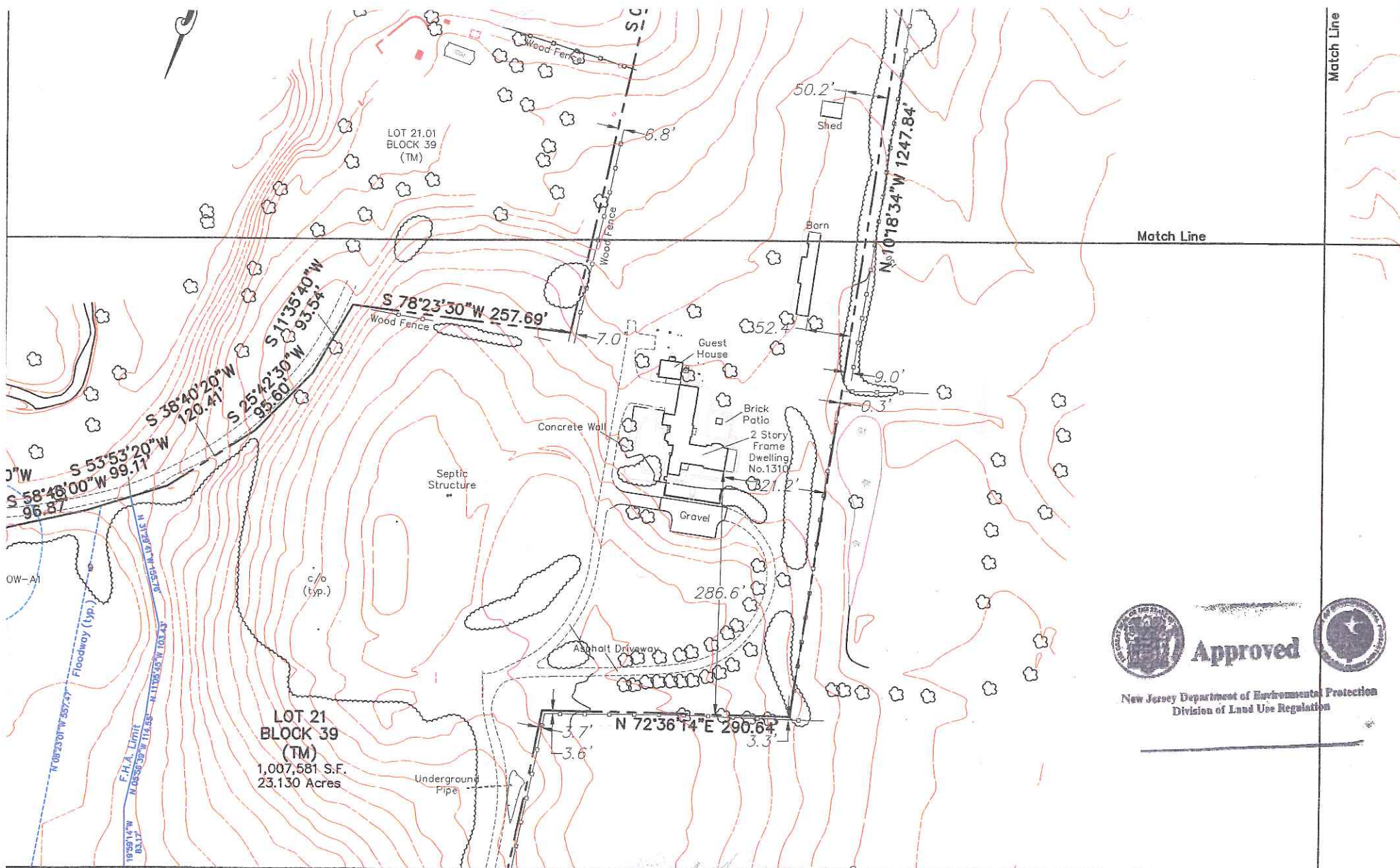
117 Hibernia Avenue | Rockaway | NJ | Ph: (973) 625-5670 | Fx: (973) 625-4121
www.LakelandSurveying.com

Certificate of Authorization
#24GA28090000

Marc J. Cifone
PROFESSIONAL LAND SURVEYOR

Jeffrey O. Males
PROFESSIONAL LAND SURVEYOR

Marc J. Cifone N.J. P.L.S. LIC. No. 24GS04132900
Jeffrey O. Males N.J. P.L.S. LIC. No. 24GS03008700



Approved



New Jersey Department of Environmental Protection
Division of Land Use Regulation

W FLOOD HAZARD AREA (FHA) VERIFICATION PLAN
Tax Lots 12 & 21 - Block 39
1120 & 1310 Lamington Road, Township of Bedminster
Somerset County, New Jersey

PROJECT NUMBER
190369

SHEET NO.
2/4

Lakeland
Surveying

Certificate of Authorization
#24GA20090000

Marc J. Cifone Jeffrey O. Males
PROFESSIONAL LAND SURVEYOR PROFESSIONAL LAND SURVEYOR

I declare that this plan is based on actual field survey performed by Lakeland Surveying, Inc., under my direct supervision, in accordance with N.J.A.C. 13:40-5.1 and to the best of my professional knowledge and belief, correctly represents the conditions found on the date of the field survey, except such easements, if any, below the surface of the land not visible. This declaration is given as the above named parties for this transaction only and is not transferable. Survey is valid only if print has original raised seal of the undersigned professional. This plan is made to provide information to the title insurer as to the facts shown hereon.

FIELD: JSG DWN BY: JSG CHECKED: MJC DATE: 04/22/19

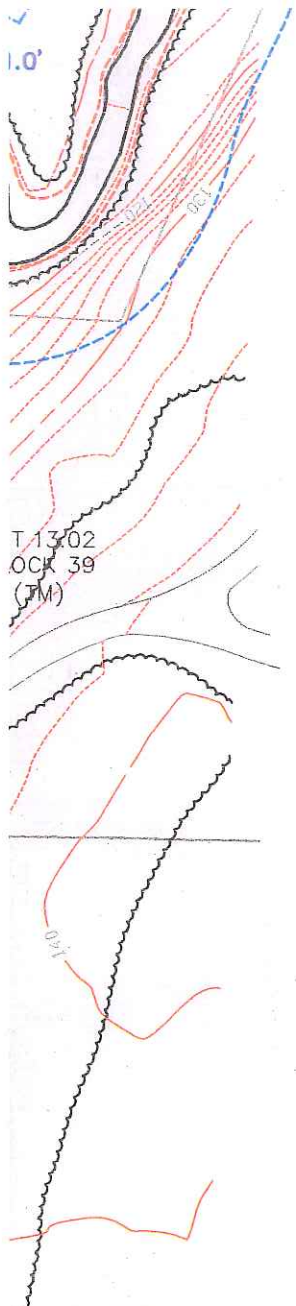
SCALE
1"=100'

117 Hibernia Avenue | Rockaway | NJ | Ph: (973) 625-5670 | Fx: (973) 625-4121
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Marc J. Cifone N.J. P.L.S. LIC. No. 24GS04132900
Jeffrey O. Males N.J. P.L.S. LIC. No. 24GS03008700

INITIALS JSG DATE 02/03/20 DESCRIPTION Revised FHA/Floodway labels and notes

REVISIONS



This survey certified to:
Jim Downs

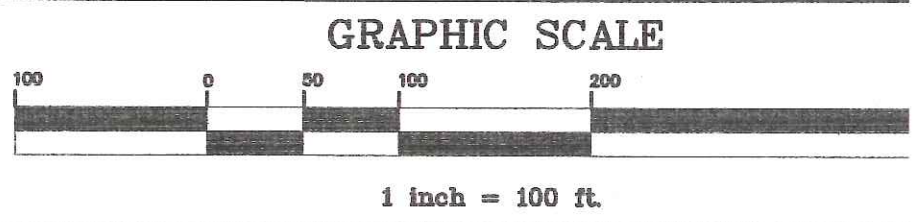
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- General Notes:**
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 - Subject to an accurate title search
 - Subject to documents of record
 - Vertical Datum: NAVD 1988
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 - "Portions of the property are situated within the regulated FHA and Ripari
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Consult the Division of Land Use Regulation (DLUR) at www.nj.gov/dlur
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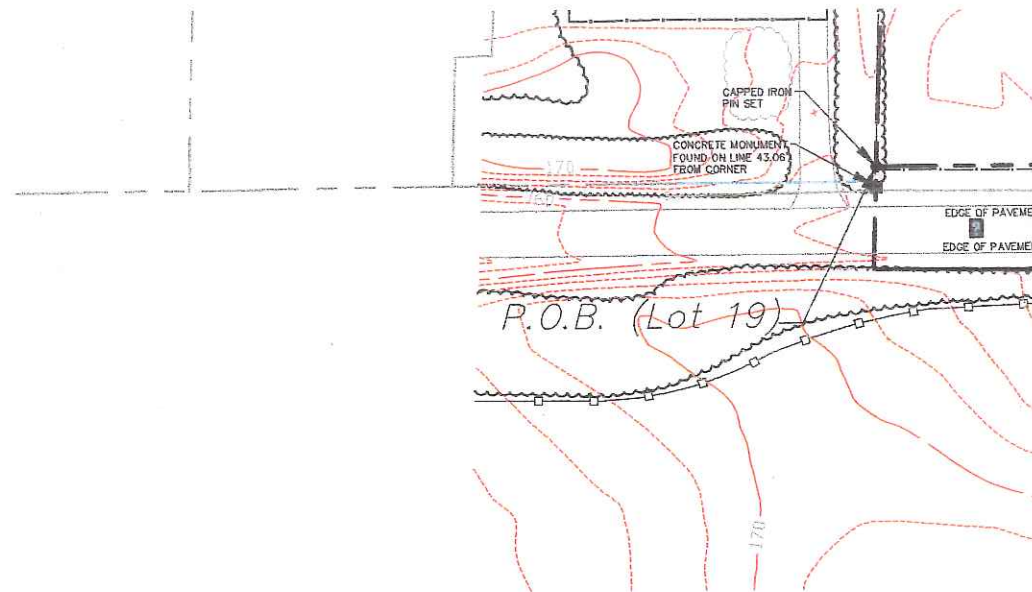
A written Waiver and Direction Not to Set Corner Markers has been obtained from the ultimate user pursuant to P.L.2003, c.14 (C45:8-36.3) and N.J.A.C. 13:40-5.1 (d).

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| REVISIONS |
|--|
| DESCRIPTION Revised FHA/Floodway labels and notes |



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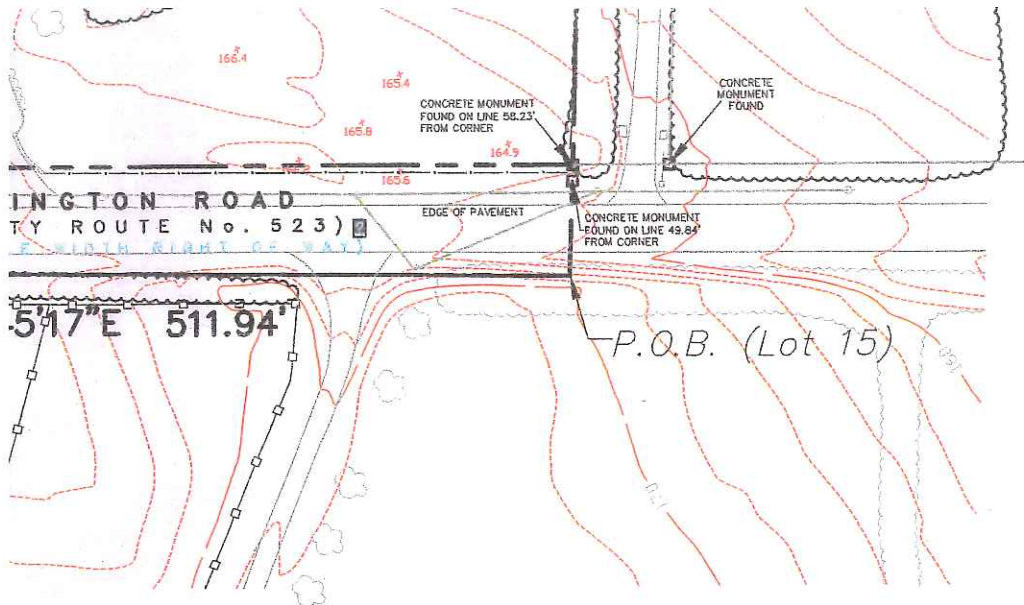


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| | | | | | | | |
|--|----------------|-----------------|------------------|--------------------------|--|--|--|
| NJ FLOOD HAZARD AREA (FHA) VERIFICATION PLAN Tax Lots 12 & 21 - Block 39 1120 & 1310 Lamington Road, Township of Bedminster Somerset County, New Jersey | | | | PROJECT NUMBER 190369 | <div>Lakeland Surveying</div> <div>Certificate of Authorization #24GA28090000</div> <div>117 Hibernia Avenue Rockaway NJ Ph: (973) 625-5670 Fx: (973) 625-4121 www.LakelandSurveying.com</div> | Marc J. Cifone PROFESSIONAL LAND SURVEYOR | Jeffrey O. Males PROFESSIONAL LAND SURVEYOR |
| | | | | SHEET NO. 4/4 | | | |
| FIELD: JSG | DWN BY: JSG | CHECKED: MJC | DATE 04/22/19 | SCALE 1"=100' | | Marc J. Cifone Jeffrey O. Males | N.J. P.L.S. LIC. No. 24GS04132900 N.J. P.L.S. LIC. No. 24GS03008700 |



Approved



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

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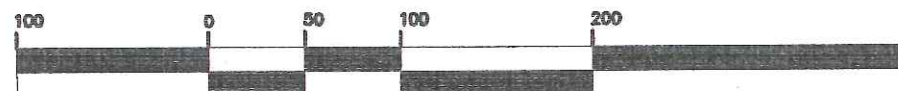
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REVISIONS

DESCRIPTION

Revised FHA/Floodway labels and notes

GRAPHIC SCALE



1 inch = 100 ft.