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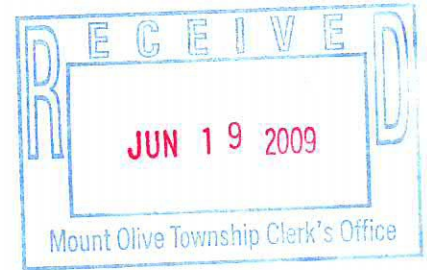
State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Watershed Management
Bureau of Watershed Regulation
P.O. Box 418, 401 East State Street
Trenton, New Jersey 08625-0418
Telephone: (609) 984-6888
Fax: (609) 984-6505
www.state.nj.us/dep/watershedmgt

JON S. CORZINE
Governor

MARK N. MAURIELLO
Acting Commissioner



cc: Admin
Gene B.

Highlands Applicability and Water Quality Management Plan (WQMP) Consistency Determination Application Form

Final Notice of Technical Incompleteness

Certified Mail # 7005 1160 0004 0965 4448
Return Receipt Requested

JUN 16 2009

Edward Loh
Ciel West Lake Properties, LLC
c/o Tronex Company
2 Cranberry Road
Parsippany, New Jersey 07054

Re: Ciel West Lake Properties, LLC
Block: 7702, Lot(s): 21
325 Route 46
Mount Olive Township, Morris County
Upper Raritan Water Quality Management Plan (WQMP)
Program Interest No.: 435434
Activity No.: CSD080007

Dear Mr. Loh:

Your application dated February 28, 2008 and received on March 26, 2008 was deemed to be administratively complete on April 9, 2008. During the technical review of the application, it was determined that additional information will be necessary for the Department of Environmental Protection (Department), Bureau of Watershed Regulation to complete the Highlands Applicability and Water Quality Management Plan Consistency Determination review.

The Department first issued a Notice of Technical Incompleteness on July 1, 2008, and on December 4, 2008, issued a second Notice of Technical Incompleteness. Both of those notices specified what additional information was required for further review of your application. Subsequent to the second notice, a request for a 60-day extension was received January 6, 2009 and granted [date]. A further request for an additional 30 days was received on March 26, 2009 and granted that same day. Despite phone discussions with your attorney and engineer regarding gravel impervious and additional photo

documentation, compliance with the remainder of TI December 4, 2008 second Notice of Technical Incompleteness is still required so that technical review of your application can be completed.

In accordance with the second Notice, please submit a revised site plan and additional documentation as outlined below:

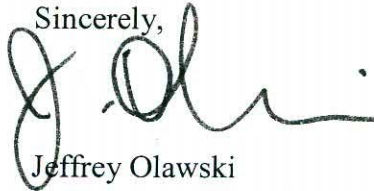
- On the revised site plan, do not include the remains of Shed E in determining the August 10, 2004 lawfully existing impervious footprint or in the calculation of any restoration credit.
- Provide appropriate documentation that Sheds F and G lawfully existed as of August 10, 2004. If Sheds F & G's construction did not require local approval per NJ MLUL, or were grandfathered, then provide a letter from the Mt. Olive Township Administrative Officer stating so and provide documentation that Shed F was constructed prior to August 10, 2004. If such documentation cannot be provided, then do not include Sheds F and G in the revised site plan's August 10, 2004 lawfully existing impervious calculations.
- The Existing Conditions and Site Layout (proposed conditions) plans need to be revised so that:
 - 1) Both are drawn at the same scale, preferably at 1 inch = 20 feet;
 - 2) Add an additional sheet where the August 10, 2004 lawfully existing impervious (in compliance with the above-stated requirements) is overlaid with the proposed impervious, and any August 10, 2004 lawfully existing impervious areas to be restored to pervious. Areas reflecting the net difference between existing and proposed impervious should be indicated by orange shading and any impervious areas to be restored indicated by green shading. Credit for restoration cannot be applied towards meeting the 125% footprint criterion.
 - 3) All plan sheets should depict the project for which local approval is being sought and note any required setbacks.
- Any changes to the proposed building footprint must be reflected on revised plans and if those changes result in increased/decreased floor area, then also submit revised estimated wastewater flows (page 15 of application) and a revised project narrative description (page 3 of application).

A copy of the submittal that you send in response to this letter, as well as supporting information, must also be sent to those parties listed at N.J.A.C. 7:38-9.2(b)5.

Be advised that this is the final notice regarding technical deficiency of your application. No further extensions will be granted. You have 30 days from the date of receipt of this letter to submit the information required above. If after 30 days the required information is not submitted or fails to satisfy the deficiencies listed above, your application will be canceled or, if the information submitted permits such, a determination will be issued, which may result in a Not Exempt determination.

Please place the program interest number and the activity number found above at the top of all written correspondence submitted to the Division of Watershed Management. Should you have any questions regarding this matter, you may contact me at (609) 984-6888.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Olawski', written over the word 'Sincerely,'.

Jeffrey Olawski
Bureau of Watershed Regulation

- c: James Glasson, P.E., Civil Engineering Inc.
- Larry Krohn, Esq. , Nusbaum, Stein, Goldstein, Bronstein & Krohn
- Lisa Lashway, Mount Olive Township Clerk
- Gary Lindsay, Mount Olive Construction Official
- Joseph Fleischner, Mount Olive Planning Board Chair
- James Smith, Mount Olive Environmental Commission Chair
- Ray Zabihach, Director, Morris County Planning Board
- Christine Ross, Highlands Council
- Barry Miller, NJDEP, Bureau of Watershed Regulation
- Bureau of Watershed Regulation - File