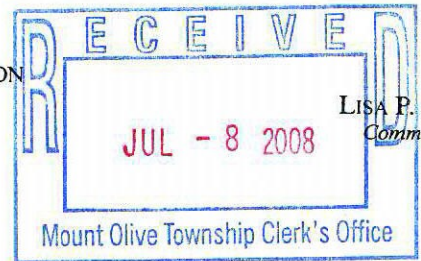




State of New Jersey

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



LISA P. JACKSON
Commissioner

JON S. CORZINE
Governor

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

Notice of Technical Incompleteness

JUL 1 2008

Certified Mail # 70051160000409654134
Return Receipt Requested

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: 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. The application includes a request for an exemption under N.J.A.C. 7:38-2.3(a)4 for the reconstruction of any building or structure for any reason within 125% of the footprint of the lawfully existing impervious surfaces on the site, provided that the reconstruction does not increase the lawfully existing impervious surface by one-quarter acre or more.

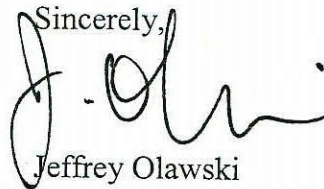
During the technical review of the application, it was determined that additional information will be necessary for the Department of Environmental Protection (Department), Bureau of Watershed Regulation to complete the Highlands Applicability and Water Quality Management Plan Consistency Determination review. The items required for further review are listed below:

- Provide a copy of a deed, an updated copy of the tax map, or other record indicating that the lots were lawfully merged; or if the lots were not merged, revise the application to reflect the project site as consisting of Lots 21 & 22. *The submitted tax map indicates the project site consists of Lots 21 & 22; however, the application indicated the project applies to Lot 21, but is claiming credit for the impervious cover on Lot 22.*
- Photos that clearly show all impervious surfaces that lawfully existing as of August 10, 2004 must be provided and keyed to the site plan. *Some photographs were provided with the application, but not all impervious areas were shown, nor were the photos keyed to the site plan.*
- Provide documentation for each structure located on project site, for which existing impervious credit is being sought, showing that the structure has been lawfully existing on August 10, 2004 and continues to be lawfully existing at present. Note that “lawfully existing” means that the dwelling or utility tower was constructed, or impervious surface placed, in accordance with all applicable state and Federal environmental land use and water permits and valid municipal approvals, including building permits, septic system approval, limitations on lot coverage and, where applicable, certificates of occupancy. *A copy of a building permit was provided, but it is not clear if the permit applies to the 2-storey commercial or 2-storey residential structure. Appropriate documentation must be supplied for the remaining structures, including those labeled as “abandoned” and “sheds”.*
- The site plan, preferably on a separate sheet, must clearly identify and delineate the lawfully existing and proposed impervious areas.
- Revise the application to include the required State plane coordinates for the project site.

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.

Please be advised that 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, you will be issued a determination based on the information included in your current application, which may result in a Not Exempt determination. Please include a copy of this letter with the additional required information that you submit.

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,


Jeffrey Olawski
Bureau of Watershed Regulation

- c: James Glasson, , Civil Engineering Inc
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
Chris Ross, Highlands Council
Barry Miller, NJDEP, Bureau of Watershed Regulation
Bureau of Watershed Regulation - File