



State of New Jersey

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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Division of Land Use Regulation
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April 15, 2020

O G North End Redevelopment, LLC
c/o Mr. Joel Brudner/Mr. William Gannon
801 East Main Street
Belmar, NJ 07719

RE: **Deficiency Letter:** CAFRA Individual Permit & FHA Verification
File and Activity No.: 1334-04-0007.2; LUP200001
Applicant: O G North End Redevelopment, LLC
Project: North End Development
Block: 101 Lots: 2, 3 & 4
Municipality: Township of Neptune; County: Monmouth

Dear Mr. Brudner & Mr. Gannon:

The Division of Land Use Regulation (Division) has received the above-referenced application for the Raritan Riverfront Park. Based upon the materials submitted, the following additional information and revisions to the corresponding site plans are required for Division staff to deem the application administratively and technically complete:

1. The incorrect flood hazard area design flood elevation of 10-11' NAVD was used to demonstrate compliance with the Flood Hazard Area Control Act Rules. The effective FEMA map shows a flood hazard area design flood elevation of 13' NAVD exists on site and the preliminary FEMA map shows a flood hazard area design flood elevation of 15' NAVD immediately adjacent to the site. As such, the Department considers the flood hazard area design flood elevation to be 15' NAVD. Please provide a demonstration of compliance with the Flood Hazard Area Control Act Rules accordingly. Note that the finished floor elevations of the 1st floor retail must be elevated to 16 feet NAVD and **no subsurface enclosures are permitted.**
2. The dirt/sand/gravel area was considered impervious under existing conditions for the purposes of compliance with the Stormwater Management Rules as were areas shown on the survey labeled grass/overgrowth sand area. For the purposes of the Stormwater Management Rules these areas are considered pervious unless it can be demonstrated that these areas are highly resistant to infiltration by water. As such, it appears that the project increases impervious cover by greater than 0.25 acres and must meet the water quality requirements of the Stormwater Management Rules. Please provide a demonstration that the water quality requirements of the Stormwater Management Rules are met. Additionally, the Stormwater Management Report indicates that the increase in "dirty" impervious cover is less than 0.25 acres and therefore water quality is not required. Under the

current rules, the 0.25 acre threshold does not differentiate between "clean" and "dirty" impervious cover but rather views the total increase in impervious cover. Please revise the Stormwater Management Report accordingly.

3. The area of trees and woody vegetation near the southerly portion of the site do not meet the definition of "urban redevelopment area" and therefore are not exempt from the groundwater recharge requirements of the Stormwater Management Rules. Please provide a demonstration of compliance with the groundwater recharge requirements of the Stormwater Management Rules.
4. Please revise the site plans to show that Wesley Lake has a 50-foot riparian zone adjacent to it. Additionally, please address the riparian zone section of the Flood Hazard Area Rules at N.J.A.C. 7:13-11.2.
5. Please provide the calculation described at N.J.A.C. 7:7-13.18(a)2, in order to demonstrate that the required area of herb/shrub plantings has been provided.

In addition to the above, the following items need to be addressed in order for the Division to complete its review:

1. The application for a coastal permit in a tidal flood hazard area does not require a Flood Hazard Area Verification. As such, the applicant may request a withdrawal of the Verification and request a refund if the application is withdrawn within the timeframe specified under N.J.A.C. 7:13-21.8.
2. The stormwater management analysis uses a Type III rainfall distribution. Please revise the analysis to use the NOAA Region D rainfall distribution.
3. The use of the Delmarva Unit Hydrograph in the stormwater management analysis does not appear to be appropriate due to the urbanization of the watershed and the previously developed nature of the majority of the site. Please revise the analysis to use the Standard Unit Hydrograph (SCS).
4. The soil mapped as "Urban land" does not have an assigned hydrologic soil group (HSG) and as such the use of HSG D is not appropriate for stormwater management purposes. Assignment of the appropriate HSG may be determined by the use of default hydrologic soil groups (existing HSG A and proposed HSG D) or through adequate permeability testing, of which both methodologies are described in Appendix E of the Department's Stormwater Best Management Practices Manual.

Please submit electronic copies of the requested revisions within **thirty days** of receipt of this letter. All site plans must be signed and sealed by a licensed professional engineer, architect, or land surveyor, as appropriate, and include a revision date. Please note that this letter does not include comments that NJDEP Green Acres and the State Historic Preservation Office may have regarding the subject project. Those comments will be shared with you once they become available.

If you have any questions regarding this letter, please contact Becky Mazzei by email at Becky.Mazzei@dep.nj.gov. Please reference the Division's file number in all communication.

Sincerely,



Joslin C. Tamagno
Environmental Supervisor, ES4
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

- c: Township of Neptune Clerk
- Township of Neptune Construction Official
- Mr. Joseph Lomax, The Lomax Consulting Group, Agent (original)