

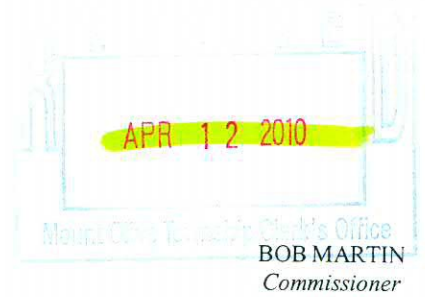


## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Watershed Management  
Bureau of Watershed Regulation  
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CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor



Date: APR 7 2010

John Wicklow and Michael Laurano  
Wicklow & Laurano Properties, LLC  
362 Route 206  
Flanders, New Jersey 07836

Re: Wicklow & Laurano  
Block: 6800, Lot(s): 11  
362 Route 206  
Mount Olive Township, Morris County  
Upper Raritan Water Quality Management Plan (WQMP)  
Program Interest No.: 435434  
Activity No.: CSD080019

Dear Mr. Wicklow and Mr. Laurano:

This letter is in regard to the subject property, Lot 11 on Block 6800, in Mount Olive Township, Morris County. On April 27, 2009, the New Jersey Department of Environmental Protection (Department) issued a determination letter for the above referenced property based on a review to determine the applicability of the New Jersey Highlands Water Protection and Planning Act Rules (Highlands Rules, N.J.A.C. 7:38) as well as the requirements defined in the Statewide Water Quality Management Planning (WQMP) Rules at N.J.A.C. 7:15. At that time, the proposed project was deemed *Exempt/Consistent* for the proposed improvements on the 6.196 acre site, which was previously used by an Oil Distributing Company and was proposed to be used for a landscaping business. The scope of the proposed project included: renovations to the existing building without changing the footprint; repair/upgrade of the subsurface sewage disposal system; relocation and upgrade to the above ground fuel storage tanks; and the restoration of impervious and wooded areas on site. Since that time, however, the Department was notified (by telephone and follow-up letter dated February 9, 2010 from Candice J. Davis, P.E., of Yannacone, Villa & Aldrich, LLC, that modifications to the previously approved plan are now proposed. Along with the February 9, 2010 cover letter, revised site plans were submitted for re-review and consideration (received February 16, 2010).

The previously submitted plans (consisting of 5 sheets) were prepared by Craig R. Villa, P.E., of Yannacone, Villa & Aldrich, LLC, with an original date of June 24, 2008 and last revised November

25, 2008. Sheet 5 of 5, titled: "NJDEP IMPERVIOUS COVERAGE PLAN" (for "PROJECT TITLE: WICKLOW & LAURANO PROPERTY PRELIMINARY & FINAL SITE PLANS 362 ROUTE 206 LOT 11 ~ BLOCK 6800 TOWNSHIP OF MOUNT OLIVE MORRIS COUNTY, NEW JERSEY") depicted the existing versus the proposed impervious surfaces on site. As indicated on that plan, the (lawfully) existing impervious coverage as of August 10, 2004 consists of 43,082 square feet, and the proposed new impervious coverage would be 10,730 square feet. Thus, the proposed increase to the existing footprint was 124.9%.

The revised site plans (consisting of 9 sheets) were prepared by Craig R. Villa, P.E., of Yannaccone, Villa & Aldrich, LLC, with an original date of June 24, 2008 and last revised February 9, 2010. Sheet 9 of 9, titled: "NJDEP IMPERVIOUS COVERAGE PLAN" (for "PROJECT TITLE: WICKLOW & LAURANO PROPERTY PRELIMINARY & FINAL SITE PLANS 362 ROUTE 206 LOT 11 ~ BLOCK 6800 TOWNSHIP OF MOUNT OLIVE MORRIS COUNTY, NEW JERSEY") depicts the existing versus the proposed impervious surfaces on site. As indicated on that plan, the proposed new impervious coverage would now be 10,726 square feet. [Note: The (lawfully) existing impervious coverage as of August 10, 2004 remains the same consisting of 43,082 square feet.] Thus, the proposed increase to the existing footprint remains at 124.9%.

As it is explained in the January 9, 2010 cover letter submitted with the revised plans, the revised plans reflect minor revisions to the proposed construction on the project site. It is stated that to maintain the grades and the floodplain volume that resulted from the retaining wall construction, 283 linear feet of the retaining wall shall remain. It is further stated that to compensate for the impervious coverage from the length of the wall, the existing landing and walk at the building entrance will be reconstructed in place, and the gravel area to remain in the rear of the building has been reduced.

Please be advised that we have reviewed the aforementioned revised site plan and have determined that this new information does not change the *Exempt* and *Consistent* determination finding. Note that all stipulations from the determination letter dated April 27, 2009 still apply.

Please place the program interest number and the activity number found above at the top of all written correspondence submitted to the Department. If you have any questions or require further assistance, please call Jennifer Desmond at (609) 984-6888.

Sincerely,



Terry Pilawski, Chief  
Bureau of Watershed Regulation

- c: Craig R. Villa, Project Engineer, Yannaccone, Villa & Aldrich, LLC  
Lisa M. Lashway, Mount Olive Township Clerk  
Russell Brown, Mount Olive Township Construction Official  
Mount Olive Township Planning Board  
Mount Olive Township Environmental Commission  
Morris County Planning Board

Morris County Environmental Commission

Eileen Swan, Highlands Council

Barbara Baus, NJDEP, Bureau of Coastal & Land Use Compliance & Enforcement (w/o encl.)

Armand Perez, NJDEP, Bureau of Coastal & Land Use Compliance & Enforcement (w/o encl.)

David Sumba, NJDEP, Bureau of Coastal & Land Use Compliance & Enforcement (w/o encl.)

Dan Bello, NJDEP, Division of Land Use Regulation (w/o encl.)

Barry Miller, NJDEP, Bureau of Watershed Regulation (w/o encl.)

Jennifer Desmond, NJDEP, Bureau of Watershed Regulation (w/o encl.)

Abigail Amutah, NJDEP, Bureau of Watershed Regulation (w/o encl.)

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