

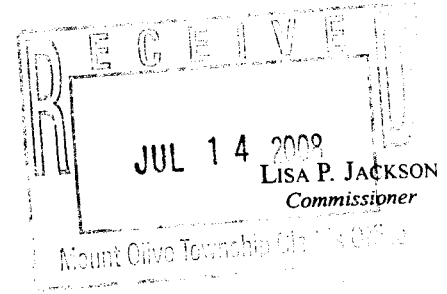
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State of New Jersey

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
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JON S. CORZINE
Governor

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

Notice of Technical Incompleteness

Date: **JUL 9 2008**

Certified Mail # [7003 1010 0002 6060 2600]
Return Receipt Requested

Anthony & Delia Litterio
11 Clearwater Road
Budd Lake, New Jersey 07828

Re: Litterio Property
Block: 2207, Lot(s): 3
Address: 11 Clearwater Road
Mount Olive Township, Morris County
Upper Raritan Water Quality Management Plan (WQMP)
Program Interest No.: 435434
Activity No.: CSD080004

Dear Mr. Litterio:

Your application dated January 31, 2008 and received on February 6, 2008 was deemed to be administratively complete on February 7, 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 application includes a request for a determination for a residential project in the preservation area that does not qualify as a major Highlands Development defined at N.J.A.C. 7:38-1.4, provided that the development does not require an environmental land use or water permit or result in the ultimate

disturbance of one acre or more of land or a cumulative increase in impervious surface by one-quarter acre or more.

Let it be noted that the property subject of this review will be the lot that legally existed on August 10, 2004.

The additional items of information required are listed below:

- Official documentation (for example, a copy of the deed, tax record, etc.) indicating the lot subject of this review (Lot 3, pre-subdivision) legally existed on August 10, 2004;
- A certified copy of the "Narrative Description" submitted with the application, which includes a breakdown of the calculated values for the existing and proposed impervious covers. [Note: Generally, the narrative description which outlines the metes and bounds disturbance area delineation, if submitted separate from the plan, should be certified by the Professional Land Surveyor; however, because the total project lot area is under 1 acre, ultimate disturbance cannot exceed the maximum area of disturbance allowed, as thus, is not a factor here. Further, though, the breakdown of calculated values associated with the impervious covers, if submitted separate from the plan (as was here), must also be certified by the licensed New Jersey Professional Engineer.];
- A certified copy of the land survey submitted with the application (Titled: "EXISTING CONDITIONS PLAN"). [Note: The survey submitted with the application was signed by the Professional Land Surveyor, but was not **sealed**.];
- Revised Section IV (Project or Activity WQMP Consistency Determination), pages 14-15 of the current application. In the current application, the Table for the "PROPOSED wastewater flows" (Table 2, on page 15) was not completed correctly if the proposed method of wastewater treatment is "conveyance to an existing wastewater treatment facility", as indicated on page 15 of the application (item #2). If a discharge to surface water (DSW) is indeed proposed, the Table needs to be updated with the appropriate gallons per day figure. [Note: For residential dwellings proposing wastewater conveyance to a treatment facility, the projected flow criterion is 300 gallons per day (GPD) per dwelling for 3 bedroom units or larger, as per N.J.A.C. 7:9A-23.3, The New Jersey Pollutant Discharge Elimination System (NJPDES) Rules.]

In addition, the receiving wastewater treatment facility must be specified by name in item #2.C. on page 15 of the application, and a letter is required from that wastewater treatment facility as per item #3 (on page 15 of application). Please be advised that the wastewater collection infrastructure entity is not necessarily the same as the wastewater treatment facility.

- A new certification/signature page (page 16 of your application) including the revision date.

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,



Jennifer Desmond
Bureau of Watershed Regulation

- c: Ronald S. Heymann, Esq., Heymann & Fletcher
- Jeffrey J. Careaga, P.E., Careaga Engineering Inc.
- 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
- Chris Ross, Highlands Council
- Barry Miller, NJDEP, Bureau of Watershed Regulation
- Bureau of Watershed Regulation - File