



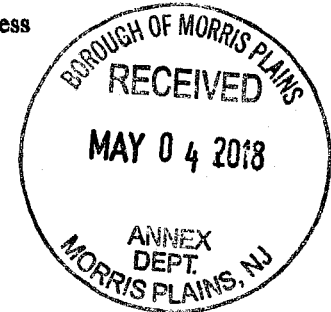
BOHLERTM
ENGINEERING

35 Technology Drive
Warren, NJ 07059
PHONE 908.668.8300
FAX 908.754.4401

November 2, 2017

Via Federal Express

Chris Squazzo, Environmental Specialist 3
New Jersey Department of Environmental Protection
Division of Land Use Regulation
501 East State Street, 2nd Floor
Trenton, New Jersey 08625



**RE: Deed Restriction Area Relocation
Tabor Road Owners, LLC
Block 151 Lot 2.01
Borough of Morris Plains
Morris County, New Jersey
BENJ #J160616**

Dear Chris:

Pursuant to our meeting on July 25, 2017, please accept this letter as our formal request to relocate the deed restricted area identified as Deed Restricted Zone C on the Declaration of Restriction document dated January 28, 2005 to a proposed deed restricted area as shown on the enclosed plan entitled Conservation Easement Swap Exhibit, Exhibit Plan 'A' as prepared by Bohler Engineering, dated 7/29/2017. An NJDEP Stream Encroachment Permit (1423-02-0004.2) issued on July 8, 2004, contained a condition that required the permittee to incorporate the preservation of "natural areas" as part of their low impact development, BMP measures to satisfy requirements under the Stormwater Management Rules N.J.A.C. 7:5.3. These "natural areas" were deed restricted to remain undeveloped to satisfy this permit condition. Deed Restricted Zone C is one of the deed restricted areas.

As recommended at the meeting, we have chosen a relocation area with higher quality habitat to replace the existing deed restricted area. The existing deed restricted area is located on a steep slope with a monotypic stand of white pine, likely planted during past development at the Site. The replacement area has a higher quality of habitat with a mature tree canopy consisting of native red oak, American beech, white oak, tulip-tree and hickory. The understory is sparse, most likely due to deer browse, and consists of saplings of the above mature species. Groundcover is also sparse with Christmas fern and Asian bittersweet. Japanese wisteria has invaded the northwest corner of the Site outside of the proposed relocation area, however may spread along the Site's northern boundary. A photo survey has been included with this letter to document both the existing deed restricted area and the proposed deed restricted area. Further, the relocated area is situated on the north side of the parcel adjacent to a residential neighborhood on Drake Way. We believe the native and mature habitat adjacent to the residential area will act as a natural buffer between the two land uses, while still contributing to the low impact development BMP intended in the original deed restriction.

*sent
Bd
5/4/18*



BOHLER
ENGINEERING

201 Tabor Road
Tabor Road Owners, LLC
BENJ File No. J160616
November 2, 2017
Page 2 of 2

Should you have any questions or comments or require any additional information, please do not hesitate to contact the undersigned.

Sincerely,

BOHLER ENGINEERING NJ, LLC

Michelle Measday

Michelle Measday, Senior Environmental Specialist

Daniel C. Lee

Daniel C. Lee, P.E.

MM/DCL/gs \\nj\warrior01\bohlereng\nat\NJ-PROJECTS\2016\J160616\Admin\Letters-OUT\NJDEP 01 (Squazzo) 11-1-17.docx
Enclosures

cc: Christopher Galipo, Vision Real Estate Partners (via email)
Ryan Fraser, Vision Real Estate Partners (via email)
Ross Chomik, Vision Real Estate Partners (via email)
Michael Lavigne, Fox Rothschild LLP (via email)
Chuck Mielke, Project Manager (via email)
Richard Basta, EI Associates (via email)
Karen Coffey, Municipal Clerk, Borough of Morris Plains (via Federal Express w/ enclosures)

1. THE ENGINEER HAS REVIEWED THE SUBMITTALS AND HAS FOUND THEM TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE ZONING ORDINANCES AND THE LOCAL LAWS AND REGULATIONS OF THE COUNTY OF MONTGOMERY, MARYLAND. THE ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE SUBMITTALS AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. THE ENGINEER DOES NOT WARRANT THAT THE SUBMITTALS ARE FREE FROM ALL DEFECTS OR ERRORS. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES RENDERED AND DOES NOT EXTEND TO ANY OTHER MATTER. THE ENGINEER'S REVIEW IS BASED ON THE INFORMATION PROVIDED AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED. THE ENGINEER DOES NOT WARRANT THAT THE SUBMITTALS ARE FREE FROM ALL DEFECTS OR ERRORS. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES RENDERED AND DOES NOT EXTEND TO ANY OTHER MATTER.

NO.	DATE	DESCRIPTION

FOR EXHIBIT PURPOSES ONLY



BOHLER ENGINEERING
CONSULTING ENGINEERS
1100 ROCKVILLE PIKE, SUITE 200
ROCKVILLE, MARYLAND 20858
TEL: (301) 761-1100
FAX: (301) 761-1101
WWW.BOHLERENGINEERING.COM

D.F. WISOTSKY
PROPOSED DEVELOPMENT
VISION REAL ESTATE PARTNERS
EASEMENT SWAP EXHIBIT

BOHLER ENGINEERING
CONSULTING ENGINEERS
1100 ROCKVILLE PIKE, SUITE 200
ROCKVILLE, MARYLAND 20858
TEL: (301) 761-1100
FAX: (301) 761-1101
WWW.BOHLERENGINEERING.COM

EXHIBIT PLAN 'A'

OF 1

