
From: Will Morey
Sent: Tuesday, September 03, 2019 6:50 PM
To: Thomton,Gerald; Desiderio, Len; Hayes, Marie; Pierson,Jeffrey
Cc: Bozzelli,Elizabeth; Lindsay,Jeffrey
Subject: FW: Laguna Oaks

Colleagues -

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From: Will Morey <Will.Morey@moreyspiers.com>
Date: Sunday, September 1, 2019 at 8:50 PM
To: Bill Barlow <bbarlowoc@gmail.com>
Cc: Ceil Davis <Ceil.Davis@moreyspiers.com>
Subject: Laguna Oaks

I appreciate you bringing to my attention your interest in the concerns raised by localized neighbors at a recent Middle Township Committee meeting regarding the allegedly detrimental environmental impact of the Laguna Oaks golf course and homesites, the allegation that zoning, permitting, and other approvals are being sought in an inappropriate manner, and hinting of possible inappropriate involvement by me in the approval process of this phase of homesites.

Such comments reflect fundamental misconceptions of the history of the Laguna Oaks properties. Fact is, the design and creation of the Laguna Oaks golf course and homes has proceeded in harmony with regulated natural resources and in conformity with the specific direction and guidance of the NJDEP.

I offer the following points in factual clarification of the allegations made:

Background/Existing Home Construction

Compliance with environmental regulatory and planning standards at Laguna Oaks dates back to 1994. At that time, Fred Langford, now 90 years of age, an accomplished architect, and near life-long resident of Middle Township, received approval from Middle Township for the creation of a twelve-hole par-3 golf course and an adjoining residential neighborhood. He applied for and received NJDEP authorization for this neighborhood.

In March 2013, Mr. Langford received a CAFRA permit to create sixteen homes and Bay Breeze Boulevard on a portion of Laguna Oaks golf course parcel ("Phase I"). In June 2015, given a change in housing trends, this neighborhood was reconfigured within the same footprint to create forty-five townhomes, and Mr. Langford sought and received all necessary authorizations, including those from NJDEP. This neighborhood was constructed in conjunction with Ryan Homes and completed in 2018.

Proposed New Townhome Sites on the Existing Golf Course Site

With respect to the proposed addition of new townhome sites on present excess golf course property, which seems to be a focus of recent localized neighbor opposition, the current and ongoing approval process at Laguna Oaks is for the addition of twenty-five townhomes (Phase IIA) within the central, existing "uplands" golf course portion of the neighborhood. Mr. Langford designed the homesites in a manner that respected and preserved the open spaces of adjoining lands to the south. This phase has again proceeded in conjunction with **all** properly filed applications before the Middle Township Zoning Board and in concert with the NJDEP's continued scrutiny. In fact, the proposed townhomes are the subject of a pending CAFRA permit application which requires demonstration of compliance with the Coastal Zone Management Rules.

The Northernmost Unapproved and Residentially Unimproved Site

Respectfully, the unfounded belief that Mr. Langford is improperly "digging ditches" at Laguna Oaks, thereby systematically "de-watering" the property's surrounding wetlands, is entirely unfounded. This appears to stem from fundamental misconceptions of the property's historical disturbance/development and resulting topography that all evidence suggests are being co-opted and manipulated by certain adjoining neighbors with the unfair result of threatening to subvert Mr. Langford's basic property owner rights in favor of their own gain. As an initial matter, no ditches are to be found in the central portion of the property (excess golf course land), on which the existing forty-five Ryan townhomes and golf course are situated, and the proposed additional twenty-five townhomes are under current governmental review. The referenced ditches are part of an existing system within gravel pits located in the northern parcel of the subdivision. These gravel pits existed long before Mr. Langford's initial association with the project in 1994. The gravel pits were highly active during the 1950s and 1960s providing sand and gravel to various construction projects.

The NJDEP itself has concluded that maintaining the features of the pre-existing, disturbed landforms is both legal and has no discernible effect on the integrity of wetlands within portions of the property, by "de-watering" them or otherwise. Rather, Mr. Langford's professionals have identified and delineated the extent of wetlands on the site, including the historic ditches and depressions, that meet the regulatory criteria for wetlands. This evaluation was inspected and scrutinized by NJDEP to verify that the site conditions and historic record were consistent with this

finding. In fact, the NJDEP could not have proceeded with its current Letter of Interpretation if the ditches were found to be a recent site improvement.

It should also be noted that the Mosquito Commission has and continues to monitor and maintain the historic connection of the ditch system within the former gravel pits where it intersects the mosquito ditches within the tidal marsh which were constructed in the early 20th century.

Involvement in Laguna Oaks

Due to the lingering effects of the 2008 recession, Mr. Langford lacked the financial resources to complete the Laguna Oaks project while sustaining the constructed ten-hole, par-3 golf course. As a result of the long-standing friendship and intermittent business relationship that my family has had with Mr. Langford (an approximately 70-year relationship), we have long assisted Mr. Langford in proceeding with the approvals and improvements required for Phase I and beyond by providing financial, administrative, and managerial support. In June 2018, when foreclosure loomed and with it the removal of the golf course in favor of other use, my family formalized our assistance by executing a management agreement between Morey Development Corporation ("MDC") and Mr. Langford. Through this agreement, MDC agreed to devote capital and project management resources to assist Mr. Langford in the completion of the Laguna Oaks homes and community.

As a result of the above referenced agreement and with a focus on ensuring that all approvals were sought in a complete, competent, and professional manner, we secured the assistance of highly respected subject matter experts to facilitate all State and local approvals. These include Robert Watkins, a noted local engineer whose firm has served as engineer to a number of municipalities, and Steve Nehmad, who is considered the premier land use attorney in this area.

Specific to the concern that any of these distinguished professionals or governmental authorities have "turned a blind eye to environmental violations," two additional experts, Peter Lomax, a highly respected environmental consultant and Michael Gross, an acclaimed environmental attorney, have worked with the NJDEP at all stages of the permit application and approval processes to ensure that Laguna Oaks is designed and proceeds in a manner consistent with the Department's expectations and regulatory requirements, including in specific conformity to wetlands protection and coastal zone management requirements. Furthermore, the design and creation of the Laguna Oaks golf course and community has included specific efforts to create wildlife habitat, establish aquatic resources where none previously existed, and dedicate preserved open space.

National Heritage Priority Site (NHPS)

You may also be aware that the localized opposition have pointed to the Laguna Oaks property's inclusion within a National Heritage Priority Site as defined by the NJDEP. It is, however, important to note that a variety of development is also presently located within this planning feature, including the Shore Club golf course, the Garden State Parkway, significant portions of the Shell Bay residential neighborhood, as well as, ironically, the homes and a commercial operation of those that most vehemently oppose Mr. Langford's project. It's arguably disingenuous that the neighbors who now vociferously protest further development within the NHPS, themselves own, live and conduct business on properties within the very same National Heritage Priority Site.

Conclusion

In conclusion, Laguna Oaks has proceeded professionally and pursued sensitive design in harmony with the wetlands, where actually present, and natural resources, as well as adjoining pre-existing development. Indeed, State-listed ospreys sustain themselves from the fish that swim in the ponds that Mr. Langford created as part of the naturalized landscape of the golf course. And, as a part of the Phase II approval process, Mr. Langford has conditionally moved to preserve lands for open space in perpetuity in an effort to respect the natural resources and adjoining residents. Simply and directly stated, there is no credible basis on which to conclude that local municipal officials have "rubber-stamped" the approvals required to have Laguna Oaks proceed or that the State has not engaged in a thorough and responsible review throughout its quarter-century of Laguna Oaks permitting history.

I trust that the above points help to clarify the mistaken presumptions and/or potentially misguided motives under which certain Laguna Oaks neighbors appear to be guided. Additionally, if you think helpful, I'm pleased to invite you to join me for a visit of Laguna Oaks so as to further your understanding and clarify any remaining questions you may have.

Regards ---- Will

Will Morey

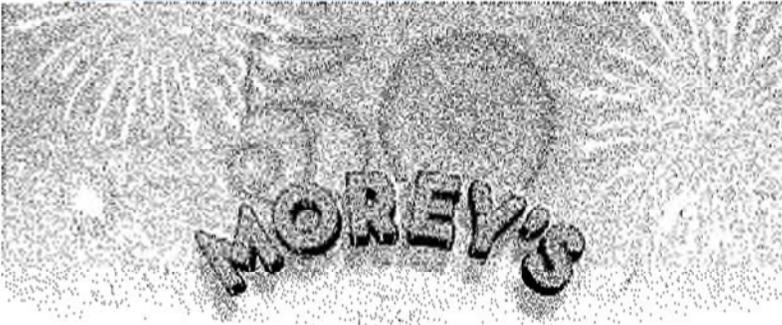
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FIFTY YEARS ON THE PIERS