



# Monmouth County Document Summary Sheet



MONMOUTH COUNTY CLERK  
 PO BOX 1251  
 MARKET YARD  
 FREEHOLD NJ 07728

Return Name and Address  
 STAVOLA REALTY COMPANY  
 620 TINTON AVE, BLDG B, SUITE 200  
 TINTON FALLS, NJ 07724 ATT: C. GULICK

Official Use Only

Submitting Company STAVOLA REALTY COMPANY

Document Type NJ DEP LOT

Document Date (mm/dd/yyyy) 11/26/2019

Total Number of Pages (Including the cover sheet) 11

Consideration Amount (If applicable)

Official Use Only

FEB 14 2020 RK



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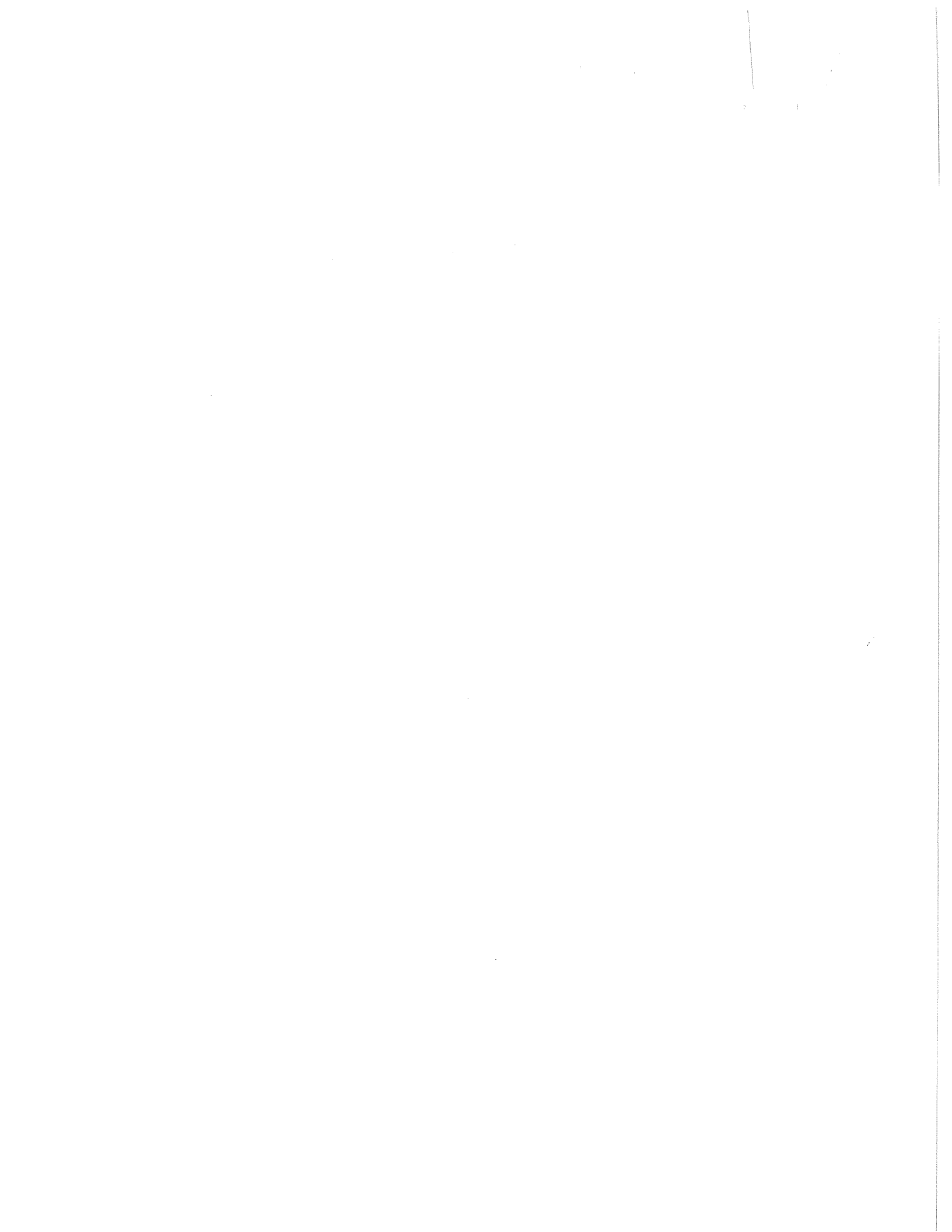
CHRISTINE GIORDANO HANLON  
 COUNTY CLERK  
 MONMOUTH COUNTY, NJ

INSTRUMENT NUMBER  
 2020018807  
 RECORDED ON  
 Feb 19, 2020  
 11:32:32 AM  
 BOOK: 0R-9397  
 PAGE: 7952  
 Total Pages: 11

COUNTY RECORDING FEES \$130.00  
 TOTAL PAID \$130.00

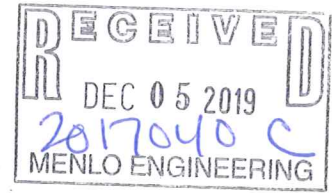
First Party	Name(s) (Last Name, First Name or Company Name)		Address (Optional)		
	STAVOLA REALTY COMPANY				
Second Party	Name(s) (Last Name, First Name or Company Name)		Address (Optional)		
	STATE OF NEW JERSEY DEP				
The Following Section is Required for DEEDS Only					
Parcel Information	Municipality	Block	Lot	Qualifier	Property Address
	HOWELL	41	17		VICTORY ROAD
Recording Reference to Original Document (if applicable)					
Reference Information (Marginal Notation)	Book	Beginning Page		Instrument No.	

Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.





State of New Jersey



PHILIP D. MURPHY  
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. McCABE  
Commissioner

SHEILA Y. OLIVER  
Lt. Governor

Division of Land Use Regulation  
Mail Code 501-02A  
P.O. Box 420  
Trenton, New Jersey 08625-0420  
www.nj.gov/dep/landuse

Gary Vialonga  
c/o Stavola Realty Company  
620 Tinton Avenue  
Building B, Suite 200  
Tinton Falls, NJ 07724

NOV 26 2019

RE: Freshwater Wetlands Letter of Interpretation: Line Verification  
File No.: 1319-18-0011.1  
Activity Number: FWW180001  
Applicant: Stavola Realty Company  
Block(s) and Lot(s): [41, 17]  
Howell Township, Monmouth County

Dear Mr. Vialonga:

**This is a REVISED Letter of Interpretation to modify one of the wetlands Resource Class Value designation on the approved Verification issued by the Department on September 12, 2018. This revision shall supersede the original Verification and the September 11, 2023 expiration date remains unchanged.**

This letter is in response to your request for a Letter of Interpretation to have Division of Land Use Regulation (Division) staff verify the boundary of the freshwater wetlands and/or State open waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection (NJDEP), the U.S. Army Corps of Engineers (USACOE) Philadelphia and New York Districts, and the U.S. Environmental Protection Agency (USEPA), the NJDEP is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate

Based upon the information submitted, and upon a site inspection conducted by Division staff on July 10, 2018, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "STAVOLA – PARCEL 31, TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY, WETLANDS MAP, BLOCK 41 LOT 17, TAX MAP SHEET: 19.90 ACRES", consisting of 1 sheet, dated May 16, 2018, last revised August 13, 2018, and prepared by Menlo Engineering Associates, Inc., is accurate as shown.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above file number and the following note:

**“Freshwater Wetlands/Waters Boundary Line as verified by NJDEP”**

Wetlands Resource Value Classification (“RVC”)

In addition, the Division has determined that the resource value and the standard transition area or buffer required adjacent to the delineated wetlands are as follows:

**Exceptional:** Flag point WC-0 through flag point WC-13, and flag point WE-0 through flag point WE-5  
[150 foot wetland buffer]

**Intermediate:** Flag point WA-0 through flag point WA-6, flag point WB-0 through WB-11, and flag point WD-0 through flag point WD- 3.  
[50 foot wetland buffer]

In addition, there are wetlands on the subject site which potentially meet the definition of a “vernal habitat” as found at N.J.A.C. 7:7A-1.4. These determinations may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-5) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

RVC may affect requirements for wetland and/or transition area permitting. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-9 and 10), the types of Statewide General Permits available for the property (see N.J.A.C. 7:7A-5 and 7) and any modification available through a transition area waiver (see N.J.A.C. 7:7A-8). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

Wetlands resource value classification is based on the best information available to the Division. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant.

Under N.J.S.A. 13:9B-7a(2), if the Division has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Division at the address at the top of this letter.

**General Information**

Pursuant to the Freshwater Wetlands Protection Act Rules, you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original letter of interpretation and issue a revised letter of interpretation.

Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.3 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.4. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

Please be advised that any surface water features on the site or adjacent to the site may possess flood hazard areas and/or riparian zones and development within these areas may be subject to the Flood Hazard Area Control Act rules at N.J.A.C. 7:13. The Division can verify the extent of flood hazard areas and/or riparian zones through a flood hazard area verification under the application procedures set forth at N.J.A.C. 7:13-5.1.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are "isolated" or part of a surface water tributary system unless specifically called out in this letter as such. Furthermore, obtaining this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

### **Recording**

Within 90 calendar days of the date of this letter, the applicant shall submit the following information to the clerk of each county in which the site is located, and shall send proof to the Division that this information is recorded on the deed of each lot referenced in the letter of interpretation:

1. The Department file number for the letter of interpretation;
2. The approval and expiration date of the letter of interpretation;
3. A metes and bounds description of the wetland boundary approved under the letter of interpretation;
4. The width and location of any transition area approved under the letter of interpretation; and
5. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a freshwater wetland and/or transition area. Certain activities in wetlands and transition areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a freshwater wetland permit. Contact the Division of Land Use Regulation at (609) 292-0060 or <http://www.nj.gov/dep/landuse> for more information prior to any construction onsite."

Failure to have this information recorded in the deed of each lot and/or to submit proof of recording to the Division constitutes a violation of the Freshwater Wetlands Protection Act rules and may result in suspension or termination of the letter of interpretation and/or subject the applicant to enforcement action pursuant to N.J.A.C. 7:7A-22.

### **Appeal Process**

In accordance with N.J.A.C. 7:7A-21, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7<sup>th</sup> Floor, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at

[www.state.nj.us/dep/landuse/forms](http://www.state.nj.us/dep/landuse/forms). Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at [www.state.nj.us/dep/bulletin](http://www.state.nj.us/dep/bulletin). In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website [www.nj.gov/dep/odr](http://www.nj.gov/dep/odr) for more information on this process.

Please contact Taryn Pittfield of our staff by e-mail at [taryn.pittfield@dep.nj.gov](mailto:taryn.pittfield@dep.nj.gov) or by phone at (609) 984-1386 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Ryan J. Anderson, Manager  
Division of Land Use Regulation

cc: Municipal Clerk  
Municipal Construction Official  
Agent (original)



State of New Jersey

PHILIP D. MURPHY  
Governor

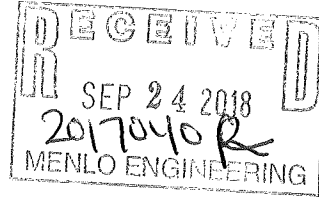
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CATHERINE R. McCABE  
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Division of Land Use Regulation  
Mail Code 501-02A  
P.O. Box 420  
Trenton, New Jersey 08625-0420  
www.nj.gov/dep/landuse

SEP 12 2018



Gary Vialonga  
c/o Stavola Realty Company  
620 Tinton Avenue  
Building B, Suite 200  
Tinton Falls, NJ 07724

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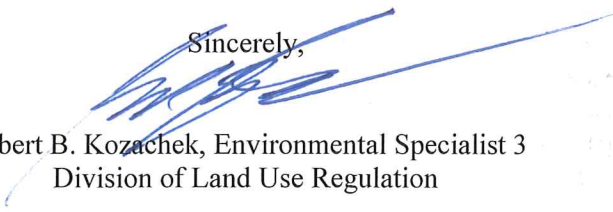
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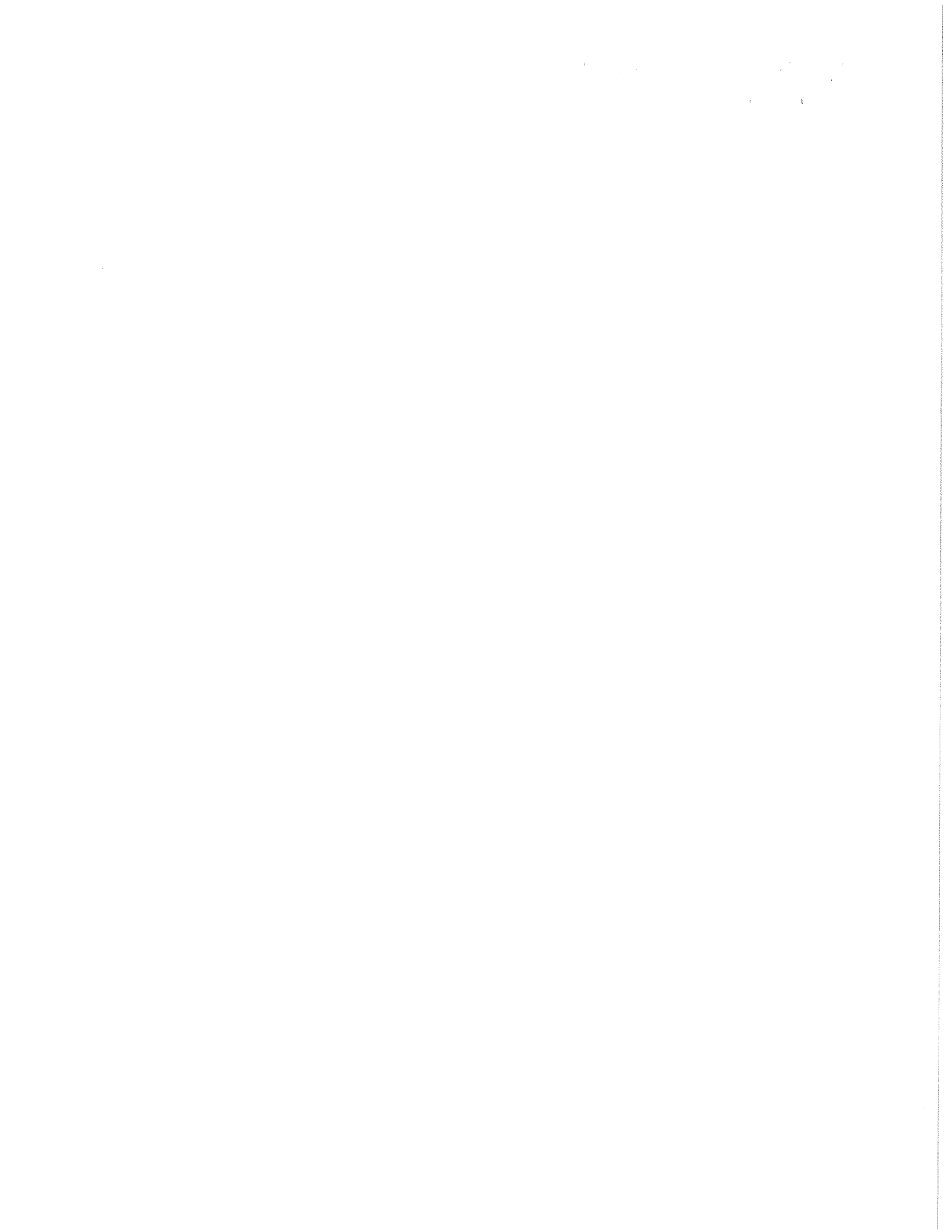
Please contact Taryn Pittfield of our staff by e-mail at [taryn.pittfield@dep.nj.gov](mailto:taryn.pittfield@dep.nj.gov) or by phone at (609) 984-1386 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,

  
Robert B. Kozachek, Environmental Specialist 3  
Division of Land Use Regulation

cc: Municipal Clerk  
Municipal Construction Official  
Agent (original)

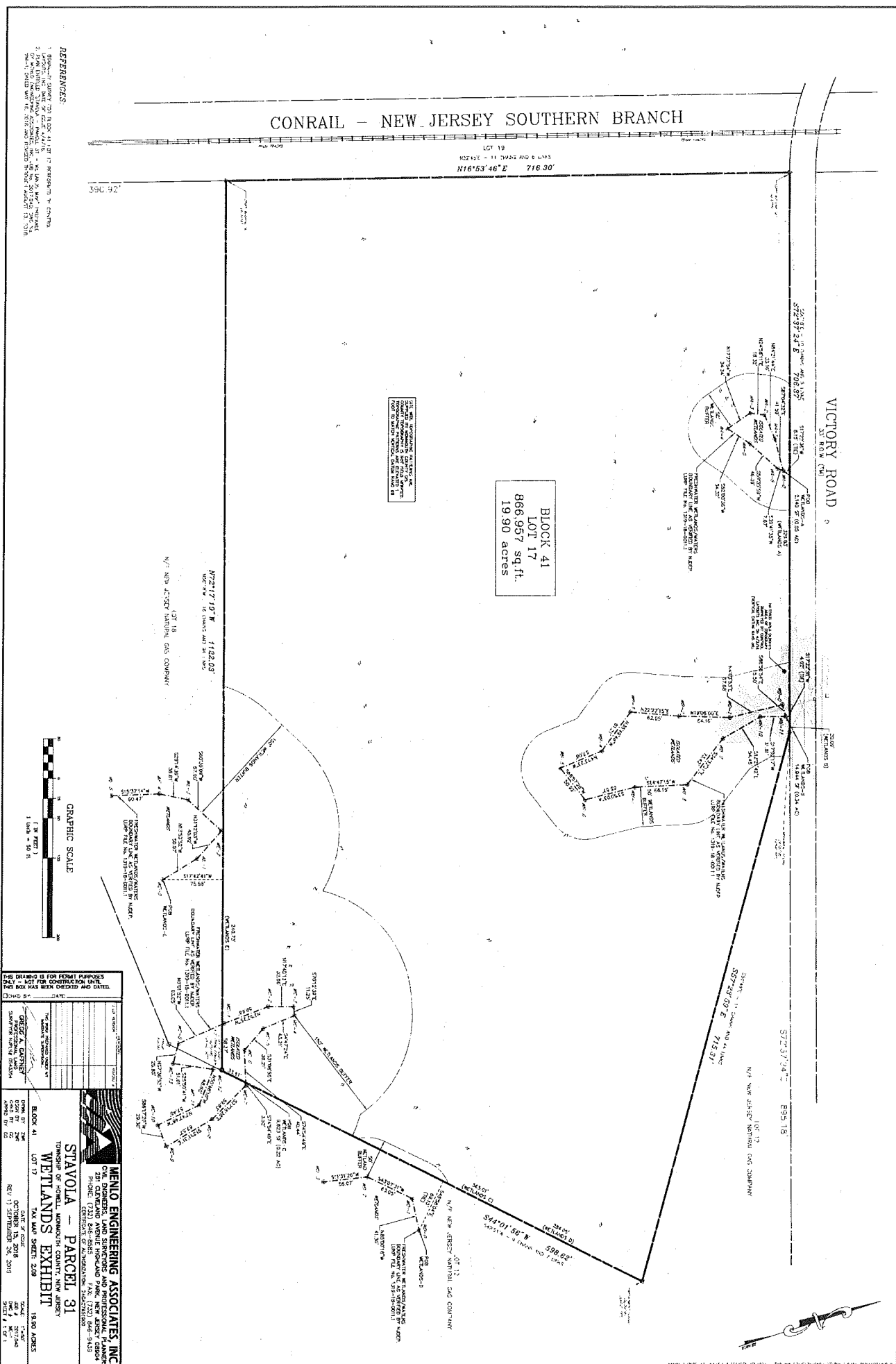




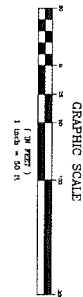
CONRAIL - NEW JERSEY SOUTHERN BRANCH

VICTORY ROAD

BLOCK 41  
LOT 17  
866,937 sq.ft.  
19.90 acres



- REFERENCES:**
1. DRAWING: SHEET 208, BLOCK 41, LOT 17, PREPARED BY CONRAIL
  2. 2004 BUREAU OF TAXATION - PARCEL 31 - NEW JERSEY TAX MAP
  3. 2004 BUREAU OF TAXATION - PARCEL 31 - NEW JERSEY TAX MAP
  4. 2004 BUREAU OF TAXATION - PARCEL 31 - NEW JERSEY TAX MAP
  5. 2004 BUREAU OF TAXATION - PARCEL 31 - NEW JERSEY TAX MAP



THIS DRAWING IS FOR PERMIT PURPOSES ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION UNLESS THE PERMIT HAS BEEN OBTAINED AND THE DATED.

DATE	DESCRIPTION
08/27/2018	ISSUED FOR PERMIT
08/27/2018	ISSUED FOR PERMIT
08/27/2018	ISSUED FOR PERMIT

**STAYOLA - PARCEL 31**  
TOWNSHIP OF HOBELL, MONMOUTH COUNTY, NEW JERSEY  
WETLANDS EXHIBIT  
TAX MAP SHEET 208  
BLOCK 41  
LOT 17  
DATE OF SCALE: 08/27/2018  
NEW JERSEY TAX MAP SHEET 208  
SCALE: 1" = 50 FT.  
SHEET 1 OF 1

**MENLO ENGINEERING ASSOCIATES, INC.**  
ONE DUNDAS, LAND SURVEYOR AND PROFESSIONAL PLANNER  
200 W. 10TH STREET, SUITE 200  
ROSELAND, NJ 07068  
PHONE: (201) 948-8800 FAX: (201) 948-8801  
WWW.MENLOENGINEERING.COM

