



State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

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

CATHERINE R. McCABE
Commissioner

April 23, 2020

RG Middlesex, LLC.
Attn.: Michael Leondi
92 Headquarters Plaza 9th Fl
Morristown, NJ 07960

RE: Letter of Interpretation: Presence/Absence Determination-**Absent**
File No.: 1200-14-0004.3
Activity Number: FWW190001
Applicant: RG Middlesex, LLC.
Block: 353 and Lots:1.01, and 1.02
Middlesex Borough, Middlesex County

Dear Mr. Leondi:

This letter is in response to your request for a Letter of Interpretation from the Division of Land Use Regulation indicating the presence or absence of freshwater wetlands and 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 (USACE) Philadelphia and New York Districts, and the U.S. Environmental Protection Agency (USEPA), the NJDEP Division of Land Use Regulation is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACE retains the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

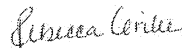
Based upon the information submitted, and upon a site inspection conducted by the staff of the Department on December 6, 2019, the Division of Land Use Regulation has determined that **freshwater wetlands and waters are not present** on the referenced property. In addition, the Department has determined **that no part of the above referenced property occurs within a transition area or buffer** as designated in N.J.A.C. 7:7A-3.3(d)1 and 2.

Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter. This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have been conducted on this site. This determination does not affect your responsibility to obtain any State, Federal, county or municipal permits which may be required.

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, 7th 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. 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. 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 for more information on this process.

Please contact Monica Zabroski of our staff by e-mail at Monica.Zabroski@dep.nj.gov or (609) 777-0454 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Digitally signed by Rebecca
Grike
Date: 2020.04.23 15:45:50
-04'00'

Rebecca Grike, Environmental Specialist III
Division of Land Use Regulation

c: Middlesex Borough Township Clerk
Middlesex Borough Township Construction Official
Agent- Richard Borrow of Langan Engineering and Environmental Services, Inc.