



Boudwin Ross Roy Leodori PC

*Original*

Richard F. Roy, Jr., Esquire  
Member of NJ and PA Bars

10000 Midlantic Drive, Suite 100E  
Mt. Laurel, New Jersey 08054  
856-390-3900  
856-390-3920 Fax  
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March 23, 2022

Maryalice Brown, Zoning Board Administrator  
Southampton Township  
5 Retreat Road  
Southampton, NJ 08088

**RE: Applicant/Owners: Michael P. Tippin, Sr.  
Application for Variance Relief Relative to Construction of an Accessory Building,  
(Pole Barn)  
140 Landing Street, Southampton, NJ, Block 903, Lot 9**

Dear Ms. Brown:

Enclosed please find the following, which we are submitting on behalf of our client, Michael P. Tippin, Sr. ("Applicant"), in connection with the above captioned Application to the Southampton Township Zoning Board of Adjustment ("Southampton Township Zoning Board") for Variance Relief Relative to Construction of an Accessory Building, and specifically a pole barn ("Application"), regarding the property located at 140 Landing Street, Southampton, New Jersey, Block 903, Lot 9 ("Property"). This relief is necessary due both to the size of the proposed structure and the fact that Applicant would like to construct the structure prior to constructing his residence. If necessary, the Applicant requests use variance relief as the property was previously used as overflow parking for an adjacent use and Applicant now intends a permitted use.

1. Southampton Township Planning & Zoning Board Application Form, together with Request for Bulk Variance Relief Form – One (1) original and fifteen (15) copies.
2. Plot Plan/Grading Plan, prepared by Brian S. Peterman, P.E., dated 3/17/2022 – Fifteen (15) copies.
3. Aerial Photograph of Property from Google Maps – Fifteen (15) copies.
4. Land Development Checklist for Completeness – One (1) copy.
5. Escrow Agreement – One (1) signed copy.
6. Tax search report – requested, to be supplied under separate cover upon receipt.

7. Our firm's check in the amount of \$200.00 made payable to "Township of Southampton" for the use variance application fee;
8. Our firm's check in the amount of \$1,500.00 made payable to "Township of Southampton" for the use variance escrow fee;
9. Our firm's check in the amount of \$100.00 made payable to "Township of Southampton" for the bulk variance application fee;
10. Our firm's check in the amount of \$500.00 made payable to "Township of Southampton" for the bulk variance escrow fee; and
11. Our firm's check in the amount of \$500.00 made payable to "Township of Southampton" for the Resolution preparation fee.

This Application is for variance relief from the construction limitations of Accessory Buildings, found in Southampton Township Zoning Ordinance Chapter 12, Section 4.1, "Accessory Building, Structures and Uses." More specifically, the Applicant seeks variance relief from the square footage requirements concerning garages/pole barns found in Southampton Township Zoning Ordinance Chapter 12, Section 4.1, "Accessory Buildings", to permit the Applicants to construct a pole barn with dimensions of approximately 60' by 40' (2,4000 square feet), where a size of 1260 square feet is permissible. Relief is also necessary given the timing of the construction. Applicant would like to construct the accessory building prior to constructing the main residence on the Property. The residence to be constructed and the accessory dwelling are for Applicant's personal use. If necessary, the Applicant requests use variance relief as the property was previously used as overflow parking for an adjacent use and Applicant now intends a permitted use. Applicant does not believe that relief is necessary but in the event it is determined necessary it is requested.

In connection with the Application, the Applicant also requests any other variance relief that may be necessary relative to the Application, as well as any and all other permits, approvals, waivers, variances, ordinance exceptions and/or such other relief that may be necessary or as the Southampton Township Zoning Board may deem appropriate.

We would appreciate your placing this Application on the next available agenda for consideration by the Southampton Township Zoning Board. We will plan on publishing notice in connection with the hearing after it is scheduled.

Should you have any questions or need any additional information, please do not hesitate to let me know.

Sincerely,  
*/s/ Richard F. Roy, Jr.*  
RICHARD F. ROY, JR.

RFR/deh - Enclosure

cc: Client

Brian S. Peterman, P.E.

**TOWNSHIP OF SOUTHAMPTON**  
**5 Retreat Road**  
**Southampton, New Jersey 08088**  
**609-859-2786**  
**FAX 609-388-5532**

The application, with supporting documentation, must be filed with the Office of the Planning and Zoning Board Administrator. Determination of completeness will be made within forty-five (45) days. Any additional information provided will be subject to a forty-five (45) days determination of completeness. After a meeting is scheduled, any documents submitted must be delivered to the Board and professionals no later than fifteen (15) days prior to the meeting scheduled.

**PLANNING BOARD & ZONING BOARD APPLICATION FORM**

Date Filed: \_\_\_\_\_ Application No. \_\_\_\_\_  
Planning Board: \_\_\_\_\_  
Zoning Board of Adjustment: \_\_\_\_\_  
Application Fees: \_\_\_\_\_  
Scheduled for: Review for Completeness: \_\_\_\_\_ Hearing: \_\_\_\_\_

**1. SUBJECT PROPERTY:**

Property Location Address: 140 Landing Street

Tax Map: Page \_\_\_\_\_ Block 903 Lot(s) 9

Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions: Frontage 770' Depth 626' Total Area 11.53 acres  
Zoning District RR

**2. APPLICANT/OWNER/DEVELOPER:**

Name: Michael P. Tippin, Sr.

Address: 341 Red Lion Road, Southampton, NJ 08088

Telephone No: 609-760-5801 Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_

Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ Individual X

Corp., Partnerships & LLC's, please provide a W-9 form.

**3. DISCLOSURE STATEMENT:**

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirements applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply.)

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

**4. If Owner is other than the applicant, provide the following information on the Owner(s):**

Owner's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Fax No.: \_\_\_\_\_

5. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING: SUBDIVISION:

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final)

Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
 (including remainder lot) (if applicable)

SITE PLAN:

- Minor Site Plan Approval
- Preliminary Site Plan Approval {Phases (if applicable) \_\_\_ }
- Final Site Plan Approval {Phases (if applicable) \_\_\_\_\_ }
- Amendment or Revision to an Approved Site Plan
- Area to be disturbed (square feet) \_\_\_\_\_
- Total number of proposed dwelling units \_\_\_\_\_
- Request for Waiver from Site Plan Review and Approval

Reason for request: \_\_\_\_\_

- Informal Review (Planning Board only)
- Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- Map or Ordinance Interpretation of Special Question (N.J.S. 40:55D-70b)
- Variance Relief (hardship) (N.J.S.40:55D-70c(1))
- Variance Relief (substantial benefit) (N.J.S.40:55D-70c(2))
- Variance Relief (use) (N.J.S. 40:55D-70d) *(IF NECESSARY)*
- Conditional Use Approval (N.J.S.40:55D-67)
- Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin (N.J.S. 40:55D-34)
- Direct issuance of a permit for a lot lacking street frontage (N.J.S.40:55D-35)

6. Attach in paragraph form, an explanation of the exact nature of the application and the changes to be made, including proposed use of the premises, and why any variances or waivers should be granted: (Attach separate sheet) See attached

7.

PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing and proposed on the property:

Yes(attach copies) \_\_\_\_\_ No  Proposed \_\_\_\_\_

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: \_\_\_\_\_

8. APPLICANT'S ATTORNEY: Boudwin Ross Roy Leodori PC / Richard F. Roy, Jr., Esquire  
 Address: 10000 Midlantic Drive, Suite 100E, Mt. Laurel, NJ 08054  
 Telephone No: 856-390-3900 Fax 856-390-3920  
 email: rroy@brrllaw.com

9. APPLICANT'S ENGINEER: Peterman Maxcy Associates, LLC / Brian S. Peterman, P.E.  
 Address: 189 S. Lakeview Drive, Suite 101, Gibbsboro, NJ 08026  
 Telephone No.: 856-282-7444 Fax 856-282-7443  
 email: \_\_\_\_\_
10. APPLICANT'S PLANNING CONSULTANT: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
11. APPLICANT'S TRAFFIC ENGINEER: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
12. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary)  
 Name: \_\_\_\_\_  
 Field of Expertise: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Fax \_\_\_\_\_  
 email: \_\_\_\_\_
13. Section(s) of Ordinance from which a variance is requested: 12-4.1
14. Waivers Requested of Development Standards and/or Submission Requirements:  
 (attach additional pages as needed)
15. **Attach a copy of the Notice to appear in the official newspaper of the municipality (The Central Record or The Burlington County Times or the Courier Post) and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.**  
**The publication and the service on the affected owners must be accomplished at least ten (10) days prior to the date scheduled by the Administrative Officer of the hearing.**  
**An affidavit of service on all property owners and a proof of publication must be filed at least three (3) days prior to meeting before the application will be complete and the hearing can proceed.**
16. Is a public water line available? No
17. Is public sanitary sewer available? No
18. Does the application propose a well and septic system on site? Yes
19. Have any proposed new lots been reviewed with the Township Engineer to determine appropriate lot and block numbers? N/A
20. Are any off-tract improvements required or proposed? N/A
21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? \_\_\_\_\_

23. Other approvals which may be required and date plans submitted:

	Yes	No	Dates Plans Submitted
Burlington County Board of Health	_____	_____	_____
Burlington County Planning Board	_____	_____	_____
Burlington County Soil Conservation District	_____	_____	_____
NJ Dept. of Environmental Protection	_____	_____	_____
Pinelands Commission	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Other	_____	_____	_____
NJ Dept. of Transportation	_____	_____	_____
Public Service Electric & Gas Company	_____	_____	_____
County 9-1-1 Coordinator, Street Name Approval	_____	_____	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. To be supplied.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

26. The applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals: Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicants  
Professional

Reports Requested

Attorney

Engineer Review / Attorney Review

Engineer

Engineer Review / Attorney Review

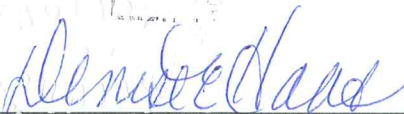
#### CERTIFICATION

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this

22nd Day of March, 2022



Notary Public

DENISE E. HAAS  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES NOVEMBER 19, 2026



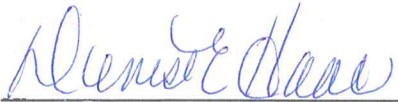
Signature of Applicant

Michael P. Tippin, Sr.

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.  
(If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this

22<sup>nd</sup> Day of March, 2022.



Notary Public

DENISE E. HAAS  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES NOVEMBER 19, 2026



Signature of Owner

Michael P. Tippin, Sr.

29. I understand that the sum of \$ 2,000<sup>00</sup>/<sub>xx</sub> has been deposited in an escrow account. In accordance with the Ordinance of the Township of Southampton, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned under the procedures in the ordinance. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I understand that no further review of my application will be made until such time as my escrow account is current.

3/22/2022

Date



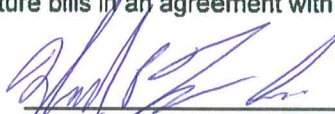
Signature of Owner

Michael P. Tippin, Sr.

30. I agree to be responsible for all bills against this development's escrow account. In the event that this project is sold or my interest is transferred to another party, my obligation can only be relieved if all outstanding escrow bills are paid and the new principal obligates himself to the responsibility of all future bills in an agreement with the Township.

3/22/2022

Date



Signature Developer/Applicant

Michael P. Tippin, Sr.

**Michael P. Tippin, Sr.  
Block 903, Lot 9  
140 Landing Street  
Township of Southampton**

**USE (“D”) and “C” VARIANCE ADDENDUM**

**BACKGROUND**

Michael P. Tippin, Sr. and Debbie J. Tippin are Southampton residents living at 341 Red Lion Road. Mr. and Mrs. Tippin own the property located at 140 Landing Street, which property is located in the RR –Rural Residential District zone. Their intention is to build a home on the property, which use is permitted in the RR zone, but variance relief is required as the proposed construction of a 60’x40’ garage/pole barn is over the permitted 1260 square foot; the accessory building cannot be constructed without an existing principal building; and the property is currently not being farmed or farmed accessed therefore agricultural use does not apply to this lot.

This Application is for use variance approval to permit Michael P. Tippin, Sr., (the “Applicant”), to construct a pole barn prior to the principal building being built. The use variance relief is necessary as Applicant’s proposed pole barn would be used to store equipment, prior to the principal building being built. This is not specifically permitted within the RR (Rural Residential) zone in which the Property is located. The Applicant proposes to utilize the Property for their home and to construct a separate accessory building/pole barn.

The property is currently vacant land, with no existing structures. The lot is approximately 11.53 acres in size and is known as Block 903, Lot 9.

**SPECIAL REASONS FOR USE VARIANCE RELIEF**

The granting of a use variance to allow the proposed use will further several purposes of zoning and planning under both the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq (the “MLUL”), and the Township of Southampton Zoning Ordinance (“the Ordinance”), including:

To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which would promote the public health, safety, morals, and general welfare.

N.J.S.A. 40:55D-2(a).

To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.

N.J.S.A. 40:55D-2(e)



To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.

N.J.S.A. 40:55D-2(g)

To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.

N.J.S.A. 40:55D-2(m)

The Applicant will be prepared to present testimony in support of each of these reasons for relief justifying the grant of the requested relief.

In addition, the proposed use of the existing property, in its present surroundings, and immediately adjacent to the RR zone, represents an appropriate use of the property.

#### **NEGATIVE CRITERIA FOR USE VARIANCE RELIEF**

It is recognized that:

... no variance or other relief may be granted under the terms of this section, including a variance or other relief involving an inherently beneficial use, without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and the zoning ordinance.

N.J.S.A. 40:55D-70(d).

The granting of the variance to allow the use of the building as partially office would not result in a substantial detriment to the public good and would not substantially impair the intent and purpose of the Township of Southampton Master Plan, or Zoning Ordinances, thus satisfying the so-called “negative criteria” for use variance relief.

The use of the building for partial office/storage use is not inconsistent with the Township of Southampton Master Plan or Zoning Ordinance, but the timing of the accessory being erected is. It is suggested, however, that this distinction is not significant in this case, given the location of the Property and the nature of the use proposed. However, as the area has developed, with the immediately adjacent commercial use, the proposed use represents a reasonable deviation from those standards. Given the relatively limited office use proposed, the proposed use represents a reasonable transition between the commercial and residential zones.

For all of the foregoing reasons, the granting of a use variance to allow the Applicant’s proposed use will advance the purposes of the Zoning Ordinance and Master Plan and will not be detrimental to the character of the area in which the Property is located. In addition, the benefits derived from permitting the requested variance will substantially outweigh any detriment, and the variance can be granted without

detriment to the public good, and without impairing the intent and purpose of the Township of Southampton Zoning Ordinance or Master Plan.

**OTHER RELIEF THAT MAY BE REQUIRED**

In addition to use variance approval, the Applicant is also requesting approval, if necessary, to allow the construction of the proposed 60' x 40' garage.

Finally, the Applicant requests any other variance or waiver relief and/or interpretations that may be required in order to allow the Applicant to establish an accessory use.



## State of New Jersey

PHILIP D. MURPHY  
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHAWN M. LATOURETTE  
Commissioner

SHEILA Y. OLIVER  
Lt. Governor

Division of Land Resource Protection  
Mail Code 501-02A  
P.O. Box 420  
Trenton, New Jersey 08625-0420  
[www.nj.gov/dep/landuse](http://www.nj.gov/dep/landuse)

**October 5, 2021**

Cherie Raimondo  
87 Eayrestown Rd.  
Medford, NJ 08055

RE: Freshwater Wetlands Letter of Interpretation: Line Verification  
File No.: 0333-08-0003.2  
Activity Number: FWW200001  
Applicant: Cherie Raimondo  
Block and Lot: [903, 9]  
Southampton Township, Burlington County

Dear Ms. Raimondo:

This letter is in response to your request for a Letter of Interpretation to have Division of Land Resource Protection (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 April 29, 2021, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "**LAND SURVEY MAP SHOWING SURVEY SITUATE IN TOWNSHIP OF SOUTHAMPTON COUNTY OF BURLINGTON, N.J. 140 LANDING STREET**", consisting of 1 sheet, dated June 1, 2020, revised July 28, 2020, and prepared by Steven R. Kelly, P.L.S., P.P. of Kelly Survey, 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:

Intermediate: All wetlands onsite. [50 foot wetland buffer]

State Open Water: Within onsite wetlands.

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.

**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) 777-0454 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 Ryan Ferraro of our staff by e-mail at [ryan.ferraro@dep.nj.gov](mailto:ryan.ferraro@dep.nj.gov) or by phone at (609) 777-0454 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Tina Wolff  
2021.10.05  
16:35:55-04'00'

Tina Wolff, Environmental Specialist 3  
Division of Land Resource Protection

c: Municipal Clerk  
Municipal Construction Official  
Agent (original)