

8 March 2013

Ms. Marianne Wilensky P.P., Director
Township Planning Board
Ocean Township Municipal Building
399 Monmouth Rd.
Oakhurst, NJ 07755

Scientists, Engineers &
Environmental Planners
Designing Innovative
Solutions for Water,
Wetland and Soil
Resource Management

BY EMAIL

Dear Ms. Wilensky:

The following has been prepared by Princeton Hydro, LLC, on behalf of the Deal Lake Commission (DLC), in our capacity as their environmental and stormwater quality consultant. On 1 March, the DLC received a set of plans and other related supporting materials submitted to the Township Planning Board as part of the application for 35 Sunset LLC (Block 137 Lots 28, 29), a proposed CVS. Those plans were subsequently circulated to the DLC's professionals on 4 March. Please note that the DLC will be submitting comments regarding this application, specifically with respect to the level of stormwater management proposed for this development. However, said comments will not be ready for the upcoming 11 March Planning Board hearing.

The DLC has taken note of the Applicant's position regarding stormwater management for their development. Essentially as per the Planning Board engineer's comments, the Applicant may be exempt from providing any form of stormwater quality management because there will be no increase in impervious cover. However, there is an NJDEP established TMDL for Deal Lake (phosphorus). As per the TMDL, approximately 540 kg (> 1,100 lbs) of phosphorus annually enters the lake from land use areas defined as commercial and mixed use urban. It takes only 1 lb of phosphorus to support 1,000 lbs of algae. To meet the TMDL, the lake's daily phosphorus load needs to be reduced by about 80%. The lake is also on the State's 303D list of impaired waters (NJDEP 2008). Additionally, in 2011 the DLC completed, and the NJDEP reviewed and approved, a Watershed Protection Plan for the lake and its watershed that was funded through a 319(h) Regional Stormwater Management Plan Grant (RP#04-082). A major element of that plan focuses on the reduction of pollutant loading to the lake. I make note of these reports because with respect to stormwater management, the State's rules also read:

If a TMDL has been established pursuant to N.J.A.C. 7:15 for a waterbody or waterbody segment in the regional stormwater management planning area, drainage area-specific objectives shall incorporate the loading reductions established in the TMDL for stormwater sources of pollution. In addition, if a waterbody or waterbody segment in the regional stormwater management planning area is on the Department's list prepared to comply with Federal Clean Water Act, Section 303(d) (33 USC §§1313(d)) for one or more designated uses by stormwater runoff, then drainage area objectives shall be included that address the pollutants or pollution for which the waterbody is threatened or impaired

Therefore, we are hoping for an opportunity to work in a constructive, non-adversarial manner with the Applicant to ensure that the site's post-development runoff is managed in a manner that

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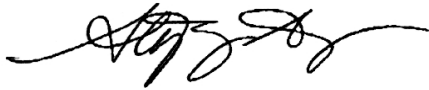
- 1108 Old York Road • PO Box 720 • Ringoes, NJ 08551 • t. 908.237.5660 • f. 908.237.5666
- 1200 Liberty Place • Sicklerville, NJ 08081 • t. 856.629.8889 • f. 856.629.8866
- 120 East Uwchlan Avenue • Suite 204 • Exton, PA 19341 • t. 610.524.4220 • f. 610.524.9434
- 931 Main Street • Suite 2 • South Glastonbury, CT 06073 • t. 860.652.8911 • f. 860.652.8922

is in keeping with the pollutant load reduction goals for the lake as defined in the lake's TMDL and Watershed Protection Plan.

We would also ask for some consideration, should this project be approved at the 11 March hearing before the DLC has an opportunity to submit our comments, that the Planning Board consider as a Condition of Approval, that the applicant coordinate all proposed stormwater management improvements with the DLC's Environmental Consultant (to our mutual satisfaction).

Thank you for your time and providing the Deal Lake Commission with an opportunity to comment on this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen J. Souza', with a long horizontal flourish extending to the right.

Stephen J. Souza, Ph.D., President
Princeton Hydro, LLC

CC: P. Avakian, P.E.
D. Brockel, Chairman, DLC