



New Jersey Community Solar Energy Pilot Program Program Year 2 Application Form

Section A: Application Form Requirements, Instructions, Terms and Conditions

The following Application Form is intended only for entities submitting a community solar project for consideration by the New Jersey Board of Public Utilities (“Board” or “BPU”). Projects selected by the Board will be approved for participation in the Community Solar Energy Pilot Program, pursuant to the rules at N.J.A.C. 14:8-9.

This Application Form is valid only for the following Program Year and Application Period:

Program Year 2, Application Period 1

Application Period Opens: Staff will inform stakeholders once the online application portal is open. The online application portal will open no later than December 31, 2020.

Application Period Closes: Friday, February 5, 2021 at 5:00 P.M. EST

I. Minimum Qualification Requirements

The Community Solar Energy Pilot Program is open to projects that meet the following minimum requirements, and the full requirements defined in N.J.A.C. 14:8-9 (available for reference at the following link: [http://njcleanenergy.com/files/file/R_2019%20d_021%20\(51%20N_J_R_%20232\(a\)\).pdf](http://njcleanenergy.com/files/file/R_2019%20d_021%20(51%20N_J_R_%20232(a)).pdf)).

1. The proposed community solar project must be located in the electric service territory of an Electric Distribution Company (“EDC”) in the State of New Jersey.
2. Existing solar projects may not apply to requalify as a community solar project. An existing solar project, as defined in N.J.A.C. 14:8-9.2, means a solar project having begun operation and/or been approved by the Board for connection to the distribution system prior to February 19, 2019. Projects having received a subsection (t) conditional certification from the Board prior to February 19, 2019 should refer to section B. XIII. Special Authorizations and Exemptions for additional information.
3. The Board will not consider Applications for EDCs to develop, own, or operate community solar project(s).
4. The Board will not consider Applications for projects sited on preserved farmland, as defined in N.J.A.C. 14:8-9.2.
5. The Board will not consider Applications for projects exceeding the capacity limit for individual community solar projects, set at 5 MWdc as defined in N.J.A.C. 14:8-9.4(g).

II. Instructions for Completing the Community Solar Energy Pilot Program Application Form

1. Applications **must** be submitted via a dedicated online application process. Staff will provide further details on how to submit an Application online upon the opening of the online application process. The online application process will reflect the exact questions and requirements laid out

in this Application Form. This PDF Application Form is being provided to allow Applicants to develop their Applications; **do not** submit an Application using this PDF Application Form. Any Application submitted using this PDF Application Form rather than the dedicated online application process will not be considered.

2. Each solar project applying to participate in the Community Solar Energy Pilot Program requires the submission of an individual Application Form. **Do not apply for more than one (1) project per Application Form.** There is no limit to the number of Application Forms that can be submitted by any one Applicant (see the definition of an “Applicant” in section A. III. Terms and Conditions).
3. **Do not submit the same project (same Applicant name and project site) multiple times or with various sizes.**
4. All questions are required to be answered, unless explicitly marked as optional. All attachments are required, unless explicitly marked as optional. All attachments must be submitted with the Application Form via the online application process, therefore forming a complete application package.
5. Do not in any way amend, edit, or otherwise change the questions or format of this application form.
6. Original signatures on all forms and certifications of this Application Form are required. The certifications contained in section C must be notarized and may not be modified. More information on how to submit electronic certifications will be provided upon the release of the online application process.
7. Attachments must be submitted as part of the Application Form via the online application process. The Board will not accept documentation sent directly to the Board.

III. Terms and Conditions

General Terms and Conditions

1. The “Applicant” is defined as the entity that submits the Community Solar Energy Pilot Program Application Form (for example, an Applicant may be a project developer, project owner, project operator, property owner, contractor, installer, or agent thereof).
Prior to completing the Application Form, the Applicant must carefully review the rules at N.J.A.C. 14:8-9, and any other rules, regulations, and codes applicable to the design, construction, and operation of a community solar project in New Jersey. All Applications must be in compliance with all local, state and federal rules, regulations and laws. Furthermore, submission of an Application Form does not obviate the need for compliance with all applicable local, state, and federal laws and regulations at any time during the design, construction, operation, and decommissioning of a community solar project including, but not limited to, regulations by commissions such as the New Jersey Highlands Council and the New Jersey Pinelands Commission.
2. By submitting an Application, the Applicant acknowledges notice on behalf of all project participants that the information included in the Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. Aggregated information may be used by the

Board and/or other state, federal, county, regional or local agencies in reports and evaluations, and the geographic location may be used to update Geographic Information System (“GIS”) mapping. Applicants must identify sensitive and trade secret information that they wish to keep confidential by submitting them in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3 (see “Submission of Confidential Information). Furthermore, the Applicant understands that the list of approved community solar projects will be published on the Board of Public Utilities website.

3. Amendments or supplements to the Community Solar Energy Pilot Program Application Form will be made available via the New Jersey Clean Energy Program (“NJCEP”) website at www.njcleanenergy.com. This Application Form may be modified for future Application Periods at any time without prior notification.

Evaluation of Applications and Approval of Projects

4. Only Applications that are administratively complete by the close of the Application Period will be considered for participation in the Community Solar Energy Pilot Program during that Program Year. An application will be deemed administratively complete if: 1) All questions are completed, except those explicitly marked as optional, 2) All required attachments are included (see Appendix B for a checklist of required attachments), and 3) All required signatures are included. Applicants will be notified if an Application is deemed administratively incomplete. An incomplete Application may be amended and resubmitted during the next Pilot Program Application Period without advantage or disadvantage, so long as it conforms to the requirements of that Application Period. In the event that any required information or attachment is missing, the Application will be deemed incomplete and will not be scored.
5. Only Applications that are submitted via the online application process will be considered for participation in Program Year 2 (“PY2”) of the Pilot Program.
6. Any Application that contains factually incorrect information will be eliminated from consideration.
7. The Applicant may be required to supplement the information provided in the Application Form upon request from the Board or Board Staff.
8. Following the close of the Application Period, each Application will be reviewed and evaluated by a dedicated Evaluation Committee.
9. In reviewing each application, Board Staff may consult with the New Jersey Department of Environmental Protection (“NJDEP”), the New Jersey Department of Agriculture, or other state agencies and consultants as are relevant to the Application. Any information marked and submitted as confidential will be treated as such by the receiving agency, and used for the sole purpose of evaluation.
10. **Board Staff may reject Applications that are incomplete at the close of the Application Period, that are not in compliance with the rules and regulations established in N.J.A.C. 14:8-9, or that do not meet a minimum standard for selection, as set forth in this Application Form.**
11. The criteria for evaluation of Applications are presented in Appendix C (Evaluation Criteria). Projects must score a minimum 50 points total in order to be considered for participation in the

Community Solar Energy Pilot Program. Projects that score above 50 points will be presented to the Board for approval for participation in the Community Solar Energy Pilot Program in order, starting with the highest-scoring project and proceeding to the lowest-scoring project, and until the allocated program capacity allocated for that Program Year to each EDC service territory. The last project to be selected by the Board will be granted conditional approval for its full capacity (i.e. no project capacity will be cut off).

The allocated program capacity for Program Year 2 is **150 MWdc**. At least 40% of program capacity (i.e. at least 60 MW) will be allocated to Low and Moderate Income (“LMI”) projects. The Board may, at its discretion, award up to 10% over or under this 150 MWdc capacity limit.

The EDC service territory breakdown of capacity for PY2 is as follows:

EDC	% of retail sales	PY2 Allocated Capacity
Atlantic City Electric (“ACE”)	12.35%	18.525
Jersey Central Power & Light (“JCP&L”)	28.86%	43.29
Public Service Electric & Gas (“PSE&G”)	56.87%	85.305
Rockland Electric Company (“RECO”)	1.92%	2.88
Total	100%	150

- The Board may elect not to select projects in an EDC service territory if the number of Applications submitted is insufficient to provide adequate competition. In that event, the Board may allow the unused capacity to be reallocated to another EDC territory.

Milestones and Follow-Up for Approved Projects

- Should the proposed community solar project be approved by the Board for participation in the Community Solar Energy Pilot Program, such approval will be contingent on the project being constructed and operated as proposed in its Application. Applicants may not change the location or characteristics of selected projects.

Furthermore, pursuant to the rules at N.J.A.C. 14:8-9.3(c), approved projects are expected to begin construction within 6 months of their approval by the Board, and are expected to become fully operational within 12 months of their approval by the Board. Extensions may be granted by Board Staff at its discretion, based on its assessment of the specific circumstances of each project approved.

Please note: the Board proposed an amendment to the Pilot Program rules, which, if approved, would eliminate the deadline to begin construction, establish a requirement that approved projects provide quarterly progress updates, and extend the deadline to become fully operational from 12 to 18 months. Additionally, Staff would be able to grant one, six-month extension; further extensions would need to be requested from the Board via a petition. If approved, these rule amendments will apply to all community solar projects granted conditional approval to participate in the Pilot Program. This note is for informational purposes only. Applicants must be

prepared to construct their projects in accordance with the existing timelines in the current rules at N.J.A.C. 14:8-9.3(c).

In order to monitor compliance, approved projects will be required to submit updates to the Board:

- a. Prior to the beginning of construction, the Applicant must provide evidence that commitments in the following categories have been met: project location, community and environmental justice engagement, other benefits.
- b. Prior to applying for permission to operate (“PTO”), the Applicant must provide evidence that commitments in the following categories have been met: siting (other than location), all permits received.
- c. Prior to applying to the EDC for allocation of bill credits, the Applicant must provide evidence that commitments in the following categories have been met: product offering, subscriber type, geographic limit within EDC service territory.

If the approved project fails to be completed as proposed in the Application, and the Applicant fails to remedy the failure or provide an equivalent modification within a reasonable timeframe, the project may be penalized up to and including a withdrawal of the permission to operate in the Community Solar Energy Pilot Program.

Incentive Eligibility

14. In order to limit regulatory uncertainty for projects applying to PY2 of the Pilot Program, the Board has determined that Applications selected as part of PY2 be eligible to register for the current Transition Incentive (“TI”) program, even if said Applications are selected after the establishment of the Successor Program, subject to projects maintaining compliance with the rules and regulations of the TI Program.

Special Considerations for Project Siting

15. Unlike Program Year 1, Applicants with ground mounted projects are not required to meet with NJDEP’s Office of Permitting and Project Navigation (“OPPN”, formerly the Office of Permit Coordination and Environmental Review, or PCER) prior to submitting an Application to the Board. Applicants may request a meeting with the OPPN to identify permits and other potential issues, but doing so is not a prerequisite in the PY2 Application process.
Exception: Applications for floating solar projects are required to meet with OPPN prior to submitting an Application. Applicants are responsible for requesting the meeting sufficiently in advance of the Application deadline to ensure that the meeting is able to occur.
16. Applicants are required to submit a complete OPPN Permit Readiness Checklist as an attachment to their Application. Applicants are not required to submit the OPPN Permit Readiness Checklist to OPPN prior to submitting an Application, except in the case of floating solar projects. The Evaluation Committee will submit the Checklists of shortlisted Applications directly to NJDEP prior



- to presenting the list of project scores to the Board. The Permit Readiness Checklist is available at the following link: <https://www.nj.gov/dep/pcer/introcklist.htm>.
17. Special attention should be paid when siting a project on a landfill, a brownfield, or an area of historic fill. For reference, NJDEP's *Guidance for Installation of Solar Renewable Energy Systems on Landfills in New Jersey* can be found at the following link: <https://www.nj.gov/dep/dshw/swp/solarguidance.pdf>.
 18. The Applicant should review the environmental compliance history at the proposed site and the various operations that were conducted there. Satisfaction of all outstanding NJDEP regulatory compliance obligations, if applicable, will be required prior to applying for permission to operate. The Applicant should identify any outstanding compliance and enforcement issues associated with the property on which the proposed project is to be sited and resolve them accordingly before submitting an Application, if applicable.
 19. If the proposed project is sited on Green Acres preserved open space, as defined in N.J.A.C. 14:8-9.2, or on land owned by NJDEP, the Applicant must receive special approval for the project from NJDEP prior to submitting the Application to the Board, and attach proof of approval to their application package (see section B. VII. Community Solar Facility Siting).

Special Considerations for Government Entity Applicants

20. Specific exemptions are identified throughout the Application Form which apply only if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals ("RFP"), Request for Quotations ("RFQ"), or other bidding process. If this is the case, the Applicant must include a letter describing the proposed bidding process, and the Applicant should complete all sections of the Application Form based on the project as it will be designed in the bidding process. The Applicant must further commit to issuing said RFP, RFQ, or other bidding process within 90 days of the proposed project being approved by the Board for participation in the Community Solar Energy Pilot Program (see section B. XIII. Special Authorizations and Exemptions).
21. Alternatively, Government Entity Applicants may elect to submit an Application after issuing an RFP, RFQ, or other bidding process.
22. The Application Form has been designed to ensure that Government Entity Applicants provide the information necessary to equitably score the project against all other Applicants, and to provide contain reasonable assurances that the project will be developed. All Applicants are required to identify a project site.
23. Additionally, the Board proposed an amendment to the Pilot Program rules, which, if approved, would allow municipally-owned community solar projects to submit an application for a project that requests an exemption from the provisions at N.J.A.C. 14:8-9.10(b)(1) mandating subscriber enrollment via affirmative consent (i.e. an opt-out community solar project). Projects applying in PY2 may indicate in section B. XIII. Special Authorizations and Exemptions that they plan to utilize opt-out subscriber enrollment if the proposed rule amendment is approved by the Board. If the Application is selected but the proposed rule amendment is not approved by the Board, the

project will be required to proceed using affirmative consent (i.e. “opt-in”) subscriber enrollment rules, as currently provided for in the Pilot Program rules at N.J.A.C. 14:8-9.10(b)(1).

Submitting an Application

24. Applications must adhere to all of the following instructions for submission. Applications must be received no later than 5:00 P.M. on the date of the close of the Application Period in order to be considered.
25. Applications **must** be submitted via the dedicated online application process. Staff will provide further details on how to submit an Application online upon the opening of the online application process. The online application process will reflect the exact questions and requirements laid out in this Application Form. This PDF Application Form is being provided to allow Applicants to develop their Applications; **do not** submit an Application using this PDF Application Form.

Submission of Confidential Information

26. All Applications received will be posted to the New Jersey Clean Energy Program website, and will be available through NJBPU’s Public Document Search. The information contained in and submitted with the Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq.
27. Claimed sensitive and trade secret information that Applicants wish to keep confidential must be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3.

Questions and Further Information

28. Please address all questions pertaining to the Application Form to communitysolar@njcleanenergy.com.
29. Additional guidance and Frequently Asked Questions will be available on the NJCEP website at: <http://njcleanenergy.com/renewable-energy/programs/community-solar>.

Section B: Community Solar Energy Project Description

Project Name: 400 Airport Corporate Drive - Community Solar Project

*This name will be used to reference the project in correspondence with the Applicant.

I. Applicant Contact Information

Applicant Company/Entity Name: Herring Management Inc.

First Name: James Last Name: Herring

Daytime Phone: 609-658-0889 Email: jph@herringproperties.com

Applicant Mailing Address: 281 Witherspoon Street

Municipality: Princeton County: Mercer Zip Code: 08540

Applicant is: Community Solar Project Owner Community Solar Developer/Facility Installer
 Property/Site Owner Subscriber Organization
 Agent (if agent, what role is represented) _____

II. Community Solar Project Owner

Project Owner Company/Entity Name (complete if known): Herring Management Inc.

First Name: James Last Name: Herring

Daytime Phone: 609-658-0889 Email: jph@herringproperties.com

Mailing Address: 281 Witherspoon Street

Municipality: Princeton County: Mercer Zip Code: 08540

III. Community Solar Developer

This section, "Community Solar Developer," is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. In all other cases, this section is required.

Developer Company Name (optional, complete if applicable): Herring Management Inc.

First Name: James Last Name: Herring

Daytime Phone: 609-658-0889 Email: jph@herringproperties.com

Mailing Address: 281 Witherspoon Street

Municipality: Princeton County: Mercer Zip Code: 08540

The proposed community solar project will be primarily built by:

the Developer a contracted engineering, procurement and construction ("EPC") company



If the proposed community solar project will be primarily built by a contracted EPC company, complete the following (optional, complete if known):

If the EPC company information is left blank and the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program, the Applicant must inform the Board of the information below once the EPC company becomes known.

EPC Company Name (optional, complete if applicable): _____
First Name: _____ Last Name: _____
Daytime Phone: _____ Email: _____
Mailing Address: _____
Municipality: _____ County: _____ Zip Code: _____

IV. Property/Site Owner Information

Property Owner Company/Entity Name: Herring Land Group LLC
First Name: Jamie Last Name: Herring
Daytime Phone: 609-658-0889 Email: jph@herringproperties.com
Applicant Mailing Address: 281 Witherspoon Street
Municipality: Princeton County: Mercer Zip Code: 08540

V. Community Solar Subscriber Organization (optional, complete if known)

If this section, "Community Solar Subscriber Organization," is left blank and the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program, the Applicant must inform the Board of the information below once the Subscriber Organization becomes known.

Subscriber Organization Company/Entity Name (optional, complete if applicable): _____
First Name: _____ Last Name: _____
Daytime Phone: _____ Email: _____
Mailing Address: _____
Municipality: _____ County: _____ Zip Code: _____

VI. Proposed Community Solar Facility Characteristics

Community Solar Facility Size (as denominated on the PV panels): 0.6 MWdc
*Any application for a system larger than 5 MWdc will be automatically eliminated. If awarded, projects will be held to the MWdc size indicated in this Application.

Community Solar Facility Location (Address): 400 Airport Corporate Driver
Municipality: Ewing County: Mercer Zip Code: 08628
Name of Property (optional, complete if applicable): 400 Airport Corporate Drive



Property Block and Lot Number(s): Block 371 , Lot 3.05
Community Solar Site Coordinates: 40.295536700 Longitude -74.807625000 Latitude

Total Acreage of Property Block and Lots: 22.61 acres
Total Acreage of Community Solar Facility: 2.5 acres

Attach a delineated map of the portion of the property on which the community solar facility will be located in PDF format. The map must be provided in color. Note: Applications may be required upon request to submit a copy of the delineated map as a design plan in drawing file format (.dwg) or as a shapefile (.shp), in order to facilitate integration with Geographic Information System (GIS) software.

EDC electric service territory in which the proposed community solar facility is located: *(select one)*

- Atlantic City Electric
- Jersey Central Power & Light
- Public Service Electric & Gas
- Rockland Electric Co.

Estimated time from Application selection to project completion* *(The Applicant should provide a good faith estimate of the date of project completion; however, this data is being collected for informational purposes only.)*: 11 (month) _____ (year)

*Project completion is defined pursuant to the definition at N.J.A.C. 14:8-9.3 as being fully operational, up to and including having subscribers receive bill credits for their subscription to the project. Projects must be fully operational within 12 months of receiving conditional approval by the Board (subject to change according to the proposed rule amendment described in the Terms and Conditions).

The proposed community solar facility is an existing project* Yes No

If "Yes," the Application will not be considered by the Board. See section B. XIII. for special provisions for projects having received a subsection (t) conditional certification from the Board prior to February 19, 2019.

*An existing project is defined in N.J.A.C. 14:8-9.2 as a solar project having begun operation and/or been approved by the Board for connection to the distribution system prior to February 19, 2019.

VII. Community Solar Facility Siting

1. The proposed community solar project has site control* Yes No

If "Yes," attach proof of site control.

If "No," the Application will be deemed incomplete.

*Site control is defined as property ownership or option to purchase, signed lease or option to lease, or signed contract for use as a community solar site or option to contract for use as a community solar site. The site control must be specific to the project in this Application, and may not be contingent on the approval of another Application submitted in PY2.



2. The proposed community solar facility is located, in part or in whole, on preserved farmland* Yes No

If "Yes," the Application will not be considered by the Board.

*Preserved farmland is defined in N.J.A.C. 14:8-9.2 as land from which a permanent development easement was conveyed and a deed of easement was recorded with the county clerk's office pursuant to N.J.S.A. 4:1C-11 et seq.; land subject to a farmland preservation program agreement recorded with the county clerk's office pursuant to N.J.S.A. 4:1C-24; land from which development potential has been transferred pursuant to N.J.S.A. 40:55D-113 et seq. or N.J.S.A. 40:55D-137 et seq.; or land conveyed or dedicated by agricultural restriction pursuant to N.J.S.A. 40:55D-39.1.

3. The proposed community solar facility is located, in part or in whole, on Green Acres preserved open space* or on land owned by the New Jersey Department of Environmental Protection (NJDEP) Yes No

If "Yes," the Applicant must attach special authorization from NJDEP for the site to host a community solar facility. The Board will not consider Applications for projects located, in part or in whole, on Green Acres preserved open space or on land owned by NJDEP, unless the Applicant has received special authorization from NJDEP and includes proof of such special authorization in the Application package.

*Green Acres preserved open space is defined in N.J.A.C. 14:8-9.2 as land classified as either "funded parkland" or "unfunded parkland" under N.J.A.C. 7:36, or land purchased by the State with "Green Acres funding" (as defined at N.J.A.C. 7:36).

4. The proposed community solar facility is located, in part or in whole, on (check all that apply):

- a landfill (see question 7 below)
- a brownfield (see question 8 below)
- an area of historic fill (see question 9 below)
- a rooftop (see question 10 below)
- a canopy over a parking lot or parking deck
- a canopy over another type of impervious surface (e.g. walkway)
- a water reservoir or other water body ("floating solar") (see question 11 below)
- a former sand or gravel pit or former mine
- farmland* (see definition below)
- other (see question 5 below): _____

*Farmland is defined as land that has been actively devoted to agricultural or horticultural use and that is/has been valued, assessed, and taxed pursuant to the "Farmland Assessment Act of 1964," P.L. 1964, c.48 (C. 54:4-23.1 et seq.) at any time within the ten year period prior to the date of submission of the Application.

5. If you answered "other" to question 4 above, describe the proposed site and explain why it is appropriate for siting a community solar facility:

6. The proposed community solar facility is located, in part or in whole, on land located in:
- the New Jersey Highlands Planning Area or Preservation Area
 - the New Jersey Pinelands
- If the project is a ground mounted project (i.e. not rooftop or canopy), and answered “Yes” to either of the options above, include a letter or other determination from the New Jersey Highlands Council or the New Jersey Pinelands Commission, as relevant, stating that the proposed project is consistent with land use priorities in the area.
7. If the proposed community solar facility is located, in part or in whole, on a landfill, provide the name of the landfill, as identified in NJDEP’s database of New Jersey landfills, available at www.nj.gov/dep/dshw/lrm/landfill.htm: _____
8. If the proposed community solar facility is located, in part or in whole, on a brownfield, has a final remediation document been issued for the property? Yes No
 If “Yes,” attach a copy of the Response Action Outcome (“RAO”) issued by a Licensed Site Remediation Professional (“LSRP”) or the No Further Action (“NFA”) letter issued by NJDEP.
9. If the proposed community solar facility is located, in part or in whole, on an area of historic fill, have the remedial investigation requirements pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-4.7 been implemented? Yes No
 Has the remediation of the historic fill been completed pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-5.4? Yes No
 If the remediation of the historic fill has been completed, attach a copy of the Response Action Outcome (“RAO”) issued by a Licensed Site Remediation Professional (“LSRP”) or the No Further Action (“NFA”) letter issued by NJDEP.
10. If the proposed community solar facility is located, in part or in whole, on a rooftop, has the Applicant verified that the roof is structurally able to support a solar system? Yes No
 If “Yes,” attach substantiating evidence.
 If “No,” the application will not be considered by the Board.
11. If the proposed community solar facility is located, in part or in whole, on a water reservoir or other water body (“floating solar”), is the facility located at a water treatment plant or sand and gravel pit that has little to no established floral and faunal resources?
 Yes No



If "Yes," provide supporting details and attach substantiating evidence if needed.

*All proposed floating solar projects are required to meet with NJDEP's OPPN prior to submitting an Application. Applicants are responsible for contacting NJDEP with sufficient advance notice to ensure that a meeting will occur prior to the deadline to submit an Application. Please see section VIII Permits, Question 2 for more information.

12. The proposed community solar facility is located on the property of an affordable housing building or complex Yes No

13. The proposed community solar facility is located on an area designated in need of redevelopment Yes No
 If "Yes," attach proof of the designation of the area as being in need of redevelopment from a municipal, county, or state entity.

14. The proposed community solar facility is located in an Economic Opportunity Zone, as defined by the New Jersey Department of Community Affairs ("DCA") Yes No
 If "Yes," attach proof that the facility is located in an Economic Opportunity Zone.

*More information about Economic Opportunity Zones are available at the following link:
https://www.state.nj.us/dca/divisions/lps/opp_zones.html.

15. The proposed community solar facility is located on land or a building that is preserved by a municipal, county, state, or federal entity Yes No
 If "Yes," attach proof of the designation of the site as "preserved" from a municipal, county, or state entity, and evidence that such designation would not conflict with the proposed solar facility.

16. The proposed community solar facility is located, in part or in whole, on land that includes trees Yes No
 Construction of the proposed community solar facility will require cutting down one or more trees Yes No
 If "Yes," estimated number of trees required to be cut for construction: _____
 If "Yes," estimated number of acres of trees that required to be cut for construction: _____

17. Are there any use restrictions at the site? Yes No
 If "Yes," explain the use restriction below and provide documentation that the proposed community solar project is not prohibited.



Will the use restriction(s) be required to be modified by variance or other means?
 Yes No

If "Yes," explain the modification below.

18. The proposed community solar facility has been specifically designed or planned to preserve or enhance the site (e.g. landscaping, site and enhancements, pollination support, etc.) This represents site improvements beyond required basic site improvements Yes No
 If "Yes," explain below, and provide any substantiating documentation in an attachment. Explain how the proposed site enhancements will be made and maintained for the life of the project. If implementing pollination support, explain what type of pollination support, how this support is expected to help local ecosystems, and whether the proposed pollination support has received certifications or other verification.



19. This question is for informational purposes only, and will not impact the Application's score. The Board is interested in learning more about ways in which "dual use" projects may be implemented in the Pilot Program:

The proposed community solar facility is a "dual use" project: i.e. the project site will remain in active agricultural production throughout the life of the project (e.g. crop production under or between the panels, livestock grazing)..... Yes No

*Wildflower planting or other pollination support is not considered dual use for purposes of this question (pollination support is question 18).

If "Yes," explain what agricultural production will be maintained on the site and will be consistent with the presence of a solar system. Provide any substantiating documentation in an attachment.

VIII. Permits

1. The Applicant has completed the NJDEP Permit Readiness Checklist, and will submit it as an attachment to this Application..... Yes No
 If “No,” the Application will be deemed incomplete. This requirement only applies to ground mounted and floating solar projects. Community solar projects located on a rooftop, parking lot, or parking structure are exempt from this requirement.

*Applicants are not required to submit the Permit Readiness Checklist to NJDEP prior to submitting an Application to the Board, except in the case of floating solar projects.

2. The Applicant has met with NJDEP’s OPPN Yes No
 If “Yes,” attach meeting notes or relevant correspondence with NJDEP’s OPPN.
 * If the Applicant met with OPPN or received comments from OPPN (formerly PCER) for this project as part of the Program Year 1 Application process, and if the details of the project and the site characteristics have remained the same, those comments remain valid. Please include those comments or meeting notes as an attachment to the Application.

*A meeting with NJDEP’s OPPN is not required prior to submitting an Application. Exception: all floating solar projects are required to meet with NJDEP’s OPPN prior to submitting an Application. Applicants with a floating solar project are responsible for contacting NJDEP with sufficient advance notice to ensure that a meeting will occur prior to the deadline to submit an Application.

3. The Applicant has received all non-ministerial permits* for this project (optional) Yes No

*Receiving all non-ministerial permits is not required prior to submitting an Application.
 *A non-ministerial permit is one in which one or more officials consider various factors and exercise some discretion in deciding whether to issue or deny a permit. This is in contrast to a ministerial permit, for which approval is contingent upon the project meeting pre-determined and established standards. Examples of non-ministerial permits include: local planning board authorization, use variances, Pinelands or Highlands Commission approvals, etc. Examples of ministerial permits include building permits and electrical permits.

4. Please list all permits, approvals, or other authorizations that will be needed for the construction and operation of the proposed community solar facility pursuant to local, state and federal laws and regulations. Include permits that have already been received, have been applied for, and that will need to be applied for. These include:
 - a. Permits, approvals, or other authorizations from NJDEP (i.e. Land Use, Air Quality, New Jersey Pollutant Discharge Elimination System “NJPDES”, etc.) for the property.
 - b. Permits, approvals, or other authorizations from NJDEP (i.e. Land Use, Air Quality, NJPDES, etc.) directly related to the installation and operation of a solar facility on this property.



- c. Permits, approvals, or other authorizations other than those from NJDEP for the development, construction, or operation of the community solar facility (including local zoning and other local and state permits)

An Application that does not list all permits, approvals, or other authorizations that will be needed for the construction and operation of the proposed community solar facility will be deemed incomplete.

If a permit has been received, attach a copy of the permit.

All site permits have been obtained from the township and other agencies. Please see attached list of permits and approvals from agencies [including approval letters]

Permit Name & Description	Permitting Agency/Entity	Date Permit Applied for (if applicable) / Date Permit Received (if applicable)
See Attached List		

- 5. The Applicant has consulted the hosting capacity map of the relevant EDC via the EDC’s website (links are available on the NJCEP website) and determined that, based on the capacity hosting map as published at the date of submission of the Application, there is sufficient capacity available at the proposed location to build the proposed community solar facility Yes No

If “Yes,” include a screenshot of the capacity hosting map at the proposed location, showing the available capacity.

If the hosting capacity map shows insufficient capacity, the Application will not be considered by the Board, unless the Applicant provides: 1) a letter from the relevant EDC indicating that the hosting capacity map is incorrect in that location, or 2) an assessment from the relevant EDC of the cost of the interconnection upgrade that would be required to enable the interconnection of the proposed system, and a commitment from the Applicant to pay those upgrade costs if the project were to be selected by the Board.

Exception: Projects located in PSE&G service territory for which the hosting capacity map shows insufficient capacity available at the planned location may be eligible for a waiver of this requirement. If this application is seeking to exercise this waiver, please check “Yes” below and attach the waiver requirements as described in the Board’s Order:

<https://www.njcleanenergy.com/files/file/CommunitySolar/FY21/8E%20-%20ORDER%20PSEG%20Interconnection.pdf>.

This project is exercising the PSE&G hosting capacity map waiver: Yes No

6. The Applicant has conducted an interconnection study for the proposed system (optional) Yes No
 If "Yes," include the interconnection study received from the EDC.

IX. Community Solar Subscriptions and Subscribers

1. Estimated or Anticipated Number of Subscribers (please provide a good faith estimate or range):
 90 - 100 _____

2. Estimated or Anticipated Breakdown of Subscribers (please provide a good faith estimate or range of the kWh of project allocated to each category):
 Residential: 600 _____ Commercial: _____
 Industrial: _____ Other: _____
 (define "other": _____)

3. The proposed community solar project is an LMI project* Yes No
 *An LMI project is defined pursuant to N.J.A.C. 14:8-9 as a community solar project in which a minimum 51 percent of project capacity is subscribed by LMI subscribers.

4. The proposed community solar project has a clear plan for effective and respectful customer engagement process. Yes No
 If "Yes," attach evidence of experience on projects serving LMI communities or partnerships with organizations that have experience serving LMI communities.

5. The proposed community solar project will allocate at least 51% of project capacity to residential customers Yes No

6. An affordable housing provider is seeking to qualify as an LMI subscriber for the purposes of the community solar project Yes No
 If "Yes," estimated or anticipated percentage of the project capacity for the affordable housing provider's subscription (provide an estimate or range): _____

If "Yes," what specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription are being passed through to their residents/tenants?

The system owners are modeling a 15% savings to the community subscribers.



Additionally, the affordable housing provider must attach a signed affidavit that the specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription will be passed through to their residents/tenants.

If "No," please be aware that, if, at any time during the operating life of the community solar project an affordable housing provider wishes to subscribe to the community solar project as an LMI subscriber, it must submit a signed affidavit that the specific, substantial, identifiable, and quantifiable benefits from the community solar subscription will be passed through to its residents/tenants.

7. This project uses an anchor subscriber (optional) Yes No
 If "Yes," name of the anchor subscriber (optional): _____
 Estimated or anticipated percentage or range of the project capacity for the anchor subscriber's subscription: _____

8. Is there any expectation that the account holder of a master meter will subscribe to the community solar project on behalf of its tenants? Yes No
 If "Yes," what specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription are being passed through to the tenants?



Additionally, the account holder of the master meter must attach a signed affidavit that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to the tenants.

If "No," please be aware that, if, at any time during the operating life of the community solar project the account holder of a master meter wishes to subscribe to the community solar project on behalf of its tenants, it must submit to the Board a signed affidavit that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to its tenants.

9. The geographic restriction for distance between project site and subscribers is: (select one)
 No geographic restriction: whole EDC service territory
 Same county OR same county and adjacent counties
 Same municipality OR same municipality and adjacent municipalities

Note: The geographic restriction selected here will apply for the lifetime of the project, barring special dispensation from the Board, pursuant to N.J.A.C. 14:8-9.5(a).



10. Product Offering for LMI subscribers: *(The Applicant must also complete and attach one or more product offering form(s) found in Appendix A. See Appendix A for exemptions.)*

The subscription proposed offers guaranteed or fixed savings to subscribers Yes No

If "Yes," the guaranteed or fixed savings are offered as:

- A percentage saving on the customer's annual electric utility bill
- A percentage saving on the customer's community solar bill credit
- Other: _____

If "Yes," the proposed savings represent:

- 0% - 5% of the customer's annual electric utility bill or bill credit
- 5% - 10% of the customer's annual electric utility bill or bill credit
- 10% - 20% of the customer's annual electric utility bill or bill credit
- over 20% of the customer's annual electric utility bill or bill credit

The subscription proposed offers subscribers ownership or a pathway to ownership of a share of the community solar facility Yes No

If "Yes," include proof of a pathway to ownership of a share of the community solar facility offered to the subscribers in Appendix A.

11. Product Offering for non-LMI subscribers: *(The Applicant must also complete and attach one or more product offering form(s) found in Appendix A. See Appendix A for exemptions.)*

The subscription proposed offers guaranteed or fixed savings to subscribers Yes No

If "Yes," the guaranteed or fixed savings are offered as:

- A percentage saving on the customer's annual electric utility bill
- A percentage saving on the customer's community solar bill credit
- Other: _____

If "Yes," the proposed savings represent:

- 0% - 5% of the customer's annual electric utility bill or bill credit
- 5% - 10% of the customer's annual electric utility bill or bill credit
- 10% - 20% of the customer's annual electric utility bill or bill credit
- over 20% of the customer's annual electric utility bill or bill credit

The subscription proposed offers subscribers ownership or a pathway to ownership of a share of the community solar facility Yes No

If "Yes," include proof of a pathway to ownership of a share of the community solar facility offered to the subscribers in Appendix A.

12. The list of approved community solar projects will be published on the Board’s website. Additionally, subscriber organizations have the option of indicating, on this list, that the project is currently seeking subscribers.

If this project is approved, the Board should indicate on its website that the project is currently seeking subscribers Yes No

If “Yes,” the contact information indicated on the Board’s website should read:

Company/Entity Name: Herring Management Inc Contact Name: James Herring
 Daytime Phone: 609-240-4407 Email: jph@herringproperties.com

*It is the responsibility of the project’s subscriber organization to notify the Board if/when the project is no longer seeking subscribers, and request that the Board remove the above information on its website.

X. Community Engagement

1. The proposed community solar facility is located on land or a building owned or controlled by a government entity, including, but not limited to, a municipal, county, state, or federal entity Yes No

2. The proposed community solar project is being developed by or in partnership or collaboration* with the municipality in which the project is located Yes No

If “Yes,” explain how and attach evidence of the project being developed by or in partnership or collaboration with the municipality in which the project is located.

*Partnership or collaboration with the municipality is defined as clear and ongoing municipal involvement in the approval of the design, development, or operation of the proposed community solar project (e.g. project is located on a municipal site, municipality facilitating subscriber acquisition, municipal involvement in defining the subscription terms, etc.). Examples of evidence may include a formal partnership, a municipal request for proposals or other public bidding process, letter describing the municipality’s involvement in the project or meeting minutes. Documentation must be specific to the project described in this Application; “generic” documentation of support that applies to multiple projects submitted by the same Applicant will not be accepted.

3. The proposed community solar project is being developed by or in partnership or collaboration* with one or more local community organization(s) and/or affordable housing providers in the area in which the project is located Yes No

If “Yes,” explain how and attach evidence of the project being developed by or in partnership or collaboration with the local community organization(s) and/or affordable housing providers.

*Partnership or collaboration is defined as clear and ongoing involvement by the local community organization(s) and/or affordable housing providers in the approval of the design, development, or operation of the proposed community solar project (e.g. community organization owns the proposed site, community organization is facilitating subscriber acquisition or was involved in the design of the community solar product offering, etc.). Documentation must be specific to the project described in this Application; “generic” documentation of support that applies to multiple projects submitted by the same Applicant will not be accepted.

4. The proposed community solar project was developed, at least in part, with support and in consultation with the community in which the project is located* Yes No

If “Yes,” please describe the consultative process below.

*A community consultative process may include any of the following: letter of support from municipality and/or community organizations and/or local affordable housing provider demonstrating their awareness and support of the project; one or more opportunities for public intervention; and/or outreach to the municipality and/or local community organizations and/or affordable housing provider.

XI. Project Cost

This section, “Project Cost,” is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. In all other cases, this section is required.

1. Provide the following cost estimates and attach substantiating evidence in the form of an unlocked Excel spreadsheet model:

See Attached spreadsheet

Applicants are expected to provide a good faith estimate of costs associated with the proposed community solar project, as they are known at the time the Application is filed with the Board. This information will not be used in the evaluation of the proposed community solar project.

Net Installed Cost (in \$)	1,200,000
Net Installed Cost (in \$/Watt)	2.0
Initial Customer Acquisition Cost (in \$/Watt)	0.08
Annual Customer Churn Rate (in %)	5%
Annual Operating Expenses (in c/kWh)	2.2
Levelized Cost of Energy ("LCOE") (in c/kWh)	9.8

- Pursuant to N.J.A.C. 14:8-9.7(q), "community solar projects shall be eligible to apply, via a one-time election prior to the delivery of any energy from the facility, for SRECs or Class I RECs, as applicable, or to any subsequent compensations as determined by the Board pursuant to the Clean Energy Act." Consistent with the Clean Energy Act of 2018, the Board is no longer accepting applications for the SREC Registration Program ("SRP"). Projects granted conditional approval to participate in PY2 will be eligible to apply for the TI Program.

For indicative purposes only, please indicate all local, state and federal tax incentives which will be applied to if the proposed community solar project is approved for participation in the Community Solar Energy Pilot Program:

Federal Investment Tax Credit
 NJ TREC program

XII. Other Benefits

- The proposed community solar facility will be paired with storage Yes No
 If "Yes," please describe the proposed storage facility:
 - Storage system size: _____ MW _____ MWh
 - The storage offtaker is also a subscriber to the proposed community solar facility
 Yes No

*Community solar credits will only be provided to community solar generation; credits will not be provided to energy discharged to the grid from a storage facility (i.e. no "double counting").

- The proposed community solar facility will be paired with one or more EV charging stations
 Yes No
 If "Yes," how many EV charging stations: _____
 Will these charging stations be public and/or private? _____
 Please provide additional details:

3. The proposed community solar facility will provide energy audits and/or energy efficiency improvements to subscribers..... Yes No

If "Yes," please provide additional details:

The solar development company that Herring Properties intends to partner with has extensive experience with energy efficient in multifamily assets. The team will put together a plan for properties and subscribers to help them reduce their energy use by implementing low cost efficiency initiatives e.g. LED bulbs, energy management best practices, etc...

4. The proposed community solar project will create temporary or permanent jobs in New Jersey Yes No

If "Yes," estimated number of temporary jobs created in New Jersey: 30

If "Yes," estimated number of permanent jobs created in New Jersey: 2

If "Yes," explain what these jobs are:

Construction of the solar array and ongoing maintenance of the solar array.

5. The proposed community solar project will provide job training opportunities for local solar trainees Yes No

If "Yes," will the job training be provided through a registered apprenticeship? Yes No

If "Yes," identify the entity or entities through which job training is or will be organized (e.g. New Jersey GAINS program, partnership with local school):

XIII. Special Authorizations and Exemptions

1. Is the proposed community solar project co-located with another community solar facility (as defined at N.J.A.C. 14:8-9.2)? Yes No

If "Yes," please explain why the co-location can be approved by the Board, consistent with the provisions at N.J.A.C. 14:8-9

2. Does this project seek an exemption from the 10-subscriber minimum? Yes No
 If "Yes," please demonstrate below (and attach supporting documents as relevant):
- a. That the project is sited on the property of a multi-family building.
 - b. That the project will provide specific, identifiable, and quantifiable benefits to the households residing in said multi-family building.

3. Specific sections throughout the Application Form are identified as optional only if: 1) the Applicant is a government entity (municipal, county, or state), and 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. Is the Applicant a government entity that plans to select the developer via such bidding process? Yes No
 If "Yes," attach a letter describing the proposed bidding process and a copy of the request for bids (RFP, RFQ, or other bidding document) that is ready to be issued if the project is granted conditional approval by the Board. The Applicant must further commit to issuing said RFP, RFQ, or other bidding process within 90 days of the proposed project being approved by the Board for participation in the Community Solar Energy Pilot Program. The Applicant will be required to provide the information contained in those optional sections to the Board once it becomes known.

4. Has the proposed community solar project received, in part or in whole, a subsection (t) conditional certification from the Board prior to February 19, 2019? Yes No
 If "Yes," the project may apply to participate in the Community Solar Energy Pilot Program if it commits to withdrawing the applicable subsection (t) conditional certification immediately if it is approved by the Board for participation in the Community Solar Energy Pilot Program. Attach a signed affidavit that the Applicant will immediately withdraw the applicable subsection (t) conditional certification if the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program.

5. The Board has proposed an amendment to the Pilot Program rules, which, if approved, would allow municipally-owned community solar projects to submit an application for a project that requests an exemption from the provisions at N.J.A.C. 14:8-9.10(b)(1) mandating subscriber enrollment via affirmative consent (i.e. an opt-out community solar project). Projects that intend

to utilize opt-out subscriber enrollment if the proposed rule amendment is approved by the Board must indicate such intent below. If the Application is selected but the proposed rule amendment is not approved by the Board, the project will be required to proceed using affirmative consent (i.e. "opt-in") subscriber enrollment rules, as currently provided for in the Pilot Program rules at N.J.A.C. 14:8-9.10(b)(1).

A. This Application is for an opt-out community solar project..... Yes No

B. The proposed opt-out project will be owned and operated by the municipality for the duration of the project life (excluding a possible period of temporary third-party, tax-credit investor ownership to maximize the financeability of the opt-out project, subject to appropriate contractual provisions that maintain the municipality's ultimate control of the proposed opt-out project)..... Yes No

If "Yes," the municipality name is: _____

If "No," the project will not be considered for eligibility as an opt-out community solar project.

C. The proposed opt-out project has been authorized by municipal ordinance or resolution Yes No

If "Yes," attach a copy of the municipal ordinance or resolution allowing the development, ownership, and operation an opt-out community solar project, contingent on the proposed rules being approved by the Board.

If "No," the project will not be considered for eligibility as an opt-out community solar project.

D. The proposed opt-out project will allocate all project capacity to LMI subscribers Yes No

If "No," the project will not be considered for eligibility as an opt-out community solar project.

E. Describe the process by which the municipality will identify the customers that will be automatically enrolled in the proposed opt-out project: _____

F. The municipal applicant has reviewed the proposed rule amendment allowing for opt-out projects, and agrees to adhere to the proposed rules and any subsequent modification if they are approved by the Board. The applicant understands that any approval for the project to operate as an opt-out community solar project is contingent on the proposed rule amendment being approved by the Board. The applicant understands that, if the proposed rule amendment is not approved by the Board, the project, if approved, will be required to



adhere to the existing "opt-in" rules for subscriber enrollment (N.J.A.C. 14:8-9.10(b)(1)).

..... Yes No

Attach an affidavit that the municipal project owner will comply with all applicable rules and regulations, particularly those relating to consumer privacy and consumer protection.



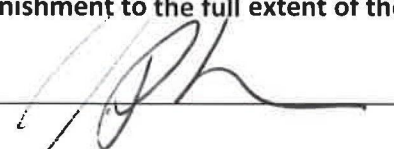
Section C: Certifications

Instructions: Original signatures on all certifications are required. All certifications in this section must be notarized; instructions on how to submit certifications will be provided as part of the online application process. Certifications must be dated after October 3, 2020: PY1 certifications may not be reused in PY2.

Applicant Certification

The undersigned warrants, certifies, and represents that:

- 1) I, James Herring (name) am the president (title) of the Applicant Herring Management Inc (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the Transition Incentive Program, if applicable; and
- 5) My organization understands that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
- 6) I acknowledge that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: 

Date: 2-2-2021

Print Name: James Hering

Title: President

Company: Herring Management Inc

Signed and sworn to before me on this 2nd day of February, 2021



Signature

Susan Burton

Name

SUSAN BURTON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/14/2022

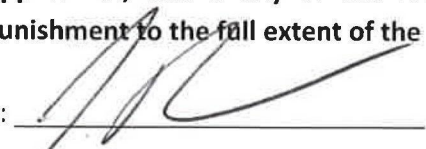


Project Developer Certification

This Certification "Project Developer / Installer" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process. In all other cases, this Certification is required.

The undersigned warrants, certifies, and represents that:

- 1) I, James Herring (name) am the President (title) of the Project Developer Herring Management Inc (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the Transition Incentive Program, if applicable; and
- 5) My organization understands that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
- 6) I acknowledge that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature:  Date: 2-2-2021

Print Name: James Herring
 Title: President Company: Herring Management Inc

Signed and sworn to before me on this 2nd day of February, 2021



Signature
Susan Burton

Name
SUSAN BURTON
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires 3/14/2022



Project Owner Certification

The undersigned warrants, certifies, and represents that:

- 1) I, James Herring (name) am the President (title) of the Project Owner Herring Management Inc (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the Transition Incentive Program, if applicable; and
- 5) My organization understands that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
- 6) I acknowledge that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature: [Handwritten Signature] Date: 2-2-2021

Print Name: James Herring
Title: President Company: Herring Management Inc

Signed and sworn to before me on this 2nd day of February, 2021

[Handwritten Signature: Susan Burton]
Signature
Susan Burton
Name

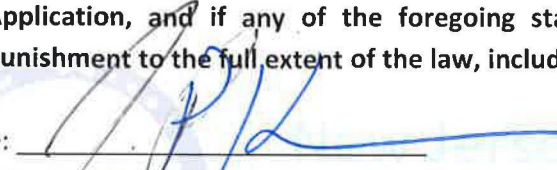
SUSAN BURTON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 3/14/2022



Property Owner Certification


The undersigned warrants, certifies, and represents that:

- 1) I, James Herring (name) am the Member (title) of the Property Herring Land Group LLC (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package pertaining to siting and location of the proposed community solar project has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) My organization or I understand that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
- 4) I acknowledge that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature:  Date: 2-2-2021

Print Name: James Herring
 Title: Member Company: Herring Land Group LLC

Signed and sworn to before me on this 2nd day of February, 2021


 Signature
Susan Burton
 Name

SUSAN BURTON
 NOTARY PUBLIC OF NEW JERSEY
 My Commission Expires 3/14/2022

Section D: Appendix

Appendix A: Product Offering Questionnaire

Complete the following Product Offering Questionnaire. If there are multiple different product offerings for the proposed community solar project, please complete and attach one Product Offering Questionnaire per product offering. Variations in any product offering require a separate Product Offering Questionnaire. Applicants are expected to provide a good faith description of the product offerings developed for the proposed community solar project, as they are known at the time the Application is filed with the Board. If the proposed project is approved by the Board, the Applicant must notify the Board and receive approval from the Board for any modification or addition to a Product Offering Questionnaire.

Exception: This "Product Offering Questionnaire" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process.

This Questionnaire is Product Offering number 1 of 1 (total number of product offerings).

This Product Offering applies to:

- LMI subscribers
- non-LMI subscribers
- both LMI and non-LMI subscribers

1. Community Solar Subscription Type (examples: kilowatt hours per year, kilowatt size, percentage of community solar facility's nameplate capacity, percentage of subscriber's historical usage, percentage of subscriber's actual usage): kWh per year

2. Community Solar Subscription Price: (check all that apply)
 - Fixed price per month
 - Variable price per month, variation based on: _____
 - The subscription price has an escalator of _____ % every _____ (interval)

3. Contract term (length): 12 months, or _____ years OR month-to-month

4. Fees
 - Sign-up fee: _____
 - Early Termination or Cancellation fees: _____
 - Other fee(s) and frequency: _____

5. Does the subscription guarantee or offer fixed savings or specific, quantifiable economic benefits to the subscriber? Yes No



If "Yes," the savings are guaranteed or fixed:

- As a percentage of monthly utility bill
- As a fixed guaranteed savings compared to average historic bill
- As a fixed percentage of bill credits
- Other: _____

6. Special conditions or considerations:

The owner of the solar facility intends to work with a construction partner that has relationships with Urban Land Institute and the Stewards of Affordable Housing for the Future. We will work with these partners to access affordable housing asset owners and LMI subscribers and provide savings to the local LMI community.



Appendix B: Required Attachments Checklist

Note that this list is for indicative purposes only. Additional attachments may be required, and as identified throughout this Application Form. Please review the Application Form in its entirety, and attach attachments as required. The page numbers reference the pages from the [Application Form](#) as it was originally approved by the Board, not as they may appear in this fillable PDF.

Required Attachments Attachments marked with an asterisk (*) are only required if the project meets the specified criteria. All others are required for all Applications.	Reference Page Number	Attached?
Delineated map of the portion of the property on which the community solar facility will be located (in color).	p. 10	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Proof of site control.	p. 10	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(*) If the proposed project is located, in part or in whole on a rooftop: substantiating evidence that the roof is structurally able to support a solar system.	p. 12	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(*) If the proposed project is located on an area designated in need of redevelopment: proof of the designation of the area as being in need of redevelopment from a municipal, county, or state entity.	p. 13	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(*) If the proposed project is located in an Economic Opportunity Zone ("EOZ"), as defined by DCA: proof that the facility is located in an EOZ.	p. 13	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(*) If the proposed project is located on land or a building that is preserved by a municipal, county, or federal entity: proof of the designation of the site as "preserved" and that the designation would not conflict with the proposed solar facility.	p. 13	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Copy of the completed Permit Readiness Checklist.	p. 14	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
A screenshot of the EDC capacity hosting map at the proposed location, showing the available capacity (in color).	p. 16	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Substantiating evidence of project cost in the form of charts and/or spreadsheet models.	p. 20	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Product Offering Questionnaire(s) in Appendix A.	p. 30 – 31	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Certifications in Section C.	p. 25 – 29	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Optional Attachments Attachments marked with an asterisk (*) only apply if the project meets the specified criteria.	Reference Page Number	Attached?
(*) If the project is located, in part or in whole, on a brownfield: copy of the Response Action Outcome (issued by the LSRP) or the No Further Action letter (issued by DEP).	p. 12	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(*) If the project is located, in part or in whole, on an area of historic fill: copy of the Response Action Outcome (issued by the LSRP) or the No Further Action letter (issued by DEP).	p. 12	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Substantiating evidence that the proposed community solar facility has been specifically designed or planned to preserve or enhance the site (e.g. landscaping, site and enhancements, pollination support, etc.).	p. 14	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



Proof of a meeting with NJDEP Office of Permitting and Project Navigation (“OPPN”), if applicable. (*) Proof of a meeting with OPPN is optional, except for projects that are in part or in whole a floating solar project. (*) If the Applicant met with OPPN (formerly PCER) during PY1, and there have been no changes to the project or site characteristics, include any comments received from OPPN on the PY1 Application.	p. 14	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Permits received for this site or project.	p. 15	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Evidence of experience on projects serving LMI communities or partnerships with organizations that have experience serving LMI communities	p.16	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(*) If an affordable housing provider is seeking to qualify as an LMI subscriber for purposes of the community solar project: signed affidavit from the affordable housing provider that the specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription will be passed through to their residents/tenants.	p. 17	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(*) If the account holder of a master meter will subscribe on behalf of its tenants: signed affidavit from the account holder that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to the tenants	p. 17	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Evidence that the proposed project is being developed by or in partnership and collaboration with the municipality in which the project is located.	p. 19	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Evidence that the proposed project is being developed in partnership or collaboration with one or more local community organization(s) and/or affordable housing providers in the area in which the project is located.	p. 19 – 20	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Evidence that the proposed project is being developed with support and in consultation with the community in which the project is located.	p. 20	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(*) If the project is seeking an exemption from the 10-subscriber minimum rule: supporting documents if needed.	p. 22	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Required Attachments for Exemptions	Reference Page Number	Attached?
If the Applicant is a government entity (municipal, county, or state), and the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process: ⇒ Attach a letter from the Applicant describing the bidding process and a copy of the request for bids (RFP, RFQ, or other bidding document) that is ready to be issued if project is granted conditional approval by the Board.	p. 22	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If the proposed community solar project is located, in part or in whole, on Green Acres preserved open space or on land owned by NJDEP. ⇒ Attach special authorization from NJDEP for the site to host a community solar facility.	p. 11	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<p>If the proposed community solar project has received, in part or in whole, a subsection (t) conditional certification from the Board prior to February 19, 2019.</p> <p>⇒ Attach a signed affidavit that the Applicant will immediately withdraw the applicable subsection (t) conditional certification if the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program.</p>	p. 22	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>If the proposed community solar project plans to operate as a municipal opt-out project, contingent on the Board's approval the relevant proposed rules.</p> <p>⇒ Attach a copy of the municipal ordinance or resolution allowing the development, ownership, and operation an opt-out community solar project, contingent on the proposed rules being approved by the Board</p> <p>⇒ Attach an affidavit that the municipal project owner will comply with all applicable rules and regulations, particularly those relating to consumer privacy and consumer protection.</p>	p. 23	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	p. 24	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



Appendix C: Evaluation Criteria

The Evaluation Criteria chart below lists the various categories that the Board will consider in evaluating project Applications. Projects must score a minimum of 50 points total in order to be considered for participation in the Community Solar Energy Pilot Program. Projects that score above 50 points will be awarded program capacity in order, starting with the highest-scoring project and proceeding to the lowest-scoring project, until the capacity for each EDC territory is filled. The last project to be selected by the Board will be granted conditional approval for its full capacity.

Evaluation Criteria	Max. Points (total possible points: 100)
<p>Low- and Moderate-Income and Environmental Justice Inclusion Higher preference: LMI project</p>	25
<p>Siting Higher preference, e.g.: landfills, brownfields, areas of historic fill, rooftops, parking lots, parking decks, canopies over impervious surfaces (e.g. walkway), former sand and gravel pits, floating solar on water bodies at sand and gravel pits that have little to no established floral and faunal resources (*) Medium preference, e.g.: floating solar on water bodies at water treatment plants that have little to no established floral and faunal resources (*)</p> <p>No Points, e.g.: preserved lands, wetlands, forested areas, farmland</p> <p>Bonus points for site enhancements, e.g. landscaping, land enhancement, pollination support (**)</p> <p>Bonus points if project is located in a redevelopment area or an economic opportunity zone (**)</p> <p>*Note: Applicants with a floating solar project must meet with DEP prior to submitting an Application, and take special notice of DEP’s siting guidelines.</p> <p><i>The siting criteria for floating solar located at sand and gravel pits that have little to no established floral and faunal resources has been moved from “medium preference” to “higher preference” per a Board Order dated January 7, 2021.</i></p> <p>**Note: bonus points will only be available for projects in the “higher” or “medium” preference siting categories. Projects in the “No Points” siting categories are not eligible for bonus points.</p>	<p>20</p> <p>Max. possible bonus points: 3</p> <p>Max. possible bonus points: 2</p>



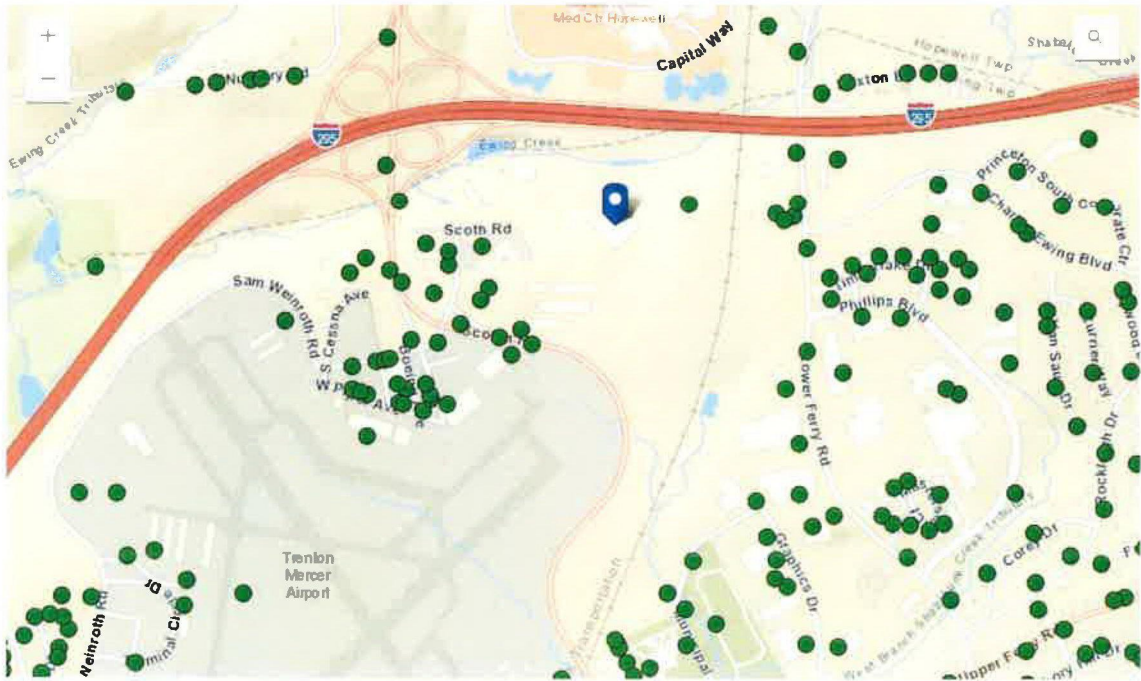
<p>Community and Environmental Justice Engagement Higher preference: formal agreement, ongoing collaboration or effective partnership with municipality and/or local community organizations and/or affordable housing provider (per Section X, Questions 1, 2, and 3) Medium preference: consultation with municipality and/or local community organization(s) and/or or affordable housing provider (per Section X, Question 4) No Points: no collaboration or collaboration has not been proven</p>	15
<p>Product Offering Higher preference: guaranteed savings >20%, flexible terms* Medium preference: guaranteed savings >10%, flexible terms* Low preference: guaranteed savings >5% No Points: no guaranteed savings, no flexible terms* *Flexible terms may include: no cancellation fee, short-term contract</p>	15
<p>Other Benefits Higher preference: Provides jobs and/or job training and/or demonstrates co-benefits (e.g. paired with storage, EV charging station, energy audits, energy efficiency)</p>	10
<p>Geographic Limit within EDC service territory Higher preference: municipality/adjacent municipality Medium preference: county/adjacent county No Points: any geographic location within the EDC service territory</p>	5
<p>Project Maturity Higher preference: project has received all non-ministerial permits; project has completed an interconnection study</p>	5

EDC Hosting Capacity Map Screenshot

Legend

SolarPowerSuitability

- >1000kW
- 100-1000kW
- < 100kW



Preliminary Solar Layout



THE TOWNSHIP OF EWING

Municipal Complex
2 Jake Garzio Drive
Ewing, NJ 08628



Page 1 of 1
Phone: (609) 883-2900

APPLICANT'S NAME: Herring Land Group, LLC ADDRESS: 400 Airport Dr. off Sam Weinroth Rd.

SECTION: 371 LOTS: 3.05 MAP PAGE: 65

ADJACENT PROPERTY OWNER LIST

BLOCK: ALL LOT: ALL

Sunoco Pipeline L.P.
Right of Way Dept.
Montello Complex
525 Fritztown Road
Sinking Spring, PA 19608

Public Service Electric and Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102

D & R Canal Commission
33 Risler Street
PO Box 539
Stockton, NJ 08559-0539

Mercer County Planning Board
McDade Administration Building
640 South Broad Street, PO Box 8068
Trenton, NJ 08650

NJ Department of Transportation
c/o Commissioner-Officer of Major Access
1035 Parkway Avenue, CN 600
Trenton, NJ 08625

Clerk of Hopewell Township
201 Washington Crossing Pennington Road
Titusville, NJ 08560

MUST ALSO OBTAIN 200 FOOT PROPERTY OWNERS LIST FOR PROPERTIES LOCATED WITHIN 200 FEET IN THE TOWNSHIP OF HOPEWELL

PROPERTY ID	PROPERTY LOCATION	CLASS	OWNERS NAME & ADDRESS
368 1	1515 LOWER FERRY RD	4A	FVHD, LLC. 1515 LOWER FERRY RD EWING NJ 08628
368 1 B01	1515 LOWER FERRY RD BILLBOARD	4A	INTERSTATE OUTDOOR ADVERTISING, LP 905 NORTH KINGS HWY CHERRY HILL, NJ 08034
368 10	1499 LOWER FERRY RD	4A	SHIVKRUPA FAMILY LP/MAHADEV MGMT 1499 LOWER FERRY RD EWING, NJ 08618
368 13	LOWER FERRY RD	15C	COUNTY OF MERCER 640 SO BROAD ST TRENTON NJ 08650
369 1	RAILROAD	5A	CONSOLIDATED RAIL CORPORATION 1818 MARKET STREET PHILADELPHIA, PA. 19103
371 2	300 SCOTCH RD COUNTY GARAGE	15C	COUNTY OF MERCER 640 S BROAD ST TRENTON NJ 08650
371 3.04	370 SCOTCH RD FORMER WACHOVIA OFFI	4A	GP PRINCETON LLC 10 COURAGEOUS CIRCLE BRISTOL, RHODE ISLAND 02809.1007
371 3.05	SCOTCH RD	1	HERRING LAND GROUP 281 WITHERSPOON ST #105 PRINCETON, NJ 08540
371 4	SCOTCH RD	1	BRISTOL-MYERS SQUIBB CO 100 MASSAU PARK BLVD PRINCETON, NJ 08540
371 9	300 SCOTCH RD REAR REAR OF COUNTY GARAG	15C	COUNTY OF MERCER 640 SOUTH BROAD ST TRENTON NJ 08650
371 13	380 SCOTCH RD	4A	GOLFINOPOULOS ASSOCIATES L P 338 GALLUP RD PRINCETON NJ 08540
371 14	380 SCOTCH RD REAR	4A	S GOLFINOPOULOS ASSOCIATES L P 338 GALLUP RD PRINCETON NJ 08540

The undersigned, being the Administrative Officer of the Township of Ewing, as defined in N.J.S.A. 40:55D-3, hereby certifies that the above information constitutes the names and addresses of the owners of all properties within 200 feet of the above referenced property.

Dated: 8/13/2020

Charles W. Latini, Jr.
Zoning Officer



701 MARKET STREET #6000 PHILADELPHIA, PA 19106
215.929.3788 | O-N.COM

PRINCIPALS

- Anthony Naccarato, PE, SECB *President*
- Mark Lunden, PE, SECB *Vice President*
- Dennis Mordan, PE, SECB *Vice President*
- Paul Panzarino, PE *Vice President*
- Rod McComas, PE, SE *Vice President*
- Scott Bauer, PE, SE, SECB, LEED AP
- James Behler, PE, SECB
- Michael Herrmann, PE, SECB
- Alan Miller, PE, SECB
- Mark Orsini, PE, SE
- Brian Rawlings, PE, SECB

FOUNDERS

- William O'Donnell, PE (retired)
- Peter Naccarato, PE (retired)

January 27, 2021

Aaron Williamson
Project Manager
Ware Malcomb
110 Edison Place, Suite 303
Newark, NJ 07102

**RE: 400 Airport Corporate Park Drive
Roof Mounted Solar Array
Ewing Township, NJ
File No. 3757.0037.00**

To Whom It May Concern,

O'Donnell & Naccarato, Inc. (O&N) is the Structural Engineer of Record for the referenced building. O&N designed the building structure to accommodate the loads associated with a rooftop photovoltaic array system. The building structure, which consists of a steel framed roof supported by precast concrete walls at the perimeter, is sufficient to support a ballasted photovoltaic system.

Should you have any questions or require additional information relative to this matter, please contact our office.

O'DONNELL & NACCARATO, INC.

Scott M. Bauer, PE, SE, SECB, LEED AP
Principal



t 732 846 8585
f 732 846 9439

261 Cleveland Avenue
Highland Park, NJ 08904

January 29, 2021

Ewing Township Planning Board
Ewing Municipal Building
2 Jake Garzio Drive
Ewing, NJ 0828

Attention: Charles Latini, Township Planner

Re: Airport Corporate Park Warehouse
Ewing Township, Mercer County
Zone: IP-1 Industrial Park
Application No. PBA-20-004
MEA #2009.079.01

Dear Charles:

Enclosed please find two (2) copies of the following:

- Engineering Site Plans, revised through January 25, 2021
- Stormwater Management Report, revised through December 4, 2020
- Operation & Maintenance Manual, revised through December 4, 2020
- Outside Agency Approvals, Permits & Correspondence
- NJDEP Attachment D-Stormwater Summary

This information has been provided in response to the Planning Board of the Township of Ewing Resolution, dated September 3, 2020. Specifically, the following is offered:

Conditions of Approval:

1. The Truck Movement Plan has been reviewed and accepted by the Fire Chief.
2. The project proposed eighty-three (83) parking spaces, thirty-two (32) trailer parking spaces and seventeen (17) loading dock spaces are proposed.
3. Sidewalks along parking spaces are a minimum of 6 feet wide.
4. No comment.
5. The fire lane has been reviewed and accepted by the Fire Chief. No gates are proposed at the fire lane entrances.
6. The applicant would prefer to install the asphalt island and stripe the island.
7. A note has been added to the General Notes on Sheet GU-3.
8. The details have been revised and a note has been added to the Construction Detail Notes on Sheets DE-1 through DE-6.
9. No comment.

10. The NJDEP and DRCC have reviewed and approved the stormwater and infiltration basin design to be in accordance with their regulations. The basin has been designed to be over excavated and replaced with clean permeable material.
11. The bottom of the infiltration basin bottom has been raised from elevation 172.5 to 175.
12. A Groundwater Mounding Report is enclosed.
13. Same as number 10.
14. The basin outlet pipe has been relocated to discharge directly into the creek.
15. The flood hazard area is depicted on the site plans. A reference has been added on Sheet OP-1.
16. NJDEP Attachment D-Stormwater Summary is enclosed.
17. The Operation and Maintenance Manual has been revised accordingly.
18. The Operation and Maintenance Manual shall be deed recorded.
19. The Operation and Maintenance Manual has been revised accordingly.
20. The Operation and Maintenance Manual has been revised accordingly.
21. The Operation and Maintenance Manual has been revised accordingly.
22. The Operation and Maintenance Manual has been revised accordingly.
23. The Operation and Maintenance Manual has been revised accordingly.
24. A note has been added on Sheet GU-2.
25. The sewer and water system have been reviewed and approved by the respective agencies.
26. Sprinkler design calculations shall be submitted under separate cover.
27. Fire hydrants and the sprinkler connection location have been reviewed and accepted by the Fire Chief.
28. Details of the Monument Signs are provided on Sheet DE-5.
29. Details of the guide rail have been added on Sheet DE-3.
30. Note 3.c. has been added to the Detectable Warning Surface detail on Sheet DE-3.
31. The Inter-Block Retaining Wall detail is provided on Sheet DE-4. A note is provided that signed and sealed calculations shall be submitted to the Township Engineer for review and approval.
32. The trash enclosure detail has been removed.
33. Inlet castings are specified on Sheet DE-1.
34. The applicant would prefer to install an 18-foot wide stone access drive and a cross-section detail has been provided.
35. The trash compactor is proposed to be located in the loading zone.
36. NJDEP Flood Hazard, Wetland and LOI Permits are enclosed.
37. A note has been added to the General Notes on Sheet GU-3.
38. Trenton Water Works approval letter is enclosed.
39. Boulders and a stone border have been added along the northern driveway.
40. Applicant shall comply with the Fire Chief requests.
41. The southside driveway shall be for emergency access.
42. Signage shall be reviewed by the Board Planner.
43. A note has been added to the General Notes on Sheet GU-3.

Outside Agency Approvals:

- a. Mercer County Planning Board - October 14, 2020 Approval.
- b. Mercer County Soil Conservation District Certification – November 5, 2020 Approval.

- c. Delaware & Raritan Canal Commission Certification – January 4, 2021 staff report indicates the project has been designed in accordance with the stormwater management requirements. The required stream corridor details have been submitted and have been verbally accepted. An approved staff report shall be submitted upon receipt.
- d. Ewing-Lawrence Sewerage Authority - October 20, 2020 Resolution.
- e. Trenton Water Works - December 31, 2020 Approval.
- f. Fire Chief (Michael Anderson) – Addressed August 11, 2020 review letter, addressed January 6, 2021 minor comments, awaiting final approval.
- g. NJDEP Land Use Regulation Program:
 - Letter of Interpretation – December 17, 2019 Line Verification, April 21, 2020 recorded LOI deed
 - Flood Hazard & Wetlands Permits – Received January 26, 2021 email from NJDEP indicating permit was issued. Permits shall be submitted upon receipt.

Should you have any questions regarding this application or require additional information, please do not hesitate to contact this office.

Very truly yours,



William A. Lane, PE
Executive Vice President

WAL

Enclosures

cc: Michael Angelastro, Township Engineer w/ enclosures
ec: James P. Herring
Keith Fitzgerald

**EWING TOWNSHIP PLANNING BOARD
RESOLUTION 2020-07**

IN THE MATTER OF HERRING LAND GROUP, LLC FOR PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH VARIANCES TO CONSTRUCT A 129,153 S.F. WAREHOUSE WITH 17 LOADING DOCKS AND 2 DRIVE-IN DOORS, 32 TRAILER STORAGE SPACES AND 83 PARKING SPACES, SIGNAGE VARIANCES TOGETHER WITH VARIOUS SITE IMPROVEMENTS.	FINDINGS OF FACT AND CONCLUSIONS OF LAW Block 371, Lot 3.05 Ewing Township, Mercer County Zone: IP-1 Industrial Park Application No. PBA-20-004 Approval Date: September 3, 2020
---	--

BE IT RESOLVED by the Planning Board of the Township of Ewing ("Board") that the action of this Board on September 3, 2020 in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The premises (approximately 22.61 ± acres) which is the subject of this application has frontage on Sam Weinroth Road/Scotch Road/400 Airport Corporate Drive, is designated on the Township Tax Map as Block 371, Lot 3.05 and is located in the Industrial Park District (IP-1 Zone).
2. The Applicant is seeking the following:
 - A. Preliminary and Final Site Plan Approval to construct a 129,153 s.f. warehouse with seventeen (17) loading docks and two (2) drive-in doors, thirty-two (32) trailer storage spaces and eighty-three (83) parking spaces, together with various site improvements such as lighting, landscaping and stormwater management;
 - B. Variances and/or design waivers/exceptions from the zoning site or site plan standards applicable to the IP-1 Zoning District as are necessary to develop the Premises in the manner described above.

3. **ZONING REQUIREMENTS**

- A. **Use:**
The proposed warehouse use is a permitted use in the zone.
- B. **Area and Bulk Requirements:**

Item	Required	Proposed	Compliance
Principal Building			
Minimum Lot Area	3 acres	22.61 acres	C
Minimum Lot Width	250 ft.	315 ft.	C
Minimum Front Yard	75 ft.	235.9 ft.	C
Minimum Side Yard	35 ft.	150 ft.	C
Minimum Side Yard, Total of Two (2)	100 ft.	178.5 ft.	C
Minimum Rear Yard	75 ft.	291.9 ft.	C
Maximum Building Height	40 ft./3 stories	44 ft./1 story	V
Maximum Impervious Coverage	70%	33.04%	C
Maximum Building Coverage	35%	13.1%	C
Minimum Parking Setback-Front	Not Permitted	N/A	C
Minimum Parking Setback-Side	20 ft.	10 ft.	V
Minimum Side Yard-Railroad Row	0	28.51 ft.	C
Trash/Recycling Storage			
Minimum Side Yard	10 ft.	>100 ft.	C
Minimum Rear Yard	5 ft.	N/A	C
Parking	70*	83	C
Loading	8	16	C
Number of Permitted Ground Signs	1 per lot frontage	1 new sign (Lot 3.05) 2 existing signs (Lot 3.04 previously approved signs)	V
Ground (Monument) Sign Maximum	6 ft.	4 ft.**	C
Minimum Setback from R.O.W.	10 ft.	N/A	C
Maximum Square Footage	32 s.f.	28 s.f.	C
Item	Required	Proposed	Compliance
Façade (Building) Sign:			
Quantity	1	5	V
Maximum Square Feet	40 s.f.	863 s.f.***	V
Minimum Ground Clearance	10 ft.	28 ft.	C
Maximum Vertical Dimension	3 ft.	10 ft.	V

V-Variance **C-Complies**

*Testimony to be provided regarding number of maximum employees per shift.

**New Monument sign.

***One Tenant sign of 323 s.f. and four (4) brand signs of 135 s.f. each.

C. Township Ordinances where Variances are required:

1. Section 215.25D(1)(g)3 – Maximum building height of 44.0 ft., which does not include non-structural items or mechanical equipment, whereas 40 ft. is permitted.
2. Section 215-35C(1)(d) – A 10 ft. side yard setback to parking area is proposed whereas 20 ft. is required.
3. Section 215-37P(6)e – Two (2) signs exist offsite through prior approval and one (1) new ground (monument) sign is proposed whereas one (1) sign is permitted.
4. Section 215-37P(6)d – Five (5) façade signs are proposed whereas one (1) sign is permitted. One (1) sign is a letter sign and four (4) signs are a brand emblem.
5. Section 215-37P(6)d – The maximum square footage of a façade sign is 40 s.f. whereas the letter sign is proposed at 323 s.f. and the brand emblem signs are proposed at 135 s.f. each. Total façade signage proposed is 863 s.f.
6. Section 215-37P(6)d – The maximum vertical dimension of façade signs is 3 ft. whereas 10 ft. is proposed.
7. Sign Variances previously approved by the Board:
 1. Three (3) ground (monument) signs were approved under a previous application. Two (2) have been built offsite. The one (1) remaining ground sign is proposed to be built onsite. The additional sign is proposed to meet the minimum ordinance dimensional criteria. However, a variance is required to permit the third sign where only one (1) sign is permitted.
 2. Five (5) façade signs are proposed totaling 863 s.f.
 - a. One (1) facade sign is proposed for the wall facing Route 95. This façade sign will be lettered with tenant name and is proposed at 323 s.f.
 - b. Four (4) façade signs (one for each wall) are proposed as the owner brand symbol. Each sign/symbol is proposed to be 135 s.f. and 10 ft. high. Variances are required as only one (1) façade sign at 40 s.f. is permitted with a height of three (3) ft.

D. **Waivers**

1. Section 215-55 – To allow certain parking and driveway areas to be constructed without curb.
2. Section 215-38 – From providing a Traffic Impact Report. No exception taken to this request.
3. Section 215-36C – Parking space size from 9'x20' to 9'x18'. This waiver is applicable, as 9'x18' spaces are permitted when against a curb and 7' wide sidewalks.
4. Section 215-55(B)3 – For commercial/industrial driveway width to be 25' to 35' where 24.0 ft. is proposed. Testimony was provided to identify the locations of the proposed width and why this waiver is applicable.

4. **Resolution 2011-01, adopted by the Planning Board on March 3, 2011**

Variations Previously Granted for Medical Offices:

- I. Section 215-37(P)(c), which states that not more than one freestanding sign shall be placed on any property unless the property fronts on more than one street, whereas the Applicant proposes three signs (two on Lot 3.04 and one on Lot 3.05);
- II. Section 215-37(P)(6)(e), which establishes 25 feet as the minimum setback from the right-of-way for freestanding signs, whereas the Applicant proposes to erect a freestanding sign two-feet from the property line adjacent to Sam Weinroth Road;
- III. Section 215-37(P)(6)(d), which permits a wall/façade sign on 40 square feet, whereas the Applicant proposes a 323-square-foot wall/façade sign and permits the height of the wall/façade sign to be 3 feet, whereas the Applicant proposed a height of 15'2".

Waivers Previously Granted for Medical Offices:

- I. Providing missing elevations;
- II. Providing a Tree Survey;
- III. Section 215-57(B)(16) imposes a requirement that 5% of the parking lot be landscaped, whereas 1.3% of the parking lot shall be landscaped and that one tree be planted for each ten parking spaces, whereas one tree be planed for each 20 parking spaces.

- IV. Section 215-56(B)(1 1), which limits illumination at property line of one foot candle, whereas 3.2 foot candles are proposed in limited locations along the railroad right-of-way contiguous to Lot 3.05.
- V. Section 215-36(C)(2), which calls for 9'x20' parking stalls, whereas 9' x 18' are proposed for head-to-head spaces where there is no island between the spaces.

5. **PERFORMANCE STANDARDS**

A. **Stormwater Management Plan**

One (1) surface extended detention and infiltration storm water management basin is proposed for the proposed project. The system will provide stormwater quality and quantity management through a combination of detention and infiltration methods. A second pre-existing basin is onsite that serves an adjacent parcel. The design follows NJDEP guidelines on reduced peak flows, volume of runoff.

Stormwater Management Calculation

The flow reductions are acceptable per NJDEP criteria.

Operations and Maintenance Manual

An Operations and Maintenance Manual has been submitted.

B. **Grading**

Site grading is acceptable.

C. **Lighting**

The Lighting Plan is acceptable.

D. **Architecture**

The project proposes a 129,153 s.f., one story, forty-four (44) ft. tall, warehouse building to be constructed on-site. The architectural plans indicate the proposed floor plan layout such as storage spaces, offices, staff areas, etc. The exterior walls are proposed to be painted precast concrete wall panels. Wall colors and texture have been indicated. Testimony was provided describing the building interior layout and exterior design and color.

THE APPLICANT AND APPEARANCES

- 6. The Applicant is Herring Land Group, LLC, 281 Witherspoon Street, Suite 105, Princeton, New Jersey 08540.

7. The subject property is located at Block 371, Lot 3.05 with an address of 400 Airport Corporate Drive, Ewing Township.
8. The subject of this application is within the jurisdiction of this Board. The Board has acted within the time required by law.
9. The Applicant has submitted an Affidavit of Proof of Service of notice published in the Trenton Times. The Proof of Service comports with the notice before the Board that this matter is of the character that the applicants have presented to the Board.
10. The application was deemed complete.
11. The Applicant also requests any waivers and variances the Board deems necessary.

THE HEARING

12. A public hearing took place with regard to this application before the Ewing Township Planning Board on September 3, 2020 via Virtual Meeting through an online Zoom application, accessible to the public.

DOCUMENTS REVIEWED

13. **Documents Reviewed:**
 - August 14, 2020 letter to Chuck Latini, PP, AICP, forwarding application submission.
 - Development Application.
 - Checklist.
 - Airport Corporate Park Warehouse – Preliminary and Final Site Plan Block 371, Lot 3.05 Tax Map#65, Township of Ewing, Mercer County, New Jersey, prepared by Menlo Engineering Associates (“Menlo”), dated August 14, 2020 (31 sheets).
 - Conceptual Building Design, prepared by Ware Malcomb, dated July 24, 2020 (8 sheets).
 - Operation and Maintenance Manual for Airport Corporate Warehouse, prepared by Menlo Engineering Associates, dated August 5, 2020.
 - Stormwater Management Report for Airport Corporate Warehouse, prepared by Menlo Engineering Associates, dated August 14, 2020.
 - ALTA Survey for Lot 3.04, Block 371, prepared by James T. Sapio, dated December 13, 2013.
 - Plan of Major Subdivision for Block 371, Tax Lot 3.02, prepared by Van Cleef Engineering Associates, filed October 16, 2007.
 - NJDEP Flood Hazard Permit.
 - NJDEP Recorded LOI.
 - CD of Plans and Reports.
 - Notice of Public Hearing.
 - Affidavit of Proof of Service and Mailing, dated September 1, 2020.

TESTIMONY AND EVIDENCE PRESENTED

14. On September 3, 2020 the Applicant was represented by Frank Petrino., Esq. of Eckert Seamans Cherin & Mellott, LLC, who presented three (3) witnesses: William A. Lane, P.E., Applicant's Project Engineer; Scott Daniel, Applicant's Project Architect; and Jaime Herring, Applicant's owner and representative.
15. William Lane, Applicant's Project Engineer testified before the Board that he prepared the following:
 - Airport Corporate Park Warehouse – Preliminary and Final Site Plan Block 371, Lot 3.05 Tax Map #65, Township of Ewing, Mercer County, New Jersey, prepared by Menlo Engineering Associates ("Menlo"), dated August 14, 2020.
 - Operation and Maintenance Manual for Airport Corporate Warehouse, prepared by Menlo, dated August 5, 2020.
 - Stormwater Management Report for Airport Corporate Warehouse, prepared by Menlo, dated August 14, 2020.
 - Environmental Impact Statement for the Airport Corporate Warehouse, prepared by Menlo, dated August 14, 2020.
16. Mr. Lane also testified to the following:
 - The site is bordered by RT 95/Ewing Creek to the north, Consolidated Railroad to east and the Lot 3.04 office complex to the south.
 - Applicant is proposing a 129,153 SF warehouse in the eastern portion of the site.
 - Access to the site is from Scotch Road to Sam Weinroth Road to an existing driveway on the western end of Lot 3.04 that traverses along the northern property line of Lot 3.04.
 - The existing driveway was previously designed for access to a 162,000 SF medical facility with 571 parking spaces and loading zone.
 - The existing driveway will now lead to:
 - 38 car parking lot near the NW corner of the building.
 - And an additional 45 car parking lot south of the building.
 - 17 loading spaces/2 drive-in doors/32 trailer spaces on the south side of the building.

- An access path around the north & eastern side of the building for emergencies.
- Stormwater is collected and runs around the proposed building along the south and east sides to a new detention basin in the northeast corner of the site.
- Sanitary sewer runs to a new pump station to the west of the building and then discharges to an existing manhole on Lot 3.04.
- Water service comes from the existing 10-inch main that runs through Lot 3.04 and on to Lot 3.05.
- Applicant is working with PSE&G to relocate the existing electric lines in the southeast portion of the site.
- Lighting is LED fixtures/4 building mounted/8 driveway poles/10 loading & parking lot fixtures.
 - Minimum 0.5 FC/1.77 average FC/4000K (Cool White).
- The Applicant shall install 20 trees (oak & serviceberry) and 103 shrubs (viburnum, holly, & bayberry).
- Applicant is seeking variance/design waivers for:
 - Building height of 40' to 44', which does not include non-structural items or mechanical equipment, to allow an internal clearance of 40'-215.25D(1)(g)3.
 - Trailer parking from 20' to 10' along the undeveloped Lot 9 next to the RR-215.35C(1)d.
 - 3 ground signs where 1 allowed (2 existing on Lot 3.04 & 1 proposed on Lot 3.05) – 215-37P(6)e, which was previously granted.
 - Number of Façade Signs from 1 to 4 – 215-37P(6)d.
 - Façade sign size from 40 s.f. to 323 s.f. (tenant sign)/3 orange sail symbols at 135 s.f. each (New Total 728 s.f.) – 215-37P(6)d, which was previously granted.
 - Parking and driveway areas to be constructed without curb (where drainage or access path does not warrant/existing area currently on-site & Lot 3.04) – 215-55.
 - Parking spaces size 9'x20' to 9'x18' with 2' overhang – 215-36C.
 - Driveway width from 25' to 24' (existing driveway currently 24') – 215-55.
 - Traffic Impact Report – waiver requested.

17. Scott Daniel, Applicant's Architect, testified before the Board to the following:

- That he prepared the Conceptual Building Design, prepared by Ware Malcomb, dated July 24, 2020 (8 sheets).

- He is a Senior Project Manager with the Architectural firm of Ware Malcomb, located in Newark, NJ.
 - He holds a Bachelor of Architecture degree from the NJIT, School of Architecture and an MBA from the University of Arizona, Eller College of Management and is a registered Architect in the State of New Jersey.
 - He has not appeared before this Planning Board, but have appeared before several others throughout the State of New Jersey and has qualified to render expert testimony.
 - He is an expert in Architecture.
 - He supervised the preparation of the Conceptual Building Design, dated July 24, 2020.
 - The proposed building is 129,153 s.f., one-story speculative warehouse.
 - The construction will be of tilt-up insulated concrete façade panels or prefabricated insulated concrete façade panels. The height of the panels will vary to provide variety, along with color, of the monolithic façade.
 - The building will be fully sprinkled.
 - Columns will be structural steel.
 - Roof assemblies will be structural steel girders and joists.
 - The exterior façade panels will be painted with gray tones and contain orange accents as delineated in the exhibit.
 - The structural components of the proposed building will be a maximum of 44' in height.
 - The majority of the building will be open warehouse with a clear height of 40'-0".
 - Within the building there are two proposed office spaces. A proposed open office of approximately 8,000 s.f. will contain offices, conference rooms, breakroom, restrooms and ancillary spaces for business. The second off will be for shipping and house restrooms and a janitors closet to facilitate the warehouse.
 - A Knox Box will be located in the front Western side of the building next to the utility room door and will be located as determined by the Ewing Fire Marshall's Office.
 - The project will have the appropriate fire alarm.
 - The signage will be laser cut metal signage. Powder coated to match Ownership logo colors.
18. Jaime Herring, Applicant's owner and representative testified before the Board that the warehouse is being built on "spec". He agreed that all truck traffic would use the northern driveway and would not use the southern parking lot leading up to the site.

EXPERT REPORTS & EXHIBITS REVIEWED

19. **Expert Reports:**

- Review Letter, dated August 25, 2020 to Richard Owen, Chairman, Ewing Township Planning Board, prepared by Paul D. LaPierre, P.E., P.P., P.L.S., CME from Remington & Vernick Engineers, Inc.
- Review Letter, dated August 11, 2020 to James Hall Jr., Ewing Township Fire Marshall's Office from Michael Anderson, Chief, West Trenton Volunteer Fire Co. No. 1, Inc.

20. **Applicant Exhibits:**

- Exhibit A-1, Site Plan for Medical Offices, dated September 3, 2020.
- Exhibit A-2, Existing Conditions Plan, dated September 3, 2020.
- Exhibit A-3, Overall Warehouse Site Plan, September 3, 2020.
- Exhibit A-4, Exterior Building Elevation, dated September 3, 2020.
- Exhibit A-5, Enlarged Exterior Building Elevation, dated September 3, 2020.
- Exhibit A-6, Aerial Northwest Sign Rendering, dated September 3, 2020.
- Exhibit A-7, Perspective Entry Sign Rendering, dated September 3, 2020.

BOARD PROFESSIONALS

21. Chuck Latini, P.P. – Board Planner
22. Paul La Pierre, P.E., P.P., P.L.S., C.M.E.- Board Engineer
23. Michael W. Herbert, Esq.- Board Attorney

PUBLIC INPUT

24. The following members of the public spoke at the September 3, 2020 hearing:
- Robert N. Ridolfi, Esq., who is representing a next door neighbor, to the application for the Sierra Office Park ("Sierra"), asked that a condition be placed in the resolution that when there is a connection to the Trenton Water Works line, that Sierra shall provide written notice to Herring Land Group, LLC. ("Herring"). On the other hand, if Herring has first received written approval from Trenton Water

Works for the preferred route, Herring will notify Sierra. In the event Trenton Water Works does not provide Herring with a letter approving an alternate alignment, Sierra will install a “T” in the mainline and extend and stub the piping for Herring’s building to just outside the Sierra property line. This “T” and extension shall be at Herring’s cost. Sierra’s engineer shall show this detail on the drawings and obtain pricing from a contractor for the proposed work.

The Applicant agreed to this condition.

BOARD CONCLUSIONS

- I. The Board approves the application for Preliminary and Final Site Plan approval with variances and waivers for the construction of the warehouse facility at the site.
- II. The Board concluded that granting approval of this application, together with the variances and waivers, would yield positive results for the community because the site is currently an unoccupied building, and its redevelopment would have a positive impact. The Board concluded the proposed plan would not lead to any significant detrimental effects for the community.
- III. The Board concluded the Applicant had demonstrated good reason for each variance as is found in the testimony of the Applicant’s Experts and the applicant has satisfied the criteria for the variance: that the Property utility would be advanced by a deviation from the zone plan, there is no detriment to the public good, it would not impair the intent or purpose of the zone plan, and it presents an improvement over existing zoning. The proposal is relatively low-impact and would result in the development of a currently unused property.
- IV. The Board finds there is no negative impact upon the public’s health, safety and welfare or upon the neighborhood’s wellbeing or overall Township Master Plan. Based upon the testimony of the Applicant's Experts and the Township's Experts, the Board finds that the variances are granted.
- V. Based upon the testimony of its experts, the Board finds that the submission waivers are granted.
- VI. PSE&G Electric Power Lines Relocation – The Board approval grants PSE&G and Applicant the immediate right to relocate poles on site to another location within the site; and does not require either party to return to the Township and/or Planning Board for either Plan or Compliance review.

CONDITIONS OF APPROVAL

25. The Board finds that in order to address the concerns expressed in the course of the hearing and to limit the relief to that which is reasonably necessary to satisfy the applicant’s legitimate requirements, the relief granted is subject to the following conditions:
 1. Fire truck routing shall be reviewed and accepted by the Fire Marshal.

2. The project proposes a total of eighty-three (83) parking spaces with seventy (70) spaces being required. Twenty-eight (28) trailer parking spaces and sixteen (16) loading dock spaces are proposed.
3. Sidewalk along parking spaces shall be a minimum of six (6) ft. wide.
4. Parking stall sizes of 9 ft. x 18 ft. are acceptable.
5. The fire lane and gates shall be approved by the Fire Marshal. Truck curve routing should be shown for the Township Fire Trucks. Testimony was provided whether gates will be locked. A Knox box is required if the gates are proposed to be locked.
6. The cross hatched island in the southerly parking area is recommended to be landscaped.
7. All telephone, electric, television, and other communication service facilities, both main and service lines, should be installed underground.
8. Concrete strength is to be 4500 p.s.i. minimum.
9. Review of the existing basin has not been performed and must be approved by the Board Engineer.
10. Soil borings have been provided with the Stormwater Management Report. The borings were performed in 2010 in conjunction with a previous application. Soil boring #4 and test pits #7 and #8 are located within the limits of the proposed basin. The depth of these borings and pits are 9 to 10 ft. The borings must be performed to a depth of the greater of 8 ft. or twice the maximum water depth below the basin bottom. This results in a required boring depth of approximately 25 ft. This depth reference is per NJDEP BIVIP requirements. NJDEP interpretation of their regulations with regard to soil borings shall govern upon review and approval from the reviewing agencies.
11. Infiltration basins require a depth of 30 inches below the basin bottom to the SHWT. (Two feet plus 6 inches of K5 sand). The basin does not comply based on provided data, which must be updated.
12. A ground water mounding analysis is required.
13. Permeability test results are excessively high. Excessive for any soil. Results are not typical of Class C soils as this area is mapped and as the borings appear to indicate. The Channery soil horizons are questioned whether an undisturbed sample can actually be obtained and tested due to the nature of the Channery soils and amount of shale cobbles present. The NJDEP soil testing criteria in Appendix E indicates undisturbed samples for tube permeameter testing is not appropriate for the soils encountered in these locations and the apparent reason for excessively high permeability results.

The fact that test pit #8 hit refusal at 9± ft. and water was observed in both test pits #7 and #8 strongly indicate the presence of restrictive layer, solidified deposits, or bedrock.

Based on provided information, the infiltration design of this basin is not or will not be functional. The soil borings must be redone regardless of the basin design. Appropriate permeability testing and further evaluation of infiltration methods to address water quality is required or the designer can opt for an alternate method to address water quality. NJDEP interpretation of their regulations with regard to the infiltration basin design shall govern upon review and approval from the reviewing agencies.

14. The basin discharge pipe is proposed to be connected to an existing 36" x 48" elliptical pipe near the northern property line (Route 95 R.O.W.) The pipe is not located, as the locations of the first upstream structure from the headwall has not been determined. The only source of flow requiring a 36" x 48" pipe appears to be from the Route 95 roadway. The pipe must be located, the existing flow estimated, and determination made of available capacity for the connection.

Should the pipe be determined to be part of the NJDOT system and within the Route 95 R.O.W, approval for the connection is required by NJDOT or the determined owner of the pipe. The alternative is to provide a separate discharge directly to Ewing Creek which will required NJDEP approval.

15. The Ewing Creek floodway and flood hazard area, which does not appear to be mapped on FEMA documents must be laid out and provided.
16. NJDEP Attachment D is to be provided.
17. The manual must follow the format and requirements outlined in the NJDEP BMP Manual, Chapter 8, for Maintenance Plan Contents, considerations, and Procedures. The plan must address any specific requirements for individual BMP devices/systems described in Chapter 9 of the manual.
18. The approved O & M Manual must be recorded upon the deed of record.
19. The manual must identify the owner and responsible parties as well as the Township Code Office and Public Works Department with contact names and phone numbers.
20. The manual shall include pertinent templates as required for plan information, cost estimates, inspection and maintenance logs for preventive and corrective maintenance. Supply NJDEP BMP inspection and maintenance logs.
21. The manual shall include the design drain times for the water quality and 100-year storms.
22. Both the new basin and existing basins on Lot 3.05 should be referenced in this manual.
23. A Site Plan shall be included referencing each basin, discharge locations and key features to be inspected.
24. The swale along the east side of the fire lane at the southeast side of the building should be controlled or stabilized prior to minimize erosion. The North American green erosion matting proposed for the basin overflow spillway may be suitable at this location.

25. The sewer and water system shall be submitted for review and approval by the appropriate agencies.
26. The applicant is to provide documentation that there will be adequate water pressure and volume for fire suppression.
27. Fire hydrant locations and sprinkler service connections to be coordinated with the fire official.
28. Details of all proposed signage is to be provided.
29. The timber guide rail must meet AASHTO requirements.
30. The detectable warning surface color shall be Federal Yellow.
31. A Retaining Wall Detail is required for the area around the proposed basin. The design needs structural capacity for guide rail and fire truck with outrigger loads.
32. The trash enclosure detail shall be removed from the plans.
33. Storm sewer inlet casting name plate option "Drains to River" should be selected.
34. The fire lane is proposed to be gravel. The fire lane is recommended to use a grass paver system suitable for fire truck loading. A detail is to be provided.
35. A trash compactor unit is proposed. This will not be screened or enclosed. The location must be shown on the plan.
36. Wetlands and flood plain have been identified onsite as well as offsite. An NJDEP Wetlands Letter of Interpretation and Flood Hazard Area permit have been provided to identify wetlands and buffers. Permits for wetland disturbance must be obtained as required. Permits for Flood Hazard Area impacts must be obtained if required.
37. All truck traffic shall use the northern driveway only. No truck traffic shall use any other entrance, including the easement area granted by GF Princeton, LLC.
38. Sixty days prior to a connection to the Trenton Water Works line, Sierra Office Park ("Sierra") shall provide written notice to Herring Land Group, LLC. ("Herring"). On the other hand, if Herring has first received written approval from Trenton Water Works for the preferred route, Herring will notify Sierra. In the event Trenton Water Works does not provide Herring with a letter approving an alternate alignment, Sierra will install a "T" in the mainline and extend and stub the piping for Herring's building to just outside the Sierra property line. This "T" and extension shall be at Herring's cost. Sierra's engineer shall show this detail on the drawings and obtain pricing from a contractor for the proposed work, which shall be provided at least 60-days prior to Sierra's installation of piping to the Trenton Water Works line.

39. Boulders and a stone border shall be placed along the northern driveway to guide trucks to the site without leaving the northern driveway.
40. Applicant shall comply with all requests of the Ewing Township Fire Chief.
41. Southside driveway using the easement granted by GF Princeton, LLC shall be for emergency access only.
42. All signage issues will be worked out with the Board Planner, Charles Latini, and if an agreement cannot be made with Mr. Latini, the matter will be brought back before the Board.
43. The Applicant and owner are reminded that site safety is their responsibility. The plan should note that "The owner, or his representative, is to designate an individual responsible for construction site safety during the course of site improvements pursuant to N.J.A.C 5:23-2.21 of the N.J. Uniform Construction Code and CFR 1926.32(f) (OSHA Competent Person)".

26. Approval Process

If the Planning Board should grant Preliminary and Final approval to this project, the following is applicable:

1. The applicant is seeking Preliminary and Final Site Plan approval for the project. The majority of comments in the Engineer's letter as well as other agencies have yet to be satisfactorily addressed. Approval must be conditioned such that no construction can commence as a result of receiving this Preliminary and Final approval, except for the allowance for the PSE&G line relocation.
2. The applicant's engineer must make appropriate revisions to the site plan pursuant to the Board action.
3. The applicant must contact the Planning Board office to settle any outstanding review escrow accounts prior to the issuance of building permits.
4. One (1) copy of the revised Preliminary and Final Site Plan should be submitted to the Board office, Board Planner, and our office for resolution compliance review. If the plans are found to be in order, then eight (8) sets of the drawings will be required for signature,
5. The applicant is notified that an inspection escrow and performance bond is required upon receipt of final site approval for this application; an estimate for all on/off site improvements (excluding structures) must be prepared by the Township Engineer prior to the signing of any plans.

6. After the plans are signed, the applicant will provide a copy of all Preliminary and Final plans, reports, and estimates in electronic format on a CD after all revisions are made to the site plans and they are ready to be submitted for signatures by the Township. The plans are to be in PDF and in Auto-Cad version not later than 2013, correspondence in Word format and estimates in Excel version no later than 2003.

OUTSIDE AGENCY APPROVALS

27. Prior to final signature of plans, the Applicant shall submit evidence of approvals by the following outside agencies, where applicable:
 - a. Mercer County Planning Board
 - b. Mercer County Soil Conservation District
 - c. Delaware & Raritan Canal Commission
 - d. Ewing Lawrence Sewerage Authority.
 - e. Trenton Water Works
 - f. Fire Code Official
 - g. New Jersey Department of Environmental Protection
 - h. All other outside agency approval as may be required. Copies of all outside agency approvals shall be forwarded to the Township.

CONCLUSION

Based upon the foregoing, the Ewing Township Planning Board at its September 3, 2020 meeting, voted to grant the application for Preliminary and Final Site Plan approval with variances to construct a 129,153 s.f. warehouse with 17 loading docks and 2 drive-in doors, 32 trailer storage spaces and 83 parking spaces, signage variances together with various site improvements.

This Resolution of Memorialization was adopted on October 1, 2020.

The date of decision shall be September 3, 2020, except that the date of adoption of this memorializing resolution is the date of decision for the purpose of (1) mailing a copy of the decision to the applicant within ten (10) days of the date of the decision; (2) filing a copy of the decision with the administrative officer; and, (3) publication of a notice of this decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

**ROLL CALL VOTE ON THE APPLICATION FOR
PRELIMINARY AND FINAL SITE PLAN APPROVAL WITH VARIANCES TO
CONSTRUCT A 129,153 S.F. WAREHOUSE WITH 17 LOADING DOCKS AND 2
DRIVE-IN DOORS, 32 TRAILER STORAGE SPACES AND 83 PARKING SPACES,
SIGNAGE VARIANCES TOGETHER WITH VARIOUS SITE IMPROVEMENTS
SEPTEMBER 3, 2020**

Member	Yes	No	Abstain	Absent
Vincent Shea				X
Peter Boughton	X			
Fredricka Billups	X			
Anthony Apicelli	X			
Dan Burke				X
Mayor Bert Steinmann	X			
Shirley Thomas	X			
Richard Owen	X			
Jennifer Keys Maloney	X			
Thomas Lanigan				X
Jeff Preischel	X			

**ROLL CALL VOTE ON MOTION TO APPROVE RESOLUTION OF
MEMORIALIZATION ON
OCTOBER 1, 2020**

Member	Yes	No	Abstain	Absent
Vincent Shea				X
Peter Boughton				Resigned
Anthony Apicelli				X
Dan Burke			X	
Mayor Bert Steinmann	X			
Shirley Thomas	X			
Richard Owen	X			
Jennifer Keys Maloney	X			
Thomas Lanigan				X
Jeff Preischel	X			

CERTIFICATION

I do hereby certify that the foregoing resolution was adopted by the Ewing Township Planning Board at its regular meeting held on September 3, 2020. The Resolution memorializes the formal action taken by the Board at this regular meeting held on October 1, 2020.


Planning Board Secretary

W REED GUSCIORA
MAYOR



Trenton Water Works
Department of Water & Sewer
P O Box 528, Trenton, NJ 08604-0528
OFFICE 609-989-3208 FAX: 609-989-3943

Mark Lavenberg
DIRECTOR, WATER & SEWER

December 31, 2020

William A. Lane, P.E.
Executive Vice President
Menlo Engineering Associates, Inc.
261 Cleveland Avenue
Highland Park, NJ 08904

RE: Proposed Warehouse Building, Block 371, Lot 3.05, 400 Airport Corp Drive, Ewing Township

Dear Mr. Lane:

The TWW has received your updated plans with the revised water layout. The TWW reviewed your drawings, and all your revisions are acceptable.

Before installing the water services, the water service application shall be filled out for a 10" fire line & a 3" domestic line.

A certification letter shall be submitted to the TWW from the design engineer that the water services are constructed and tested in accordance with the approved design drawings, specification, and other supporting information such as water quality and hydrostatic test results before activating water services

If you have any questions, please contact me by calling (609) 989-3212.

Sincerely,

Rick Warren
Water System Distribution Technician

Cc: Mark Lavenberg
David Smith
Edmund Johnson

ALLEN LEE
Chairman

JAMES KOWNACKI
Vice Chairman

PASQUALE COLAVITA
Secretary

CHARLES GETER
Assistant Secretary

BASIT MUZAFFAR, P.E.
Treasurer

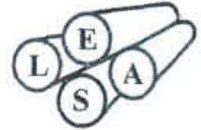
HAROLD VEREEN
Assistant Treasurer

W. BARRY RANK
Counsel

S. ROBERT FILLER
Executive Director

EWING-LAWRENCE SEWERAGE AUTHORITY

MERCER COUNTY
600 WHITEHEAD ROAD • LAWRENCEVILLE, NEW JERSEY 08648
TELEPHONE: (609) 587-4061
FAX: (609) 890-1902
WWW.ELSANJ.ORG



EWING TOWNSHIP
LAWRENCE TOWNSHIP



October 21, 2020

JACOBS ENVIRONMENTAL
CONSULTING
Engineers

Mr. James Scott
Township of Ewing
2 Jake Garzio Drive
Trenton, New Jersey 08628

Re: Airport Corporate Park
Sam Weinroth Road

Dear Mr. Scott:

You will find enclosed a copy of ELSA's resolution granting preliminary approval for the referenced project.

Very truly yours,


S. Robert Filler
Executive Director

SRF:mlc

cc: William A. Lane, PE
Allan Jacobs, P.E.
William Hill

RESOLUTION

WHEREAS, AIRPORT CORPORATE PARK proposes construction of a 129,153 square foot warehouse on Sam Weinroth Road in Ewing Township; and

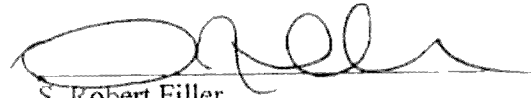
WHEREAS, the EWING-LAWRENCE SEWERAGE AUTHORITY (the "Authority") considered the application of the Developer to connect its proposed facility to the Authority's sewerage system;

NOW, THEREFORE BE IT RESOLVED that the proposed connection for the Developer's proposed Development to the Authority's sewerage system is approved, subject to the following conditions:

1. The Developer, at its own cost, shall provide "as-built" plans for the sewerage system in a manner acceptable to the Authority's Engineer prior to the issuance of a Certificate of Occupancy by the Township.
2. The Developer, at its own cost, shall provide all necessary easements to the Authority upon the request of the Authority.
3. The Developer shall revise its utility plans in accordance with such recommendations as the Authority's Engineer shall specify.
4. The Executive Director is hereby authorized to execute all forms necessary to obtain a NJDEP Permit.
5. The Authority hereby endorses this project and further certifies that said project meets the 208 Wastewater Management Plan requirements and expects to continue to meet the NJPDES Permit requirements.
6. This preliminary approval granted pursuant to this Resolution shall expire ninety (90) days from the date hereof.
7. The Developer shall pay the appropriate connection and inspection fees.
8. The sewers shall conform to the Authority's Rules and Regulations.
9. This approval is subject to acceptance of the comments and conditions outlined in Jacobs Environmental Consulting's letter dated September 24, 2020.

CERTIFICATION

I, S. Robert Filler, Executive Director for the Ewing-Lawrence Sewerage Authority, do hereby certify that the above is a true and correct copy of the resolution adopted by the Authority at its regular meeting held October 20, 2020.

A handwritten signature in black ink, appearing to read 'S. Robert Filler', written over a horizontal line.

**S. Robert Filler
Executive Director**

DATED: October 20, 2020

MERCER COUNTY PLANNING BOARD



MCDADE ADMINISTRATION BUILDING

PO BOX 8068

TRENTON, NJ 08650-0068

Phone 609-989-6545 Fax 609-989-6546

BRIAN M. HUGHES

County Executive

LILLIAN L. NAZZARO, ESQ.

County Administrator

GEORGE A. FALLAT, PE

County Engineer

ROBERT N. RIDOLFI, ESQ.

Board Counsel

KELVIN S. GANGES
Chief of Staff
LESLIE R. FLOYD, PP, AICP
Planning Director
RICHARD J. SMITH, PP, AICP
Secretary

October 14, 2020

William A. Lane, P.E.
Menlo Engineering Associates
261 Cleveland Avenue
Highland Park, New Jersey 08904

EMAIL (BLANE@menloeng.com)

Re: Site Plan
Airport Corporate Park Warehouse
Block 371, Lot 3.05
Sam Weinroth Road
Ewing Township
Mercer County File No. 20-406

Dear Mr. Lane:

Please be advised that the above referenced Site Plan prepared by Menlo Engineering dated August 5, 2020 was reviewed and approved on October 14, 2020 by the Land Development Committee.

The foregoing approval is subject to the applicant and any successor and/or assigns obtaining all other permits, consents and approvals for the development and/or subdivision of the project.

If there are any subsequent changes as a result of comments from other reviewing agencies, please submit two (2) revised plans for our file. If these changes affect storm water management or any County facility, be advised that further County review and approval will be required.

If you have any questions or comments, please contact Rick Smith of my staff at (609) 989-6985.

Sincerely,

Leslie R. Floyd (jkb)

Leslie R. Floyd
Planning Director

LRF:RJS:jkb

c: Robert Ridolfi, Esq.
George Fallat, Mercer County Engineer
Mercer County Planning Board
Bert Steinmann, Mayor of Ewing Twp.
Wendell Bibbs, Ewing Twp. Engineer
Charles Latini, Jr, Ewing Twp. Zoning Officer

Visit Mercer County on the Web at www.mercercounty.org



MERCER COUNTY SOIL CONSERVATION DISTRICT

590 Hughes Drive, Hamilton Square, NJ 08690 • www.mercerscd.org
phone: 609-586-9603 • fax: 609-586-1117

SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

Date: 11/5/20

Application: #2020-5934-E

Block(s): 371 **Lot(s):** 3.05

THE FOLLOWING APPLICATION:

Project Name: Airport Corporate Park Warehouse

Project Address: Sam Weinroth Road

Owner's Name: Herring Land Group, LLC

Owner's Address: 281 Witherspoon St., Suite 105, Princeton, NJ 08540

Engineer/Architect: Menlo Engineering Associates, Inc.

For Soil Erosion and Sediment Control has been **APPROVED** by the Mercer County Soil Conservation District. Certification is effective on the 5th day of November, 2020.

This Certification will expire on the 5th day of May, 2024.



Chairman

Owner - Original

County Planning Board
Municipal Planning Board
Municipal Engineer
Municipal Construction Official
Contractor
Engineer/Architect Firm
File

Please note: It is the owner or the owner's representatives responsibility to distribute the certified plans to the appropriate party.

RECEIVED

AUG 31 2020

MERCER COUNTY SOIL CONSERVATION DISTRICT



For District Use Only

2020-5934-E
cert 11-5-20

APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251 P.L. 1975 as amended (N.J.S.A. 4:24-39 et. seq.) An application for certification of a soil erosion and sediment control plan shall include the items listed on the reverse side of this form.

Name of Project Airport Corporate Park Warehouse		Project Location: Municipality Ewing Township	
Project Street Address Sam Weinroth Road		Block 371	Lot 3.05
Project Owner(s) Name Herring Land Group, LLC		Email jph@herringproperties.com	Phone # (908) 874-5400 Fax # (908) 874-5439
Project Owner(s) Street Address (No P.O. Box Numbers) 281 Witherspoon Street, Suite 105		City Princeton	State NJ Zip 08540
Total Project Area (Acres) 22.61	Total Disturbed Area (Acres) 9.49	Total Soil Restoration Area (Acres)	No. Dwelling or other Units 1 warehouse building Fee \$ 3,675.00
Plans Prepared by* Menlo Engineering Associates, Inc.		Email of plan preparer blane@menloeng.com	Phone # (732) 846-8585 Fax # (732) 846-9439
Street Address 261 Cleveland Avenue		City Highland Park	State NJ Zip 08904

*Engineering related items of the Soil Erosion and Sediment Control Plan MUST be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey, in accordance with NJAC 13-27-6.1 et. seq.

Agent Responsible During Construction		Email	
Street Address			
City	State	Zip	Phone Fax #

The applicant hereby certifies that all soil erosion and sediment control measures are designed in accordance with current Standards for Soil Erosion and Sediment Control in New Jersey and will be installed in accordance with those Standards and the plan as approved by the Soil Conservation District and agrees as follows:

- To notify the District in writing at least 48 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.
- To notify the District upon completion of the Project (Note: No certificate of occupancy can be granted until a report of compliance is issued by the District).
- To maintain a copy of the certified plan on the project site during construction.
- To allow District agents to go upon project lands for inspection.
- That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
- To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the district fee schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project approval granted by the municipality. All municipal renewals of this project will require submission and approval by the district. In no case shall the approval extend beyond three and one half years at which time resubmission and certification will be required. Soil Erosion and Sediment Control Plan certification is limited to the controls specified in the plan. It is not authorization to engage in the proposed land use unless such use has been previously approved by the municipality or other controlling agency. It is further understood that all documents, site plans, design reports, etc. submitted to the district shall be made available to the public (upon request) pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et. seq.

1. Applicant Certification* Signature _____ Date 8/14/20 Applicant Name (Print) JAMES HERRING	3. Plan determined complete: Signature of District Official _____ Date 10/15/2020
2. Receipt of fee, plan and supporting documents is hereby acknowledged: Signature of District Official L Sandusky Date 9-11-20	4. Plan certified, denied or other action noted above. Special Remarks: Signature of District Official Scott Ellis Date 11-5-20

*If other than project owner, written authorization of owner must be attached.



MERCER COUNTY SOIL CONSERVATION DISTRICT

590 Hughes Drive, Hamilton Square, NJ 08690
Phone: 609-586-9603 Fax: 609-586-1117
Email: PaulS1Mercer@aol.com
Web: www.mercerscd.org

Fax

To: Mercer County Soil District **From:** _____
Fax: 609-586-1117 **Pages:** _____
Phone: 609-586-9603 **Date:** _____
Re: 48 Hour Notice **CC:** _____

Urgent For Review Please Comment Please Reply Please Recycle

Comments: _____

48 HOUR NOTICE

PROJECT NAME: PROJECT NAME: _____

PROJECT APPLICATION #: 2020-5934-E

AGENT RESPONSIBLE: _____

SITE SUPERINTENDENT: _____

AGENT'S ADDRESS: _____

AGENT'S PHONE NUMBER: _____

AGENT'S E-MAIL ADDRESS: _____

PROPOSED STARTING DATE: _____

You are in violation of State Statutes if this form (or other written notice) is not in the District Office 48 hours prior to the start of construction.

STAFF REPORT

**PLEASE REFER TO DRCC # WHEN SUBMITTING
ADDITIONAL DOCUMENTS**



DRCC #: 20-4384B
DATE: January 4, 2021
PROJECT NAME: Airport Corporate Park -- Proposed Warehouse
Latest Submission Received: December 9, 2020

Applicant:
Herring Land Group
281 Witherspoon Street
Suite 105
Princeton, NJ 08540
jph@herringproperties.com

Engineer:
William Lane, P.E.
Menlo Engineering Associates, Inc.
261 Cleveland Avenue
Highland Park, NJ 08904
blane@menloeng.com

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
Sam Weinroth Road	Ewing Township	Mercer	371	3.05

Jurisdictional Determination:

Zone B	Major	Nongovernmental
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Subject to Review for:

Drainage	Visual	Traffic	Stream Corridors
X			X

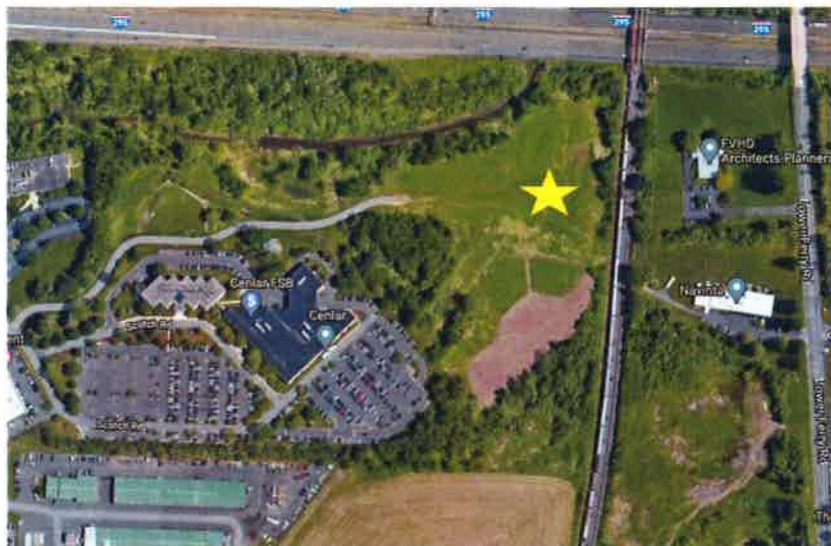
THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.

Documents Received: Stormwater Management Report dated August 5, 2020, revised December 4, 2020; Site Plans (31 sheets) dated August 5, 2020; revised December 4, 2020; prepared by Menlo Engineering.

Staff comments continued below.

The application is incomplete. The following is a staff report and review of deficiencies:

Existing Conditions: This approximate 22.61-acre property is located in the Township of Ewing, Mercer County, approximately 2.8 miles east of the Delaware and Raritan Canal, and within Commission Review Zone B. The site is bounded by Interstate Highway Route No. 295 (I-295) to the north, the Consolidated Rail Corporation railroad right-of-way to the east, the Mercer County Maintenance Facility to the south and office campus on Lot 3.04 within Block 371 to the west.



In 2013, the Commission issued a certificate of approval for project to construct two medical office buildings on Block 371, Lots 3.04 and 3.05, respectively, along with associated access drives and parking areas (See DRCC #12-4384). In 2015, the Commission approved a project to expand three separate parking areas of the medical office complex (DRCC#15-4384A).

Proposed Project: The applicant is proposing to develop the site by constructing a 129,153 square foot warehouse building facility. Additional proposed improvements include paved access driveways and parking, concrete sidewalks, landscaped areas, stormwater management facilities, associated utilities, and related site improvements. Based upon the submitted application, the total proposed impervious area coverage onsite is estimated to be approximately 7.47 acres. The proposed project would result in a total area of land disturbance of about 9.49 acres.

DATE: November 4, 2020

PROJECT NAME: Airport Corporate Park -- Proposed Warehouse

Stream Corridor: The project site is located within the Ewing Creek watershed area. Ewing Creek is located along the northern boundary of the property, running generally parallel to I-295. In addition, a tributary to Ewing Creek bisects the property.

For this project, the Commission defines "stream corridor" to mean Ewing Creek and its tributaries, the 100-year floodplain associated with Ewing Creek and its tributaries, and all of the land within a 100-foot buffer adjacent to the 100-year flood line associated with Ewing Creek and its tributaries. The applicant has provided a 100-year floodplain and Commission stream corridor mapping delineation. The floodplain is based upon an NJDEP Flood Hazard Area permit delineation.

The submitted plans indicate that land disturbance activities associated with this application are located within the illustrated Commission stream corridor line. Therefore, this project will be the subjected of a stream corridor impact review pursuant to N.J.A.C. 7:45-9.1(a).

Stormwater Runoff Quantity: Under existing conditions the entire site drains to Ewing Creek. The applicant is proposing an increase in the amount of impervious area that will result in an associated increase in runoff as compared to the existing conditions if unmitigated. The submitted application proposes to control stormwater runoff flow and volume increases via the construction of best management practice (BMP) measure, which will consist of one aboveground stormwater infiltration basin. The proposed infiltration basin will be located along the north-east corner of the property.

The proposed stormwater basin is designed to retain excess runoff prior to discharging it into Ewing Creek. The stormwater collection system on-site utilizes HDPE pipes, which convey the runoff collected by the inlets to the proposed detention/infiltration basin. The stormwater runoff has been analyzed at one point of analysis or Point of Interest "A" downstream of the project site along Ewing Creek. The stormwater management measures have been designed so that the post-construction peak runoff rates for the two, 10 and 100-year storm events will be no greater than 50%, 75% and 80%, respectively, of the pre-construction peak runoff rates.

The submitted calculations utilized the Natural Resource Conservation Service (NRCS) Technical Release No. 55 (TR-55) hydrologic methodology, Standard NOAA C unit hydrograph rainfall distribution and current New Jersey 24-hour rainfall frequency data for Somerset County to compute peak runoff flow rates and volumes. The stormwater quantity calculations have conservatively not accounted for exfiltration from the infiltration basin into the underlying existing soils. Based upon a review of the submitted results of the analysis, the proposed stormwater management measures will provide enough peak flow attenuation to meet the specific runoff quantity standards of N.J.A.C. 7:45-8.6(a).

Water Quality: The Commission requires that all proposed full-depth pavement including newly and reconstructed parking and access drives that are being renewed, must meet water quality standards in accordance with Commission regulations (N.J.A.C. 7:45-8.7). This includes reduction of the post-construction load of total suspended solids

DATE: November 4, 2020

PROJECT NAME: Airport Corporate Park -- Proposed Warehouse

(TSS) in stormwater runoff generated from the water quality design storm by a rate of 80 percent (%) of the anticipated load from the developed site, expressed as an annual average. Based upon the submitted application, 130,215 square feet (2.99 acres) of new and 1,364 square feet (0.03 acres) of reconstructed parking and access drive pavement areas are being proposed onsite.

The submitted application design proposes to treat for water quality by incorporating structural BMP measures, including an aboveground stormwater infiltration basin with sand bottom and a grass swale. The stormwater infiltration basins have been designed to capture runoff from the proposed paved surfaces on the site. The adopted TSS removal rate for an infiltration basin with sand bottom that is designed in accordance with the NJ Stormwater BMP manual is 80%. Grass swales are turf lined channels used to convey and treat stormwater. Grass swales reduce suspended particles through filtration and settling and are best suited to treat runoff generated from impervious surfaces of small drainage areas. To receive credit for a maximum of 50% TSS removal rate, grass swales must be designed to treat the water quality design storm and in accordance with the criteria of the NJ Stormwater BMP Manual. Placing the grass swale and the infiltration basin in series will result in a TSS removal rate of 90%. On a weighted-average basis, the project will provide an overall TSS removal rate of 80.5% by treating 110,035 square feet (2.53) acres in the infiltration basin only and 19,829 square feet (0.46 acres) with the grass swale and the infiltration basin in series. Therefore, the proposed stormwater quality measures have been designed in accordance with the requirements of N.J.A.C. 7:45-8.7.

Groundwater Recharge: The Commission's regulations require that stormwater management measures maintain 100% of the average annual preconstruction groundwater recharge volume for the site; or that any increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated. A groundwater recharge analysis calculation (NJDEP GSR-32 spreadsheet) has been submitted, which demonstrates that the annual groundwater recharge deficit for the entire site is 248,978 cubic-feet. In order to infiltrate the post-development recharge deficit, an aboveground stormwater infiltration basin with sand bottom has been designed to infiltrate a greater amount of annual recharge. Therefore, the groundwater recharge requirements of N.J.A.C. 7:45-8.5 have been addressed.

Non-Structural Methods: The Commission requires that nonstructural stormwater management strategies be incorporated into the stormwater design of a development project. To assist in determining that sufficient non-structural stormwater management strategies have been incorporated into the project site design "to the maximum extent practical", the NJDEP Nonstructural Strategies Point System (NSPS) spreadsheet has been completed for this project. The results indicate that the ratio of proposed to existing site points (86%) are greater than or equal to the required site points ratio (80%). Therefore, the project has proposed non-structural measures that are adequate, and the project is therefore designed in accordance with N.J.A.C. 7:45-8.4.

Stormwater Management Maintenance Plan: A stormwater management operation and maintenance plan document has been prepared and submitted for the BMP elements

DATE: November 4, 2020

PROJECT NAME: Airport Corporate Park -- Proposed Warehouse

for the proposed project. The plan includes maintenance details for the proposed stormwater BMP measures, including the stormwater conveyance system, the aboveground stormwater infiltration basin and the grass swale. The submitted plan has been prepared in accordance with the requirements of N.J.A.C. 7:45-8.8.

Additional information required: Based upon a review of the submitted documentation, this project has been designed in accordance with the stormwater management requirements of N.J.A.C. 7:45-8. However, the following additional information should be provided prior to staff approval of the project:

1. Additional details on all of the proposed disturbances within the defined Commission stream corridor to the onsite tributary to Bear Brook need to be provided. Please note that any new intrusions under N.J.A.C. 7:45-9 within the stream corridor buffer area are prohibited. The applicant must either remove the prohibited activities from within the stream corridor or provide an application with related justification for a waiver of strict adherence to the Commission stream corridor buffer regulations for any remaining disturbances with the corridor pursuant to N.J.A.C. 7:45-12. This should include a chart of the square footage of the existing and new proposed intrusions including but not limited to new impervious areas, landscaping and grading. The total amount of stream corridor area, as well as 100-year floodplain, within Block 371, Lot 3.05 in square feet should also be provided. The application should outline any mitigation efforts that are proposed. For any conditional uses sought within the stream corridor, the applicant must submit a justification which meets the standard of N.J.A.C. 7:45-9.4(a). This information is critical to determining if mitigation will be required as part of this project. The Commission may seek mitigation pursuant to N.J.A.C. 7:45-12.2(d).
2. Should the applicant propose a request for a waiver of strict adherence with the stream corridor impact review standards, the \$1,000 waiver review fee will be required pursuant to the schedule set forth at N.J.A.C. 7:45-13.2(g)2.

Staff Recommendation: Staff does not recommend approval at this time.

Sincerely,



John Hutchison
Executive Director

DRCC #: 20-4384B

6

DATE: November 4, 2020

PROJECT NAME: Airport Corporate Park -- Proposed Warehouse

- c. Ewing Township Planning Board
Mercer County Planning Board
Frank Petrino, Esq. (fpetrino@eckeretseamans.com)



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

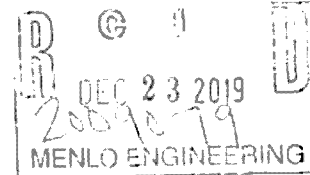
CATHERINE R. McCABE
Commissioner

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

DEC 17 2019

Jamie Herring
Herring Land Group
281 Witherspoon Street
Suite 105
Princeton, NJ 08540



RE: Freshwater Wetlands Letter of Interpretation: **Line Verification**
File and Activity No.: 1100-07-0003.3 FWW180001
Applicant: Herring Land Group
Block and Lot: [371; 3.05]
Ewing Township, Mercer County

Dear Mr. Herring:

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 site inspections conducted by Division staff on January 30 and October 24, 2019, the Division has determined that the wetlands and waters boundary lines as shown on the plan map entitled: "AIRPORT CORPORATE PARK TOWNSHIP OF EWING, MERCER COUNTY, NEW JERSEY WETLANDS DELINEATION PLAN BLOCK 371 LOTS 3.05 TAX MAP SHEET: 65 22.610 ACRES+/-", Sheet No. 1 of 1, dated November 13, 2018, last revised August 29, 2019, and prepared by Greg A. Gaffney, N.J.P.L.S. of 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-referenced file and activity 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 standard transition area or buffer required adjacent to the delineated wetlands are as follows:

Intermediate: All freshwater wetlands shown on the approved plan [50-foot wetland buffer]

State open water: Within the wetland boundaries [No wetland buffer]

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 by Certification or Statewide General Permits available for the property (see N.J.A.C. 7:7A-5, 6 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 Department. 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 and 2.5. 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 Department 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/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, P.O. Box 402, 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 Ariana Tsiattalos of our staff by e-mail at Ariana.Tsiattalos@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,



Mark C. Davis, Environmental Specialist 4
Division of Land Use Regulation

c: Ewing Township Municipal Clerk
Ewing Township Municipal Construction Official
Agent (original) – William A. Lane



INSTR # 2020017115
 0 BK 6402 PG 300 Pgs 300 - 3147 (15 pgs)
 RECORDED 04/21/2020 09:44:44 AM
 PAULA SOLLAMI COVELLO, COUNTY CLERK
 MERCER COUNTY, NEW JERSEY



Mercer County Document Summary Sheet

Mercer County Clerk PO Box 8068 240 West State Street 6th Floor Trenton NJ 08650	Return Name and Address Eckert Seamans Cherin & Mellott, LLC P.O. Box 5404 Princeton, NJ 08543
--	---

Official Use Only

Submitting Company	Eckert Seamans Cherin & Mellott, LLC
Document Date (mm/dd/yyyy)	
Document Type	Freshwater Wetlands Letter of Interpretation
No. of Pages of the Original Signed Document (Including the cover sheet)	15 14
Consideration Amount (If applicable)	\$0.00

First Party <i>(Grantor or Mortgagor or Assignor)</i> <i>(Enter up to five names)</i>	Name(s)	<i>(Last Name First Name Middle Initial Suffix)</i> <i>(or Company Name as written)</i>	Address (Optional)
	Herring Land Group		281 Witherspoon Street, Suite 105, Princeton, NJ 08540

Second Party <i>(Grantee or Mortgagee or Assignee)</i> <i>(Enter up to five names)</i>	Name(s)	<i>(Last Name First Name Middle Initial Suffix)</i> <i>(or Company Name as written)</i>	Address (Optional)
	New Jersey Department of Environmental Protection		Division of Land Use Regulation Mail Code 501-02A, P.O. Box 420, Trenton NJ 08625-0420

Parcel Information <i>(Enter up to three entries)</i>	Municipality	Block	Lot	Qualifier	Property Address
	Ewing Township	371	3.05		Scotch Road

Reference Information <i>(Enter up to three entries)</i>	Book Type	Book	Beginning Page	Instrument No.	Recorded/File Date

*DO NOT REMOVE THIS PAGE.

DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF MERCER COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.

577299

Prepared: Frank J. Petrino, Esq.

HERRING LAND GROUP
Block 371, Lot 3.05

N.J. Dept. of Environmental Protection
Freshwater Wetlands Letter of Interpretation: Line Verification
File and Activity Number: 1113-05-0002.2 FWW 190001

- * FRESHWATER WETLANDS LETTER OF INTERPRETATION: LINE VERIFICATION is attached hereto as **Exhibit A**.
- * Approval Expires December 22, 2024.
- * Metes and Bounds description of any wetlands area limit approved by the Letter of Interpretation are set forth on **Exhibit B** (Wetlands Area-1, 2 sheets and Wetlands Area-2, 2 sheets) attached hereto.
- * Wetlands Delineation Plan, prepared by Menlo Engineering Associates, Inc., dated November 13, 2018, last revised August 29, 2019 attached as **Exhibit C** (1 sheet).
- * 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/landuse> for more information prior to any construction onsite.

RECORD AND RETURN TO:

Frank J. Petrino, Esq.
Eckert Seamans Cherin & Mellott, LLC
P.O. Box 5404
Princeton, NJ 08543



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

DEC 17 2019

Jamie Herring
Herring Land Group
281 Witherspoon Street
Suite 105
Princeton, NJ 08540

2009079 R
DEC 23 2019
MENLO ENGINEERING ASSOCIATES, INC.

RE: Freshwater Wetlands Letter of Interpretation: **Line Verification**
File and Activity No.: 1100-07-0003.3 FWW180001
Applicant: Herring Land Group
Block and Lot: [371; 3.05]
Ewing Township, Mercer County

Dear Mr. Herring:

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Based upon the information submitted, and upon site inspections conducted by Division staff on January 30 and October 24, 2019, the Division has determined that the wetlands and waters boundary lines as shown on the plan map entitled: "AIRPORT CORPORATE PARK TOWNSHIP OF EWING, MERCER COUNTY, NEW JERSEY WETLANDS DELINEATION PLAN BLOCK 371 LOTS 3.05 TAX MAP SHEET: 65 22.610 ACRES+/-", Sheet No. 1 of 1, dated November 13, 2018, last revised August 29, 2019, and prepared by Greg A. Gaffney, N.J.P.L.S. of 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-referenced file and activity 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 standard transition area or buffer required adjacent to the delineated wetlands are as follows:

Intermediate: All freshwater wetlands shown on the approved plan [50-foot wetland buffer]

State open water: Within the wetland boundaries [No wetland buffer]

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 by Certification or Statewide General Permits available for the property (see N.J.A.C. 7:7A-5, 6 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 Department. 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 and 2.5. 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 Department 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/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, P.O. Box 402, 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 Ariana Tsiattalos of our staff by e-mail at Ariana.Tsiattalos@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,



Mark C. Davis, Environmental Specialist 4
Division of Land Use Regulation

c: Ewing Township Municipal Clerk
Ewing Township Municipal Construction Official
Agent (original) – William A. Lane



732 846 8585
732 846 9439

Legal Description
Airport Corporate Park
Wetlands Area-1
Block 371, Lot 3.05
Township of Ewing
Mercer County, New Jersey

BEGINNING at a point, said point lying North 86 degrees 33 minutes 53 seconds West, a distance of 147.92 from a rebar marking the intersection of the common lot line between Lot 3.05 in Block 371 and Lot 1 in Block 369 with the southerly right-of-way line of New Jersey State Highway Route I-95; thence

Along a wetland line for courses 1 through 40:

1. **South 35 degrees 53 minutes 05 seconds West, a distance of 5.54 feet to a point; thence**
2. **South 76 degrees 07 minutes 23 seconds West, a distance of 41.13 feet to a point; thence**
3. **South 85 degrees 27 minutes 20 seconds West, a distance of 52.62 feet to a point; thence**
4. **South 33 degrees 09 minutes 22 seconds West, a distance of 30.70 feet to a point; thence**
5. **South 39 degrees 08 minutes 10 seconds West, a distance of 54.20 feet to a point; thence**
6. **South 49 degrees 28 minutes 33 seconds West, a distance of 55.42 feet to a point; thence**
7. **South 52 degrees 31 minutes 16 seconds West, a distance of 51.26 feet to a point; thence**
8. **South 60 degrees 39 minutes 25 seconds West, a distance of 74.39 feet to a point; thence**
9. **South 84 degrees 15 minutes 33 seconds West, a distance of 62.31 feet to a point; thence**
10. **South 73 degrees 56 minutes 34 seconds West, a distance of 64.71 feet to a point; thence**
11. **South 74 degrees 50 minutes 22 seconds West, a distance of 66.63 feet to a point; thence**
12. **South 77 degrees 24 minutes 45 seconds West, a distance of 66.56 feet to a point; thence**
13. **South 83 degrees 07 minutes 57 seconds West, a distance of 66.89 feet to a point; thence**
14. **South 81 degrees 29 minutes 45 seconds West, a distance of 78.41 feet to a point; thence**
15. **South 41 degrees 36 minutes 33 seconds West, a distance of 32.77 feet to a point; thence**
16. **South 35 degrees 54 minutes 11 seconds West, a distance of 73.82 feet to a point; thence**

17. South 06 degrees 30 minutes 57 seconds East, a distance of 46.68 feet to a point; thence
18. South 20 degrees 20 minutes 38 seconds East, a distance of 58.14 feet to a point; thence
19. South 66 degrees 41 minutes 38 seconds West, a distance of 18.06 feet to a point; thence
20. North 57 degrees 19 minutes 43 seconds West, a distance of 33.89 feet to a point; thence
21. North 80 degrees 52 minutes 58 seconds West, a distance of 39.14 feet to a point; thence
22. North 89 degrees 08 minutes 42 seconds West, a distance of 66.53 feet to a point; thence
23. North 61 degrees 25 minutes 35 seconds West, a distance of 74.35 feet to a point; thence
24. North 80 degrees 23 minutes 38 seconds West, a distance of 64.77 feet to a point; thence
25. North 68 degrees 19 minutes 50 seconds West, a distance of 53.04 feet to a point; thence
26. North 48 degrees 00 minutes 34 seconds West, a distance of 43.11 feet to a point; thence
27. North 82 degrees 33 minutes 16 seconds West, a distance of 46.23 feet to a point; thence
28. North 08 degrees 10 minutes 04 seconds West, a distance of 83.77 feet to a point; thence
29. North 83 degrees 01 minute 00 seconds West, a distance of 62.62 feet to a point; thence
30. North 80 degrees 24 minutes 58 seconds West, a distance of 54.04 feet to a point; thence
31. South 85 degrees 23 minutes 47 seconds West, a distance of 13.75 feet to a point; thence
32. South 19 degrees 57 minutes 32 seconds West, a distance of 30.71 feet to a point; thence
33. South 06 degrees 31 minutes 43 seconds East, a distance of 40.11 feet to a point; thence
34. South 76 degrees 53 minutes 03 seconds West, a distance of 10.64 feet to a point; thence
35. North 02 degrees 22 minutes 49 seconds West, a distance of 41.77 feet to a point; thence
36. North 36 degrees 37 minutes 21 seconds West, a distance of 61.12 feet to a point; thence
37. North 28 degrees 46 minutes 40 seconds West, a distance of 24.10 feet to a point; thence
38. South 61 degrees 44 minutes 15 seconds West, a distance of 29.53 feet to a point; thence
39. South 84 degrees 03 minutes 42 seconds West, a distance of 52.54 feet to a point; thence


40. North 68 degrees 02 minutes 29 seconds West, a distance of 32.94 feet to a point lying in the common lot line between Lot 36 in Block 91.01 and Lot 3.05 in Block 371; thence
41. North 80 degrees 34 minutes 16 seconds East, along said common lot line, a distance of 117.16 feet to a point lying in the approximate centerline of the Ewing Creek; thence
42. Along the approximate centerline of Ewing Creek in an easterly direction for a distance of 1,331.79 feet ± to a point lying in the southerly right-of-way line of New Jersey State Highway Route I-95; thence
43. South 86 degrees 33 minutes 53 seconds East, along said southerly right-of-way line, a distance of 101.08 feet to the point or place of BEGINNING.

The above-described wetlands area contains 90,828 square feet (2.085 acres), more or less, as shown on a map entitled "Airport Corporate Park – Wetlands Exhibit" prepared by Menlo Engineering Associates, Inc.; job. no. 2009.079; drawing no. WEX-1; dated January 6, 2020.

The above-described wetland line is a portion of the wetland line delineated from flags WA-4 through WA-42 and is classified as intermediate and is subject to a 50-foot wide wetlands buffer. This determination is based on the Freshwater Wetlands Letter of Interpretation: Line Verification DLUR FILE # 1100-07-0003.3, Activity Number FWW180001, Date of Issue: December 17, 2019; Date of Expiration: December 16, 2024.

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 on site.

DP/kmr
MEA #2009.079
January 6, 2020



Gregg A. Gaffney
Professional Land Surveyor
NJPLS #GS43304



732 846 8585
732 816 9439

Legal Description
Airport Corporate Park
Wetlands Area-2
Block 371, Lot 3.05
Township of Ewing
Mercer County, New Jersey

COMMENCING from a rebar, said rebar marking the intersection of the common lot line between Lot 3.05 in Block 371 and Lot 1 in Block 369 with the southerly right-of-way line of New Jersey State Highway Route I-95 and from said point running the following two (2) courses:

- A) South 04 degrees 45 minutes 36 seconds West, along said common lot line, a distance of 595.83 feet to a point; thence
- B) North 85 degrees 14 minutes 24 seconds West, along a line, a distance of 504.81 feet to the true point or place of BEGINNING.

Along a wetland line for courses 1 through 54:

1. South 06 degrees 37 minutes 02 seconds West, a distance of 29.31 feet to a point; thence
2. South 43 degrees 42 minutes 52 seconds West, a distance of 45.25 feet to a point; thence
3. South 23 degrees 53 minutes 45 seconds West, a distance of 46.58 feet to a point; thence
4. South 05 degrees 45 minutes 11 seconds East, a distance of 32.66 feet to a point; thence
5. South 48 degrees 49 minutes 15 seconds East, a distance of 33.69 feet to a point; thence
6. North 87 degrees 35 minutes 36 seconds East, a distance of 52.86 feet to a point; thence
7. South 48 degrees 43 minutes 50 seconds East, a distance of 37.31 feet to a point; thence
8. South 11 degrees 25 minutes 59 seconds East, a distance of 22.37 feet to a point; thence
9. South 32 degrees 32 minutes 21 seconds East, a distance of 37.90 feet to a point; thence
10. South 75 degrees 36 minutes 34 seconds East, a distance of 53.92 feet to a point; thence
11. South 02 degrees 11 minutes 55 seconds West, a distance of 31.64 feet to a point; thence
12. South 52 degrees 11 minutes 14 seconds West, a distance of 54.26 feet to a point; thence
13. South 78 degrees 38 minutes 41 seconds West, a distance of 28.57 feet to a point; thence

14. South 85 degrees 40 minutes 23 seconds West, a distance of 19.92 feet to a point; thence
15. North 42 degrees 36 minutes 55 seconds East, a distance of 52.04 feet to a point; thence
16. North 00 degrees 49 minutes 42 seconds East, a distance of 30.29 feet to a point; thence
17. South 88 degrees 21 minutes 33 seconds West, a distance of 61.07 feet to a point; thence
18. North 11 degrees 45 minutes 16 seconds West, a distance of 57.45 feet to a point; thence
19. North 82 degrees 59 minutes 54 seconds West, a distance of 21.69 feet to a point; thence
20. North 53 degrees 39 minutes 10 seconds West, a distance of 41.42 feet to a point; thence
21. North 25 degrees 09 minutes 41 seconds West, a distance of 33.09 feet to a point; thence
22. North 39 degrees 41 minutes 21 seconds West, a distance of 26.71 feet to a point; thence
23. North 66 degrees 52 minutes 55 seconds West, a distance of 25.38 feet to a point; thence
24. South 48 degrees 40 minutes 26 seconds West, a distance of 13.35 feet to a point; thence
25. South 31 degrees 52 minutes 27 seconds East, a distance of 45.88 feet to a point; thence
26. South 23 degrees 10 minutes 22 seconds East, a distance of 25.29 feet to a point; thence
27. South 35 degrees 16 minutes 22 seconds East, a distance of 35.88 feet to a point; thence
28. South 48 degrees 46 minutes 01 second West, a distance of 6.00 feet to a point; thence
29. North 41 degrees 13 minutes 59 seconds West, a distance of 38.60 feet to a point; thence
30. North 29 degrees 58 minutes 51 seconds West, a distance of 24.28 feet to a point; thence
31. North 48 degrees 47 minutes 08 seconds West, a distance of 35.63 feet to a point; thence
32. North 38 degrees 57 minutes 56 seconds West, a distance of 55.01 feet to a point; thence
33. South 83 degrees 16 minutes 00 seconds West, a distance of 95.40 feet to a point; thence
34. North 37 degrees 29 minutes 33 seconds West, a distance of 81.19 feet to a point; thence
35. North 00 degrees 16 minutes 22 seconds West, a distance of 26.05 feet to a point; thence
36. South 48 degrees 29 minutes 56 seconds West, a distance of 36.83 feet to a point; thence

37. North 44 degrees 30 minutes 42 seconds West, a distance of 3.56 feet to a point; thence
38. North 36 degrees 49 minutes 04 seconds East, a distance of 28.71 feet to a point; thence
39. North 00 degrees 03 minutes 21 seconds East, a distance of 38.74 feet to a point; thence
40. North 69 degrees 34 minutes 45 seconds West, a distance of 38.39 feet to a point; thence
41. North 55 degrees 21 minutes 22 seconds East, a distance of 34.00 feet to a point; thence
42. North 31 degrees 58 minutes 39 seconds West, a distance of 2.20 feet to a point; thence
43. North 64 degrees 46 minutes 57 seconds East, a distance of 20.18 feet to a point; thence
44. South 44 degrees 34 minutes 44 seconds East, a distance of 39.94 feet to a point; thence
45. South 50 degrees 30 minutes 31 seconds East, a distance of 31.50 feet to a point; thence
46. North 87 degrees 57 minutes 47 seconds East, a distance of 14.32 feet to a point; thence
47. North 26 degrees 31 minutes 04 seconds East, a distance of 33.51 feet to a point; thence
48. North 55 degrees 39 minutes 32 seconds East, a distance of 16.40 feet to a point; thence
49. South 87 degrees 04 minutes 48 seconds East, a distance of 25.55 feet to a point; thence
50. South 73 degrees 28 minutes 32 seconds East, a distance of 61.34 feet to a point; thence
51. South 38 degrees 27 minutes 46 seconds East, a distance of 25.01 feet to a point; thence
52. South 56 degrees 31 minutes 02 seconds East, a distance of 39.76 feet to a point; thence
53. South 76 degrees 19 minutes 54 seconds East, a distance of 32.24 feet to a point; thence
54. North 76 degrees 49 minutes 10 seconds East, a distance of 53.90 feet to the point or place of BEGINNING.

The above-described wetlands area contains 52,206 square feet (1.20 acres), more or less, as shown on a map entitled "Airport Corporate Park – Wetlands Exhibit" prepared by Menlo Engineering Associates, Inc.; job. no. 2009.079; drawing no. WEX-1; dated January 6, 2020.

The above-described wetland line is delineated from flags WC-2 through WC-42 and is classified as intermediate and is subject to a 50-foot wide wetlands buffer. This determination is based on the Freshwater Wetlands Letter of Interpretation: Line Verification DLUR FILE # 1100-07-0003.3, Activity Number FWW180001, Date of Issue: December 17, 2019; Date of Expiration: December 16, 2024.

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 on site.

DP/kmr
MEA #2009.079
January 6, 2020



Gregg A. Gaffney
Professional Land Surveyor
NJPLS #GS43304

Parcel Line Table

Line #	Length	Direction
121	1.80	S80°34'16"W
122	1.80	S80°34'16"W
123	1.80	S80°34'16"W
124	1.80	S80°34'16"W
125	1.80	S80°34'16"W
126	1.80	S80°34'16"W
127	1.80	S80°34'16"W
128	1.80	S80°34'16"W
129	1.80	S80°34'16"W
130	1.80	S80°34'16"W
131	1.80	S80°34'16"W
132	1.80	S80°34'16"W
133	1.80	S80°34'16"W
134	1.80	S80°34'16"W
135	1.80	S80°34'16"W
136	1.80	S80°34'16"W
137	1.80	S80°34'16"W
138	1.80	S80°34'16"W
139	1.80	S80°34'16"W
140	1.80	S80°34'16"W
141	1.80	S80°34'16"W
142	1.80	S80°34'16"W
143	1.80	S80°34'16"W
144	1.80	S80°34'16"W
145	1.80	S80°34'16"W
146	1.80	S80°34'16"W
147	1.80	S80°34'16"W
148	1.80	S80°34'16"W
149	1.80	S80°34'16"W
150	1.80	S80°34'16"W

Parcel Line Table

Line #	Length	Direction
151	1.80	S80°34'16"W
152	1.80	S80°34'16"W
153	1.80	S80°34'16"W
154	1.80	S80°34'16"W
155	1.80	S80°34'16"W
156	1.80	S80°34'16"W
157	1.80	S80°34'16"W
158	1.80	S80°34'16"W
159	1.80	S80°34'16"W
160	1.80	S80°34'16"W
161	1.80	S80°34'16"W
162	1.80	S80°34'16"W
163	1.80	S80°34'16"W
164	1.80	S80°34'16"W
165	1.80	S80°34'16"W
166	1.80	S80°34'16"W
167	1.80	S80°34'16"W
168	1.80	S80°34'16"W
169	1.80	S80°34'16"W
170	1.80	S80°34'16"W
171	1.80	S80°34'16"W
172	1.80	S80°34'16"W
173	1.80	S80°34'16"W
174	1.80	S80°34'16"W
175	1.80	S80°34'16"W
176	1.80	S80°34'16"W
177	1.80	S80°34'16"W
178	1.80	S80°34'16"W
179	1.80	S80°34'16"W
180	1.80	S80°34'16"W

Parcel Line Table

Line #	Length	Direction
181	1.80	S80°34'16"W
182	1.80	S80°34'16"W
183	1.80	S80°34'16"W
184	1.80	S80°34'16"W
185	1.80	S80°34'16"W
186	1.80	S80°34'16"W
187	1.80	S80°34'16"W
188	1.80	S80°34'16"W
189	1.80	S80°34'16"W
190	1.80	S80°34'16"W
191	1.80	S80°34'16"W
192	1.80	S80°34'16"W
193	1.80	S80°34'16"W
194	1.80	S80°34'16"W
195	1.80	S80°34'16"W
196	1.80	S80°34'16"W
197	1.80	S80°34'16"W
198	1.80	S80°34'16"W
199	1.80	S80°34'16"W
200	1.80	S80°34'16"W
201	1.80	S80°34'16"W
202	1.80	S80°34'16"W
203	1.80	S80°34'16"W
204	1.80	S80°34'16"W
205	1.80	S80°34'16"W
206	1.80	S80°34'16"W
207	1.80	S80°34'16"W
208	1.80	S80°34'16"W
209	1.80	S80°34'16"W
210	1.80	S80°34'16"W

Parcel Line Table

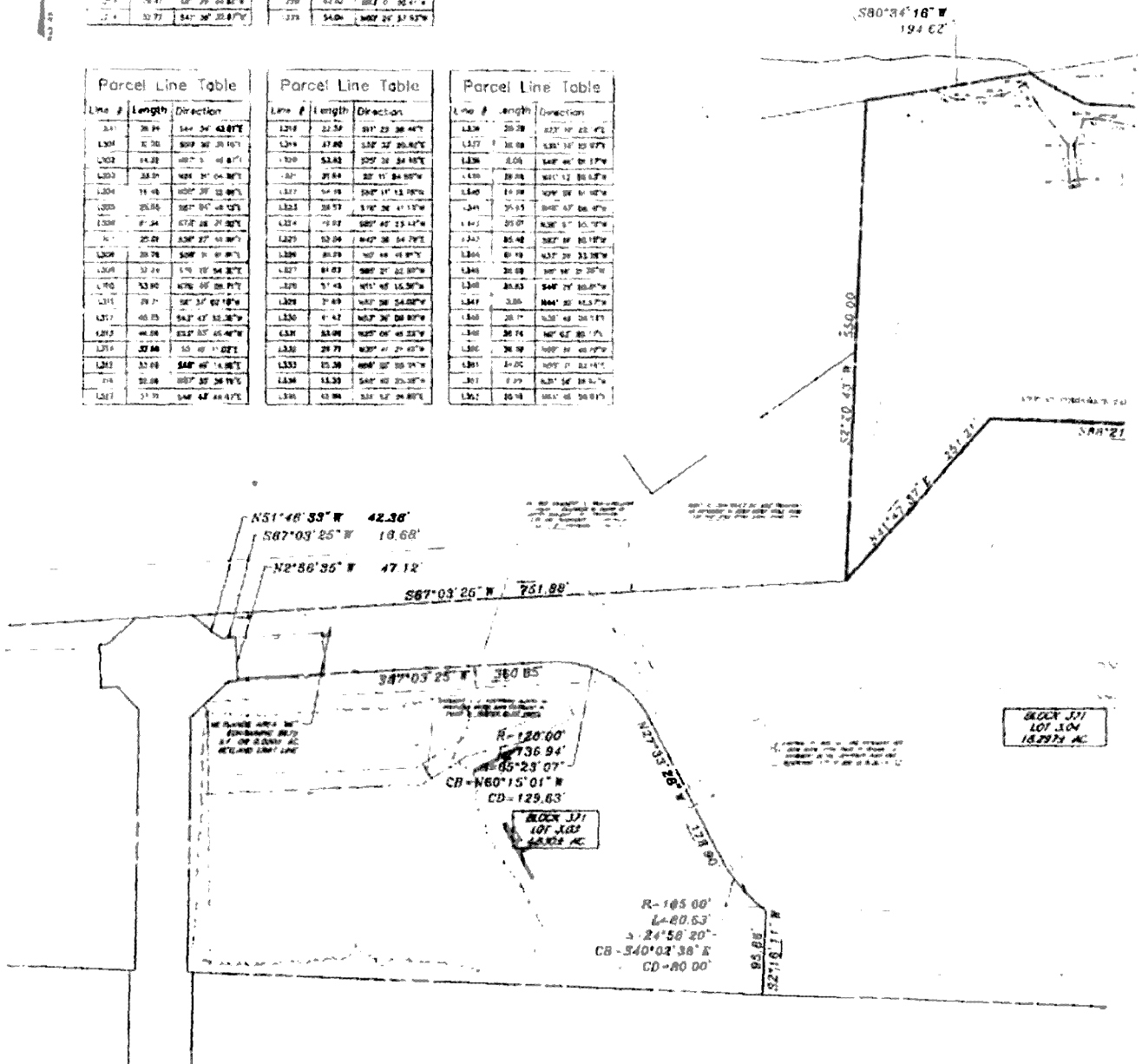
Line #	Length	Direction
L201	20.84	S44°34'42.87"E
L202	21.70	S69°36'20.91"E
L203	22.20	S67°5'46.87"E
L204	22.20	S67°5'46.87"E
L205	22.20	S67°5'46.87"E
L206	22.20	S67°5'46.87"E
L207	22.20	S67°5'46.87"E
L208	22.20	S67°5'46.87"E
L209	22.20	S67°5'46.87"E
L210	22.20	S67°5'46.87"E
L211	22.20	S67°5'46.87"E
L212	22.20	S67°5'46.87"E
L213	22.20	S67°5'46.87"E
L214	22.20	S67°5'46.87"E
L215	22.20	S67°5'46.87"E
L216	22.20	S67°5'46.87"E
L217	22.20	S67°5'46.87"E
L218	22.20	S67°5'46.87"E
L219	22.20	S67°5'46.87"E
L220	22.20	S67°5'46.87"E
L221	22.20	S67°5'46.87"E
L222	22.20	S67°5'46.87"E
L223	22.20	S67°5'46.87"E
L224	22.20	S67°5'46.87"E
L225	22.20	S67°5'46.87"E
L226	22.20	S67°5'46.87"E
L227	22.20	S67°5'46.87"E
L228	22.20	S67°5'46.87"E
L229	22.20	S67°5'46.87"E
L230	22.20	S67°5'46.87"E

Parcel Line Table

Line #	Length	Direction
L231	22.20	S67°5'46.87"E
L232	22.20	S67°5'46.87"E
L233	22.20	S67°5'46.87"E
L234	22.20	S67°5'46.87"E
L235	22.20	S67°5'46.87"E
L236	22.20	S67°5'46.87"E
L237	22.20	S67°5'46.87"E
L238	22.20	S67°5'46.87"E
L239	22.20	S67°5'46.87"E
L240	22.20	S67°5'46.87"E
L241	22.20	S67°5'46.87"E
L242	22.20	S67°5'46.87"E
L243	22.20	S67°5'46.87"E
L244	22.20	S67°5'46.87"E
L245	22.20	S67°5'46.87"E
L246	22.20	S67°5'46.87"E
L247	22.20	S67°5'46.87"E
L248	22.20	S67°5'46.87"E
L249	22.20	S67°5'46.87"E
L250	22.20	S67°5'46.87"E
L251	22.20	S67°5'46.87"E
L252	22.20	S67°5'46.87"E
L253	22.20	S67°5'46.87"E
L254	22.20	S67°5'46.87"E
L255	22.20	S67°5'46.87"E
L256	22.20	S67°5'46.87"E
L257	22.20	S67°5'46.87"E
L258	22.20	S67°5'46.87"E
L259	22.20	S67°5'46.87"E
L260	22.20	S67°5'46.87"E

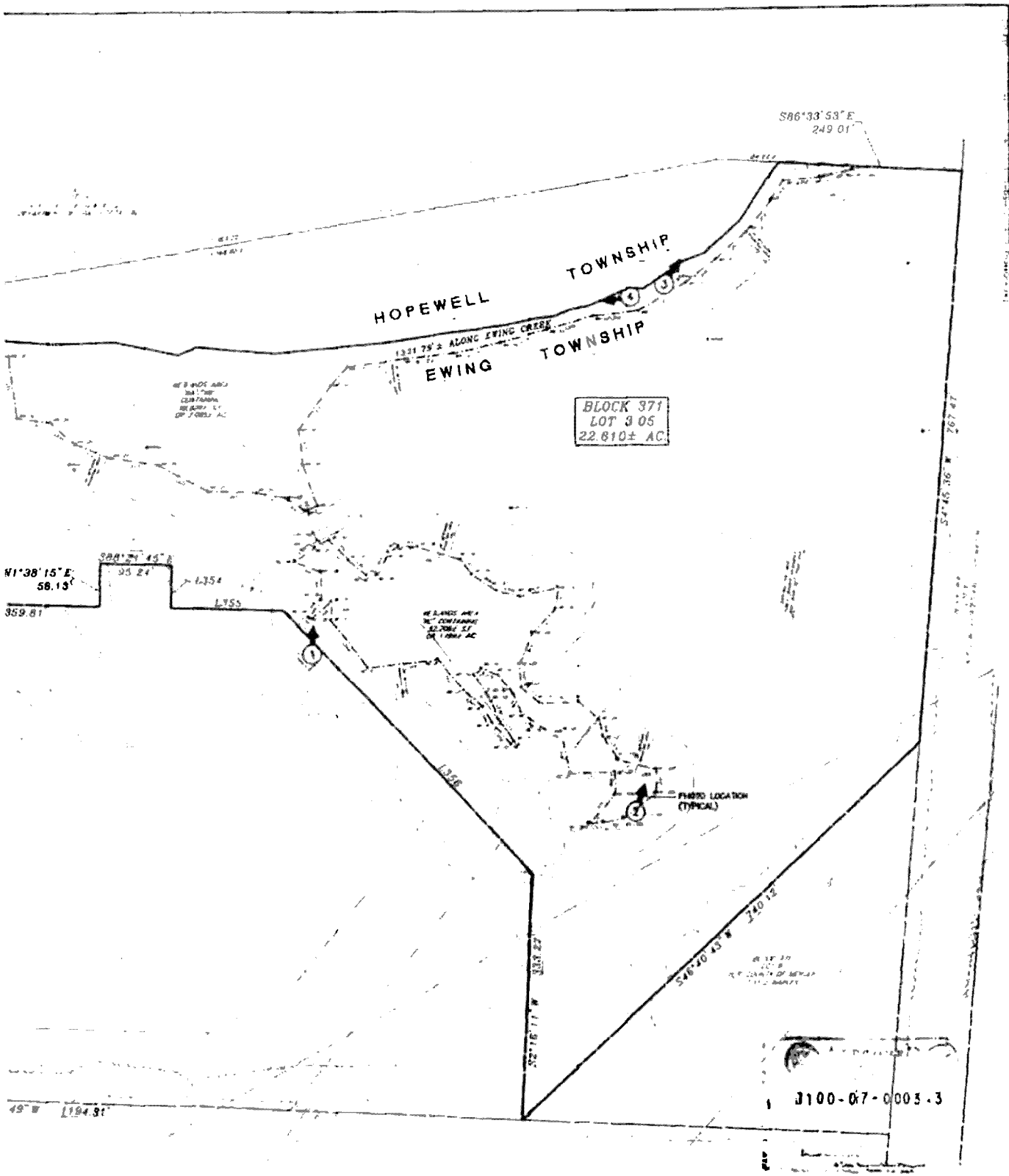
Parcel Line Table

Line #	Length	Direction
L261	22.20	S67°5'46.87"E
L262	22.20	S67°5'46.87"E
L263	22.20	S67°5'46.87"E
L264	22.20	S67°5'46.87"E
L265	22.20	S67°5'46.87"E
L266	22.20	S67°5'46.87"E
L267	22.20	S67°5'46.87"E
L268	22.20	S67°5'46.87"E
L269	22.20	S67°5'46.87"E
L270	22.20	S67°5'46.87"E
L271	22.20	S67°5'46.87"E
L272	22.20	S67°5'46.87"E
L273	22.20	S67°5'46.87"E
L274	22.20	S67°5'46.87"E
L275	22.20	S67°5'46.87"E
L276	22.20	S67°5'46.87"E
L277	22.20	S67°5'46.87"E
L278	22.20	S67°5'46.87"E
L279	22.20	S67°5'46.87"E
L280	22.20	S67°5'46.87"E
L281	22.20	S67°5'46.87"E
L282	22.20	S67°5'46.87"E
L283	22.20	S67°5'46.87"E
L284	22.20	S67°5'46.87"E
L285	22.20	S67°5'46.87"E
L286	22.20	S67°5'46.87"E
L287	22.20	S67°5'46.87"E
L288	22.20	S67°5'46.87"E
L289	22.20	S67°5'46.87"E
L290	22.20	S67°5'46.87"E



- REFERENCES:**
1. PLAN ENTITLED "TAX/ASSESSOR LAND TITLE SURVEY WISCONSIA BARR BLOCK 371, LOT 102, (EMING TOWNSHIP, BLOCK 371, LOT 101, LOT 2 MONMOUTH TOWNSHIP, MERCER COUNTY, NEW JERSEY)" PREPARED BY TAYLOR, BRISMAN & TAYLOR, INC. DATED SEPTEMBER 28, 2009.
 2. PLAN ENTITLED "AMENDED PLAN OF MAJOR SUBDIVISION FOR BLOCK 371, TAX LOT 300, BARRIA IN EMING TOWNSHIP, MERCER COUNTY, NEW JERSEY" PREPARED BY VAN CLEEF ENGINEERING ASSOCIATES, INC. NO. 04-08-146, DATED AUGUST 3, 2008, REVISED THROUGH JULY 23, 2009.
 3. PLAN ENTITLED "PLAN OF SUBDIVISION BLOCK 371 LOT 1, EMING TOWNSHIP, MERCER COUNTY, NEW JERSEY" PREPARED BY TAYLOR, BRISMAN & TAYLOR, INC. NO. 023-118840001-2, DATED NOVEMBER 14, 2000.
 4. TOWNSHIP OF EMING TAX MAP SHEET #5.
 5. NJDEP PMA VERIFICATION PERMIT, PERMIT#1100-07-0003, PMA 120001 DATED JUNE 27, 2012.
 6. NJDEP PMA PERMIT, PERMIT#1100-07-0003, PMA 120001 DATED JUNE 27, 2012.
 7. NJDEP PERMITS WATER WISCONSIA GENERAL PERMIT NO. 2, PERMIT#1100-07-0003, PMA 120001 DATED JUNE 27, 2012.
 8. NJDEP PERMITS WATER WISCONSIA GENERAL PERMIT NO. 10A, PERMIT#1100-07-0003, PMA 120001 DATED JUNE 27, 2012.
 9. NJDEP PERMITS WATER WISCONSIA TRAVEL TRUCK GENERAL PERMIT NO. 10A, PERMIT#1100-07-0003, PMA 120001 DATED JUNE 27, 2012.
 10. GOOGLE MAPS AERIAL PHOTOGRAPHIC IMAGERY DATED 2010 FOR CURRENT USE LAWS.
 11. ADDITIONAL DATA POINTS SUPPLIED BY Charles W. Blair, P.L.L. County of Blair, Inc., 3920 Queen Avenue, Bensalem, PA 19020.





BLOCK 371
LOT 3.05
22.810± AC.

J100-07-0005.3

<p>THIS DRAWING IS FOR INFORMATION PURPOSES ONLY. IT HAS NOT BEEN CHECKED AND APPROVED BY THE BOARD OF ENGINEERS AND SURVEYORS.</p>		<p>MENLO ENGINEERING ASSOCIATES, INC. CIVIL ENGINEERS, LAND SURVEYORS AND PROFESSIONAL PLANNERS 281 CLEVELAND AVENUE HIGHLAND PARK, NEW JERSEY 08904 PHONE: (732) 846-8585 FAX: (732) 846-9439 CERTIFICATE OF AUTHORIZATION: 24627951900</p>	
	<p>AIRPORT CORPORATE PARK TOWNSHIP OF EWING, MONROE COUNTY, NEW JERSEY WETLANDS DELINEATION PLAN</p>		
	<p>BLOCK 371 LOTS 3.05 TAX MAP SHEET: 85 22.810 ACRES</p>		
<p>DATE OF ISSUE: NOVEMBER 13, 2018 REV 1) AUGUST 29, 2019</p>		<p>SCALE: 1"=80' JOB # 2008.079 DWG # 80-1 SHEET # 1 OF 1</p>	