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September 18, 2020

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Barnegat Township Planning Board
900 West Bay Avenue
Barnegat, NJ 08005

**Re: Application No. PB 17-07
Amended Preliminary and Final Major Site Plan – Review #3
Block 92.111, Lot 24.09
750 Lighthouse Drive
Barnegat Township, Ocean County, New Jersey
Applicant: Lighthouse at Barnegat, LLC
2141 Route 88 East, Suite 1
Brick, New Jersey 08724
Our File: VBGP0092.27 (60001)**

Dear Planning Board Members:

Our office received for review the following information in support of application for Amended Preliminary and Final Major Site Plan approval for the above referenced property:

- A set of Amended Preliminary & Final Major Site Plan drawings (25 sheets) prepared by William A. Stevens, PE, PP with Professional Design Services, LLC of Lakewood, New Jersey dated August 24, 2020;
- Various Exhibits to be used for Public Hearing;
- A completed Contribution Disclosure Statement from John Rea, Traffic Engineer;
- Updated Preliminary and Final Major Site Plan checklists;

Our office previously received for review the following:

- A set of Preliminary & Final Major Site Plan drawings (25 sheets) prepared by William A. Stevens, PE, PP with Professional Design Services, LLC of Lakewood, New Jersey dated July 14, 2017, last revised June 30, 2020;
- A set of signed architectural drawings (13 sheets), prepared by Thomas J. Brennan Architects, dated July 31, 2020;
- A NJ Pinelands Certificate of Filing (Inconsistent), Application #1985-1432.010, dated October 1, 2018, noting construction of two, three story buildings, containing 148 age restricted dwelling units, and 4,000 SF clubhouse;
- A Stormwater Management Report prepared by William A. Stevens, PE, PP dated July 12, 2017, last revised July 2, 2020. Included with the report are the following:
 - Mounding Analysis.
 - Time to Drain Calculations.
 - Low Impact Development Checklist.
 - Soil Permeability Test Reports.



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- An Environmental Impact Statement prepared by William A. Stevens, PE, PP dated July 14, 2017.
- A Traffic Study prepared by John H. Rea, PE and Scott T. Kennel with McDonough & Rea Associates, Inc. of Manasquan, New Jersey dated June 28, 2017.
- An August 18, 2017 e-mail from Ian Borden with Professional Design Services, LLC to our office which states that all of the units will have two-bedrooms.
- A completed Land Use and Development Application with a filing date of July 8, 2020;
- A completed Completeness Checklist for Final Major Site Plan Application.
- A completed Completeness Checklist for Final Major Site Plan Application.
- A completed Affidavit of Non-Collusion dated July 1, 2020;
- A completed Developer's Escrow Agreement, dated July 1, 2020;
- Copy of W-9, prepared by Lighthouse at Barnegat, LLC, dated July 1, 2020;
- A completed List of Professionals & Consultants.
- A completed Contribution Disclosure Statement from Christine Hoffman, Executive Director, Lighthouse at Barnegat, LLC., dated July 1, 2020;
- A completed Contribution Disclosure Statement from Edwin W. Schmierer, Esq., dated July 1, 2020;
- A completed Contribution Disclosure Statement from Ian M. Borden, PP with Professional Design Services, LLC dated June 30, 2020;
- A completed Contribution Disclosure Statement from Thomas J. Brennan, architect
- A copy of Tax Release statement, prepared by Township Tax Collector, certifying taxes paid to August 24, 2020

We have reviewed the information submitted in support of this application and offer the following comments:

A. GENERAL COMMENTS

The property in question is an irregularly shaped tract which fronts on the westerly side of Lighthouse Drive approximately 130 ft north of the intersection with Harpoon Drive. It is located in the Neighborhood Commercial (CN) Zone and has an area of approximately 9.88 acres. The property is presently vacant and wooded. See below for aerial photograph.



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Previously, the site was granted Preliminary & Final Major Site Plan approval, through Resolution 2017-34, to permit the construction of an age-restricted condominium development at the site. The condominium development was approved with 148 two-bedroom units in two (2) three-story buildings. In addition, a 4,000 sf clubhouse and a pool were also approved. The proposed buildings will be connected to the existing sanitary sewer and water systems in Lighthouse Drive.

Now, the new applicant, Lighthouse at Barnegat, LLC, has submitted for Amended Final Major Site Plan approval to permit the construction of an age-restricted condominium development at the site. The condominium development is proposed with 148 two-bedroom units in four (4) three-story buildings. In



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addition, a 2,688 sf clubhouse and outdoor amenity area is also proposed. The proposed buildings will be connected to the existing sanitary sewer and water systems in Lighthouse Drive

Access will be provided to the site from Lighthouse Drive via two (2) full movement driveways and one (1) entrance-only driveway. The entrance-only driveway is proposed at the northerly end of the site. On-site parking is proposed for 301 vehicles including 16 handicap accessible parking spaces. In addition, a stormwater management basin is proposed to mitigate the increase in runoff generated by the proposed development.

B. VARIANCES AND/OR WAIVERS FROM LOCAL ORDINANCES

1. The Applicant has not requested any variances as a part of this Amended Final Major Site Plan application.
2. The Applicant has requested a waiver to permit a fire hazard fuel break of 42.33 ft from the westerly property line to Building #1 and 43 ft to Building #2 whereas a minimum fire hazard fuel break of 75 ft is required. *Previously granted per Resolution 2017-34, however, building numbers are per previous application and it appears new waivers are required for new layout.*
3. The Applicant has requested a waiver to permit vertical side slopes along the southerly and westerly sides of the stormwater management basin whereas the Ordinance permits a maximum side slope of 3:1. *Previously granted per Resolution 2017-34.*

C. WAIVERS AND/OR EXCEPTIONS FROM THE RESIDENTIAL SITE IMPROVEMENT STANDARDS (RSIS)

This application is subject to the requirements of the Residential Site Improvement Standards (RSIS) adopted as NJAC 5:21-1, et seq.

1. The Applicant has not requested any waivers from the RSIS.
2. The Applicant has not requested any *de minimis* exceptions from the RSIS.

D. SUBMISSION REQUIREMENTS

The Applicant has addressed all of the submission requirements for this Amended Preliminary and Final Major Site Plan application.

E. CONDITIONAL USE STANDARDS

On April 4, 2017, the Barnegat Township Committee adopted Ordinance 2017-12 which permits condominium development as a conditional use in the C-N Zone west of the New Jersey Garden State Parkway subject to compliance with the following conditions:

1. A condominium development shall only be permitted on property directly accessed by a county road. A condominium development shall not be permitted on property that is accessed solely by a municipal roadway.
2. A condominium development shall be permitted only on property located within the Pinelands Regional Growth Area.



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3. Ownership of the condominium units shall be in accordance with the provisions of N.J.S.A. 46:4B-1 et seq. The form of the master deed, the covenants and restrictions for the community and the bylaws of the homeowners association shall be subject to review and approval by the Planning Board and the Township Committee. In addition, the covenants and restrictions shall provide that same shall not be altered, amended, voided or released, in whole or in part, without the written consent of the Township, by resolution duly adopted at a regular meeting of the Township Committee.
4. All units shall be age-restricted and limited to one- and two- bedroom units. One- bedroom units shall be no less than 800 square feet and two-bedroom units shall be no less than 1,100.00 square feet.
5. The maximum permitted density for age-restricted occupied condominium units shall be 15 units per acre. Pinelands Development Credits shall be purchased and redeemed for twenty-five percent (25%) of all units in the condominium development.
6. The condominium development shall include a pool and clubhouse for sole use by the residents of the development and their guests.
7. The proposed condominium development shall comply with the minimum parking requirements set forth in Section 55-173 of the Barnegat Township Land Use Code. No additional parking above what is required for the condominium units shall be required for the pool and clubhouse.
8. A dense vegetative buffer having a minimum width of 50 feet shall be provided from any adjoining lots zoned for or occupied by single family residential dwellings.
9. All condominium development shall conform to the following bulk standards, which bulk standards shall supersede the Schedule of Area, Yard and Building Requirements found in Section 55-62 for the C-N Neighborhood Commercial Zone:
 - a) Minimum lot size of 9 acres.
 - b) Minimum lot depth of 300 feet.
 - c) Minimum front yard setback of 50 feet.
 - d) Minimum side yard setback of 10 feet.
 - e) Minimum combined side yard setback of 35 feet.
 - f) Minimum rear yard setback of 30 feet.
 - g) Maximum lot coverage by building of 50%.
 - h) Maximum building height of 3 stories or 48 feet.

Subsequently, on May 8, 2020, the Barnegat Township Committee adopted Ordinance 2020-05 which amended Ordinance 2017-12 regarding condominium development as a conditional use in the C-N Zone west of the New Jersey Garden State Parkway subject to compliance with the following conditions:



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10. All units shall be age-restricted and limited to one- and two- bedroom units. One- bedroom units shall be no less than 800 square feet. Two-bedroom units shall be no less than 950 square feet with a minimum of 70% of the two-bedroom units having no less than 1,100 square feet.
11. The maximum permitted density for age-restricted occupied condominium units shall be 15 units per acre. A maximum of 20% affordable housing set-aside may be provided as set forth in the Fair Housing Act, NJSA 52:27D-329.9. Not more than 10 of the affordable units may be low-income and the remaining shall be moderate income. Pinelands Development Credits shall be purchased and redeemed for twenty-five percent (25%) of all units in the condominium development. Redemption of Pinelands Development Credits shall not be required for affordable housing units provided to meet the requirements of the Fair Housing Act, NJSA 52:27D-329.9, provided such affordable units do not exceed 20% of the total number of proposed units. All affordable units shall comply with the New Jersey Uniform Housing Affordability Controls and shall be managed by the Township's Administrative Agent for Affordable Housing. The Developer shall be required to enter into a Developer's Agreement with the Township to effectuate same.
12. The condominium development shall include a clubhouse and other outdoor recreation amenities to be approved the Planning Board, which may include amenities such as picnic pavilions, tables, benches, grills, bocce, horseshoe pits, fire pits, and the like, for sole use by the residents of the development and their guests. A clubhouse shall be provided for all projects having 50 or more units and shall provide 17 SF of indoor area per unit, but shall not be less than 1,000 square feet in area.
13. The proposed condominium development shall comply with the minimum parking requirements set forth in Section 55-173 of the Barnegat Township Land Use Code. No additional parking above what is required for the condominium units shall be required for the pool and clubhouse.

The Applicant should provide testimony to the Board to demonstrate compliance with the conditions set forth above.

F. PLAT DETAILS

1. The plans and application documents shall be revised to note the new setback waivers requested from the new buildings. It appears the following is required: New Building 1, 53.35 feet; New Building 2, 42.2 feet; New Building 3, 63.71 feet; and New Building 4, 66.54 feet.
2. The applicant has indicated that no waivers or de minimus exceptions from the Residential Site Improvement Standards (RSIS) are proposed. Applicant to provide testimony.
3. Sheet 3 indicates previous waivers granted, provide Resolution number.
4. Previously approved plans included a 20 ft wide Stabilized Emergency Access Drive along sides and rear of buildings. However, the current plans do not include an Emergency Access Drive to the rear of the buildings, revise accordingly.
5. Sheet 3, and any applicable subsequent sheets, shall be revised to show all door ways to proposed units, front and rear, and all proposed sidewalk connections/patios/etc.... Site plans and Architectural plans shall be consistent in proposed access doors.



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6. Sheet 3 must be revised to show the setback from the emergency access drive to the rear property line.
7. Provide clarification regarding details on sheet 14. Where are Double E inlets proposed?

G. DESIGN COMMENTS

1. All landscaping issues are deferred to the Planning Board Landscape Architect for review and comment.
2. All water and sewer issues are deferred to the Barnegat Township Water & Sewer Utility Engineer for review and comment.
3. The Applicant shall address the Board regarding previous approvals granted, revisions to Final Site Plan per this application, and consistency of changes with the previous application and conditions of previous approving resolutions.
4. The Applicant shall provide testimony as to any design waivers requested. We note previous application included waiver to permit a fire hazard fuel break of 42.33 ft from the westerly property line to Building #1 and 43 ft to Building #2 whereas a minimum fire hazard fuel break of 75 ft is required. We also note that now that four (4) buildings are proposed, new waivers would be required.
5. The Applicant should address the Board regarding their plans, if any, to provide assigned parking spaces for each unit.
6. The Applicant should address the Board regarding their plans, if any, to identify the parking spaces that will be set-aside for guest parking.
7. Clarify on applicable detail sheets the type/size of concrete pad for the proposed bench, receptacle and bike storage rack.
8. The Applicant should address the Board regarding overall site circulation, movements proposed from and into Lighthouse Drive, any preliminary discussions or application status with Ocean County Engineers, and need for emergency access drive around all buildings. In addition, provide testimony as to adequate access and movements to new dumpster locations and pump station.
9. The Applicant should address the Board regarding whether sprinkler systems are proposed within the buildings. If sprinkler systems are proposed, then the Applicant must clarify if they will be automatic systems or if siamese connections are proposed. If siamese connections are proposed, then the locations and types must be shown on the plans.
10. The Applicant should provide testimony to the Board to demonstrate that the proposed refuse enclosures have adequate capacity to accommodate the trash and recyclables that will be generated at the site.
11. As previously noted above, the prior approval included a 20 foot wide Stabilized Emergency Access Drive along the sides and rear of the building, whereas the current plans do not include this Emergency Access Drive along the rear. The plans should be revised to provide a break-away barrier at each end of the drive to prevent unauthorized access to this area.



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12. General Note #27 indicates internal mail room will be provided. The Applicant should address the Board regarding proposed locations of mail rooms, and should be shown on the plans. If the Postmaster permits the use of internal mail rooms, then the Applicant must submit a letter from the Postmaster stating such. However, if the Postmaster requires the use of gang mail boxes, then the locations must be shown on the plans and the appropriate details provided.
13. The Applicant should address the Board regarding whether the project will be constructed in phases. If the project is to be constructed in phases, then a phasing plan must be provided.
14. Provide ROW half-width cross sections along Lighthouse Drive site frontage.
15. Design calculations for the proposed retaining walls shall be submitted to the Planning Board for review and approval by our office
16. It stipulates in Ordinance 2017-12 that *"Ownership of the condominium units shall be in accordance with the provisions of N.J.S.A. 46:4B-1 et seq. The form of the master deed, the covenants and restrictions for the community and the bylaws of the homeowners association shall be subject to review and approval by the Planning Board and the Township Committee"*. Therefore, the Applicant must submit copies of the master deed, the covenants and restrictions for the community and the bylaws of the homeowners association to the Board for review and approval by the Planning Board Attorney and the Township Committee.
17. It stipulates in Condition #4 of the previous Resolution of Approval that the opening in the refuse enclosure shall not face any adjacent parking area or street. We note that the proposed trash enclosures for Buildings #1 and #2 faces the parking area in front of the buildings. It is our recommendation that they both be rotated so that it is on a 45 degree angle to the driveway with the opening facing towards the rear of the building
18. It states in paragraph D of the C-N Neighborhood Commercial Zone requirements on sheet 3 that *"All units will be age-restricted to age 49 or over and having no children under the age of 18"*. The Applicant must demonstrate that the proposed age restriction of 49 and over meets the state and/or federal requirements for an age-restricted development.
19. The Applicant should provide clarification to the Board regarding the required County Roadway improvements to Lighthouse Drive, any preliminary reviews by Ocean County, and the proposed schedule. In addition, provide clarification to Board as to which entrances/exits will be full movements, and which will be right in/right out.
20. The Applicant should provide testimony to the Board to demonstrate that the safety of the residents regarding available lighting, and any potential reduction to security level lighting.
21. The Architectural plans have been revised to specifically note the units that are to be designated as affordable units, and henceforth restricted. Provide testimony as to units meeting UHAC requirements.
22. The Applicant should address the Board regarding present Amended application, and consistency of the previously submitted Environmental Impact Statement.
23. If concrete cradles are required at certain location, call them out on the plans and profiles.



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H. DRAINAGE & GRADING COMMENTS

1. The Ordinance requires that the stormwater management system be designed to store the difference between the post-development and pre-development runoff for the 50 year, 24 hour storm event. In addition, the stormwater management system must be designed to retain and infiltrate the runoff from the net increase in impervious surfaces for the 10 year storm event. The Ordinance further requires that the post-construction peak runoff rates for the 2 year, 10 year and 100 year storms be reduced to 50%, 75% and 80% respectively of the pre-development peak runoff rates. The Applicant must demonstrate through hydrologic and hydraulic analysis that the stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site or, in the alternative, that the increase of stormwater runoff volume from pre-construction to post-construction for the 2 year storm is infiltrated. Also, the stormwater management system must be designed to reduce the post-construction load of total suspended solids (TSS) in the stormwater runoff by 80% of the anticipated load from the developed site, expressed as an annual average, based on a water quality design storm of 1.25" in two (2) hours.

The Applicant proposes to construct an on-site collection system which will convey the runoff to an infiltration basin located at the southerly side of the site. It states in the Stormwater Management Report that the infiltration basin has been designed to retain and recharge the post development runoff from the 2 and 10 year, 24 hour storms and to retain and recharge the increased runoff from the 50 year and 100 year, 24 hour storms. The overflow from the basin will discharge to an existing inlet in Lighthouse Drive at the southeast corner of the site. Based on our review of the Stormwater Management Report, we find that the stormwater management system design is consistent with the Ordinance requirements.

2. Provide the Post Developed Conditions hydrographs for the 50 year, 24 hour rainfall. The New Jersey 24 Hour Rainfall Frequency Data table states that the 50 year, 24 hour rainfall is 7.87".
3. It shows on the plans that the outflow from the stormwater management basin will discharge into an existing inlet on Lighthouse Drive. The Applicant must submit a downstream analysis to demonstrate that the existing drainage system on Lighthouse Drive has adequate capacity to accommodate the additional flow from the site.
4. It states in the Runoff Quantity table on page 12 of the Stormwater Management Report that the Post-Developed Peak Flow for the 100 year storm event will be 1.0 cfs whereas the 100 Year Post Developed Summary for Pond Basin 1 shows that the discharge will be 1.05 cfs. This discrepancy must be resolved, and provide certification as to meeting the required 80% rate reduction.
5. Within the Stormwater Management Report, complete and insert "Attachment D – Major Development Stormwater Summary".
6. Proposed sand filter basin shall be constructed in accordance with NJDEP Stormwater BMP manual Chapter 9.9. Revise basin cross section details as necessary to match required design elements in Chapter 9.9.
7. Provide a summary table in the Stormwater Management Report, that clearly notes pre-development and post development rates and volumes, as applicable, with comments as to



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meeting NJDEP and Pinelands Commission requirements, as well as requirements of the Township Stormwater Ordinance for Major Development.

8. The Stormwater Basin Notes on sheet 5 must be revised to include a note which states that any unsuitable soils encountered during construction of the infiltration basin and the water quality basin shall be removed and replaced with soil suitable to the Township Engineer.
9. The proposed underground roof recharge pipe system shall be provided with cleanouts for access and maintenance, revise plans and provide detail. Detail should be revised to indicate minimum cover.
10. The Collection System Drainage Area drawing (sheet 15) must be revised to show the flow in CFS that is directed to each inlet.
11. As stipulated in Section 55-291 B (6) (f) of the Ordinance, as a condition of any approval granted by the Board, the Applicant must post a performance guarantee for a 4-year maintenance program and a 10-year inspection and maintenance program for the proposed stormwater management system. In this regard, the Applicant must submit a cost estimate for the 4-year maintenance program and a 10-year inspection and maintenance program to the Planning Board for review and approval by our office.
12. As required by Section 55-330.6 of the Ordinance, the Applicant must submit an Inspection, Maintenance and Repair Plan for the proposed stormwater management system. The plan must include the detailed information set forth in Section 55-330.6B-H of the Ordinance. As required by Section 55-330.6B(5), the maintenance plan and any future revisions to the maintenance plan must be recorded upon the deed of record. Prior to recording, the maintenance plan must be reviewed and approved by the Planning Board Attorney and our office.
13. Sheet 5 must be revised to provide grades along each driveway entrance on Lighthouse Drive to demonstrate that Lighthouse Drive runoff will not discharge into the site.
14. It shows on sheet 5 that the grading at the edge of the patio area will direct runoff towards the north wall of Building #3. The plan must be revised to clarify direct runoff away from the building.
15. It shows on sheet 5 that the elevation along the northeast of Building 3 will generally slope towards the northeast corner. Revise grades accordingly.

I. ASSESSMENTS

1. Various off-site water system improvements are planned or have been construction by Walters Development. In accordance with the developer's agreement that has been executed between the Township of Barnegat and Walters Development, all developers within the water system service area must reimburse Walters Development for their share of the costs of the water system improvements which are being constructed and paid for by Walters Development. Therefore, the Applicant will be required to pay his share of the water system costs in the amounts and at the times set forth in the developer's agreement.
2. Various off-site sanitary sewer system improvements are planned or have been construction by Walters Development. In accordance with the developer's agreement that has been executed between the Township of Barnegat and Walters Development, all developers within the sanitary sewer system service area must reimburse Walters Development for their share of the costs of



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the sanitary sewer system improvements which are being constructed and paid for by Walters Development. Therefore, the Applicant will be required to pay his share of the sanitary sewer system costs in the amounts and at the times set forth in the developer's agreement.

3. The Applicant is subject to an affordable housing assessment as set forth in Section 55-351 B (2) of the Ordinance.
4. The Applicant is subject to a tax map assessment in the amount of \$1,980.00 as set forth in Section 55-135B(4) of the Ordinance.

J. OUTSIDE AGENCY APPROVALS

This application is subject to the following outside agency approvals:

1. Ocean County Planning Board.
2. Ocean County Soil Conservation District.
3. The Pinelands Commission – ***Certificate of Filing (Inconsistent) issued on October 1, 2018 (Application #85-1432.10).***
4. Ocean County Utilities Authority.
5. New Jersey Department of Environmental Protection.
 - a) Sanitary Sewer Extension Permit.
 - b) Potable Water System Extension Permit.
 - c) Stormwater Discharge General Permit Authorization (5G3 – Construction Activity Stormwater).
6. Barnegat Township Water & Sewer Utility.
7. All other outside agency approvals as required.

The Applicant should address the Board regarding the status of the required outside agency approvals for this project. In addition, copies of all outside agency approvals should be forwarded to the Planning Board and our office upon receipt.

Based on our review of the submitted information, we find that the Applicant has addressed all of the submission requirements set forth in the Ordinance. Therefore, we recommend that this application be deemed **complete** for consideration by the Planning Board subject to the Applicant complying with all applicable notification requirements as set forth in the Barnegat Township Land Use Ordinance and the Municipal Land Use Law.



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Should you have any questions regarding this application, please feel free to call.

Very truly yours,

CME ASSOCIATES

Kurt J. Otto, PE, CME, CFM
Planning Board Engineer

KO/ko/lr

cc: Martin J. Lisella, Administrator
Barnegat Township Zoning Official
Michael J. McKenna, Esq. – Planning Board Attorney
Scott D. Taylor, LLA, PP, LEED AP – Planning Board Landscape Architect
Lighthouse at Barnegat, LLC – Applicant
Edwin Schmierer, Esq. – Applicant's Attorney
William A. Stevens, PE, PP – Applicant's Engineer
Ian M. Borden, PP – Applicant's Planner
McDonough & Rea Associates, Inc. – Applicant's Traffic Engineer