

Damien O. Del Duca, Esquire  
dod@delducalewis.com

April 7, 2021



**VIA HAND DELIVERY**

Ms. Stacey Cole  
TOWNSHIP OF BARNEGAT  
900 West Bay Avenue  
Barnegat, NJ 08005-1298

**RE: WALTERS DEVELOPMENT CO., LLC  
PRELIMINARY AND FINAL MAJOR SUBDIVISION APPLICATION  
PENNSYLVANIA AVENUE, BLOCK 162.01, LOT 1.05, BARNEGAT TOWNSHIP, NEW JERSEY (THE  
"PROPERTY")**

Dear Ms. Cole:

We represent Walters Development Co., LLC ("Walters"). Walters obtained preliminary and final major subdivision from the Planning Board (the "Board") on June 22, 2010 to subdivide the Property into seven (7) lots. The Board memorialized that approval in Resolution P-2010-27, adopted on July 27, 2010. The subdivision approval was subject to the Permit Extension Act, which extended the approvals to June 30, 2017. On June 27, 2017, the Board granted Walters a one-year extension until June 30, 2018 per N.J.S.A. 40:55D-52.

N.J.S.A. 40:55D-54 states that a major subdivision expires within 95 days from the date that a major subdivision plat is signed by the chairman and secretary of the Board unless within that time the plat is duly recorded by the developer with the county clerk. The major subdivision was inadvertently never perfected as the approved subdivision plat – although signed by the developer, county planning board and Board engineer at the time – was never recorded with the county clerk prior to expiration of the approval's extension time period.

We were recently advised by the Board attorney and Board engineer that the subdivision would require a new application to the Board. Therefore, Walters seeks preliminary and final major subdivision approval to subdivide the Property into seven (7) lots. I enclose the following items in connection with this application:

1. An original and twenty-one (21) copies of the Barnegat Township Land Use & Development Application;
2. An original and twenty-one (21) copies of the Preliminary Major Subdivision Checklist;
3. An original and twenty-one (21) copies of the Final Major Subdivision Checklist;
4. Twenty-two (22) copies of prior Resolution P-2010-27, adopted on July 27, 2010, previously approving the major subdivision;
5. Twenty-two (22) copies of the major subdivision plans prepared by K2 Consulting Engineers, Inc., dated December 28, 2020;

Township of Barnegat  
Attention: Stacey Cole  
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6. Three (3) copies of the Stormwater Management Report prepared by K2 Consulting Engineers, Inc. dated March 6, 2006, last revised January 20, 2021;
7. Twenty-two (22) copies of the List of Professionals;
8. Twenty-two (22) copies of correspondence dated January 28, 2010 from Barnegat Township Tax Assessor regarding lot designations;
9. An original and four (4) copies of the Affidavit of Non-Collusion;
10. An original and four (4) copies of the Developer's Escrow Agreement;
11. An original and four (4) copies of form W-9;
12. An original and four (4) copies of proof of current taxes;
13. An original and four (4) copies of the Contribution Disclosure Statements;
14. A check in the amount of \$1,800.00 representing the application fees (\$700.00 for preliminary, \$40.000 for final, \$300.00 for the waivers, \$400.00 for the variances); and
15. A check in the amount of \$5,215.00 representing the escrow fees (\$1,975.00 for preliminary, \$965.00 for final, \$125.00 for the waivers, \$2,000.00 for variances and \$150.00 for resolution preparation).

Provided the enclosed meets with your approval please place our application on the agenda for your first available Planning Board meeting. Please also advise me of the date of the hearing on the application so I can ensure that the public is provided with the appropriate notice.

If you have any questions, please feel free to contact me at your convenience. Thank you for your consideration.

Very truly yours,  
DEL DUCA LEWIS, LLC



Damien O. Del Duca, Esquire

DOD:gml  
Enclosures



## List of Professionals & Consultants

Applicants Name: Walters Development Co., LLC

Address: 500 Barnegat Boulevard North, Building 100

Barnegat, New Jersey 08005

Email: ewalters@walters-group.com & mrhea@walters-group.com

Telephone Number: 609 607-9500 Fax Number: 609 607-9550

1. Attorney: Damien O. Del Duca, Esq.

Del Duca Lewis

Address: 21 East Euclid Ave., St. 100 ,Haddonfield, NJ 08033

Email: dod@delducalewis.com

Telephone Number: 856 427-4200 Fax Number: 856 427-4241

2. Engineer: Steven Bagge, P.E.

K2 Consulting Engineers, Inc.

Address: 36 Tanner Street, Suite 100, Haddonfield, NJ 08033

Email: sbagge@k2ce.com

Telephone Number: 856 310-5202 Fax Number: 856 616-2441

3. Planning Consultant: \_\_\_\_\_

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

Email: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

4. Architect: \_\_\_\_\_

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

Email: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_



D1037.027  
April 5, 2021

**CERTIFIED MAIL**

Barnegat Township Environmental Commission  
900 West Bay Avenue  
Barnegat, NJ 08005

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

Barnegat Township Clerk  
900 West Bay Avenue  
Barnegat, NJ 08005

All Property Owners within 200 feet

Re: **CAFRA Individual Permit**  
**Pennsylvania Avenue Residential Development**  
**Applicant: Walters Development Co., LLC**  
**Block 162.02 \* Lot 1.05**  
**Barnegat Township, Ocean County, New Jersey**  
**NJDEP#1533-06-0005.1**

Dear Sir/Madam:

This letter is to provide you with legal notification that a CAFRA Individual Permit has been submitted to the New Jersey Department of Environmental Protection (NJDEP), Division of Land Resource Protection for development shown on the enclosed plan. A brief description of the proposed project follows: The project is for approval of a seven (7) lot single-family dwelling residential subdivision. A 60-calendar day public comment period will commence on April 7, 2021 in accordance with Governor Murphy's Executive Order 136 and the Department of Environmental Protection Commissioner McCabe's Administrative Order 2020-06.

The complete permit application package can be reviewed at the municipal clerk's office in the municipality in which the site subject to the application is located or by appointment at the Department's Trenton Office. In addition, an electronic copy of the initial application can be provided via an OPRA request by contacting <https://www.nj.gov/dep/opra/opraform.html> from the Department's Trenton Office. The NJDEP welcomes comments and any information that you may provide concerning the proposed development and site. Comments or information on the proposed development and site may be submitted to the Department. Please submit your written comments within 60 calendar days of the date the Department publishes notice of the application in the DEP Bulletin (<http://www.nj.gov/dep/bulletin/>) (April 7, 2021) for the CAFRA Individual Permit. Comments cannot be accepted by telephone. Please submit any comments you may have *in writing, along with a copy of this letter*, to:

New Jersey Department of Environmental Protection  
Division of Land Resource Protection  
PO Box 420, Mail Code 501-02A  
Trenton, NJ 08625-0420  
Attn: Barnegat Township Bureau Chief

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

Sincerely,

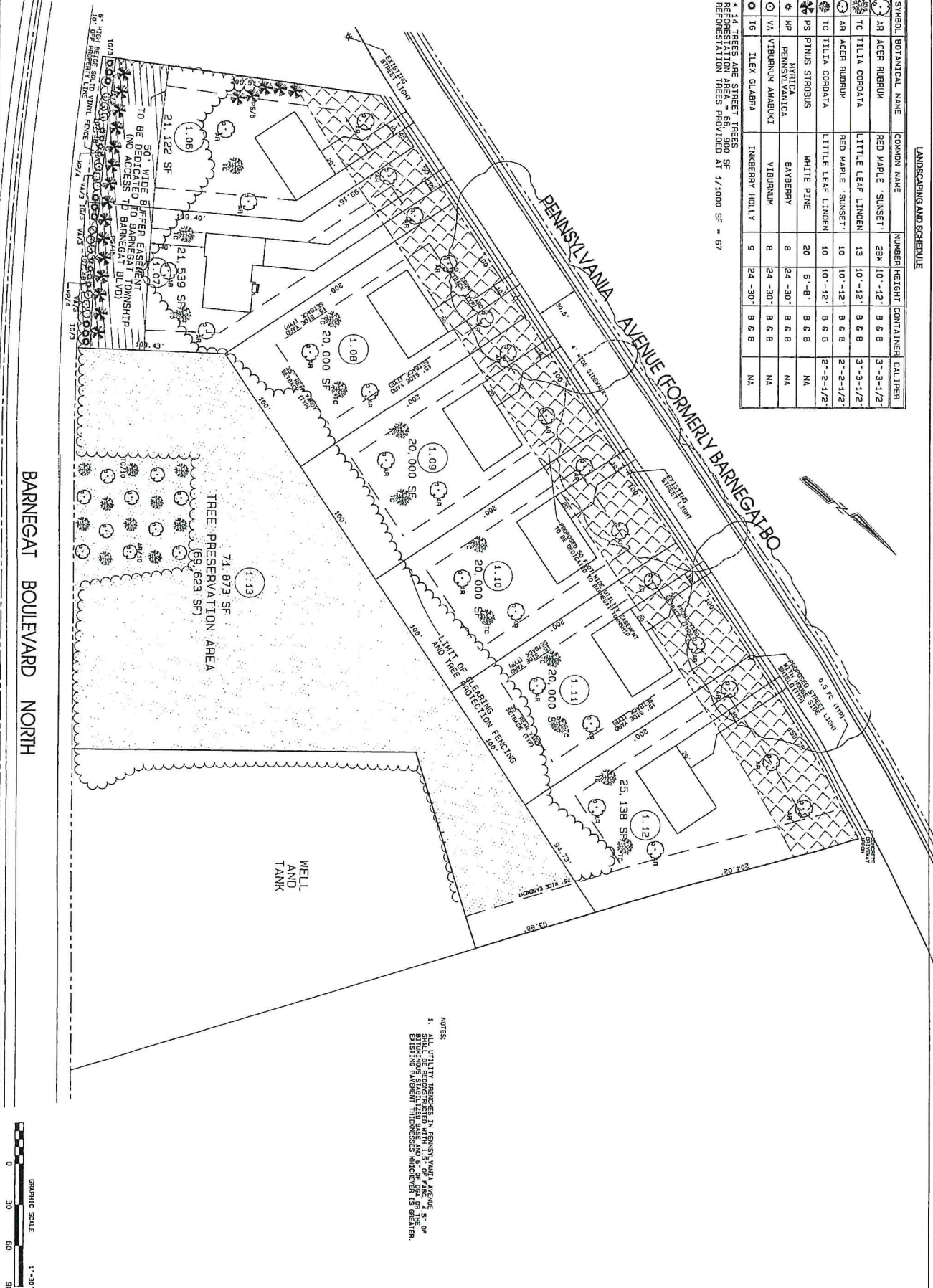
Amy Jones, PWS  
Sr. Biologist/Project Manager



# LANDSCAPING AND SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	NUMBER	HEIGHT	CONTAINER	CALIPER
AR	ACER RUBRUM	RED MAPLE	2B4	10'-12'	B 6 B	3'-3-1/2"
TC	TILIA CORORATA	LITTLE LEAF LINDBERGH	13	10'-12'	B 6 B	3'-3-1/2"
AR	ACER RUBRUM	RED MAPLE	10	10'-12'	B 6 B	2'-2-1/2"
TC	TILIA CORORATA	LITTLE LEAF LINDBERGH	10	10'-12'	B 6 B	2'-2-1/2"
PS	PINUS STROBUS	WHITE PINE	20	8'-8'	B 6 B	NA
MY	MYRTICA	BAYBERRY	8	24'-30'	B 6 B	NA
VA	VIBURNUM AMABIKI	VIBURNUM	8	24'-30'	B 6 B	NA
IL	ILEX GLABRA	INKBERRY HOLLY	9	24'-30'	B 6 B	NA

\* 14 TREES ARE STREET TREES  
REFORESTATION AREA = 66,900 SF  
REFORESTATION TREES PROVIDED AT 1/1000 SF = 67



- NOTES
1. ALL UTILITIES SHOWN IN PENNSYLVANIA AVENUE, ST. OR OTHER ADJACENT STREETS SHALL BE DEEP AND 6" OF ROCK OR OTHER PROTECTIVE MATERIAL SHALL BE PROVIDED WHEREVER IS REQUIRED.



# AFFIDAVIT OF NON-COLLUSION

STATE OF NEW JERSEY

SS

COUNTY OF OCEAN

Walters Development Co., LLC

Name of Applicant (s)

being duly

sworn, according to law, upon my oath  
my/our

depose and say:

1. I am/We are the applicant (s) in connection with a proposed site plan/subdivision/variance of property know as

Block - 162.02 Lot (s) 1.05

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

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

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

as shown on the Tax Map of the Township of Barnegat.

2. There has been no collusion between me/us and any member of the Barnegat Planning/Zoning Board or any officials of the Township of Barnegat with respect to said application.

Sworn to and subscribed before

me this 7th day of

April, 2021

MARY M. RHEA

NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 7/23/2022

WALTERS DEVELOPMENT CO., LLC

BY

Edward M. Walters, Jr.  
Edward M. Walters, Jr., Member



# Township of Barnegat

Tax & Utilities Billing Department

609-698-0080 ext. 143, 144 & 140

Fax 609-698-8746

Crystal M Brinson, CTC  
Tax Collector

## TAX RELEASE



Date: April 7, 2021

Block / Lot: 162.02/1.05

Owner: WALTERS DEVELOPMENT CO LLC

This is to certify that the above property is paid current as of this date.

*Crystal M Brinson*

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Crystal M. Brinson, CTC  
Tax/Utility Collector

**BARNEGAT TOWNSHIP  
CONTRIBUTION DISCLOSURE STATEMENT**



Re: Major Subdivision  
Block 162.02, Lot 1.05  
Barnegat Township, New Jersey

Pursuant to Ordinance 2005-04 dated February 22, 2005, "Ethics Code of Article 10-19, requiring Contribution Disclosure Statements in Land Use Application, the following contributions were made in Barnegat Township, Ocean County, New Jersey:

Item 1: No contributions were made within one (1) year of the filing of the referenced application:

Signature

Edward Walters, Jr  
Print Name/Title member

Edward Walters, Jr., Member of Applicant,  
Walters Development Co., LLC

4/7/2021  
Date

Item 2: The following contributions were made within one (1) year of the filing of the referenced application:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

Sworn and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Notary



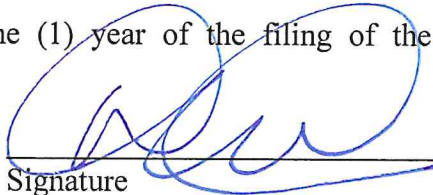
**BARNEGAT TOWNSHIP  
CONTRIBUTION DISCLOSURE STATEMENT**



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Barnegat Township, New Jersey

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Item 1: No contributions were made within one (1) year of the filing of the referenced application:

  
\_\_\_\_\_  
Signature

**Damien O. Del Duca, Esq.**  
**Attorney for Applicant,**  
**Walters Development Co., LLC**

\_\_\_\_\_  
Print Name/Title

  
\_\_\_\_\_  
Date

Item 2: The following contributions were made within one (1) year of the filing of the referenced application:

N/A

1. \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

Sworn and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Notary

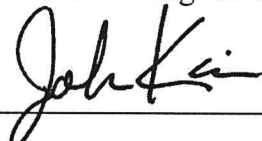
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CONTRIBUTION DISCLOSURE STATEMENT**



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Barnegat Township, New Jersey

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Item 1: No contributions were made within one (1) year of the filing of the referenced application:

  
\_\_\_\_\_  
Signature

John W. Kornick, President  
\_\_\_\_\_  
Print Name/Title

April 1, 2021  
\_\_\_\_\_  
Date

Item 2: The following contributions were made within one (1) year of the filing of the referenced application:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name/Title

\_\_\_\_\_  
Date

Sworn and subscribed before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Notary

# Township of Barnegat

COUNTY OF OCEAN



900 WEST BAY AVENUE  
BARNEGAT, NEW JERSEY 08005-1298  
Email: [clerk@ci.barnegat.nj.us](mailto:clerk@ci.barnegat.nj.us)

MUNICIPAL OFFICES: (609) 698-0080  
FAX #: (609) 698-8616  
Visit Our Website: [www.barnegat.net](http://www.barnegat.net)

January 28, 2010

Thomas Ertle & Assoc. LLC  
PO Box 1283  
Jackson NJ 08527

RE: Block 162.02 Lot 1.05  
Major Subdivision  
Barnegat Township

Dear Mr. Brenner:

I have reviewed the proposed Major Subdivision of the above referenced lots. Be advised that the lot numbers as shown are acceptable. I have marked the house numbers on your copy.

I am returning the marked copy of the submitted plans for your file.

If you need any further information, please don't hesitate to contact this office at 609-698-0080 X145.

Yours truly,

  
Ellen Kelleher, CTA  
Assessor

EK:iw

cc: Cynthia Rahn, Planning Board Administrator  
John Hess, Birdsall Engineering

*Please Visit our Website at [www.barnegat.net](http://www.barnegat.net)*