STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED & LAND MANAGEMENT
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
dep.nj.gov/wlm/

PERMIT

In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.	Approval Date **08/05/2026** Expiration Date **08/04/2031**

Permit Number:	**Type of Approvals:**	**Governing Rules:**
0720-26-0001.1 LUP260001	FHA Individual Permit Verification-Method 3 (FEMA Fluvial Method)	N.J.A.C. 7:13-1.1(b)

Permittee:	**Site Location:**
Joseph Forgione JMF Properties 80 South Jefferson Road Suite 202 Whippany, New Jersey 07981	Block & Lot: [1201, 12] Municipality: Verona Township County: Essex County

Description of Authorized Activities:

This document verifies the flood hazard elevation of the Peckman River and authorizes the construction of a townhouse development on the parcel referenced above.

The Department has determined that the herein approved activities meet the requirements of the (FHACA/CZM) rules. This approval does not obviate the local Floodplain Administrator's responsibility to ensure all development occurring within their community's Special Flood Hazard Area is compliant with the local Flood Damage Prevention Ordinance, and minimum NFIP standards, regardless of any state-issued permits. FEMA requires communities to review and permit all proposed construction or other development within their SFHA in order to participate in the NFIP.

Prepared by:	**Received and/or Recorded by County Clerk:**
Audra Didzbalis	
If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.	

This permit is not valid unless authorizing signature appears on the last page.

STATEMENT OF AUTHORIZED IMPACTS:

The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:13-2.18.

Riparian Zone Vegetation	Area of riparian zone (Acres)
Permanent Disturbed	0
Temporary Disturbed	0

PRE-CONSTRUCTION CONDITIONS:

1. **Timing:** If this permit contains a condition that must be satisfied prior to the commencement of construction, the permittee shall comply with such conditions within the time required by the permit or, if no timing specific requirement is imposed, then the permittee shall comply with such conditions within six months of the effective date of the permit, or provide evidence satisfactory to the Division that such conditions cannot be satisfied.

2. Prior to the commencement of site clearing, grading, or construction onsite, the permittee shall install a sediment barrier at the limits of disturbance authorized herein, which is sufficient to prevent the sedimentation of the remaining regulated areas or waters on and/or adjacent to the site and shall serve as a physical barrier protecting these areas from encroachment by construction vehicles or other soil-disturbing activities. All sediment barriers and soil erosion control measures shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized.

3. The Site Remediation Program Interest number associated with the project is No. G000011553. The Licensed Site Remediation Professional (LSRP) for this project is Christian Esposito, license No. 668072. The development shall not interfere with the post-treatment monitoring phase that involves Monitoring Wells MW-1 and MW-4. Any modification or changes to the construction activities authorized by this permit and/or the approved plans shall be approved by the Department in writing.

SPECIAL CONDITIONS:

1. The Department has determined that the onsite riparian zone along the Peckman River is 50 feet. Therefore, vegetation within 50 feet of the top of the bank shall only be disturbed in the areas specifically shown on the approved drawings and upon completion of the project, all temporarily disturbed areas shall be restored with indigenous, non-invasive vegetation in accordance with N.J.A.C. 7:13-11.2(z).

2. The permittee is responsible for removing existing impervious surfaces from within the riparian zone onsite and restoring these areas to a pervious grass condition and planting, as shown on the approved plans.

3. In order to protect general game fish spawning activity within Peckman River from sediment generating activities, any grading, excavation, or construction activities within the waterbody or the

banks of the waters are prohibited between May 1 – July 31 of each year. In addition, any activity within the flood hazard area or riparian zone of this waterbody which does not minimize the introduction of sediment into the waterbody, or which could cause more than a minimum increase in the natural level of turbidity, is also prohibited anytime but especially during this period. The Department reserves the right to require additional soil conservation measures if it becomes evident that additional measures are required to protect State-regulated resources, or the right to suspend all regulated activities onsite should it be determined that the permittee has not taken proper precautions to ensure continuous compliance with this condition.

4. Vegetation within the riparian zone onsite shall only be disturbed in the areas specifically shown on the approved drawings and upon completion of the project, all temporarily disturbed areas shall be restored with native, non-invasive vegetation appropriate for the hydrologic conditions of the area, as shown on the approved plans.

5. Construction equipment shall not be stored, staged, or driven within any regulated areas onsite, unless expressly approved by this permit or described on the approved plans.

6. All excavated material must be disposed of in a lawful manner outside of any flood hazard area, riparian zone, open water, freshwater wetland, and/or transition area, and in such a way as to not interfere with the positive drainage of the receiving area.

7. This authorization is valid for a term not to exceed five years from the date of this permit. If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a permit extension or a new permit, prior to the permit's expiration.

STANDARD CONDITIONS:

1. The issuance of a permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.

2. The issuance of a permit does not convey any property rights or any exclusive privilege.

3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.

4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District or designee having jurisdiction over the site.

5. The permittee shall take all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.

6. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of the permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.

7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Watershed & Land Management by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter. The written notice shall include:

   i. A description of the noncompliance and its cause;

   ii. The period of noncompliance, including exact dates and times;

   iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and

   iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.

9. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.

10. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.

11. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.

12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.

13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:

   i. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;

   ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and

   iii. Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action.

14. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris or structures within or adjacent to the channel while the regulated activity, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, the permittee shall remove and

dispose of in a lawful manner all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.

15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.

16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.

17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.

18. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.

19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.

20. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.

21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.

22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.

23. A permit can be modified, suspended, or terminated by the Department for cause.

24. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.

25. Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.

26. The permittee shall submit email notification to the Bureau of Coastal & Land Use Compliance & Enforcement at CLU_tomsriver@dep.nj.gov at least 3 days prior to commencement of site preparation and/or regulated activities, whichever comes first. The notification shall include proof of completion of all pre-construction conditions, including proof of recording of permits, approved plans and/or conservation easements, if required. The permittee shall allow an authorized Bureau representative on the site to inspect to ensure compliance with this permit.

27. The permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless

the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to Watershed & Land Management through the DEP Online service. The uploaded documents will go directly into the Department's database, and staff will be notified that information has been received. The service can be found at: https://dep.nj.gov/wlm/eservices/lrp-eservices/.

APPROVED PLANS:

The drawings hereby approved consist of ten (10) sheets prepared by Daniel T. Sehna, P.E. of Dynamic Engineering, dated May 1, 2026, last revised July 29, 2026, unless otherwise noted,
entitled:

"GROVE STREET DEVELOPERS LLC PROPOSED TOWNHOUSE DEVELOPMENT BLOCK 1201, LOT 12 251 GROVE AVENUE TOWNSHIP OF VERONA, ESSEX COUNTY, NEW JERSEY,"

"EXISTING CONDITIONS FLOOD HAZARD AREA PLAN," Sheet No. 1 of 2, last revised July 28, 2026
"PROPOSED CONDITIONS FLOOD HAZARD AREA PLAN," Sheet No. 2 of 2, last revised July 28, 2026
"OVERALL SITE PLAN," Sheet No. 5 of 28,
"SITE PLAN A," Sheet No. 6 of 28,
"SITE PLAN B," Sheet No. 7 of 28,
"GRADING PLAN A," Sheet No. 8 of 28,
"GRADING PLAN B," Sheet No. 9 of 28,
"LANDSCAPE PLAN A," Sheet No. 14 of 28,
"LANDSCAPE PLAN B," Sheet No. 15 of 28,
"LANDSCAPE NOTES & DETAILS," Sheet No. 16 of 28,

APPEAL OF DECISION:

Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at https://dep.nj.gov/bulletin/). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing Request Checklist (available at https://dep.nj.gov/wlm/forms/). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Administrative Hearings and Dispute Resolution, Attention: Adjudicatory Hearing Requests, Mail Code 401-07A, P.O. Box 420, 401 East State Street, 7th Floor, Trenton, NJ 08625-0420. Additionally, a copy of the hearing request shall be submitted to the Director of Watershed & Land Management at the address listed on page one of this permit. 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 https://dep.nj.gov/oahdr/ for more information on this process.

If you need clarification on any section of this permit or conditions, please contact Watershed & Land Management's Technical Support Call Center at (609) 777-0454.

Approved By:

Dennis Contois

Digitally signed by Dennis Contois
Date: 2026.08.05 13:14:55 -04'00'

Dennis Contois, Supervisor
Bureau of Flood Hazard & Stormwater Engineering
Watershed & Land Management

c: Municipal Clerk, Verona Township
Municipal Construction Official, Verona Township
Agent (original) – Tom Trotto, PE, Dynamic Engineering