

**TOWNSHIP OF DENNIS
BOARD OF HEALTH
REGULAR MEETING AGENDA
February 17, 2026
5:30 P.M.**

1. **CALL TO ORDER:** Frank L. Germanio, Jr., Chairperson
2. **MEETING NOTICE PURSUANT TO N.J.S. 10:4-6 to 10:4-21.**
3. **ROLL CALL:** ____ Z. Matalucci, ____ F. Germanio, ____ S. Turner, ____ T.VanArtsdalen
____ M. Cox, ____ J. Justice

4. **PLEDGE OF ALLEGIANCE**

5. **ITEMS THAT ARE PENDING:**

A. **CORRESPONDENCE:**

1. Cape May County Department of Health – 2026 Free Rabies Clinics.

Approved by: ____ Z. Matalucci, ____ F. Germanio, ____ S. Turner,
____ T.VanArtsdalen, ____ M. Cox, ____ J. Justice

B. **COUNTY INSPECTIONS/VIOLATIONS:**

None.

C. **DOG REPORT:**

1. There have been 209 dog licenses issued to date for 2026.

D. **NOTICE OF CONFINEMENT OF DOMESTIC ANIMAL(S) WITH KNOWN OR SUSPECTED EXPOSURE TO RABIES:**

None.

**E. SUSPECTED HAZARDOUS SUBSTANCE DISCHARGE NOTIFICATION & NJDEP
LAND USE NOTIFICATION:**

Response Action Outcome – Block 244, Lot 8.01.
Remedial Action Report – Block 16, Lot 50
Denial Letter – CAFRA IP – Block 262, Lots 15 & 16.

F. APPROVAL OF BOARD OF HEALTH REGULAR MEETING MINUTES:

January 20, 2026 regular meeting minutes.

Approved by: _____ Z. Matalucci, _____ F. Germanio, _____ S. Turner,
_____ T. VanArtsdalen, _____ M. Cox, _____ J. Justice

6. COMMENTS:

7. MOTION TO ADJORN MEETING:



Cape May County's 2026 Free Rabies Clinics

<i>Date and Time:</i>	<i>Municipality:</i>	<i>Location:</i>
January 24, 2026 1:00 p.m.-3:00 p.m.	Upper Township	Shore Veterinary Animal Hospital 73 Hope Corson Road, Seaville, NJ
February 7, 2026 10:00 a.m.-11:00 a.m.	Middle Township	Public Works Building 400 West Mechanic Streer, CMCH, NJ
February 21, 2026 1:00 p.m.-3:00 p.m.	Upper Township	Shore Veterinary Animal Hospital 73 Hope Corson Road, Seaville, NJ
March 14, 2026 1:00 p.m.-3:00 p.m.	Woodbine	Woodbine Ambulance Building 501 Dehirsch Avenue, Woodbine, NJ
March 16, 2026 3:30 p.m.-4:30 p.m.	West Cape May	Public Works Garage 732 Broadway, West Cape May, NJ
April 11, 2026 9:00 a.m.-11:00 a.m.	Lower Township	Public Works Building TBD
May 9, 2026 10:00 a.m.-11:00 a.m.	Middle Township	Public Works Building 400 West Mechanic Streer, CMCH, NJ
September 19, 2026 10:00 a.m.-11:00 a.m.	Middle Township	Public Works Building 400 West Mechanic Streer, CMCH, NJ

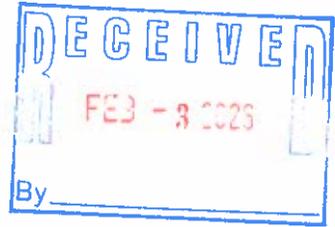


**** ALL CLINICS ARE SUBJECT TO CHANGE. PLEASE CONFIRM CLINIC DATE AND TIME WITH YOUR MUNICIPALITY BEFORE YOU GO. ****



January 27, 2026

Jackie Justice
Registrar/Municipal Clerk
Dennis Township
571 Petersburg Road
P.O. Box 204
Dennisville, New Jersey 08214



RE: Response Action Outcome
Wawa Store No. 465
2500 Sea Isle Blvd
Ocean View, New Jersey 08230
Preferred ID: 251971

Dear Ms. Justice:

Included in this mailing please find the Response Action Outcome for the Unleaded Gasoline Dispenser and Piping Closure at the above referenced property. If you have any questions, please feel to reach out to me at bl@aquaterra-tech.com.

Sincerely,
Aquaterra Technologies, Inc.

Brian Lettini, PG, LSRP

AQUATERRA-TECH.COM

901 South Bolmar Street, Suite 1A, West Chester, PA 19382
office 610 431 5733 | fax 610 431 5734



Wawa, Inc.
c/o John Poplawski
260 W Baltimore Pike
Wawa, PA 19063

January 27, 2026

Re: Response Action Outcome
Remedial Action Type: Unrestricted Use
Scope of Remediation: Area of Concern 1: Unleaded Gasoline Dispensers, Piping, and no other areas
Case Name: Wawa Store No. 465
Address: 2500 Sea Isle Blvd
Municipality: Ocean View
County: Cape May
Block: 244 Lot: 8.01
Preferred ID: 251971
UST Closure UCL250001

Dear Mr. Poplawski:

As a Licensed Site Remediation Professional authorized pursuant to N.J.S.A. 58:10C to conduct business in New Jersey, I hereby issue this Response Action Outcome for the remediation of the area of concern specifically referenced above. I personally reviewed and accepted all of the referenced remediation and based upon this work, it is my professional opinion that this remediation has been completed in compliance with the Administrative Requirements for the Remediation of Contaminated Sites (N.J.A.C. 7:26C), that is protective of public health, safety and the environment. Also, full payment has been made for all Department fees and oversight costs pursuant to N.J.A.C. 7:26C-4.

This remediation includes the completion of a Site Investigation as defined pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E).

My decision in this matter is made upon the exercise of reasonable care and diligence and by applying the knowledge and skill ordinarily exercised by licensed site remediation professionals in good standing practicing in the State at the time these professional services are performed.

As required pursuant to N.J.A.C. 7:26C-6.2(b)2ii, a copy of all records related to the remediation that occurred at this location is being simultaneously filed with the New Jersey Department of Environmental Protection (Department). These records contain all information upon which I based my decision to issue this Response Action Outcome.

By operation of law a Covenant Not to Sue pursuant to N.J.S.A. 58:10B-13.2 applies to this remediation. The Covenant Not to Sue is subject to any conditions and limitations contained herein. The Covenant Not to Sue remains effective only as long as the real property referenced above continues to meet the conditions of this Response Action Outcome.

CONDITIONS

Pursuant to N.J.S.A. 58:10B-12o, Wawa, Inc. and any other person who is liable for the cleanup and removal costs, and remains liable pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-

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office 610 431 5733 | fax 610 431 5734

23.11 et seq. shall inform the Department in writing, on a form available from the Department, within 14 calendar days after its name or address changes. Any notices you submit pursuant to this paragraph shall reference the above case numbers and shall be sent to:

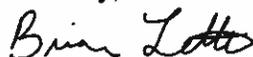
New Jersey Department of Environmental Protection
Bureau of Case Assignment and Initial Notice
Mail Code 401-05H
401 East State Street, 5th floor
PO Box 420
Trenton, New Jersey 08625-0420

In concluding that this remediation has been completed, I am offering no opinions concerning whether either primary restoration (restoring natural resources to their pre-discharge condition) or compensatory restoration (compensating the citizens of New Jersey for the lost interim value of the natural resources) has been completed.

Pursuant to N.J.S.A. 58:10C-25, the Department may audit this Response Action Outcome and associated documentation up to three years following issuance. Based on a finding by the Department that a Response Action Outcome is not protective of public health, safety and the environment, the Department can invalidate the Response Action Outcome. Other justifications for the Department's invalidation of this Response Action Outcome are listed in the Administrative Requirements for the Remediation of Contaminated Sites at N.J.A.C. 7:26C-6, including, but not limited to, a Department audit following issuance of this document may be initiated at any time if: a) undiscovered contamination is found that was not addressed by the Response Action Outcome, b) if the Site Remediation Professional Licensing Board conducts an investigation of the Licensed Site Remediation Professional issuing the Response Action Outcome or, c) if the license of that person is suspended or revoked.

Thank you for your attention to these matters. If you have any questions, please contact me at 908-892-9663.

Sincerely,



Brian Lettini
Licensed Site Remediation Professional #628319

cc: Mr. Frank Germanio, Dennis Township Board of Health – Chairman
Ms. Jennifer Fairman, Cape May County Health Department – Environmental Services Director
Mr. Zeth A. Matalucci, Dennis Township – Mayor
Ms. Jackie Justice, Dennis Township – Clerk
NJDEP Bureau of Case Assignment and Initial Notice (via portal)
Mr. Joseph Standen, Jr. – Sr. Environmental Manager Wawa, Inc. (via email)

CALMAR Associates LLC.

Environmental Services

February 3, 2026

Bureau of Case Assignment & Initial Notice
Site Remediation Program
NJ Department of Environmental Protection
401-05H
PO Box 420
Trenton, NJ 08625-0420

RE: REMEDIAL ACTION REPORT
Germanio Farms
389 Hands Mill Road
Dennis Township, Cape May County, New Jersey 08270
Block 16, Lot 50
NJDEP Incident #91-01-11-1047-31
NJDEP SRP PI #016302

To Whom It May Concern:

CALMAR Associates LLC (CMA) is pleased to submit the attached Remedial Action Report (RAR) for the above referenced property. We trust this submittal satisfies your requirements. If you have any questions regarding the enclosed, please contact me at 609.476.4500.

Sincerely,



Ryan K. Seibert, LSRP
LSRP # 715048

c: Lynne Germanio - Germanio Farms
New Jersey Pinelands Commission
Clerk, Dennis Township
Cape May County Health Department
CMA File # 20-2123



State of New Jersey

MIKIE SHERRILL
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

ED POTOSNAK
Acting Commissioner

DR. DALE G. CALDWELL
Lt. Governor

Division of Land Resource Protection
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
<https://www.dep.nj.gov/wlm/>

February 11, 2026

CVC Partners LLC
Attn: John Connors
110 Fitzwater Street
Philadelphia, PA 19147

Re: Denial Letter: CAFRA IP – Commercial Development
NJDEP File & Activity No. 0504-19-0006.1 LUP250001
Applicant: CVC Partners LLC (“Applicant”)
Project: Clermont Lodge Resort
Block 262, Lots 15 & 16 (the “Property”)
Municipality: Dennis Twp; County: Cape May

Dear Mr. Connors:

The NJDEP’s Watershed & Land Management Program (hereinafter “Program”) has reviewed the above-referenced CAFRA Individual Permit and Flood Hazard Area Control Act Verification applications for the proposed development of a resort facility including a main lodge with a lounge and restaurant, a tavern, a spa, two event barns, small cottages, bungalows with a total of 120 lodging units, and various stormwater management best management practices (“BMPs”).

Based upon the regulated activities proposed, the Program has determined that the project fails to meet the applicable standards set forth under the Coastal Zone Management Rules, specifically N.J.A.C. 7:7-2.1(a); Flood Hazard Area Control Act Rules, specifically N.J.A.C. 7:13-2.1(a), and Stormwater Management Rules, specifically N.J.A.C. 7:8-5.2, 5.4, 5.5, and 5.6. Therefore, authorization under this application is **hereby denied** in accordance with the applicable Coastal Zone Management, Flood Hazard Area Control Act Rules, and Stormwater Management Rules as further described below.

The following analysis sets forth the principal reasons and conclusions for this denial, citing the specific standards of the Rules which the subject application has failed to meet. Please note that the language taken verbatim from the Rules is shown in italics. In addition, to reduce the complexity of this letter, the Program has omitted certain sections and subsections of the Rules which are either inapplicable to the proposed project or adequately addressed by the proposed project. (A courtesy copy of the complete text of the Rules is available at <https://dep.nj.gov/rules/>).

The proposed project is depicted on 20 sheets, dated 4/25/25, unrevised, prepared by Engineering Design Associated, P.A., and entitled, “Clermont Lodge Individual Permit Plan, Block 262, Lots 15 & 16, Township of Dennis, Cape May County, New Jersey” (hereinafter, the “Plan”).

Administrative History

On February 10, 2020, the Program issued a Letter of Interpretation (LOI) for Line Verification, NJDEP File No. 0504-19-0006.1 FWW190001. The LOI determined that wetlands on the Property are designated as Intermediate Resource Value and accordingly, requires a regulated wetland transition area of 50 feet.

On April 27, 2023, a Pre-Application meeting was held with NJDEP staff, the Applicant and its agent to discuss the project.

On August 30, 2023, Program Project Manager Alison Astalos received an email from agent (Carol Tutelian) asking for an update regarding the Property and its CAFRA Planning Area and Center.

On September 21, 2023, to address the agent's question, Ms. Astalos emailed David DuMont of NJDEP's Office of Climate Resilience/NJCMP asking for confirmation of the status of the Property and its CAFRA planning area. A reply from Mr. DuMont confirmed that the Property was and is currently designated as a Fringe Planning Area. Ms. Astalos emailed the agent to apprise them of the Fringe Planning Area designation to which the agent responded acknowledging Ms. Astalos' email guidance.

On April 29, 2025, the Applicant/agent submitted a CAFRA Individual Permit and Flood Hazard Area Verification applications (NJDEP File & Activity No. 0504-19-0006.1 LUP250001) for the proposed project described herein. The submittal included a statement that references N.J.A.C. 7:7-13, Subchapter 13 of the submitted Environmental Impact Statement (EIS) stating that "*Dennis Twp is presently pursuing Plan Endorsement with the State Office of Planning Advocacy to re-establish their Centers which will consider the property as within a Coastal Village permitting 60% allowable impervious surface coverage*".

On May 7, 2025, the application was deemed to be Administratively Complete and then sent to Program staff for technical review.

On June 4, 2025, Program staff sent a Deficiency Letter to the agent requesting technical information.

On September 16, 2025, the requested technical information was received by the Program. The application was then deemed to be complete for public comment.

On October 15, 2025, the Public Comment Period began and notice of the pending application was published in the NJDEP Bulletin on that same date.

On November 13, 2025, the Public Comment Period ended. No public comments were received.

On December 1, 2025, the application was assigned a 90th day deadline, January 12, 2026.

On January 7, 2026, the Program's Project Manager, Kathleen Preston, emailed the agent seeking additional information and clarification regarding the below issues:

1. Non-compliance with impervious and vegetative cover for the CAFRA Planning Area;
2. Outstanding CAFRA application fee for 3rd installment/payment balance;
3. Plans to address anticipated permit conditions required by the NJDEP's Endangered & Threatened Species Unit for Critical Wildlife Habitat mitigation.

On January 8, 2026, Ms. Preston emailed Mr. DuMont again regarding the Property's CAFRA Planning Area status and received a second confirmation from Mr. DuMont that the Property currently lies within a Fringe Planning Area with a 5% maximum impervious coverage limit and 70% minimum tree preservation requirement for forested sites.

On January 9, 2026, the agent consented to request a 30-day extension and this CAFRA permit review was assigned a 120th day regulatory deadline of February 11, 2026 for CAFRA decision.

On January 30, 2026, Program Supervisor David Sumba emailed the agent and asked whether the Applicant wanted the Program to issue its permitting decision for the requested CAFRA permit in light of current application deficiencies.

Per a February 4, 2026 phone call with the agent, Mr. Sumba was informed that the Applicant did not wish to withdraw the application and that the applicant elected to receive a Permit Denial.

Analysis

The Program has determined that the proposed regulated activities fail to meet the following regulatory requirements:

1. N.J.A.C. 7:7-13.17 Impervious cover limits for a site in the CAFRA area

- (a) *The impervious cover limit for a site in the CAFRA area shall be determined as follows:*
- 1. If a site is located in a CAFRA center, CAFRA core, or CAFRA node, the impervious cover limit is determined under (c) below. Note that the impervious cover limit for such a site is calculated based on the acreage of the total land area on the site, as opposed to the acreage of the net land area on the site;*
 - 2. If a site is not located in a CAFRA center, CAFRA core, or CAFRA node but is located in the Coastal Metropolitan Planning Area or in a coastal center, the impervious cover limit is determined under (d) below;*
 - 3. If a site is not located in a CAFRA center, CAFRA core, or CAFRA node, and is not located in the Coastal Metropolitan Planning Area or in a coastal center, the cover limit is determined under (e) below; and*
 - 4. If a site is located on a military installation, the impervious cover limit is determined under (f) below.*
- (b) *To determine the location of a site for the purposes of determining the applicable impervious cover limit:*
- 1. Determine if the site is located in a CAFRA center, CAFRA core, or CAFRA node by referring to the CAFRA Planning Map;*
 - 2. If the site is not located in a CAFRA center, CAFRA core, or CAFRA node, determine if the site is located in a coastal center by referring to Appendix H;*
 - 3. If the site is not located in a CAFRA center, CAFRA core, or CAFRA node, and is not located in a coastal center, determine the Coastal Planning Area in which the site is located by referring to the CAFRA Planning Map; and*
 - 4. If the site is located on a military installation, see (f) below.*
- (c) *If a site is located in a CAFRA center, CAFRA core, or CAFRA node, the impervious cover limit is the limit at (c)1, 2, or 3 below, whichever is higher:*
- 1. The acreage of the total land area on the site as determined under N.J.A.C. 7:7-13.3(e)1, multiplied by the impervious cover percentage in Table H below for the type of CAFRA center, CAFRA core, or CAFRA node in which the site is located;*
 - 2. For a site located in the Coastal Metropolitan Planning Area, the acreage of the net land area on the site as determined under N.J.A.C. 7:7-13.3(e), multiplied by the impervious cover percentage in Table H below for the Coastal Metropolitan Planning Area; or*
 - 3. The amount of legal, existing impervious cover located on the site, as determined under (g) below.*

- (d) Subject to the limitations regarding mainland coastal centers at N.J.A.C. 7:7-13.19(e), if a site is located in the Coastal Metropolitan Planning Area or in a coastal center, the impervious cover limit is the limit at (d)1 or 2 below, whichever is higher:
1. The acreage of the net land area on the site as determined under N.J.A.C. 7:7-13.3(e), multiplied by the impervious cover percentage in Table H below for the type of coastal center in which the site is located; or
 2. The amount of legal, existing impervious cover located on the site, as determined under (g) below.
- (e) If the site is not located in a CAFRA center, CAFRA core, or CAFRA node, is not located in the Coastal Metropolitan Planning Area, and is not located in a coastal center, the impervious cover limit is the limit at (e)1, 2, or 3 below, whichever is higher:
1. The acreage of the net land area on the site as determined under N.J.A.C. 7:7-13.3(e), multiplied by the impervious cover percentage in Table H below for the Coastal Planning Area in which the site is located; or
 2. The acreage covered by buildings and/or asphalt or concrete pavement legally existing on the site at the time the application is submitted to the Department, excluding any buildings, asphalt and/or concrete paving placed on a site in accordance with (e)3 below; or
 3. For a marina support facility at a legally existing and operating commercial marina including a marina operated by a public agency, commission or authority, the limit at (e)1 or 2 above or the amount of legal existing impervious cover located on the site, as determined under (g) below, provided the marina support facility is placed on existing legal impervious cover, whichever is higher. For the purposes of this subsection, marina support facilities are boat rack systems, facilities for sewage treatment and marina support buildings. Marina support buildings, include, but are not limited to, showrooms, sheds, restrooms, and buildings for marine supplies, bait and tackle, boat sales, dock masters office(s), and boat repair, maintenance, and manufacturing.
- (f) If a site is located on a military installation, the impervious cover limit is the limit at (f)1 or 2 below, whichever is higher:
1. The acreage of the net land area on the site as determined under N.J.A.C. 7:7-13.3(e), multiplied by the impervious cover percentage in Table H below for a military installation; or
 2. The amount of legal, existing impervious cover located on the site, as determined under (g) below.
- (g) For the purposes of determining impervious cover limits under (c)3, (d)2, (e)3, and (f)2 above, the amount of existing impervious cover is the highest of the following, provided the impervious cover was legally placed on the site:
1. The amount of impervious cover located on the site at the time the application is submitted to the Department;
 2. The amount of impervious cover that appears on the applicable 95-97 imagery; or
 3. The amount of impervious cover that was placed under the authority of a coastal permit and after the date the photography was performed for the imagery in (g)2 above.

Findings

The project proposes 6.4 acres of impervious cover on the Property which consists of 30.4 acres of net land area for a proposed impervious cover of 21.2%. However, as stated herein, the Property is located within a Coastal Fringe Planning Area with an impervious cover limit of 5% pursuant to Table H as referenced at N.J.A.C. 7:7-13.17. Therefore, the Program has determined that the proposed project fails to comply with N.J.A.C. 7:7-13.17 as the allowable impervious cover has been exceeded.

2. **N.J.A.C. 7:7-13.18 Vegetative cover percentages for a site in the CAFRA area**

(a) *The area (in acres) on a site in the CAFRA area in which trees and/or herb/shrub vegetation shall be planted or preserved is calculated as follows:*

1. *To determine the area (in acres) of tree preservation and/or tree planting on the site:*
 - i. *Determine the location of the site for purposes of determining applicable vegetative cover percentages using the method described at N.J.A.C. 7:7-13.18(b);*
 - ii. *Identify the forested or unforested portions of the site, as determined under N.J.A.C. 7:7-13.5; and*
 - iii. *For each forested site or portion identified at (a)1ii above, multiply the acreage of the net land area on the forested site or forested portion as determined under N.J.A.C. 7:7-13.3(e), by the tree preservation percentage in Table I below for the site location that applies to the site or portion, as determined under (a)1i above; and*
 - iv. *For each unforested site or portion identified at (a)1ii above, multiply the acreage of the net land area on the site or portion, as determined under N.J.A.C. 7:7-13.3(e), by the tree planting percentage in Table I below for the site location that applies to the site or portion, as determined under (a)1i above; and*
2. *To determine the area (in acres) of herb/shrub vegetation preservation or planting on the site, subtract both the acreage of the impervious cover allowed under N.J.A.C. 7:7-13.17 and the acreage of tree planting and/or preservation required under (a)1 above from the acreage of the net land area on the site*

(b) *If the sum of the acreage of tree planting required under (a)1 above plus the acreage of either the existing impervious cover on the site as determined under N.J.A.C. 7:7-13.17(c), (d), (e)3, or (f) or the acreage covered by buildings and/or asphalt or concrete pavement as determined under N.J.A.C. 7:7-13.17(e)2, exceeds the net land area on the site, as determined under N.J.A.C. 7:7-13.3(e), then trees shall be planted in area (in acres) remaining after the acreage of impervious cover or acreage covered by buildings and/or asphalt or concrete pavement is subtracted from the acreage of the net land area on the site.*

(c) *The preservation or planting of trees and/or herb/shrub vegetation areas shall comply with the vegetative cover requirements at N.J.A.C. 7:7-13.4.*

1. *The requirement for tree planting at (a)1 above can be satisfied by preserving equivalent forested areas in addition to that required under (a)1 above.*
2. *The requirement for planting of herb/shrub vegetation at (a)2 above can be satisfied by preserving equivalent wooded areas or planting an equivalent area of trees in addition to that required under (a)1 above.*

Findings

The project proposes 11.2 acres of tree preservation area on the Property, which consists of 30.4 acres of net land area, for a proposed tree preservation area of 36.9%. However, as stated herein, the Property currently lies within a Coastal Fringe Planning Area with a minimum tree preservation requirement of 70% pursuant to Table I as referenced at N.J.A.C. 7:7-13.18. Therefore, the Program has determined that the proposed project fails to comply with N.J.A.C. 7:7-13.18, as the minimum required amount of tree preservation has not been proposed.

3. **N.J.A.C. 7:7-25.1 Application fees, specifically, 7:7-25.1(d)**

"Any fee required under this chapter that is subject to N.J.A.C. 7:1L, Payment Schedule for Permit Application Fees, shall be payable in installments in accordance with N.J.A.C. 7:1L".

Findings

As of the date of this Denial Letter, Program records have found that an application fee in the amount of \$10,000 for the third installment of the CAFRA Individual Permit fee, \$4673.33 for the third installment of the stormwater management review fee, and \$6,800 for the Flood Hazard Area method 6 verification fee remains outstanding. The total outstanding application fee is \$21,473.33 as of the date of this Denial Letter. As such, the Program has determined that the project fails to comply with N.J.A.C. 7:7-25.1(d).

4. N.J.A.C. 7:7-16.6 Stormwater management and N.J.A.C. 7:8-5.2 Stormwater management measures for major development

(a) Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

- 1. The minimum design and performance standards for erosion control are those established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90 and 16:25A.*
- 2. The minimum design and performance standards for groundwater recharge, stormwater runoff quality, and stormwater runoff quantity at N.J.A.C. 7:8-5.4, 5.5, and 5.6 shall be met by incorporating green infrastructure in accordance with N.J.A.C. 7:8-5.3.*

(f) The tables below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards specified in this chapter. When designed in accordance with the New Jersey Stormwater Best Management Practices Manual and this chapter, the stormwater management measures listed in Tables 5-1, 5-2, and 5-3 shall be presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendment of the New Jersey Stormwater Best Management Practices Manual to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Register a notice of administrative change revising the applicable table.

(h) Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.

(i) Design standards for stormwater management measures are as follows:

- 1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);*

Findings

Per N.J.A.C. 7:8-1.2, “major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

- a. The disturbance of one or more acres of land since February 2, 2004;
- b. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
- c. The creation of one-quarter acre or more of “regulated motor vehicle surface” since March 2, 2021; or
- d. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Based on the above criteria, the proposed project is a “major development” and therefore is subject to standards set forth under the Stormwater Management Rules, N.J.A.C. 7:8.

The project’s stormwater design consists of twenty-five infiltration basins, eleven porous pavement systems, and a wet pond. In accordance with N.J.A.C. 7:8-5.2(f), all Best Management Practices (BMPs) that are designed in accordance with the New Jersey Stormwater BMP Manual and the Stormwater Management Rules shall be presumed to be able satisfy the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards. As explained below, the proposed stormwater management design has not been designed with the Stormwater Management Rule and New Jersey Stormwater BMP Manual.

“Green Infrastructure” is defined under N.J.A.C. 7:8-1.2 as a stormwater management measure that manages stormwater close to its source by treating stormwater runoff through infiltration into subsoil; treating stormwater runoff through filtration by vegetation or soil; or storing stormwater runoff for reuse.

Pursuant to Chapter 10.5 (Wet Ponds (GI)) of the New Jersey Stormwater BMP Manual, green infrastructure wet ponds are required to have a beneficial reuse component. However, the applicant has not demonstrated that the proposed green infrastructure wet pond design includes the beneficial reuse component. Therefore, the proposed wet pond has not been designed in accordance with the New Jersey Stormwater BMP Manual and Stormwater Management Rule.

In accordance with N.J.A.C. 7:8-5.2(i), “stormwater management measures shall be designed to take into account site conditions, including, but not limited to... depth to seasonal high water table...permeability.” Furthermore, Chapters 9.6 (Pervious Paving Systems) and 9.8 (Small-scale Infiltration Basins) of the New Jersey Stormwater BMP Manual also require the applicant to have knowledge of the permeability rates of the subsoils below each proposed infiltration basin and porous pavement system in order to ensure the BMPs will function as designed to meet the requirements. The applicant has failed to submit permeability testing information for each infiltration basin and porous pavement system. Therefore, the applicant has failed to demonstrate that the infiltration basins and proposed porous pavement systems have been designed in accordance with the NJ Stormwater Best Management Practices Manual and Stormwater Management Rule.

In accordance with N.J.A.C. 7:8-5.2(h), for each BMP that is designed to infiltrate into the subsoil, the design engineer shall assess the hydraulic impact on the groundwater table to avoid adverse hydraulic impacts such as the interference with the proper functioning of the BMP itself. The hydraulic impact assessment is performed through a mounding analysis as outlined in Chapters

9.6 (Pervious Paving Systems) and 9.8 (Small-scale Infiltration Basins) of the New Jersey Stormwater BMP Manual. Furthermore, the New Jersey Stormwater Best Management Practices Manual requires a mounding analysis to be submitted for each porous pavement system and infiltration basin that will infiltrate runoff into the subsoil. The applicant did not submit a mounding analysis for each infiltration basin and porous pavement systems. In addition, the accuracy of the mounding analyses that were submitted cannot be verified since the mounding analyses are based on permeability rates of the subsoils beneath each infiltration basin and porous pavement system. These permeability testings were not submitted to the Department; therefore, the applicant has not demonstrated that the mounding analyses are representative of actual conditions. Moreover, the submitted mounding analyses for Basin 2C, Basin Lodge, and Basin R5 show that the groundwater mound will encroach into their respective basin bottoms. Therefore, the applicant has not demonstrated that the proposed twenty-five infiltration basins and eleven porous pavement systems will have no adverse hydraulic impacts and will function as designed.

For these reasons, the applicant has not demonstrated compliance with N.J.A.C. 7:7-16.6 and N.J.A.C. 7:8-5.2.

5. N.J.A.C. 7:7-16.6 Stormwater management and N.J.A.C 7:8-5.4 Groundwater recharge standards

(b) The minimum design and performance standards for groundwater recharge are, as follows: 1. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at N.J.A.C. 7:8-5.7, either: i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or

Findings

For the reasons stated in the discussion above concerning non-compliance with N.J.A.C. 7:8-5.2, the proposed project does not comply with N.J.A.C. 7:8-5.4. The applicant did not submit a mounding analysis for each infiltration basin and porous pavement systems. In addition, the accuracy of the mounding analyses that were submitted cannot be verified since the mounding analyses are based on permeability rates of the subsoils beneath each infiltration basin and porous pavement system. These permeability testing were not submitted to the Department; therefore, the applicant has not demonstrated that the mounding analyses are representative of actual conditions. Moreover, the submitted mounding analyses for Basin 2C, Basin Lodge, and Basin R5 show that the groundwater mound will encroach into their respective basin bottoms. Therefore, the applicant has not adequately demonstrated that the proposed infiltration basins and porous pavement systems will function as designed to meet design requirements found in the New Jersey Stormwater BMP Manual. For this reason, the applicant has failed to demonstrate compliance with N.J.A.C. 7:8-5.4 and N.J.A.C. 7:7-16.6.

6. N.J.A.C. 7:7-16.6 Stormwater management and N.J.A.C 7:8-5.5 Stormwater runoff quality standards

(b) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows: 1. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

Findings

For the reasons stated in the discussion above concerning non-compliance with N.J.A.C. 7:8-5.2, the proposed project does not comply with N.J.A.C. 7:8-5.5. The applicant did not submit a mounding analysis for each infiltration basin and porous pavement systems. In addition, the accuracy of the mounding analyses that were submitted cannot be verified since the mounding analyses are based on permeability rates of the subsoils beneath each infiltration basin and porous pavement system. These permeability testing were not submitted to the Department; therefore, the applicant has not demonstrated that the mounding analyses are representative of actual conditions. Moreover, the submitted mounding analyses for Basin 2C, Basin Lodge, and Basin R5 show that the groundwater mound will encroach into their respective basin bottoms. Therefore, the applicant has not adequately demonstrated that the proposed infiltration basins and porous pavement systems will function as designed to meet design requirements found in the New Jersey Stormwater BMP Manual. For this reason, the applicant has failed to demonstrate compliance with N.J.A.C. 7:8-5.5 and N.J.A.C. 7:7-16.6.

7. N.J.A.C. 7:7-16.6 Stormwater management and N.J.A.C. 7:8-5.6 Stormwater runoff quantity standards

(b) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at N.J.A.C. 7:8-5.7, complete one of the following:

- 1. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected two-, 10-, and 100-year storm events, as defined and determined pursuant to N.J.A.C. 7:8-5.7(c) and (d), respectively, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;*
- 2. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected two-, 10-, and 100-year storm events, as defined and determined pursuant to N.J.A.C. 7:8-5.7(c) and (d), respectively, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;*
- 3. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected two-, 10-, and 100-year storm events, as defined and determined pursuant to N.J.A.C. 7:8-5.7(c) and (d), respectively, are 50, 75, and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or*
- 4. In tidal flood hazard areas, stormwater runoff quantity analysis, in accordance with (b)1, 2, and 3 above, is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.*

Findings

For the reasons stated in the discussion above concerning non-compliance with N.J.A.C. 7:8-5.2, the proposed project does not comply with N.J.A.C. 7:8-5.6. The applicant did not submit a mounding analysis for each infiltration basin and porous pavement systems. In addition, the accuracy of the mounding analyses that were submitted cannot be verified since the mounding analyses are based on permeability rates of the subsoils beneath each infiltration basin and porous pavement system. These permeability testing were not submitted to the Department; therefore, the applicant has not demonstrated that the mounding analyses are representative of actual conditions. Moreover, the submitted mounding analyses for Basin 2C, Basin Lodge, and Basin R5 show that the groundwater mound will encroach into their respective basin bottoms. Therefore, the applicant has not adequately demonstrated that the proposed infiltration basins and porous pavement systems will function as designed to meet design requirements found in the New Jersey Stormwater BMP Manual. Additionally, the proposed wet pond has not been designed with a beneficial reuse component and is therefore not considered a GI BMP. For this reason, the applicant has failed to demonstrate compliance with N.J.A.C. 7:8-5.6 and N.J.A.C. 7:7-16.6.

Conclusion

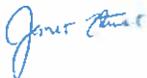
Based upon the preceding analysis, the Program has concluded that the proposed project does not meet the specific criteria of the Rules as outlined above, and therefore denies the subject application. Please note that both a new application and new fee will be required to reactivate the Program's review. In addition, please be advised that any regulated activities conducted onsite without the proper authorization from the Department shall be considered a violation of the Coastal Zone Management Rules, specifically N.J.A.C. 7:7-2.1(a); Flood Hazard Area Control Act Rules, specifically N.J.A.C. 7:13-2.1(a).

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 Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. Additionally, a copy of the hearing request shall be submitted to NJDEP's 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 have any questions regarding this Denial Letter, please contact Kathleen Preston by email at kathleen.preston@dep.nj.gov or by phone at (609) 940-5321. Please reference the Program's file number in all communication.

Sincerely,



Digitally signed by Janet
Stewart
Date: 2026.02.11 15:21:58
-05'00'

Janet L. Stewart, Assistant Director
NJDEP, Watershed & Land Management

c: Municipal Clerk
Municipal Construction Official
Agent – Vincent Orlando

Jackie Justice

From: Janet.Stewart@dep.nj.gov
Sent: Wednesday, February 11, 2026 3:32 PM
To: Jackie Justice; vorlando@engineeringdesign.com; jconnors@brickstoneco.com
Cc: Jackie Justice; kathleen.preston@dep.nj.gov; Dominick.Cardella@dep.nj.gov; clu_tomsriver@dep.nj.gov; david.sumba@dep.nj.gov
Subject: LU Application - Not Approved
Attachments: 0504-19-0006.1_37475423_LUP Denial (1).pdf

Green Technology Services

Warning: Sender Janet.Stewart@dep.nj.gov has never sent any emails to your organization. Please be careful before replying or clicking/downloading the attachment.

[Report Phishing](#) [Block as Spam](#) [Remove Banner](#)

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ATTENTION! This e-mail is from an External Source!

Please see attached decision document for your records. If you are unable to retrieve the attached file(s) or have any questions, please contact Kathleen Preston at kathleen.preston@dep.nj.gov or by phone at (609) 777-0454.
PI #: 0504-19-0006.1 Activity #: LUP250001 Project Name: ARAWAK PAVING CO DO NOT REPLY TO THIS EMAIL

**TOWNSHIP OF DENNIS
BOARD OF HEALTH
REGULAR MEETING MINUTES
January 20, 2026
5:30 P.M.**

MINUTES OF THE REGULAR MEETING HELD ON:

DATE: January 20, 2026
TIME: 5:30 P.M.
PLACE: Dennis Township Municipal Building

Acting Chairman Z. Matalucci called the meeting to order reading the notice pursuant to the Open Public Meeting Act.

Secretary, J. Justice conducted a roll call of the members present with, M. Cox, S. Turner, Z. Matalucci and J. Justice present, T. VanArtsdalen and F. Germanio were absent.

PLEDGE OF ALLEGIANCE:

ITEMS THAT WERE DISCUSSED:

CORRESPONDENCE:

1. Cape May County's 2026 Free Rabies Clinics.

A motion was made by S. Turner, seconded by M. Cox, for approval of the correspondence, with 4 ayes and 2 absent (VanArtsdalen & Germanio), the correspondence was approved.

COUNTY INSPECTIONS:

None.

DOG REPORT:

1. There have been 75 dog licenses issued to date for 2026.

NOTICE OF CONFINEMENT OF DOMESTIC ANIMAL(S) WITH KNOWN OR SUSPECTED EXPOSURE TO RABIES:

None.

**SUSPECTED HAZARDOUS SUBSTANCE DISCHARGE NOTIFICATION & NJDEP LAND USE
PERMIT NOTIFICATION:**

None.

A motion was made by S. Turner and seconded by M. Cox for approval of the December 16, 2025 regular meeting minutes, with 4 ayes and 2 absent (VanArtsdalen and Germanio), that the minutes were approved.

Let the record reflect that there were no comments from those present.

There being no further business a motion was made by S. Turner and seconded by M. Cox, that the meeting be adjourned.

Attest: Jacqueline B. Justice, Secretary

Attest: Zeth Matalucci, Acting Chairperson