

This report provides an evaluation and recommendation as to whether Block 35, Lot 5 qualifies as an “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law.

Township of Dennis Preliminary Investigation

Belleplain Landfill

April 17, 2026

Township of Dennis
Preliminary Investigation
Belleplain Landfill (Block 35, Lot 5)

DENNIS TOWNSHIP

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Frank Germanio, Committeeman

Matthew Cox, Committeeman

Thomas Van Artsdalen, Committeeman

Jessica Bishop, Township Administrator & CFO

Jacqueline Justice, Township Clerk

Kyle Weinberg, Township Attorney

Michael Fralinger, Jr., Township Engineer

Prepared by

Scheule Planning Solutions, LLC



Randall Scheule, PP, AICP

NJ Professional Planner License No. LI003666

The original of this Preliminary Investigation
has been signed and sealed as required by NJSA 45:14A-12.

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INTRODUCTION.

This report is responsive to Dennis Township Committee Resolution 2026-70, adopted April 7, 2026 authorizing the Consolidated Land Use Board (CLUB) to investigate whether Block 35, Lot 5 should be designated as a Non-condemnation Area in Need of Redevelopment.

According to Section 2 of Resolution 2026-70, “. . . the CLUB is authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment.”

Subsequent to designation as an Area in Need of Redevelopment, the Township intends to close the landfill in accord with NJDEP requirements, and redevelop the site with a solar energy facility.

NJSA 40A:12A-5 DETERMINATION OF NEED FOR REDEVELOPMENT.

Section 40A:12A-5 of the Local Redevelopment and Housing Law (LRHL) describes the following criteria for assessment in determining whether an area qualifies as an Area in Need of Redevelopment. Under the, a municipality may designate an area as “in need of redevelopment” if *any* of the statutory criteria are met.

5. A delineated area may be determined to be in need of redevelopment if, after investigation, notice and hearing as provided in section 6 of P.L.1992, c.79 (C.40A:12A-6), the governing body of the municipality by resolution concludes that within the delineated area any of the following conditions is found:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of a building or buildings previously used for

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commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.

f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.

g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of

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the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.

h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

PROPERTY DESCRIPTION.

The information in Table 1 is from the Cape May County tax assessment records. The information in Table 1 does not account for the extent of the parcel as depicted on the Certified Boundary Survey, by Fralinger Engineering dated July 3, 2025 (Figure 1) which indicates the subject property is 47.88 acres in size, irregularly shaped with frontage on Woodbine Avenue. The abandoned West Jersey and Seashore Railroad right-of-way - which provided access to the site - abuts the northeast property line.

Table 1 - 2026 Tax Assessment Data

Block	Lot	Address	Owner	Acreage	Real Property Class Code	Zone District	Assessment Land/Imp./Total
35	5	486 Woodbine Avenue ¹	Dennis Township	18.73 ²	15C Public Property (Vacant)	PF 25 Zone	\$232,300 <u>\$ 0</u> \$232,300

¹ Certified Boundary Survey, Fralinger Engineering, July 3, 2025 indicates property address is 352 Woodbine Avenue.

² Ibid, Survey indicates property is 47.88 acres.

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Figure 1 - Certified Boundary Survey

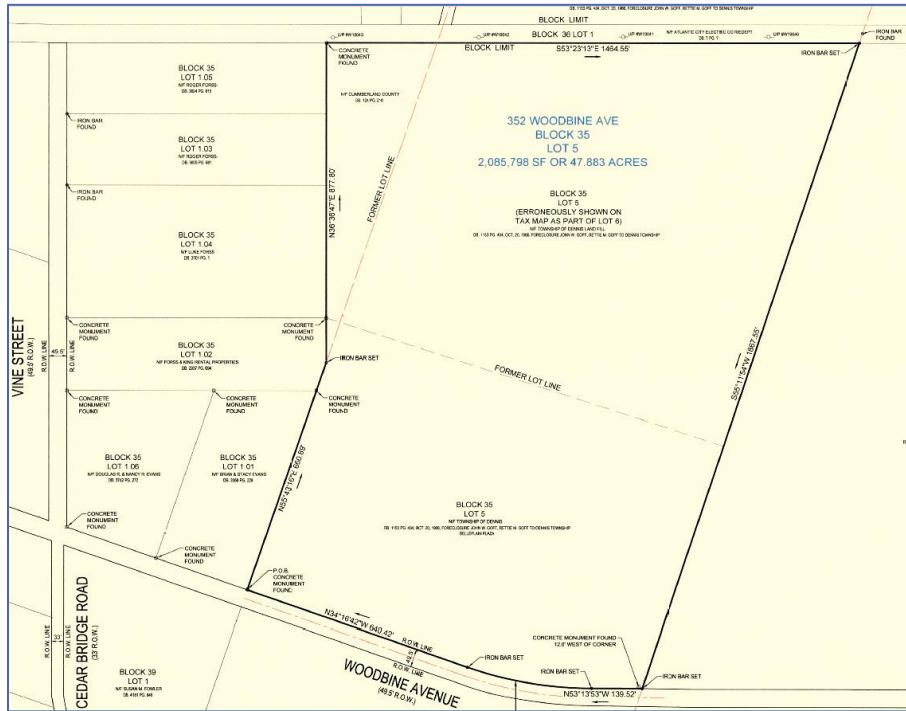


Figure 2 - Existing Land Use



Belleplain Landfill	Residential	Vacant	Public	Commercial
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Tax records indicate land uses in proximity to the subject site include residential, commercial, public (Dennis Twp. and NJDEP), and vacant properties.

Figures 3-5 display information for the subject site from the NJ-GeoWeb.

Figure 3 -1930 Aerial Image

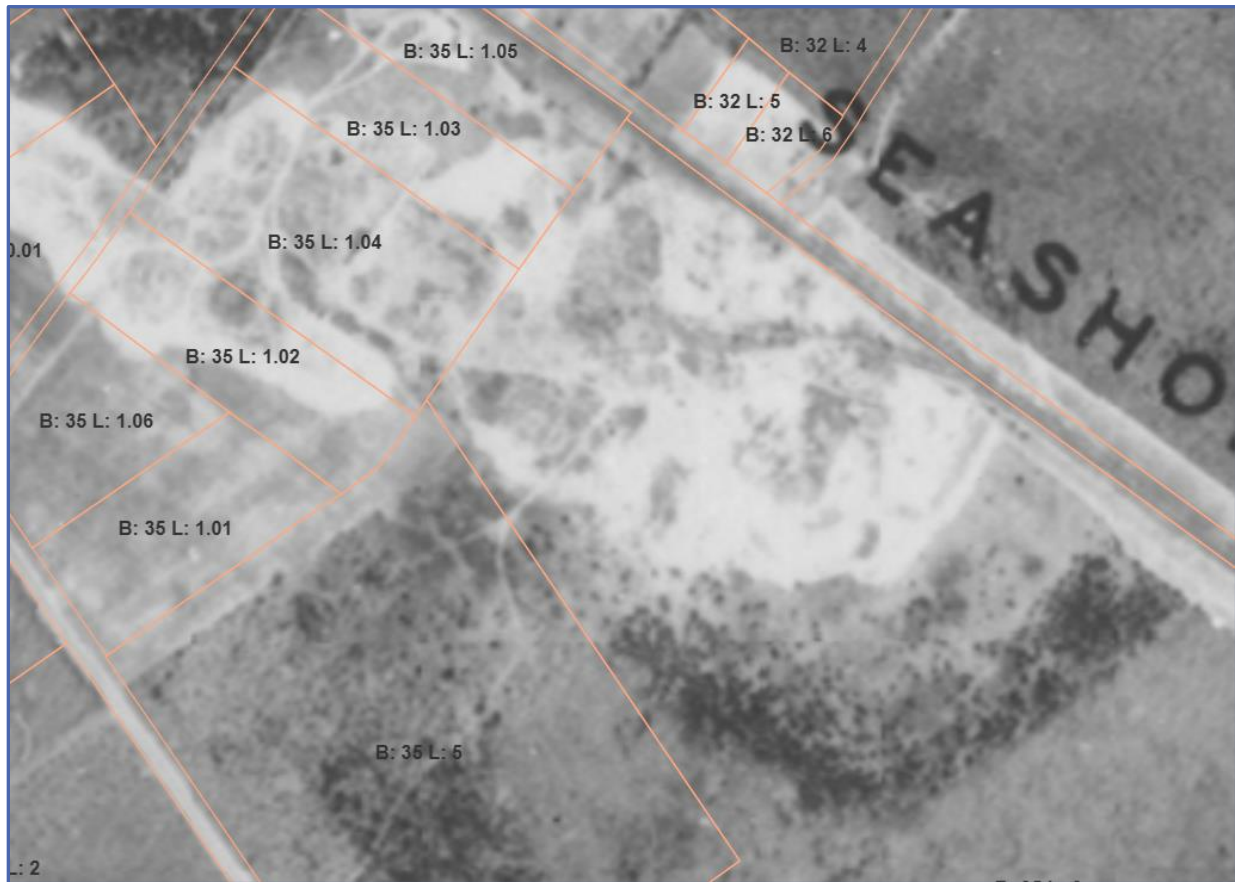


Figure 3 depicts the condition of Block 35, Lot 5 and adjoining parcels in 1930.

Figure 4 - 2015 Infrared Imagery



Figure 4 depicts the relative maturity of tree coverage, and locations of disturbed areas and surface water in 2015.

Figure 5 - Google Earth Image (2/25/24)



ENVIRONMENTAL ASSESSMENT.

Geology - The NJ-GeoWeb indicates that the subject property is underlain by the Bridgeton Formation whose lithology is described as sand, clayey sand, pebble gravel, minor silt and cobble gravel; reddish-yellow, red, yellow, white, very pale brown. The Bridgeton Formation is often hydraulically connected with the underlying Cohansey Sand and Kirkwood Formation, which are major aquifers in the region. This connection creates pathways for potential contaminant movement between these units.

According to then NJDEP Data Miner, the landfill closed in 1975, and the site is identified by a New Solid Waste ID (0504000251) on NJDEP's Known Contaminated Sites List.

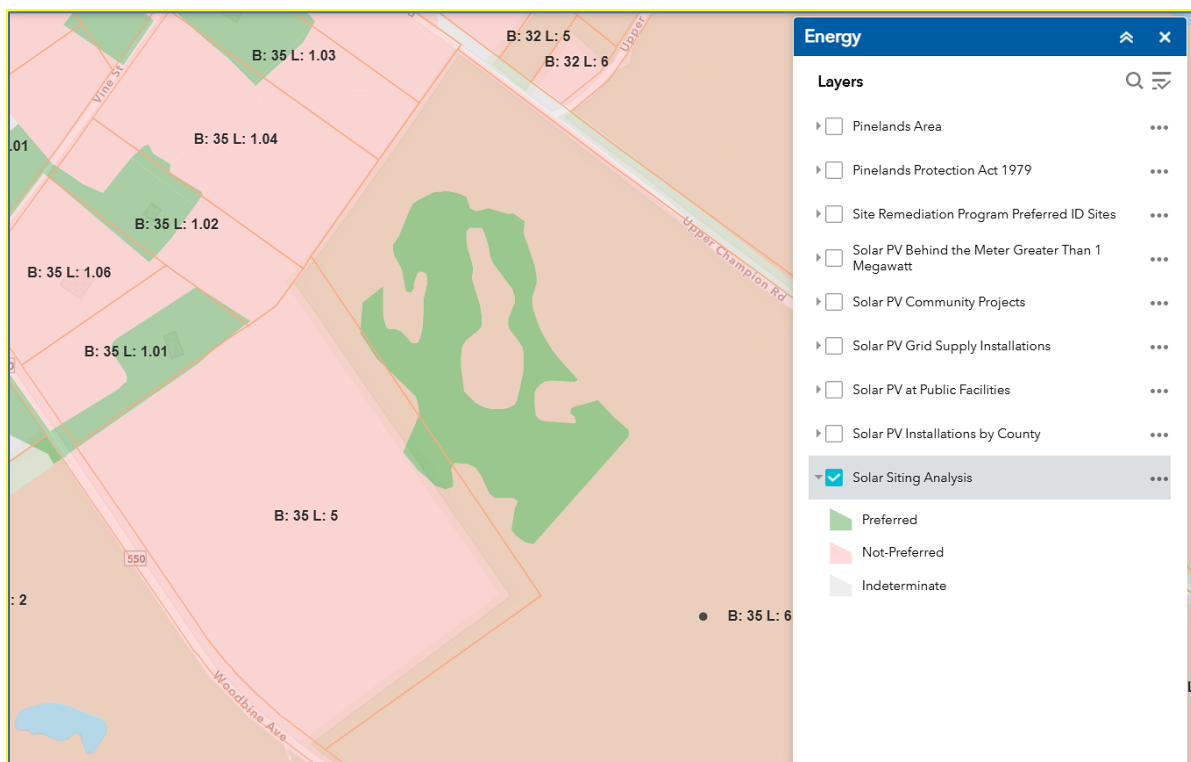
Groundwater Monitoring - Analytical reports from Eurofins QC, LLC contain laboratory results for four monitoring wells at the Belleplain Landfill. The groundwater

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analyses in these reports identify a variety of contaminants in groundwater sampled at the landfill.

Solar Siting Analysis - The purpose of this analysis is to aid the NJDEP, local communities and potential solar developers in planning for solar installations by distinguishing between lands where the NJDEP encourages solar development from those where solar development is discouraged. While solar energy projects provide environmental benefits, environmental damage can occur if projects are not properly sited, more than negating the benefits. This analysis was performed to identify preferred development sites where solar projects are most environmentally desirable from NJDEP's perspective. The Belleplain Landfill site is listed as "Preferred" - see Figure 6.

Figure 6 - Solar Siting Analysis



Closure Plan - The Closure and Post Closure Care Plan (Closure Plan) prepared by Andrew Previti indicates that the site was initially operated as a resource mining facility, after which it was operated by Dennis Township as a municipal landfill for twenty years. The Closure Plan notes that approximately 95% of the site is forest area and a small pond exists in the southeast portion of the site.

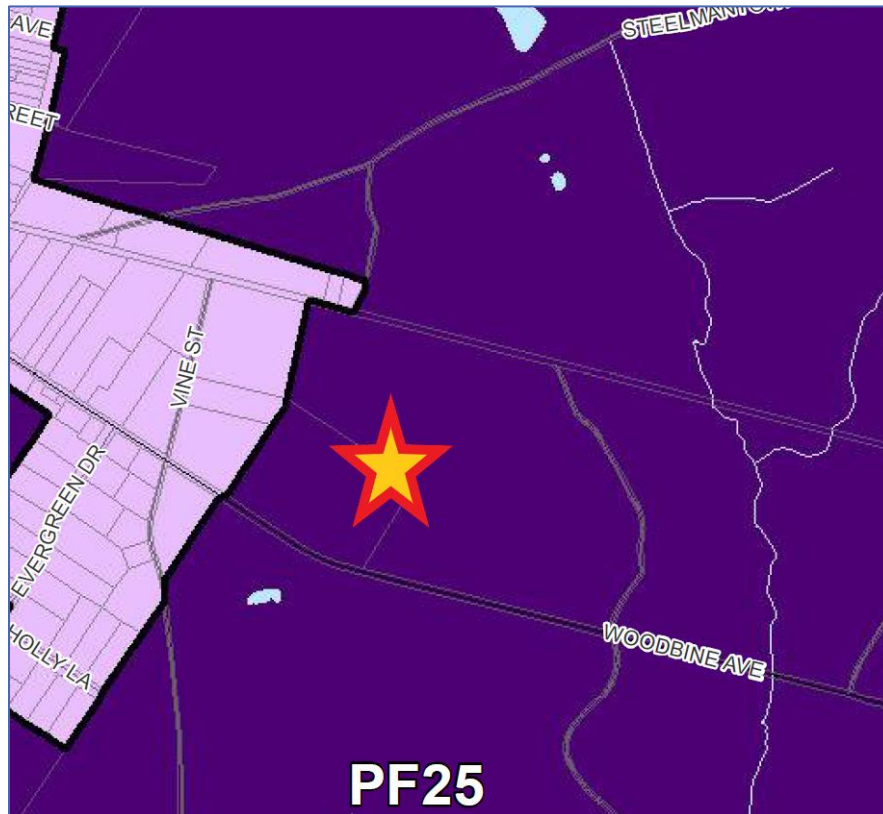
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The Closure Plan notes that four groundwater monitoring wells were installed outside of the filled areas, and that groundwater depth is 7.65-14.4 feet below grade. According to this Plan, results of the groundwater monitoring protocol are sent to NJDEP on a quarterly basis. The Closure Plan notes that the closest residence is approximately 1,000 feet from the site and that the site complies with NJAC 7:26-2A.9(e)4.

MASTER PLAN & ZONING ANALYSIS

Dennis Township's current zone plan identifies the subject parcel as being located within the Pinelands Management Area - PF25 Low Density Forest District codified as §185-28 of the Zoning Ordinance. The purpose of the forest zones is to protect undistributed forested portions of the protection area which support characteristic Pinelands plant and animal species.

Figure 7
Zoning Map



Source: Dennis Township Zoning Map, April 2013

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According to the Township Master Plan, the Pinelands Management Area encompasses 24.5 square miles (or 40 percent) of the land area of Dennis Township. The Pinelands Protection Act established a requirement that county and municipal master plans and land use ordinances be brought into conformance with the Pinelands Comprehensive Management Plan. Dennis Township's Master Plan and Zoning Ordinance are in conformance with the Pinelands Comprehensive Management Plan.

According to the Municipal Land Use Law (NJS 40:55D-66.16.a):

Notwithstanding any law, ordinance, rule or regulation to the contrary, a solar or photovoltaic energy facility or structure constructed and operated on the site of any landfill or closed resource extraction operation, shall be a permitted use within every municipality.

NEW JERSEY STATE POLICIES.

New Jersey's planning and regulatory framework encourages the redevelopment of closed landfills, but only when they are properly closed, environmentally safe, and redeveloped for appropriate end-uses such as parks, recreation, or certain types of development. New Jersey treats closed landfills as a subset of brownfields, and state policy at multiple levels encourages putting these sites back into productive use. The NJDEP's Office of Brownfield Reuse explicitly includes landfill redevelopment as part of its mission to coordinate remediation and reuse of contaminated sites.

Block 35, Lot 5 is located in the Forest Area, which is a Pinelands Management Area designation used by the New Jersey Pinelands Commission.

According to the Pinelands CMP (N.J.A.C. 7:50-5.13):

Forest Areas are similar to the Preservation Area in terms of their ecological value and, along with the Preservation Area, serve to provide a suitable ecological reserve for the maintenance of the Pinelands environment. These undisturbed, forested portions of the Protection Area support characteristic Pinelands plant and animal species and provide suitable habitat for many threatened and endangered species. These largely undeveloped areas are an essential element of the Pinelands environment, contain high quality water resources and wetlands, and are very sensitive to random and uncontrolled

development. Although the overall type and level of development must be strictly limited, some parts of the Forest Areas are more suitable for development than others provided that such development is subject to strict environmental performance standards.

ANALYSIS AND CONCLUSION

This Preliminary Investigation has been prepared in response to Township of Dennis Committee Resolution 2026-70 authorizing the Consolidated Land Use Board (CLUB) to investigate whether Block 35, Lot 5 should be designated as a Non-condemnation Area in Need of Redevelopment. For purposes of this investigation, Block 35, Lot 5 refers to the parcel as described on the Certified Boundary Survey prepared by Fralinger Engineering dated July 3, 2025 (Figure 1).

Block 35, Lot 5 contains the remnants of a former municipal solid waste disposal facility (Belleplain Landfill) which has been inactive for 51 years. The site is subject to NJDEP oversight, including post-closure monitoring, and is characterized by restricted access, and limited public utility infrastructure. The property is surrounded by forest areas and low-density residential uses.

Summary of Statutory Criteria Addressed (N.J.S.A. 40A:12A-5).

Criterion (c): *Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.*

Block 35, Lot 5 is owned by Dennis Township, has been in a stagnant condition for 51 years, strongly suggesting that the property is not likely to be redeveloped through private capital due to site characteristics.

Criterion (d): *Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.*

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Due to conditions associated with the former landfill operation including contamination, methane, and settlement issues, the site poses potential detriment to public health, safety and welfare.

The subject property is characterized by several conditions considered detrimental to public safety including steep slopes and uneven settlement areas, restricted access due to unstable soils, and potential methane gas migration requiring monitoring. These hazards align with the LRHL's recognition in Criterion (d) that environmental conditions posing safety risks support a redevelopment designation.

Criterion (e): *A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general.*

The landfill has remained undeveloped and functionally stagnant since operations ceased in 1975. It contains historic fill and waste materials, resulting in contaminated soils and groundwater, potential methane gas generation, leachate, settlement and instability, all of which constitute objective environmental impairment, directly satisfying the "soil conditions" component of Criterion (e).

The property is subject to a NJDEP landfill closure plan, ongoing post-closure monitoring requirements, restrictions on excavation, grading, and building foundations, and limitations on utility installation and stormwater infiltration. These constraints significantly limit conventional development and address the "lack of proper utilization" component of Criterion (e).

In its present condition, the landfill contributes to visual blight, occasional illegal dumping at access points, an inability to support productive use or tax rates, and long-term maintenance burdens on the municipality. These factors demonstrate a detriment to community welfare thus satisfying the statutory aspect of Criterion (e).

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For over fifty years, the landfill has remained vacant and inaccessible. It has generated no tax revenue, required ongoing municipal and regulatory oversight, and remains unattractive to private investment due to environmental constraints. This extended period of stagnation is consistent with LRHL interpretations of Criterion (e) “not properly utilized.”

Block 35, Lot 5 clearly satisfies Criterion (e) of the LRHL. The site’s environmental impairment, safety hazards, regulatory constraints, and long-term stagnation collectively demonstrate that the property is detrimental to the safety, health, and welfare of the community and is therefore appropriate for designation as an Area in Need of Redevelopment. Redevelopment designation would enable environmental remediation, structured reuse, and appropriate long-term planning.

Designation under Criterion (e) is consistent with NJ case law, which recognizes that landfills and environmentally impaired sites are appropriate candidates for redevelopment planning.

A redevelopment designation for Block 35, Lot 5 is consistent with the Pinelands CMP solar regulations (N.J.A.C. 7:50-5.36) which allow municipalities to permit principal-use solar facilities in the Forest Area, provided the site meets strict criteria. One key point is that the solar facility is on a closed landfill, resource extraction site, or hazardous waste site.

Collectively, the above analysis demonstrates that Block 35, Lot 5 meets the intent and standards of the LRHL. The site’s longstanding vacancy, lack of economic productivity, environmental conditions and public safety concerns justify its designation as a Non-condemnation Area in Need of Redevelopment. Appropriate redevelopment of this site will eliminate blighting influences associated with underutilization, support the planned closure and reuse of the former landfill, and promote orderly sustainable growth consistent with the Township’s planning goals.

It is additionally concluded, that the program of redevelopment will include closure and monitoring of the site in accord with NJDEP requirements, and may be expected to prevent further deterioration of the subject property and promote the overall development of Dennis Township.

The proposed Belleplain Landfill Redevelopment Area is depicted in Figure 8.

Figure 8

Proposed Redevelopment Area



IMPLEMENTATION OF REDEVELOPMENT PLAN (NJSA 40A:12A-15).

In accordance with the provisions of a redevelopment plan adopted pursuant to section 7 of P.L.1992, c.79 (C.40A:12A-7), a municipality or redevelopment entity may proceed with clearance, replanning, conservation, development, redevelopment and redevelopment of an area in need of redevelopment. With respect to a redevelopment project in an area in need of redevelopment, the municipality or redevelopment entity, upon the adoption of a redevelopment plan for the area, may perform any of the actions set forth in section 8 of P.L.1992, c.79 (C.40A:12A-8), except that with respect to such a project the municipality shall not have the power to take or acquire private property by condemnation in furtherance of a redevelopment plan, unless: a. the area is within (1) an area determined to be in need of redevelopment prior to the effective date of P.L.2013, c.159, or (2) a Condemnation Redevelopment Area and the municipality has complied

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with the notice requirements under subparagraph (e) of paragraph (5) of subsection b. of section 6 of P.L.1992, c.79 (C.40A:12A-6); or b. exercise of that power is authorized under any other law of this State.

APPENDIX A – DENNIS TOWNSHIP RESOLUTION NO. 2026-70.

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION NO. 2026-70

**RESOLUTION AUTHORIZING THE CONSOLIDATED LAND USE BOARD OF THE
TOWNSHIP TO INVESTIGATE WHETHER CERTAIN PROPERTY AT BLOCK 35,
LOT 5 SHOULD BE DESIGNATED AS A
NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

WHEREAS, to determine whether certain parcels of land constitute areas in need of redevelopment under the Redevelopment Law, the Dennis Township Committee (“Township Committee”) must authorize the Dennis Township Consolidated Land Use Board (“CLUB”) to conduct a preliminary investigation of the area and make recommendations to the Township Committee; and

WHEREAS, the Township Committee believes it is in the best interest of the Township that an investigation occur with respect to certain parcels within the Township and therefore authorizes and directs the CLUB to conduct an investigation of the property commonly known on the Township tax maps as Block 35, Lot 5 (hereinafter the “Study Area”), to determine whether the Study Area meets the criteria set forth in the Redevelopment Law, specifically N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment; and

WHEREAS, the redevelopment area determination requested hereunder authorizes the Township and Township Committee to use all those powers provided by the Redevelopment Law for use in a redevelopment area, other than the power of eminent domain (hereinafter referred to as a “Non-Condemnation Redevelopment Area”).

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

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Section 2. The CLUB is hereby authorized and directed to conduct an investigation pursuant to N.J.S.A. 40A:12A-6 to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5 to be designated as an area in need of redevelopment.

Section 3. As part of its investigation, the CLUB shall prepare a map showing the boundaries of the Study Area and the location of the parcels contained therein, and appended thereto shall be a statement setting forth the basis of the investigation.

Section 4. The CLUB shall conduct a public hearing in accordance with the Redevelopment Law, specifically N.J.S.A. 40A:12-6, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing as required by law. The notice of the hearing shall specifically state that the redevelopment area determination shall not authorize the

Township or Township Committee to exercise the power of eminent domain to acquire any property in the delineated area, for the Study Area is being investigated as a possible Non-Condensation Redevelopment Areas.

Section 5. At the Public Hearing, the CLUB shall hear from all persons who are interested in or would be affected by a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the CLUB and made part of the public record.

Section 6. After conducting its investigation, preparing a map of the Study Area, and conducting a public hearing at which all objections to the designation are received and considered, the CLUB shall make a recommendation to the Township Committee as to whether the Township Committee should designate all or some of the Study Area as an area in need of redevelopment.

Section 7. This Resolution shall take effect immediately.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen						
Germanio						
Cox						
Turner						
Matalucci						

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This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their special meeting held on April 07, 2026 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST _____

Jacqueline B. Justice, RMC/Clerk

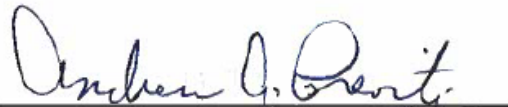
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APPENDIX B - CLOSURE AND POST CLOSURE PLAN (COVER PAGE).

**BELLEPLAIN SANITARY LANDFILL
TOWNSHIP OF DENNIS
CAPE MAY COUNTY, NEW JERSEY
FACILITY NO. 0504B
PROJECT NO. 8147**

CLOSURE AND POST CLOSURE CARE PLAN

WALKER, PREVITI, HOLMES & ASSOCIATES
156 Stagecoach Road
Marmora, New Jersey 08223
(609) 390-1927



**Andrew A. Previti, P.E.
N.J. License No. 36663**

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**APPENDIX C - DENNIS TOWNSHIP RESOLUTION XXXX-XXX
(DESIGNATION).**

RESOLUTION TO BE ADDED.

Exhibit A

[Attach Preliminary Investigation]