

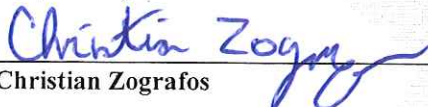


STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION

Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.state.nj.us/dep/landuse

PERMIT



<p>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 limitations, terms and conditions 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.</p>		Approval Date AUG 21 2017
		Expiration Date AUG 20 2022
Permit Number(s): 0906-11-0006.2 FHA170001 0906-11-0006.2 FHA170002	Type of Approval(s): Flood Hazard Area Verification Flood Hazard Area Individual Permit	Enabling Statute(s): NJSA 58:16A et seq. NJSA 58:10A et seq. NJSA 58:11A-1 et seq. NJSA 13:1D-29 et seq. NJSA 13:1D-1 et seq.
Permittee: 134 Bay Street, LLC. c/o Toll Bros. - Henry Waller 1000 Maxwell Lane Hoboken, NJ 07030		Site Location: Block(s) & Lot(s): [11506, 2.01] [11509, 3] Municipality: Jersey City County: Hudson
Description of Authorized Activities: This permit authorizes the construction of two (2) additions to two (2) different multi-residence buildings within the tidal flood hazard area of the Hudson River, within Lot 2.01 of Block 11506 and within Lot 3 of Block 11509, in the City of Jersey City, Hudson County, New Jersey. This permit verifies the flood hazard area design flood elevation of 11 feet NAVD. No riparian zone or floodway is located on site.		
Prepared by:  Christian Zografos		Received and/or Recorded by County Clerk:
If the permittee undertakes any regulated activity authorized under a 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 permit and all conditions therein.		
This permit is not valid unless authorizing signature appears on the last page.		

FLOOD HAZARD SPECIAL CONDITIONS:

1. **Recording of Permit:** This permit verifies the flood hazard area design flood elevations onsite at 11 feet NAVD. This permit also verifies that no floodway or riparian zone exist on this site. This permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this project is located. Verified notice of this action shall be forwarded to the Division immediately thereafter. **NOTE:** The following information is to be submitted to the clerk for all Flood Hazard Area Verifications:
 - a. The Department file number for the verification;
 - b. The approval and expiration dates of the verification;
 - c. A metes and bounds description of any flood hazard area limit approved under the verification;
 - d. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification; and
 - e. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area. Certain activities in flood hazard areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a permit. Contact the Division of Land Use Regulation at (609) 777-0454 for more information prior to any construction onsite."
2. Prior to construction, the permittee shall submit signed and sealed hydrostatic calculations which demonstrate the dry flood-proofing associated with the proposed building and submit signed and sealed drawings which depict the structural details of the internal and external walls and details of the proposed flood gates.
3. The Department has determined that this project meets the requirements of the Stormwater Management rules at N.J.A.C. 7:8 without the use of any BMP. Therefore, the Department did not review the proposed stormwater management system onsite for compliance with these rules. Therefore, the Department did not review the proposed stormwater management system onsite for compliance with these rules.
4. The Department has approved this flood hazard area permit because the project satisfies the requirements of the Flood Hazard Area Control Act Rules. The Department has not reviewed the proposed structures to determine compliance with the International Building Code or any other local construction codes or flood ordinances. The proposed buildings may therefore not fully comply with any such requirements. Please contact your municipal construction official for further information.
5. All foundations, slabs, footings and walls of the proposed structures shall be designed to resist uplift, floatation, collapse and displacement due to hydrostatic and hydrodynamic forces resulting from flooding up to an elevation of 12 feet NAVD. Furthermore, all structural components shall be designed to resist the same forces.

6. It is understood that the floor elevation labeled on the approved drawings is the elevation of the lowest finished floor of the proposed buildings. The construction of any habitable area below this elevation, such as a basement or storage area, is prohibited.
7. The wet flood-proofed area within proposed buildings shall remain open and accessible to the passage of floodwaters at all times. In order to relieve hydrostatic pressure on the proposed buildings during flooding, permanent flood vents shall be constructed to allow water to freely enter and exit during a flood as shown on the approved plans. These vents shall be maintained in good working order at all times and shall not be blocked under any circumstances.
8. The following statement shall be added to the deed of each lot shown on the first page of this permit: "The roadway providing access to this property would be subject to five (5) feet of flooding during the Flood Hazard Area Design Flood. The property may therefore not be accessible to emergency vehicles or other vehicular traffic during a flood. The State shall not be held responsible for any property damage, safety risk or inconvenience that may result from construction onsite should such flooding occur."

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 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 by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation 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:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and

- d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
7. 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.
8. 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.
9. 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.
10. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
11. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - a. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
 - c. 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 under.
12. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.
13. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.
14. For Coastal Permits, Flood Hazard Permits and Flood Hazard Verifications, 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 the Division of Land Use Regulation at the address set forth in the rules.
15. 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.

16. 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.
17. A permit shall be transferred to another person only in accordance with the regulations.
18. A permit can be suspended or terminated by the Department for cause.
19. 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.
20. 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.
21. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.
22. 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(ies) is being undertaken. Upon completion of the regulated activity(ies), 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.
23. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

RIGHT TO APPEAL:

In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request an adjudicatory hearing within 30 calendar days after public notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Adjudicatory Hearing Request form. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the form is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to requesting a hearing, a request may be filed with the Department's Office of Dispute Resolution to determine whether the matter is suitable for mediation. Information concerning the dispute resolution process is available at www.nj.gov/dep/odr.


APPROVED PLANS:

The drawing hereby approved was prepared by ESE CONSULTANTS, INC., dated April 12, 2017, last revised August 17, 2017, and entitled:

"FLOOD HAZARD AREA PERMITTING PROPOSED CONDITIONS PLAN PROVOST SQUARE – PHASE III, JERSEY CITY, HUDSON COUNTY, NEW JERSEY" - sheet no. 2 of 2.

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

Approved By:



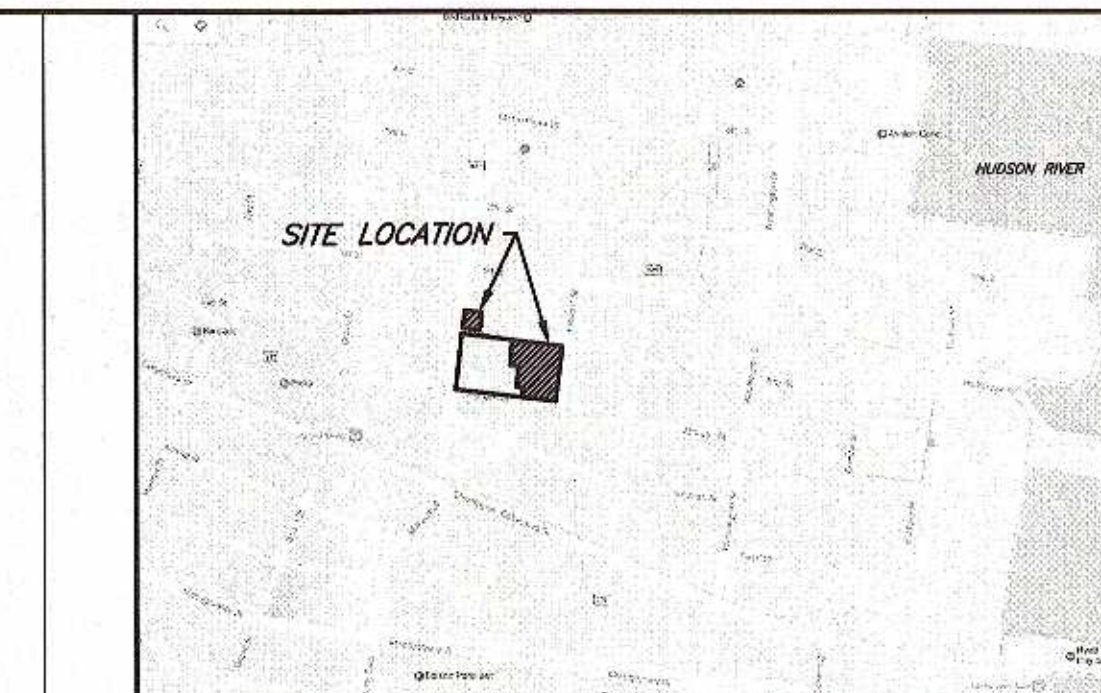
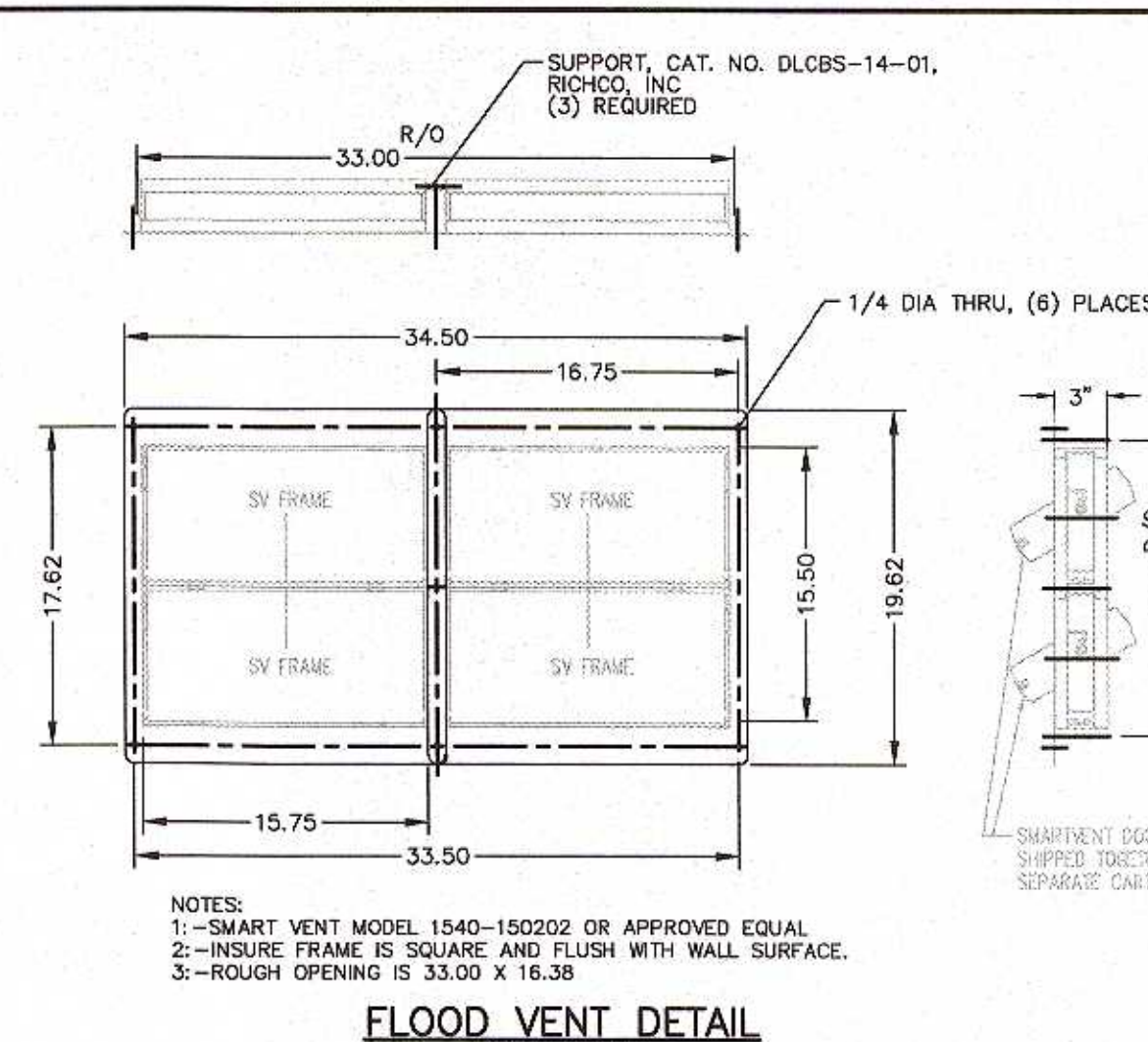
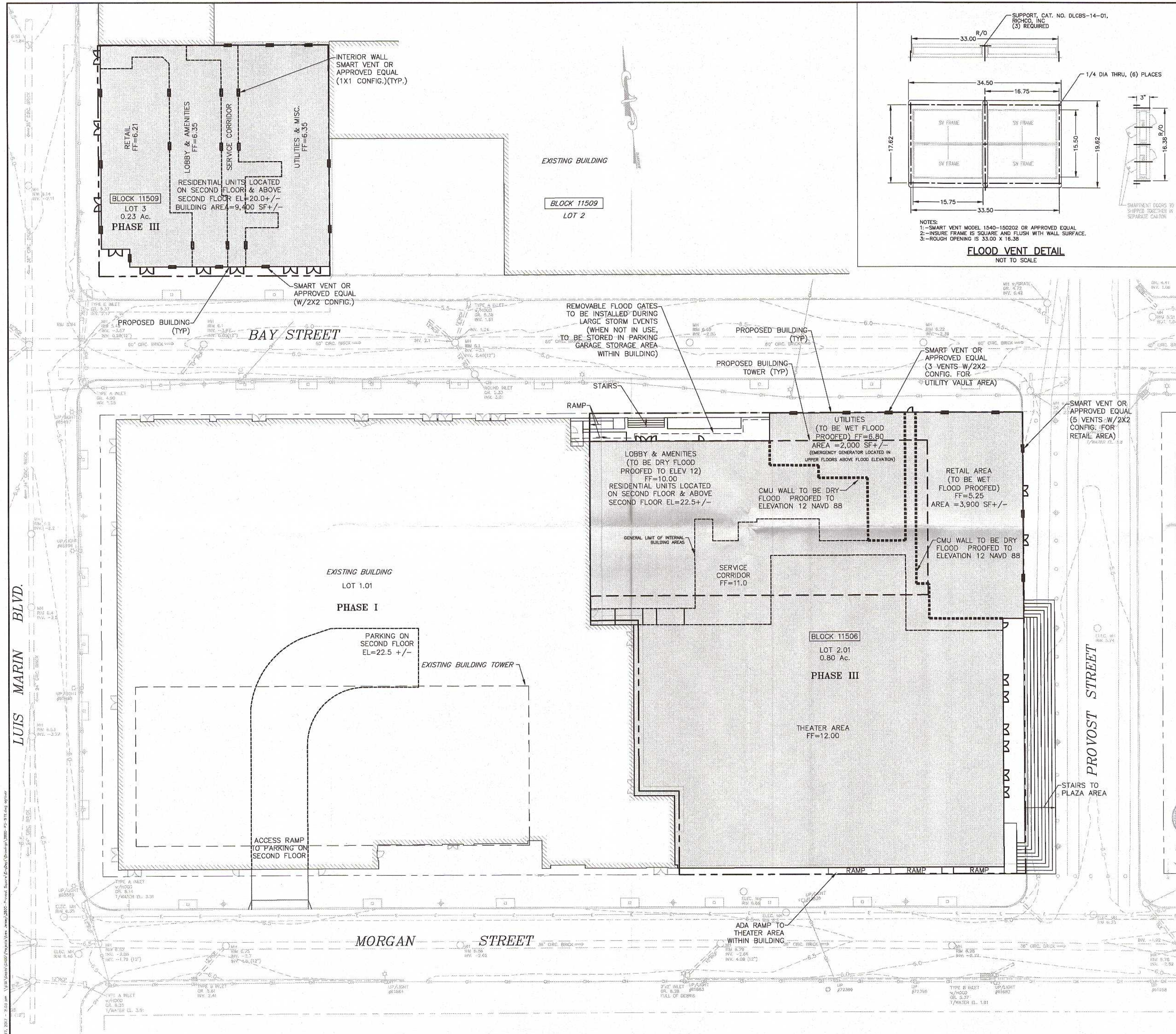
Christopher Jones,
Division of Land Use Regulation



Date

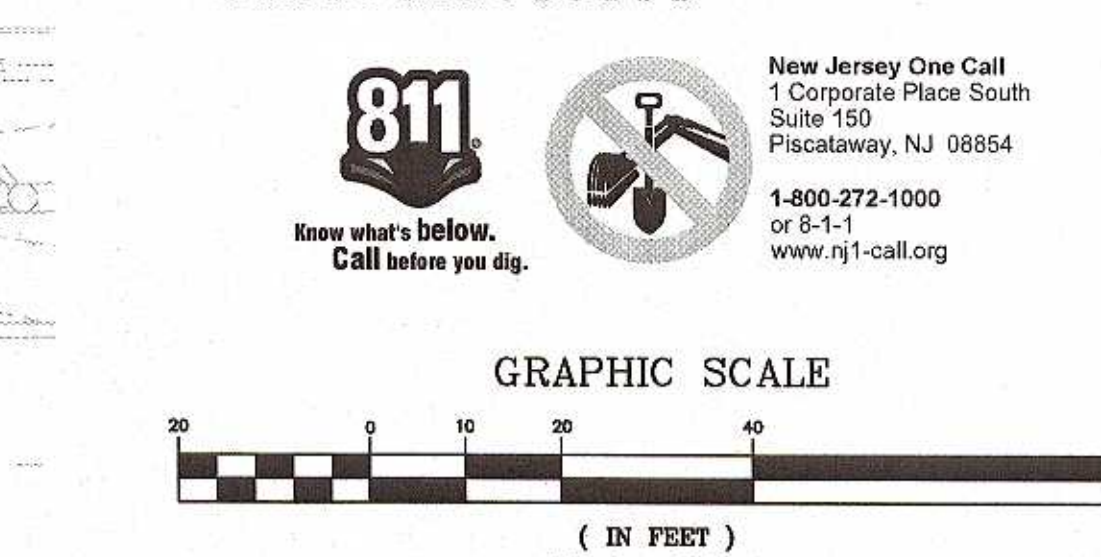
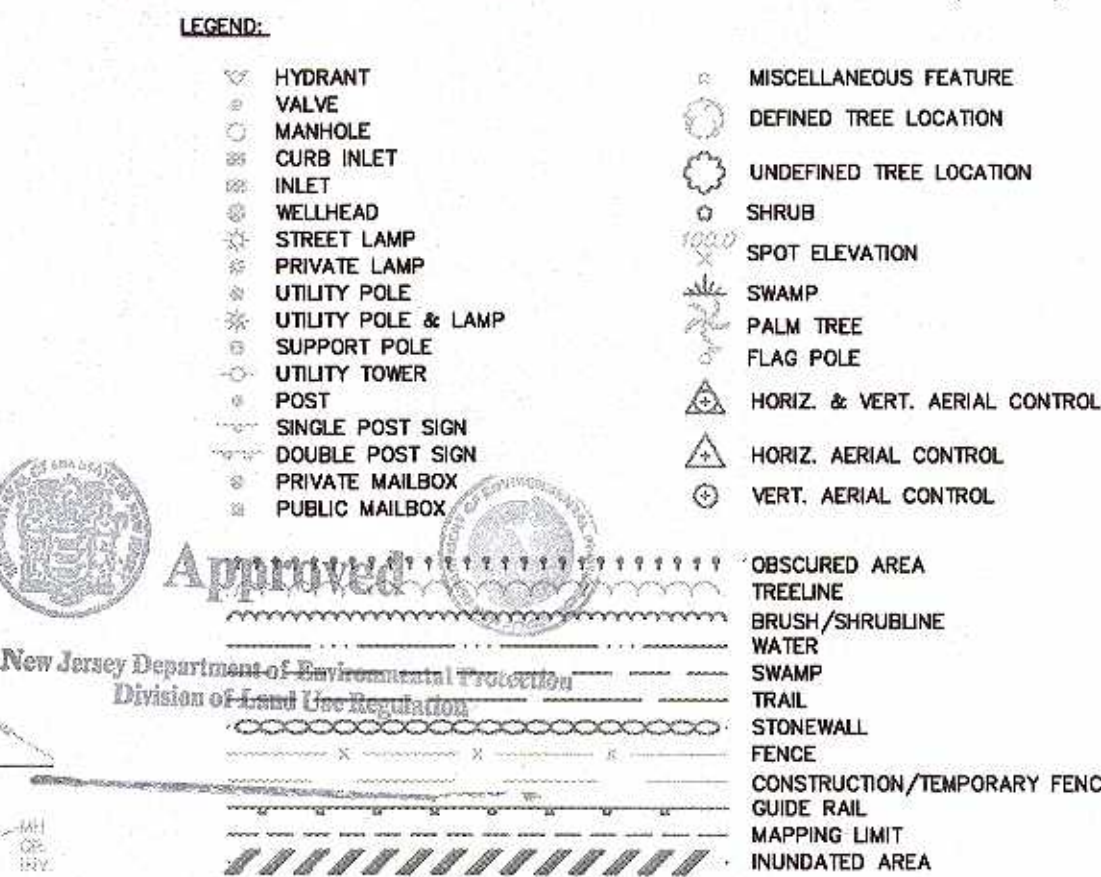
Original sent to Agent

c: Permittee
Construction Official



- GENERAL NOTES:**
- EXISTING FEATURES AND TOPOGRAPHY SHOWN ON THIS MAP ARE BASED ON ALTA/ACSM LAND TITLE SURVEY "134 BAY STREET, CITY BLOCK 171, PREPARED BY MACDEL ENGINEERING, P.C., DATED JAN. 16, 2003, LAST REVISED 10/22/08.
 - FEATURES ARE LIMITED TO THOSE VISIBLE AT TIME OF THE SURVEY AND ARE SUBJECT TO FIELD VERIFICATION BY THE END USER. BUILDING OUTLINES REPRESENT BUILDING FOUNDATION LOCATION AT TIME OF SURVEY.
 - THE HORIZONTAL DATUM SHOWN ON THIS MAP IS BASED ON THE NEW JERSEY STATE PLANE COORDINATE SYSTEM NAD83. THE CENTER OF THE SITE IS LOCATED AT E(4) 619673, N(4) 687696.
 - THE VERTICAL DATUM SHOWN ON THIS MAP IS BASED ON NAVD88.
 - THE LOTS IN QUESTION ARE BLOCK 11506, LOT 2.01 (FORMERLY BLOCK 171) AND BLOCK 11509, LOT 3 (FORMERLY BLOCK 172, LOTS A-D).
 - THE ENTIRE SITE IS IN FLOOD ZONE AE, EL. 11.0 (NAVD88), WHICH IS THE REGULATORY FLOOD HAZARD ELEVATION FOR THE AREA. FLOOD ZONE INFORMATION TAKEN FROM FLOOD HAZARD RATE MAP, HUDSON COUNTY, NEW JERSEY (ALL JURISDICTIONS), CITY OF JERSEY CITY, COMMUNITY PANEL NUMBER 340223, MAP #34017C01006 REVISED PRELIMINARY DATE JANUARY 30, 2015.
 - ALL OR A PORTION OF THIS SITE LIES IN A FLOOD HAZARD AREA. CERTAIN ACTIVITIES IN FLOOD HAZARD AREAS ARE REGULATED BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SOME ACTIVITIES MAY BE PROHIBITED ON THIS SITE OR MAY FIRST REQUIRE A PERMIT. CONTACT THE DIVISION OF LAND USE REGULATION AT (609) 777-0454 FOR MORE INFORMATION PRIOR TO ANY CONSTRUCTION ON SITE.
 - THE ENTIRE SITE IS OUT OF LIMIT OF ANY RIPARIAN ZONE AND FLOODWAY.
 - THE SITE RECEIVED A FLOOD HAZARD AREA VERIFICATION PERMIT #0906-11-0006.1 FIA 110001 AND FLOOD HAZARD AREA INDIVIDUAL PERMIT #0906-11-0006.1 FIA 110002, SET TO EXPIRE ON JUNE 30, 2017.
 - PRIOR TO ANY SITE DISTURBANCE, SITE SHALL SUBMIT AND RECEIVE CERTIFICATION FROM HUDSON COUNTY PASSAIC SOIL CONSERVATION DISTRICT, ALL SOIL EROSION AND SEDIMENT CONTROL ON SITE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "NEW JERSEY STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL", 7TH EDITION, LAST REVISED JANUARY 2014.
 - RESIDENTIAL UNITS AND PARKING AREAS ARE LOCATED ON THE SECOND FLOOR AND FLOORS ABOVE. THE SECOND FLOOR ELEVATION IS AT ELEVATION 22.5 NAVD88, WHICH IS ABOVE THE REGULATORY FLOOD HAZARD ELEVATION OF 11 NAVD88.

- CONSTRUCTION SEQUENCE**
- COORDINATE ALL MAINTENANCE AND PROTECTION OF TRAFFIC MEASURES WITH JERSEY CITY POLICE DEPARTMENT.
 - INSTALLATION OF ALL SEDIMENT AND EROSION CONTROL DEVICES PRIOR TO ANY MAJOR SOIL DISTURBANCES OR IN THEIR PROPER SEQUENCE, AND MAINTENANCE UNTIL PERMANENT PROTECTION IS ESTABLISHED. (1+ DAYS)
 - CLEAR AND REMOVE ALL EXISTING VEGETATION, BUILDINGS, FOUNDATIONS, CURBING, BITUMINOUS AND CONCRETE PAVEMENTS, ETC., IN THOSE AREAS WHERE NECESSARY. ALL REMAINING VEGETATION (IF ANY) TO BE PROPERLY PROTECTED AND TO REMAIN IN ITS NATURAL STATE. (2+ WEEKS)
 - CAP EXISTING UTILITIES NOTED ON PLAN (2+ WEEK)
 - TEMPORARY STABILIZATION OF THOSE AREAS LEFT EXPOSED MORE THAN 30 DAYS. (1+ DAY)
 - LAYOUT AND LOCATION OF THE PROPOSED BUILDING AND UTILITIES. (1+ DAYS)
 - CONSTRUCTION OF PROPOSED BUILDING. (ONGOING)
 - CONSTRUCTION OF UTILITY CONNECTIONS. (1+ WEEK)
 - CONSTRUCTION OF SIDEWALK, CURBING AND ADJACENT PAVEMENT. (2+ WEEKS)
 - STABILIZATION OF THE SITE WITH PERMANENT VEGETATIVE COVER & LANDSCAPING. (1+ WEEK)
 - REMOVAL OF TEMPORARY SEDIMENT AND EROSION CONTROL DEVICES. (1+ DAY)



ESE CONSULTANTS
ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL

8/17/17
JAMES E. SEARLES
PROFESSIONAL ENGINEER
NEW JERSEY LICENSE NO. 6047123

100 Willow Brook Road • Suite 200 • Freehold, NJ 07728
T: 732-446-8446
New Jersey Certificate of Authorization No. 24GA2799900

REV.	DATE	DESCRIPTION
1	8/10/17	REVISED PER NDEP REVIEW COMMENTS DATED 7/17/17
2	8/16/17	REVISED PER NDEP REVIEW COMMENTS DATED 8/16/17
3	8/17/17	REVISED PER NDEP REVIEW COMMENTS DATED 8/17/17

**FLOOD HAZARD AREA PERMITTING
PROPOSED CONDITIONS PLAN**

PROVOST SQUARE - PHASE III
JERSEY CITY, HUDSON COUNTY, NEW JERSEY

DATE:	4/12/17	SCALE:	1"=20'
DESIGN:	AUG	DRAWN:	TJC
JOB NO.:	2800	FILE NAME:	2800-P3-SITE
SHEET NO.:	2	OF	2