

Via: Certified Mail

August 13, 2019

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

Re: Public Participation Plan
54 East Main Street
Flemington, New Jersey 08822
NJDEP Program Interest Number G000005778

To Whom It May Concern:

Enclosed please find one paper copy and one electronic copy (CD) of the Public Participation Plan (the "Plan") for the above-referenced site (the "Site"). A paper copy of the Plan is being distributed to all property owners and tenants within 200 feet of the Site, as well as the municipal clerk, the local and County health departments, and the New Jersey Department of Environmental Protection (NJDEP) Office of Community Relations.

Please do not hesitate to contact me at (973) 334-0003 or ddl@firstenvironment.com if you have any questions or concerns.

New Jersey

Best regards,

California

FIRST ENVIRONMENT, INC.

Georgia



Illinois

Daniel D. Lattanzi, LSRP
Senior Associate

Mississippi

Enc.

New York

cc: 54 East Main Street, TIC I/54 East Main Street, TIC II
NJDEP Office of Community Relations
Flemington Borough Clerk
Hunterdon County Health Services
Property Owners and Tenants within 200 feet

Puerto Rico

Canada



Public Participation Plan

54 East Main Street

Flemington, New Jersey

NJDEP Program Interest No. G000005778

August 2019

Prepared for: 54 East Main Street
TIC I/54 East Main Street TIC II
116 Route 22
North Plainfield, New Jersey

Prepared by: First Environment, Inc.
91 Fulton Street
Boonton, New Jersey 07005



TABLE OF CONTENTS

Introduction	1
Site History and Environmental Information	2
Proposed Remedial Action and Schedule	4
Public Participation	6

LIST OF ATTACHMENTS

- A Site Location Map
- B Site Plan
- C List of Owners and Tenants within 200 Feet of Property Boundary

Introduction

First Environment, Inc. (First Environment) was retained by Kerbel-Sheriff Partners, LP (the prior Property Owner) and subsequently 54 East Main Street, TIC I/54 East Main Street, TIC II (the current Property Owner) to provide environmental technical support with respect to the property located at 54 East Main Street, Flemington, New Jersey (the “Site”). Accordingly, Mr. Daniel Lattanzi has been retained as the Licensed Site Remediation Professional (LSRP) to provide oversight for this project under License No. 592614. The New Jersey Department of Environmental Protection (NJDEP) Program Interest No. is G000005778.

The Site is identified as Block 5, Lot 12 on the Borough of Flemington tax map. The location of the property is illustrated on a portion of the United States Geological Survey (USGS) quadrangle provided as Attachment A. The overall configuration of the Site is illustrated on a figure provided as Attachment B.

Pursuant to the Administrative Requirements for the Remediation of Contaminated Sites - N.J.A.C. 7:26C-14, the submittal of this Public Participation Plan (PPP) is required since the Site is subject to Direct Oversight by the NJDEP. The List of Owners and Tenants within 200 Feet of Property Boundary is provided as Attachment C. The following sections detail the environmental history of the Site, current Site conditions with respect to soil impact (i.e., historic fill), proposed remedial actions, contact information for the LSRP and Current Property Owner, and solicitation for public comment via a 30-day public comment period.

Site History and Environmental Information

The Site encompasses approximately 0.56 acres and is improved with one, three-story building and associated lawn areas. The current building was constructed in 1900. Prior to that time, the Site was undeveloped, vacant land. The rear portion of the property previously received historic fill material in order to raise the surface grade. According to the NJDEP Historic Fill Guidance document:

Historic fill material means non-indigenous material, deposited to raise the topographic elevation of the site, which was contaminated prior to emplacement, and is in no way connected with the operations at the location of emplacement and which includes, without limitation, construction debris, dredge spoils, incinerator residue, demolition debris, fly ash, or non-hazardous solid waste. Historic fill material does not include any material which is substantially chromate chemical production waste or any other chemical production waste or waste from processing of metal or mineral ores, residues, slag or tailings. In addition, historic fill material does not include a municipal solid waste landfill site. (N.J.A.C. 7:26E-1.8).

Subsequent investigation activities at the property, which included the installation of soil borings and collection and analysis of soil samples, revealed the presence of historic fill-related contaminants of concern (i.e., metals and polycyclic aromatic hydrocarbons (PAHs)) at concentrations above the NJDEP Residential Direct Contact Soil Remediation Standards (RDCSRS). The findings of the investigation and the proposed remedial alternative, which will consist of the removal of impacted soil, installation of engineering controls (i.e., cap), and implementation of institutional controls (i.e., Deed Notice), was previously provided to the Department in the Remedial Action Work Plan (RAWP) dated June 16, 2007 and RAWP Addendums dated May 7 and October 21, 2008. Specifically, the prior Property Owner, Kerbel-Sheriff Partners, LP (Kerbel-Sheriff), proposed the construction of a parking lot and associated amenities at the rear portion of the property. The parking lot would serve as an improvement to the property to support commercial use while also acting as an engineering control to address historic fill material. Based on their review, the NJDEP approved the RAWPs in a letter dated January 7, 2009.

Over the course of their ownership, Kerbel-Sheriff attempted to complete the construction of the parking lot having obtained approvals from local, County, and State governmental agencies; however, due to insufficient funds, the project was not completed as intended. To this end, the NJDEP approved a Hazardous Discharge Site Remediation Fund (HDSRF) grant for the property in May 2014; however, the funds were not made available to Kerbel-Sheriff by the New

Jersey Economic Development Agency (NJEDA) until November 2018. Due to this delay, the local and County approvals expired and Kerbel-Sheriff did not complete the remediation. The property was subsequently sold to 54 East Main Street TIC I, LLC/54 East Main Street TIC II, LLC, the current Property Owner, in April 2019.

Proposed Remedial Action and Schedule

Pursuant to the NJDEP Historic Fill Guidance document and Technical Requirements for Site Remediation (N.J.A.C. 7:26E), remediation of historic fill beyond the property boundary is not required. As such, there is no potential risk to off-site receptors. First Environment will supervise the implementation of the proposed remedial action activities at the Site. Upon mobilization, the selected contractor will install silt fencing around the property's perimeter which will serve to mitigate potential runoff and erosion of surface soils during the construction project. Following the installation of soil and sediment erosion controls, the contractor will utilize large machinery (i.e., excavator) to remove approximately 6,000 square feet of impacted soil around the perimeter of the Site to a depth of 1.0 feet below ground surface (bgs). The excavated soils will be placed over six-mil poly sheeting and temporary stockpiled on site for either off-site disposal and/or re-use as fill material for the proposed parking lot area. The total amount of soil to be disposed and/or re-used will be assessed during the surface grading portion of the project but is expected to not exceed 300 tons.

Subsequent to removal, the excavated areas will be restored to grade with certified clean fill material. Prior to replacement, First Environment will review all necessary records and documentation to ensure that the material meets the NJDEP RDCSRS.

Following the restoration of the excavated areas, the contractor will utilize large machinery to re-grade the rear portion of the property as a means to prepare the Site for paving and other improvements (e.g., concrete sidewalks, concrete riprap apron, concrete block curb line, etc.). All soil grading activities will be conducted in accordance with the approved Stormwater Management Plan (SMP) previously prepared by Heritage Consulting Engineers.

Upon completion of the surface grading activities, the contractor will install bituminous pavement over the extents of the impacted area in accordance with the specifications outlined in the SMP. In addition, the contractor will conduct the following site restoration activities: construct the proposed riprap apron and concrete block curbing along the perimeter of the paved area; excavate trench to facilitate the installation of electrical lines and appropriate conduit and wire to supply power to proposed light poles; and maintain access to the light pole's wiring at three positions.

Upon completion of the construction activities, First Environment will prepare and submit a Deed Notice with Hunterdon County in accordance with N.J.A.C. 7:26C-7.2 and N.J.A.C. 7:26E-5.2. The Deed Notice will serve as an institutional control for the property. Once the Deed Notice is recorded by Hunterdon County, First Environment will submit a Remedial Action Report and Remedial Action Permit for Soil Application to the NJDEP in accordance with N.J.A.C. 7:26E-5.2.

It is anticipated that the remedial action (i.e., construction activities) and NJDEP reporting will be completed by no later than August 31, 2020.

Public Participation

A copy of this PPP is being mailed to all owners and tenants within 200 feet of the Site boundary as well as the municipal clerk, Hunterdon County Health Department, and the NJDEP Office of Community Relations. Through the submittal of this PPP, First Environment, on behalf of the Person Responsible for Conducting the Remediation (PRCR) (i.e., the current Property Owner), is soliciting public comment via a 30-day public comment period. All comments will be reviewed and considered and will receive a written response which will be made available to the public. Any comments should be submitted to the LSRP via email. The PPP will be updated and resent with a request for comments should any substantive change to the Site be identified or should any additional investigation be required. In addition, upon receipt of all public comments within the 30-day period, First Environment will develop and issue a Response Summary and distribute copies of the summary to all parties who provide comment. The Response Summary will also be added to the online repository (see below), and a copy will be provided to the NJDEP.

Periodic updates will be provided via notification letters at certain project milestones. Given the relatively short duration of the project (approximately one year to completion), First Environment will issue notification letters approximately two weeks prior to the start of the construction of the parking lot, a second notification letter once the construction is complete, and a final notification letter (without a request for public comment) will be sent once the LSRP issues a Response Action Outcome (RAO). All letters will be sent via Certified Mail to ensure delivery.

Upon request, the LSRP and/or PRCR will provide electronic copies of remedial documents for the Site. Contact information for the LSRP and PRCR are provided below.

LSRP of Record

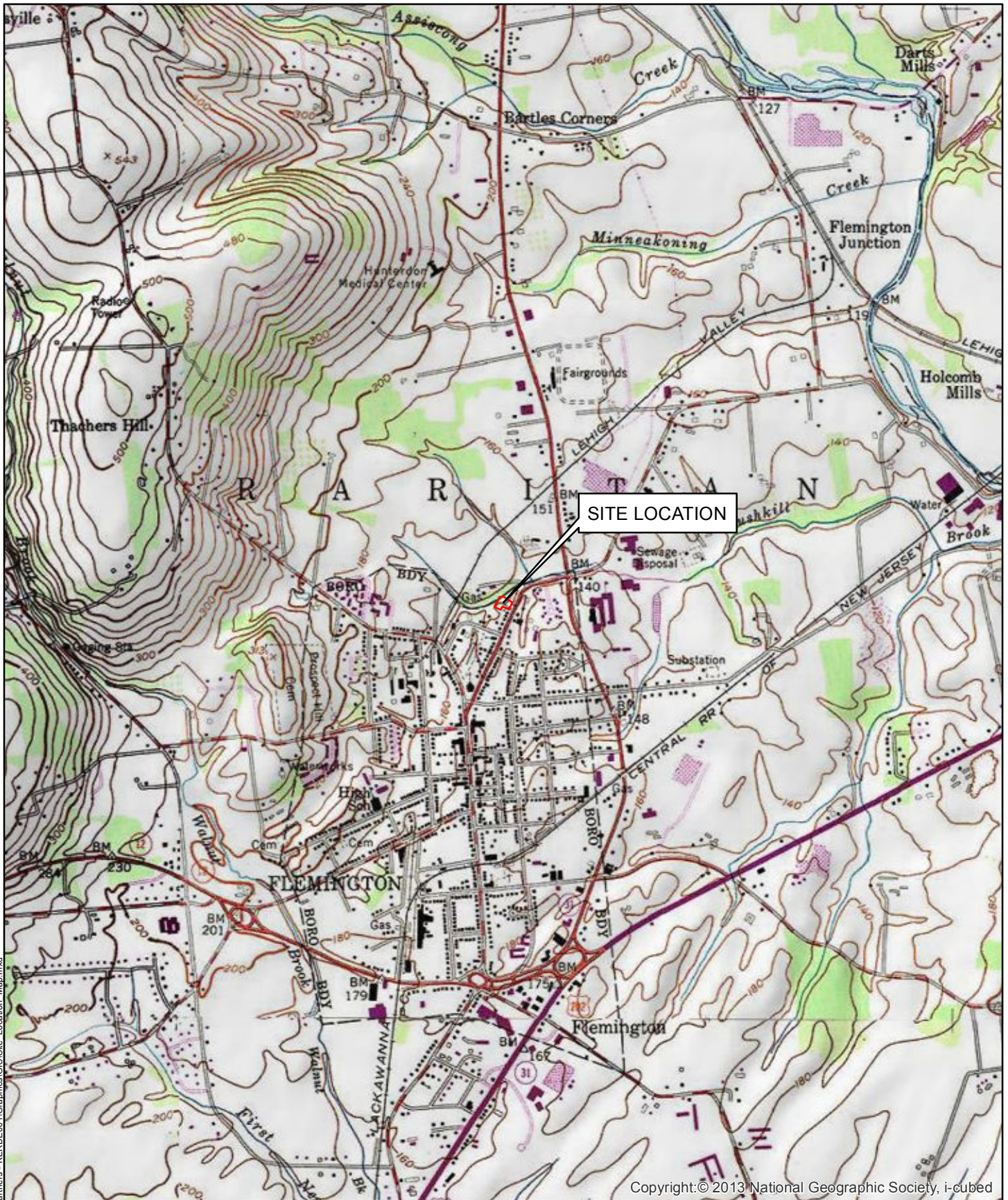
Daniel D. Lattanzi, LSRP
Senior Associate
91 Fulton Street
Boonton, NJ 07005
ddl@firstenvironment.com

PRCR

Mr. Thomas Devine and Mr. Brian Battista
Property Owners
116 Route 22
North Plainfield, New Jersey 07060
bbattista@jefferyrealty.com

In addition, electronic copies of remedial documents can be downloaded from the following link:
<https://firstenvironment.com/54-E-Main-St-Project-Files>.

ATTACHMENT A



G:\DATA\Project\Kerbel-Sheriff Partners - KERBE001\Graphics\GIS\Site Location_Map.mxd

Copyright: © 2013 National Geographic Society, i-cubed



1 inch = 2,000 feet

FIRST ENVIRONMENT

54 E. MAIN STREET
Flemington, Hunterdon County, New Jersey

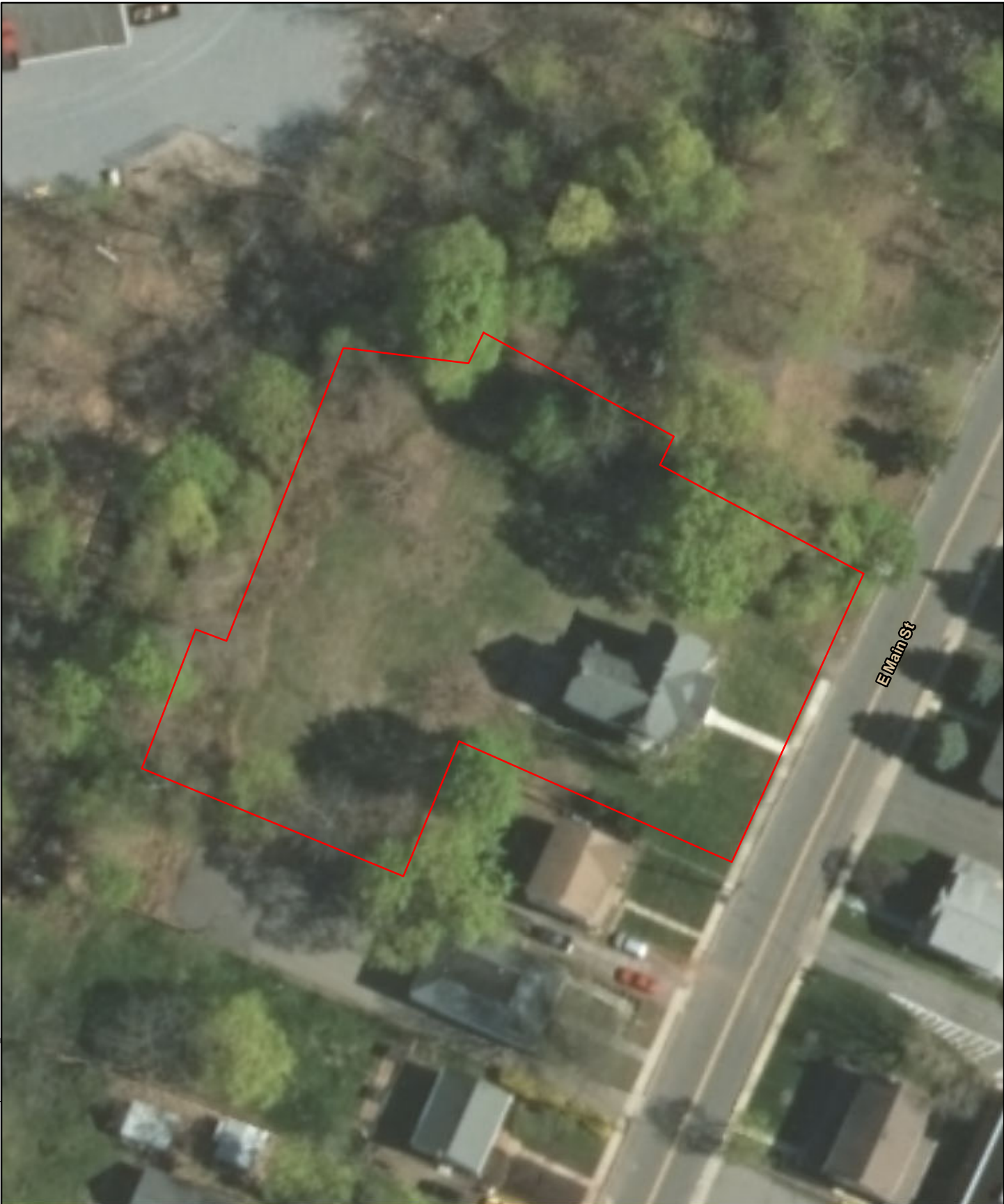
ATTACHMENT A
USGS SITE LOCATION MAP

91 Fulton Street
Boonton, New Jersey 07005

Revised	Drawn	Checked	Approved	Date
	LS	DDL	DDL	8/12/2019

United States Geological Survey, Flemington NJ Topographic Quadrangle, 1967, Photorevised 1981

ATTACHMENT B



E Main St

G:\DATA\Project\Kerbel\Sheriff Partners - KERBE001\Graphics\GIS\Site Plan.mxd
Imagery: NJ 2015 Natural Color

Legend

 Property Boundary



1 inch = 50 feet

FIRST ENVIRONMENT

54 E. MAIN STREET
Flemington, Hunterdon County, New Jersey

**ATTACHMENT B
SITE PLAN**

91 Fulton Street
Boonton, New Jersey 07005

Revised	Drawn	Checked	Approved	Date
	LS	DDL	DDL	8/12/2019

ATTACHMENT C

**ATTACHMENT C
PROPERTIES WITHIN 200 FEET**

**54 E. MAIN STREET
FLEMINGTON, NJ
PI NO. G000005778**

BLOCK	LOT	ADDRESS	CITY	PROPERTY CLASS	PROPERTY OWNER	OWNER ADDRESS	OWNER CITY/STATE	OWNER-OCCUPIED?	MUNICIPALITY
5	11	52-1 E MAIN ST	FLEMINGTON BORO	RESIDENTIAL	SNYDER, LUIS C & THERESA	52-1 EAST MAIN STREET	FLEMINGTON NJ	Yes	1009
5	8	48 E MAIN ST	FLEMINGTON BORO	RESIDENTIAL	GARCIA-MIRON, FORTUNATO R	48 EAST MAIN ST	FLEMINGTON NJ	Yes	1009
5	7	44 E MAIN ST	FLEMINGTON BORO	RESIDENTIAL	HALPERN, ELLEN L & ANN N HOUSTON	44 EAST MAIN STREET	FLEMINGTON NJ	Yes	1009
5	14	62 E MAIN ST	FLEMINGTON BORO	VACANT	ETG ACQUISITION CORP	1 SOUTH JERSEY PLAZA	FOLSOM NJ	No	1009
7	4.3	2-4 LINCOLN CIRCLE	FLEMINGTON BORO	RESIDENTIAL	REVESZ, WILLIAM & MARIANNE & NICOLE	839 AMWELL RD	HILLSBOROUGH NJ	No	1009
5	6	34 HOPEWELL AVE	FLEMINGTON BORO	RESIDENTIAL	HAYER, EMMA STORR	9 HIGHLAND AVE	ANNANDALE, NJ	No	1009
7	4.2	1-3 LINCOLN CIRCLE	FLEMINGTON BORO	RESIDENTIAL	PASSERELLO, JAMES & MARY	436 QUAKERTOWN ROAD	FLEMINGTON NJ	No	1009
5	10	52 E MAIN ST	FLEMINGTON BORO	COMMERCIAL	FLEMINGTON PROPERTY GROUP LLC	9 WHITE OAK DRIVE	CALIFON NJ	No	1009
7	5	53 E MAIN ST	FLEMINGTON BORO	COMMERCIAL	BUSH, HAROLD J	53 EAST MAIN ST	FLEMINGTON NJ	Yes	1009
5	9	50 E MAIN ST	FLEMINGTON BORO	RESIDENTIAL	CURTIS, AN	PO BOX 334	FLEMINGTON NJ	No	1009
7	6	49 E MAIN ST	FLEMINGTON BORO	COMMERCIAL	EDWARDS, RONALD D & LANA B	PO BOX 892	FLEMINGTON NJ	No	1009
5	5	32 HOPEWELL AVE	FLEMINGTON BORO	RESIDENTIAL	TURNER, CHRISTOPHER	32 HOPEWELL AVE	FLEMINGTON NJ	Yes	1009
7	4.1	55 E MAIN ST	FLEMINGTON BORO	RESIDENTIAL	BUKOWCZYK, ANDREW & JANE	254 HOLLAND COURT	BRIDGEWATER NJ	No	1009
5	4	30 HOPEWELL AVE	FLEMINGTON BORO	CHURCH & CHARITABLE	EASTERSEALS NEW JERSEY	30 HOPEWELL AVE	FLEMINGTON NJ	Yes	1009
5	13.01	58 E MAIN ST	FLEMINGTON BORO	VACANT	ETC ACQUISITION CORP	1 SOUTH JERSEY PLAZA	FOLSOM NJ	No	1009
5	13	56 E MAIN ST	FLEMINGTON BORO	VACANT	ETG ACQUISITION CORP	1 SOUTH JERSEY PLAZA	FOLSOM NJ	No	1009
5	12	54 E MAIN ST	FLEMINGTON BORO	RESIDENTIAL	KERBEL SHERIFF PARTNERS	2 EAST BLACKWELL ST #24	DOVER NJ		1009
18.01	14	56 E MAIN ST	RARITAN TWP	COMMERCIAL	ETG ACQUISITION CORP	1 SOUTH JERSEY PLAZA	FOLSOM NJ	No	1021

Source: Parcels and MOD-IV Composite of New Jersey, NJ Office of Information Technology, Office of Geographic Information Systems



G:\DATA\Project\Kerbel\Sheriff Partners - KERBE001\Graphics\GIS\Site Plan_200ft_Buffer.mxd
 Imagery: NJ 2015 Natural Color

Legend

- Property Boundary
- 200-foot Buffer
- Tax Parcel Boundaries



1 inch = 100 feet



91 Fulton Street
 Boonton, New Jersey 07005

54 E. MAIN STREET
 Flemington, Hunterdon County, New Jersey
ATTACHMENT C
SITE PLAN WITH 200-FOOT BUFFER

Revised	Drawn	Checked	Approved	Date
	LS	DDL	DDL	8/12/2019