



## Township of Hillsborough

COUNTY OF SOMERSET  
TOWNSHIP OF HILLSBOROUGH  
THE PETER J. BIONDI BUILDING  
379 SOUTH BRANCH ROAD  
HILLSBOROUGH, NJ 08844  
(908) 369-4313  
[www.hillsborough-nj.org](http://www.hillsborough-nj.org)

September 23, 2022

Mid-State Industrial Park  
4 Corporate Drive  
Cranbury, NJ 08512

Re: **Stop Work Order**  
203 Homestead Road  
Block 200.10, Lot 32

Dear Sandy,

This is a response to your letter dated August 23rd, 2022. Please be aware that pursuant to [Section 188-46\(4\)\(a\)](#) of the Hillsborough Development Regulations Ordinance (HDRO), the Zoning Officer is authorized to make site inspections and take such actions that are necessary in order to enforce the provisions related to unauthorized critical area alterations. Furthermore, [Section 188-46\(4\)\(b\)](#) indicates that when a critical area has been altered in violation of this subsection, all ongoing development work shall stop and the critical area shall be restored. The Township shall have the authority to issue a stop-work order to cease all ongoing development work and order restoration, rehabilitation or replacement measures at the expense of the owner or other responsible party, as appropriate, in order to compensate for violation of the provisions of this subsection.

Below are definitions found in [Section 188-3](#):

### **CRITICAL AREA**

Any area which is environmentally sensitive or which, if disturbed during construction, would adversely affect the environment, including but not limited to slopes of 12% or greater, floodplains, floodways, areas of critical seasonal high water table, wetlands and wetland transition areas and stream corridors.

### **FRESHWATER WETLAND**

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a

prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

### **STREAM CORRIDOR**

All areas as measured 150 feet in both directions from the top of the channel banks of a stream. If slopes greater than 10% or wetlands or wetland transition areas abut the outer boundary of the stream corridor, then the slope, wetland or wetland transition area should be included within the boundaries of the stream corridor area.

### **WETLAND TRANSITION AREA**

An area of land adjacent to a freshwater wetland which minimizes adverse impacts on the wetland or serve as an integral component of the wetlands ecosystem.

If you wish to conduct an activity in a stream corridor then a Zoning Permit will be required. It should also be noted that applicable approvals are also required by NJDEP. Below are the submission requirements to apply for farming and agricultural-related activities.

188-64(3)(a) Permitted activities in stream corridors. Stream corridors shall remain in their natural state with no clearing or cutting of trees and brush (except for removal of dead vegetation and pruning for reasons of public health, safety and welfare), altering of watercourses (including filling or dredging), regrading or construction, except for the following activities:

[1] Farming and agricultural-related activities, subject to application of best management practices (BMPs) in effect, but excluding enclosed structures.

188-64D(4) Submission requirements. An applicant for an activity in a stream corridor shall submit a map showing the project site at a scale of one inch equals 40 feet or larger, as appropriate, in order to show the following information:

(a) One-hundred-year flood line.

(b) State wetland boundary line.

(c) Stream corridor boundary.

(d) Slopes of 12% and greater based on two-foot contour intervals.

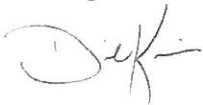
(e) The location of all improvements and land disturbance proposed to be located within any of the above boundaries.

(f) All existing natural and man-made features on the subject property.

(g) Any existing or proposed easements on the subject property.

Based on your acknowledgement of the trash found on the location and my observation that an extensive amount of debris still exists on the site, you are required to receive all necessary and applicable approvals from NJDEP before you can continue farming in the non-critical areas. The Township will reserve its right to enforce Section 188-70 regarding outdoor storage of inoperable vehicles until NJDEP concludes its investigation. The Township also reserves its right to enforce the tree mitigation requirements found in [Article IX](#) of the HDRO until a new topographic map of existing conditions is provided by Homestead Road, LLC 21-PB-25 MS/MSP. In conclusion, in regards to the critical areas, my stop work order dated August 22nd is still in effect. I hereby order you stabilize the disturbed soil within the stream corridors to the satisfaction of the Somerset County Soils Conservation District and in consultation with NJDEP.

Best regards,



David Kois, PP, AICP  
Deputy Zoning Official

cc: *Hillsborough Township Planning Board; David Maski, Planning Director; Marcella McLaughlin, Zoning Official; Debra Blaney, Assessor; Micheal Carr, Director of Environmental Programs; Tom Belanger, Assistant Township Engineer; Todd Hay, Planning Board Engineer, Pennoni Associates; Somerset County Soils Conservation District; NJDEP; Homestead Road, LLC; Michael P. O'Grodnick, Esq, Savo, Schalk, Corsini, Gillespie, O'Grodnick, & Fisher; Kerzner Associates Developers*