

## **COMBINED PUBLIC NOTICE**

### **NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS AND FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A WETLAND**

#### **ATLANTIC COUNTY**

March 24, 2017

New Jersey Department of Community Affairs  
101 South Broad Street  
PO Box 800  
Trenton, NJ 08625-0800

This Notice is related to Federal assistance provided in response to the Presidentially-declared disaster, Superstorm Sandy. This notice shall satisfy three separate but related procedural requirements for activities to be undertaken by New Jersey Department of Community Affairs (DCA).

#### **REQUEST FOR RELEASE OF FUNDS**

On or about April 10, 2017, the DCA will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of Federal funds under the Community Development Block Grant Program (CDBG) pursuant to the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013) for the Fund for Restoration of Multifamily Housing (FRM). DCA expects to fund the project using approximately \$14,601,785 of FRM funds.

#### **PROJECT DESCRIPTION**

Application ID number: HMFA02982

Project Title: Harding Homes

Location: 4700 Harding Highway (Route 40) in Hamilton Township, Atlantic County, New Jersey

The total estimated project cost is \$26,442,294.

This project involves the clearing of a 9.3-acre portion of an existing undeveloped, wooded parcel of land totaling 37.01 acres and construction of a senior housing development consisting of eight residential structures containing 99 affordable housing units. The remainder of the complex will include a clubhouse, tot lot, stormwater management facilities including four stormwater management basins, a sanitary pump station and parking areas. The total estimated cost of the proposed project, of which \$14,601,785 would be provided through HUD funding, is \$26,442,294 and is considered a substantial improvement.

## FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A WETLAND

This is to give notice that the DCA has conducted an evaluation as required by Executive Order 11990, in accordance with HUD regulations at 24 CFR 55.20 Subpart C, Procedures for Making Determinations on Floodplain Management and Wetlands Protection. The activity is funded with Community Development Block Grant Disaster Recovery (CDBG-DR) funds under HUD grant number B-13-DS-34-0001.

The proposed project is located on a parcel of land located at 4700 Harding Highway (Route 40) in Hamilton Township, Atlantic County, New Jersey. It involves the construction of a new 99-unit senior housing complex on a 9.3-acre portion of a larger 37.01-acre parcel of land that is currently owned by Sunset Property Development Association. According to application materials, approximately 9.3 acres of the larger 37.01-acre parcel would be cleared to allow for the construction of the senior housing complex. Wetland areas, defined as coniferous wooded wetlands, are present within the western and southwestern portions of the larger parent parcel, totaling approximately 1.5 acres of land. Based on review of the Harding Homes Development Preliminary & Final Site Plans dated September 9, 2016, it appears that these portions of the parent parcel will remain undeveloped. Wetlands are not mapped within the 9.3-acre project footprint.

DCA has considered the following alternatives and mitigation measures to be taken to minimize adverse impacts and to restore and preserve natural and beneficial values. Among the alternatives were: (i) undertaking the project as proposed, (ii) relocating the senior housing project away from wetland areas, and (iii) not undertaking the project at all (No Action).

Relocation of the proposed action to a location away from wetlands, which would include acquisition of another tract of land large enough to accommodate the senior housing complex, would not serve the purpose of the proposed project. Also, if another suitable property and willing seller could be identified and relocation within Hamilton Township could not avoid wetlands, relocation outside of Hamilton Township could potentially generate residential or commercial displacements that would be detrimental to the applicant, community and economic development of Hamilton Township. Although the southwestern and southern portions of the parent parcel appear to be mapped as wetlands, the proposed action is not expected to alter the condition of the wetland area as review of the Harding Homes Development Preliminary & Final Site Plans dated September 9, 2016 indicates that this portion of the parent parcel will remain undeveloped. Therefore, it is not practicable to relocate the proposed project outside of wetland areas.

A no action alternative was considered and rejected because it would involve no development of the proposed project parcel, which would result in Hamilton Township not contributing toward its State and Federal affordable housing obligations. Without the proposed project, one fewer valuable housing option would exist within Hamilton Township for low-income seniors impacted by Superstorm Sandy.

DCA has reevaluated the alternatives to building in the vicinity of wetlands and has determined that it has no practicable alternative. Environmental files that document compliance with steps 3 through 6 of Executive Order 11990 are available for public inspection, review and copying upon request at the times and location described in the Public Comments section of this notice.

There are three primary purposes for this notice. First, people who may be affected by activities in wetlands and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, an adequate public notice program can be an important public educational tool. The dissemination of information and request for public comment about wetlands can facilitate and enhance Federal efforts to reduce the risks and impacts associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in wetlands, it must inform those who may be put at greater or continued risk.

#### FINDING OF NO SIGNIFICANT IMPACT

The DCA has determined that this project will have no significant impacts on the human environment. Therefore, an Environmental Impact Statement (EIS) under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the New Jersey Department of Community Affairs, Sandy Recovery Division, 101 South Broad Street, Trenton, NJ 08625-0800. The record is available for review and may be examined or copied weekdays 9 A.M. to 5 P.M. or can be viewed online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/>.

#### PUBLIC COMMENTS

Any individual, group, or agency disagreeing with this determination or wishing to comment on this project may submit written comments to Laura Shea, Assistant Commissioner, New Jersey Department of Community Affairs, 101 South Broad Street, PO Box 800, Trenton, NJ 08625-0800 or online at <http://www.nj.gov/dca/divisions/sandyrecovery/review/> and to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. All comments received by April 10, 2017, or fifteen (15) days from the actual date of publication, whichever is later, will be considered by DCA. Comments should specify which Notice they are addressing.

#### ENVIRONMENTAL CERTIFICATION

DCA certifies to HUD that Charles A. Richman, in his capacity as Commissioner of DCA consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under the National Environmental Policy Act and related laws and authorities, and allows DCA to use CDBG-DR funds.

#### OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and DCA's certification for a period of fifteen (15) days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of DCA; (b) DCA has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient has committed funds or incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; or (d) another Federal agency, acting pursuant to 40 CFR Part 1504, has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58.76) and shall be addressed to Tennille Smith Parker, DRS, Acting Division Director, HUD, 451 Seventh Street SW, Washington, D.C. 20410. Potential objectors should contact HUD to verify the actual last day of the objection period.

Commissioner Charles A. Richman  
New Jersey Department of Community Affairs