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REPORT OF  
PHASE I ENVIRONMENTAL SITE ASSESSMENT

**Eagleswood Estates**

Eagleswood Township, Ocean County, New Jersey 08092

May 13, 2024



Prepared for:

**NVR, Inc.**

4 Century Drive, Suite 210

Parsippany, NJ 07054

Attn: Luke Rudowsky

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Prepared by:

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GTA Project No: 240747

# GEO-TECHNOLOGY ASSOCIATES, INC.

GEOTECHNICAL AND  
ENVIRONMENTAL CONSULTANTS

*A Practicing Geoprofessional Business Association Member Firm*



May 13, 2024

NVR, Inc.  
4 Century Drive, Suite 210  
Parsippany, NJ 07054

Attn: Luke Rudowsky

Re: Phase I Environmental Site Assessment  
**Eagleswood Estates**  
Eagleswood Township, Ocean County, New Jersey 08092

Dear Luke:

In accordance with our agreement dated April 3, 2024, Geo-Technology Associates, Inc. (GTA) has performed a Phase I Environmental Site Assessment (ESA) of the above referenced property (the "subject property"). The approximately 78.357-acre subject property, located west of Route 9 (aka Main Street), comprises Block 29 Lot 41 in Eagleswood Township, Ocean County, New Jersey. The subject property contains mostly undeveloped wooded land with unimproved trails and a small cemetery.

We appreciate the opportunity to be of assistance on this project. Should you have any questions regarding this information, or should you require additional information, please contact the undersigned at your convenience.

Sincerely,  
**GEO-TECHNOLOGY ASSOCIATES, INC.**

Angelo Parolari  
Environmental Scientist

Gary Rakow  
Vice President

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*GBA Publication – Important Information about Your Geoenvironmental Report*

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## 1.0 EXECUTIVE SUMMARY

Geo-Technology Associates, Inc. (GTA) has performed a Phase I Environmental Site Assessment (ESA) of Eagleswood Estates (the “subject property”). This ESA was performed in general accordance with ASTM International (ASTM) *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (E1527-21)*.

This *Executive Summary* is limited in scope and detail and is presented for the convenience of the reader. Do not rely on this *Executive Summary* for any purpose except that for which it was prepared. Please refer to the full report for details concerning the environmental condition of the subject property, as well as the scope and limitations of this ESA. Rely only on the full report for information about the findings, recommendations, and other concerns.

The subject property comprises approximately 78.357 acres (Block 29 Lot 41) located west of Route 9 (aka Main Street), Eagleswood Township, Ocean County, New Jersey. GTA understands the subject property may be developed with 149 dwelling units, including 129 single-family detached residential lots and 20 affordable housing units in stacked townhomes. The subject property currently contains mostly undeveloped wooded land with unimproved trails and a small cemetery.

Historically, the subject property consisted of undeveloped wooded land with unimproved trails, a clearing on its central portions, and a small cemetery (Staffordville Cemetery) on its eastern portion near Cemetery Road from at least 1930. By 1977, the clearing on the central portions of the subject property became overgrown and subsequently became wooded.

The surrounding vicinity currently contains commercial businesses, residences, and wooded land. Historically, the surrounding vicinity contained mostly undeveloped wooded land with some residences and/or commercial buildings along the Route 9 corridor from at least 1930. By 1962, Sierra Sand Mine was apparent to the north. By 1977, commercial development increased in the surrounding vicinity including Accurate Collision located adjacently northeast. Residential development was apparent adjacently east of the subject property by the mid-1980s. By 1995, the Eagleswood Amusement Park, which includes a driving range, go-carts, mini-golf, and a restaurant, was apparent adjacently south/southeast of the subject property. By 2006, the Sierra Sand Mine expanded and Eagles Lake Reserve became apparent to the north of the subject property.

**This assessment has revealed no recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), or significant data gaps in connection with the subject property.**

## 2.0 INTRODUCTION

### 2.1 General

GTA was retained by NVR, Inc. (“Client” or “User”) to prepare a Phase I Environmental Site Assessment, in general conformance with ASTM International's *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process E1527-21* of the subject property in accordance with our Agreement.

This report was prepared by GTA for the sole and exclusive use of Client. Use and reproduction of this report by any other party without the express written permission of GTA is unauthorized, and such use is at the sole risk of that party.

### 2.2 Purpose

The purpose of this report is to identify RECs in connection with the subject property, using the methodology defined by ASTM International in order for a user to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser defenses to CERCLA liability and/or to help understand potential environmental conditions that could materially impact the operation of the business associated with the subject property. ASTM International defines a REC and related terms as follows:

Recognized Environmental Condition (REC): “(1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.”

Historical REC (HREC): “a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations).”

Controlled REC (CREC): “a recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).”

De minimis condition: “a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be de minimis condition is not a recognized environmental condition nor a controlled recognized environmental condition.”

## 2.3 Scope of Services

This ESA was performed and this report was prepared in general accordance with applicable standards and with a review of reasonably ascertainable data, as set forth in the *ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (E1527-21)*. The scope of services for this Phase I ESA generally included the following:

Records Review – Review of reasonably ascertainable current and historical records for the subject property and site vicinity, which may include a regulatory database report summarizing Federal and State environmental agency records; aerial photography; street directories; Sanborn® Fire Insurance Maps; property tax files; chain of title information for the subject property (if provided by the Client or subject property owner); physical setting documentation; and previous environmental reports.

Site Reconnaissance – Non-intrusive visual observations of the subject property for indications of hazardous substances, petroleum products, ASTs, USTs, groundwater monitoring wells, polychlorinated biphenyl (PCB)-containing equipment, stained soil, stressed vegetation, pits, ponds, lagoons, structures, utilities, access roads, and similar features of potential environmental concern.

Interviews – Interviews (in person, via telephone, or via written request) with, but not limited to, relevant regulatory authorities and present and past subject property owners, operators, or occupants, where relevant.

Report – Preparation of a Phase I ESA Report summarizing the information collected.

Considerations that were not reviewed as part of this ESA, and that are considered non-scope issues by ASTM E1527-21 and/or otherwise beyond the scope of this assessment, include, but are not limited to, asbestos-containing building materials (ACMs), radon, lead-based paint (LBP) in buildings, lead in drinking water, wetlands, regulatory compliance, cultural and historic resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality unrelated to subsurface releases of hazardous substances or petroleum products, biological agents, mold, water potability issues (e.g., nitrates, pH, turbidity, coliforms, etc.), substances not defined as either petroleum products or hazardous substances by ASTM E1527-21 (e.g., methane, emerging contaminants, and substances under naturally occurring conditions such as arsenic), universal building wastes (e.g., mercury-containing switches or bulbs, PCB-containing light ballasts), and high voltage power lines.

## 2.4 Limitations

GTA's conclusions regarding the subject property have been based on observations of existing conditions at the time of the site reconnaissance, an interpretation of reasonably ascertainable historical data sources, and environmental data. Therefore, conclusions reached regarding the conditions of this site do not represent a warranty that all areas within the site are of a similar quality as may be inferred from observable site conditions, reasonably ascertainable historical data sources, or environmental data. Please be advised that as stated in the ASTM E1527-21 Standard, no environmental site assessment can wholly eliminate uncertainty regarding the potential for

environmental liability in connection with the subject property. GTA’s evaluation and analysis are intended to reduce, but not eliminate, the potential for conditions that result in liability for the Client.

Please be advised that ASTM indicates that a Phase I ESA completed less than 180 days prior to the date of the property transaction is presumed to be valid. To satisfy the ASTM E1527-21 Standard, ESAs completed more than 180 days prior to the date of the property transaction are required to be updated. For reference, components of this Phase I ESA that may require updating if the transaction is more than 180 days from the date of completion include:

Component	Date Completed as part of this ESA
Interviews	April 30, 2024
Regulatory records review	April 5, 2024
Site reconnaissance	April 10, 2024
Declaration by the environmental professional	May 13, 2024

The following limiting conditions/deviations should be noted with respect to this Phase I ESA. These limiting conditions/deviations are not necessarily exceptions to the ASTM E1527-21 Standard.

- In preparing this report, GTA has relied on certain information provided by federal, state, and local officials and other parties referenced herein, and on information contained in the files of governmental agencies, that were readily available to GTA at the time of this assessment. Although there may have been some degree of overlap in the information provided by these various sources, GTA did not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of this assessment.
- Observations were made of the subject property and of the structures (if present) on the subject property as indicated in this report. Where access to portions of the subject property or to structures on the subject property was unavailable or limited, GTA renders no opinion as to the presence of petroleum products or hazardous substances in that portion of the subject property and structure. In addition, GTA renders no opinion as to the presence of petroleum products or hazardous substances where direct observation of the ground surface, interior walls, floors, ceiling, or a structure is obstructed by objects or materials, including vegetation and snow, covering these surfaces.
- The subject property boundaries were not marked at the time of GTA’s site visit. GTA estimated the subject property boundaries using existing site features, the tax map information described in Section 3.1, aerial photographs, and/or site plans, if available.
- As part of this assessment, GTA submitted requests for information via the Freedom of Information Act (FOIA) to various governmental agencies. As of the preparation date of this report, these requests may not have been fulfilled. The conclusions of this report are subject to change upon receipt of a response from these FOIA requests.

- As part of this assessment, GTA requested information from the current subject property owner, the Client, and other entities. As of the preparation date of this report, these requests may not have been fulfilled. The conclusions of this report are subject to change upon receipt of a response from these entities.

## 2.5 Significant Assumptions

As part of this ESA, GTA has obtained data from various sources (e.g., historical documents, regulatory information, site drawings, interviews with individuals familiar with the site and regulatory representatives). GTA relies on this information in forming a professional opinion and assumes that the information is accurate and correct. GTA shall not be responsible for conditions or consequences arising from incorrect data sources or relevant facts that were concealed, withheld or not fully disclosed at the time this report was prepared. Unless otherwise noted, GTA assumes that the user has requested this Phase I ESA to qualify for a “landowner liability protection” (LLP) to CERCLA liability.

Groundwater flow and depth, unless otherwise specified by on-site well data or well data from the subject property or nearby sites, are inferred from contour information depicted on the USGS topographic map(s).

GTA assumes the subject property has been correctly and accurately identified by the Client, designated representative of the Client, subject property contact, subject property owner, and subject property owner's representatives.

A number of parties such as third-party vendors, government agencies, and the subject property owner may have provided information for this assessment. The ASTM E1527-21 Standard allows the consultant to rely on the information gathered without independent verification, unless it is obvious that certain information is incorrect. Unless noted in the report, GTA assumed the information supplied by third parties to be correct.

## 2.6 Data Gaps

ASTM defines a “data gap” as a lack of or inability to obtain information required by the Phase I ESA standard despite good faith efforts by the environmental professional to gather such information. Data gaps may result from incompleteness in any of the activities required by the Phase I ESA, including, but not limited to, the site reconnaissance and interviews. Common data gaps include the lack of access to some structures, an inability to interview key site managers, and time gaps in the historical use information. Significant data gaps are those that affect the ability of the environmental professional to identify RECs. Significant data gaps were not identified as part of this ESA.

## 2.7 Qualifications

I, Angelo Parolari, declare that, to the best of my professional knowledge and belief, I meet the definition of an Environmental Professional as defined in Part 312.10 of 40 CFR 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history,

and setting of the subject property. I have developed and performed the “All Appropriate Inquiries” in general conformance with the standards and practices set forth in 40 CFR Part 312. The qualifications of the environmental professionals who performed this Phase I ESA are available to the Client upon request.

### 3.0 SITE AND VICINITY DESCRIPTION

#### 3.1 Site Location, Parcel Description, and Site Improvements

The subject property is located west of Route 9 (aka Main Street) in Eagleswood Township, Ocean County, New Jersey. The subject property contains mostly undeveloped wooded land with unimproved trails and a small cemetery.

Please refer to the Site Sketch and maps provided within Appendix A.

According to online tax information, the subject property comprises the parcel(s) summarized in the following table:

Block/Lot	Owner	Address	Year Structure Built	Land Area (Acres)
Block 29 Lot 41	Golden Holdings	Route 9	No structures	78.357

GTA was provided with a copy of a *Concept Plan* for Eagleswood Estates, prepared by Heuser Design, and dated September 10, 2023. The plan indicates the subject property may be developed with 149 dwelling units, including 129 single-family detached residential lots and 20 affordable housing units in stacked townhomes. The plan depicts a proposed clubhouse, several proposed stormwater management basins, and a proposed community well within or adjacent to preserved open space on the northern portion of the subject property.

#### 3.2 Physical Setting

The subject property’s physical setting, based on the site reconnaissance and/or the referenced physical setting sources, is summarized below.

<b>Soil Series</b>	<b>Source: U.S. Department of Agriculture (USDA) Web Soil Survey</b>
<p><i>DocBO</i>: Downer loamy sand  <i>GamB</i>: Galloway loamy sand  <i>PHG</i>: Pits, sand and gravel  <i>WobB and WobC</i>: Woodmansie sand</p>	
<b>Topography</b>	<b>Source: United States Geological Survey (USGS) Topographic Quadrangle Map (West Creek, NJ)</b>
<p>Subject property elevations range from near 40 feet above mean sea level (msl) on the eastern portion, 60 feet above msl on the western portion, and near 80 feet above msl near a topographic knoll on the central portion of the subject property.</p>	

<b>Geology, Hydrogeology, and Surface Water</b>	<b>Source(s): New Jersey Department of Environmental Protection (NJDEP) NJ-GeoWeb website</b>
<p><i>Physiographic Province:</i> Coastal Plain</p> <p><i>Formation(s):</i> Cohansey Formation: quartz sand, medium- to coarse grained</p> <p><i>Groundwater Flow Direction:</i> Based on the observed and/or mapped local topography, the shallow groundwater is assumed to flow generally to the east. Shallow groundwater flow may be highly variable based on a number of factors and no site-specific groundwater flow data was obtained or reviewed.</p> <p><i>Surface Water:</i> No surface water features were observed on the subject property.</p>	

#### 4.0 SITE RECONNAISSANCE

Angelo Parolari of GTA performed the site reconnaissance on April 10, 2024. Limitations that may have affected GTA’s ability to visually observe subject property conditions are noted below.

Limitation:	Yes	No	Description
Dense Vegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Portions of the subject property were densely vegetated, limiting GTA personnel’s observations.
Locked or Inaccessible Structures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Snow Cover	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

#### 4.1 Site Description

The subject property contains mostly undeveloped wooded land with unimproved trails and a small cemetery. Staffordville Cemetery is located on the eastern portion of the subject property near the western end of Cemetery Road.

Photographs taken during GTA’s site visit are presented as Appendix B.

#### 4.2 Site Occupants and Operations

There are no site occupants or operations.

#### 4.3 Structures and Utilities

GTA personnel did not observe obvious indications of existing or previous structures on the subject property, or utilities servicing the subject property.

#### 4.4 Site Conditions

The following table summarizes the site reconnaissance observations, including items GTA identified based on interviews and the reviewed records:

Category	Item Description	Observed, Identified, or Suspected
Storage Tanks and Vessels	Aboveground Storage Tanks	No
	Underground Storage Tanks	No
Chemical or Waste Storage/Disposal	Drums or Other Containers	No
	Floor Drains, Trenches, Sumps, and Pits	No
	Oil/Water Separator	No
	Waste Lagoons	No
Electrical Transformers/PCBs	Pole-mounted Transformers	Yes, see below
	Pad-Mounted Transformers	No
	Elevators	No
	Other Equipment	No
Solid Waste and Stockpiles	Landfilling or Buried Waste	No
	Dumping or Disposal/Debris Areas	Yes, see below
	Dumpsters	No
	Fill Material	No
	Soil Stockpiles	No
Known or Suspected Release of Hazardous Substances or Petroleum Products	Stained Soil	No
	Stained Pavement or Other Surfaces	No
	Stressed Vegetation	No
	Pools of Liquids	No
	Other	No
Other Subject Property Features	Monitoring Wells	No
	Hydraulic Lifts	No
	Pungent or Noxious Odors	No
	Petroleum Pipeline (i.e., Markers)	No
	Other	No

**Pole-Mounted Transformers:** GTA personnel observed a pole-mounted electrical transformer near Route 9. GTA did not observe obvious signs of a release near the transformer.

**Dumping or Disposal/Debris Areas:** GTA personnel observed various areas of nuisance dumping throughout portions of the subject property. The observed debris included, among other items, tires, 5-gallon gasoline containers, scrap wood, and household refuse. GTA did not observe obvious indications of a release near the gasoline containers. GTA did not observe drums or other containers suspected of containing petroleum products or hazardous substances among the debris.

## 4.5 Surrounding Land Use

During the site reconnaissance, GTA personnel observed, to the extent practical, conditions on the properties adjoining the subject property and within the surrounding vicinity. General property usage, including gasoline stations, dry cleaners, landfills, and/or similar sites of known environmental concern, is summarized in the following table:

Direction	Surrounding Observations
Northwest	<b>Adjoining:</b> Cedar Lane followed by wooded land. <b>Remaining Surrounding Vicinity:</b> Eagles Lake Reserve (Sierra Sand Mine) and wooded land.
Southeast	<b>Adjoining:</b> Eagleswood Amusement Park (driving range, go-carts, mini-golf, and a restaurant), Pool Table 911 supply store, wooded land, and Route 9. <b>Remaining Surrounding Vicinity:</b> Route 9 followed by commercial use including Handmade Furniture Company.
Northeast	<b>Adjoining:</b> Accuracy Collision auto body shop, residences, and wooded land. <b>Remaining Surrounding Vicinity:</b> Residences and wooded land.
Southwest	<b>Adjoining:</b> Wooded land <b>Remaining Surrounding Vicinity:</b> Residences and wooded land.

The remaining surrounding vicinity contains mostly residences and wooded land. GTA personnel did not observe indications of gasoline stations, dry cleaners, landfills, or similar sites of known environmental concern within an approximate ¼-mile radius of the subject property.

GTA personnel did not observe obvious indications of releases (i.e., strong odors, stained surfaces, or stressed vegetation) of petroleum products or hazardous substances on the land immediately adjacent to, and topographically upgradient of, the subject property. Accordingly, surficial drainage from upgradient sources is unlikely to have adversely affected the environmental condition of the subject property.

## 5.0 HISTORICAL REVIEW

### 5.1 Aerial Photographs

In an effort to assess historical land use practices on the subject property and in the vicinity, GTA reviewed historical aerial photographs obtained from Environmental Data Resources, Inc. (EDR), Nationwide Environmental Title Research (NETR), New Jersey Geographic Information Network (NJGIN), and Google. The EDR Aerial Photo Decade Package is included in Appendix C and copies of the 1930 and 2022 aerial photographs are included in Appendix A. The aerial photographs were reviewed chronologically, and significant land use changes that were observed are described below:

Year	Subject Property	Surrounding Properties
1930, 1931, 1940	Undeveloped wooded land with a clearing on the central portion and unimproved trails traversing the subject property. A cemetery was apparent on the eastern portion of the subject property.	<b>Adjoining:</b> Wooded land and Route 9 to the east. <b>Remaining Surrounding Vicinity:</b> Wooded areas with some residential and/or commercial land use along the Route 9 corridor.
1951, 1954	Similar to the previous aerial photographs reviewed.	<b>Adjoining:</b> Residential development to the southeast. <b>Remaining Surrounding Vicinity:</b> Similar to the previous aerial photographs reviewed.
1962, 1972	Similar to the previous aerial photographs reviewed.	<b>Adjoining:</b> Similar to the previous aerial photographs reviewed. <b>Remaining Surrounding Vicinity:</b> Sierra Sand Mine was apparent to the north.
1977, 1984, 1989	The clearing on the central portion of the subject property became overgrown.	<b>Adjoining:</b> Similar to the previous aerial photographs reviewed. <b>Remaining Surrounding Vicinity:</b> Commercial development, including Accurate Collision, became apparent in the surrounding vicinity.
1995	Similar to the previous aerial photographs reviewed.	<b>Adjoining:</b> The Eagleswood Amusement Park became apparent south/southeast of the subject property. <b>Remaining Surrounding Vicinity:</b> Similar to the previous aerial photographs reviewed.
2006, 2010, 2015, 2019, 2020, 2022	Similar to the previous aerial photographs reviewed.	<b>Adjoining:</b> Similar to the previous aerial photographs reviewed. <b>Remaining Surrounding Vicinity:</b> Sierra Sand Mine expanded and Eagles Lake Reserve became apparent to the north of the subject property.

## 5.2 Historical Maps

GTA requested Sanborn Fire Insurance Maps from EDR for the subject property and vicinity. According to EDR, Sanborn Fire Insurance Map coverage was not available for the subject property or vicinity. A copy of the Sanborn Map Report is included in Appendix C. The lack of map coverage suggests that the subject property area was either not a historically urbanized area, or EDR does not maintain map coverage for the area.

GTA reviewed historical topographic maps maintained by NETR, which included topographic maps from the years 1888, 1893, 1899, 1907, 1914, 1942, 1951, 1954, 1972, 1973, 2014, 2016, and 2019. The conditions observed on the topographic maps were generally consistent with those observed on the reviewed aerial photographs.

### 5.3 Property Title Information

GTA was not supplied with chain of title documentation concerning the subject property.

### 5.4 City Directories

Based on the availability of other historical resources summarized herein, and the history of the subject property and surrounding vicinity as identified through review of those resources, no city directories were reviewed as part of this assessment.

## 6.0 USER-PROVIDED INFORMATION AND INTERVIEWS

GTA provided the Client with a User Questionnaire regarding their knowledge of environmental concerns associated with the subject property. A response from the Client is pending at this time. If such information is received at a later date and materially alters the findings of this ESA, GTA will submit an addendum to the Client. A blank copy of GTA's User Questionnaire is included in Appendix D.

### 6.1 Title and Judicial Records for Environmental Liens/Activity Use Limitations

Per ASTM E1527-21 Section 6.2, the User is required to provide and/or report to the environmental professional any title and judicial records for environmental liens/activity use limitations (AULs) associated with the subject property. The environmental professional per the ASTM practice is not responsible to undertake a review of recorded land title records and judicial records for environmental liens or AULs.

Title records and information were not provided to GTA by the User. The User did not request GTA to coordinate with a title company or title professional to undertake a review of Recorded Land Title records and judicial records for environmental liens or AULs.

### 6.2 Interviews

On April 30, 2024, GTA personnel interviewed Mr. Abraham Sharaby, the current owner representative for the subject property. Mr. Sharaby said he has been familiar with the subject property for approximately 3 years and during that time the subject property has remained undeveloped. Mr. Sharaby noted the cemetery on the eastern portion of the subject property. Mr. Sharaby was not aware of any ASTs or USTs associated with the subject property. He was not aware of any other environmental concerns related to the subject property or the surrounding vicinity. Mr. Sharaby informed GTA personnel that he did not possess contact information for the prior owner.

### 6.3 Previous Reports

GTA requested copies of previous ESAs or similar environmental reports from the Client and Mr. Sharaby. According to the Client and Mr. Sharaby, no previous ESAs or similar environmental reports were available for the subject property.

## 7.0 REGULATORY REVIEW

### 7.1 Regulatory Database Search

GTA retained EDR to perform a search of federal, state, and tribal environmental regulatory agency databases for sites identified within the approximate minimum search distance specified by ASTM *Standard Practice for Environmental Site Assessments E1527-21*. A copy of the regulatory database report, dated April 5, 2024, is provided within Appendix E. The regulatory database report also includes a list of Non-Geocoded sites, which were not plotted in the regulatory database report due to insufficient address and/or geographic coordinate information.

GTA attempted to field-verify the locations of the identified regulatory sites. GTA also reviewed the list of Non-Geocoded sites and based on the descriptions provided, attempted to verify if any are located within the specified search radii. Therefore, the sites discussed in this section may be a subset of those contained in the regulatory database report. The two tables below summarize the regulatory databases that were searched, followed by GTA’s summary of the results.

GTA’s review of the identified regulatory sites was performed using the ASTM search distances; however, GTA’s summary of the identified regulatory sites provided below may be limited to distances that are less than the ASTM standard search distances considering local geologic or hydrogeologic conditions, the density of the identified regulatory sites, the availability of public water, or other factors.

Note that the regulatory database report may include various records that are not specifically required by the ASTM Standard. If non-ASTM databases are considered relevant to this Phase I ESA, they are discussed later in this section.

FEDERAL DATABASES SEARCHED BY EDR		
Database	Description	ASTM Search Distance
NPL	National Priority List. Subset of CERCLIS. Sites for priority cleanup under the Superfund program.	1 mile
Delisted NPL	Delisted National Priority List sites	½ mile
SEMS	Superfund Enterprise Management System (formerly CERCLIS). Sites that are proposed for or on the NPL, or in the screening or assessment phase for possible inclusion on the NPL.	½ mile
SEMS-ARCHIVE	Formerly CERCLIS NFRAP. Archived SEMS sites with a status of No Further Remedial Action Planned (NFRAP), denoting sites where, following an initial investigation, either no contamination was found, contamination was removed quickly without need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration. The NFRAP status does not necessarily indicate that no environmental concerns are present.	½ mile
RCRA COR	Hazardous waste handlers with Resource Conservation and Recovery Act (RCRA) corrective action activity.	1 mile

FEDERAL DATABASES SEARCHED BY EDR		
Database	Description	ASTM Search Distance
RCRA TSD	Resource Conservation and Recovery Information System, hazardous waste Treatment, Storage, and Disposal Facilities.	½ mile
RCRA SQG/LQG	RCRA sites that are hazardous waste small or large quantity generators.	Subject Property and adjoining properties
IC/EC	Institutional Controls or Engineering Controls maintained for the purpose of tracking sites that may contain residual contamination and activity and use limitations.	Subject Property
ERNS	Emergency Response Notification System. Information on releases of oil and hazardous substances.	Subject Property

STATE & TRIBAL DATABASES SEARCHED BY EDR		
Database	Description	ASTM Search Distance
SHWS	State Hazardous Waste Sites, which is the state equivalent to CERCLIS.	½ mile
SWF/LF	Solid Waste Acceptance Facilities/Landfills, which may include active or inactive facilities, landfills, or open dumps.	½ mile
UST/AST	Registered underground and above-ground storage tank sites.	Subject Property and adjoining properties
LUST/LAST UNREG LTANKS	Leaking registered or unregistered storage tanks incident reports contain an inventory of reported leaking AST/UST incidents.	½ mile
Brownfield	Brownfields or voluntary cleanup program sites	½ mile
IC/EC	Equivalent to Federal IC/EC Registries.	Subject Property

The regulatory database report did not identify regulatory listings that appear to correspond to the subject property or regulatory sites located within the ASTM Standard search distances.

Additionally, the regulatory records and surrounding land uses do not indicate that a vapor migration concern at the subject property is likely.

## 7.2 Supplemental Databases Reviewed

On April 19, 2024, GTA also reviewed information obtained from the NJ-GeoWeb website to determine if there are mapped groundwater contamination areas within an approximate ¼-mile radius of the subject property. NJDEP identifies these groundwater contamination areas as Classification Exception Areas (CEAs) or Currently Known Extent (CKE) sites. No groundwater contamination areas were mapped within ¼ mile of the subject property.

### 7.3 Local Regulatory Agency Review

GTA submitted written inquiries to regulatory agencies concerning potential environmental issues associated with the subject property as summarized in the table below. Copies of GTA’s written inquiries and agency responses are included in Appendix D.

Agency	Request	Agency Response	Summary
Eagleswood Township	Email submitted 4/5/24	Email on 4/9/24	Eagleswood Township representatives provided several records associated with the subject property, including a property record card. No pertinent environmental records were identified.
Ocean County	Email submitted 4/5/24	Email on 4/12/24	An agency representative indicated that no records were identified for the subject property.
NJDEP	Online form submitted 4/5/24	Email on 4/10/24	An agency representative indicated that no responsive records were identified for the subject property.

### 8.0 FINDINGS AND CONCLUSIONS

The subject property comprises approximately 78.357 acres (Block 29 Lot 41) located west of Route 9 (aka Main Street), Eagleswood Township, Ocean County, New Jersey. GTA understands the subject property may be developed with 149 dwelling units, including 129 single-family detached residential lots and 20 affordable housing units in stacked townhomes. The subject property currently contains mostly undeveloped wooded land with unimproved trails and a small cemetery.

Historically, the subject property consisted of undeveloped wooded land with unimproved trails, a clearing on its central portions, and a small cemetery (Staffordville Cemetery) on its eastern portion near Cemetery Road from at least 1930. By 1977, the clearing on the central portions of the subject property became overgrown and subsequently became wooded.

The surrounding vicinity currently contains commercial businesses, residences, and wooded land. Historically, the surrounding vicinity contained mostly undeveloped wooded land with some residences and/or commercial buildings along the Route 9 corridor from at least 1930. By 1962, Sierra Sand Mine was apparent to the north. By 1977, commercial development increased in the surrounding vicinity including Accurate Collision located adjacently northeast. Residential development was apparent adjacently east of the subject property by the mid-1980s. By 1995, the Eagleswood Amusement Park, which includes a driving range, go-carts, mini-golf, and a restaurant, was apparent adjacently south/southeast of the subject property. By 2006, the Sierra Sand Mine expanded and Eagles Lake Reserve became apparent to the north of the subject property.

GTA has performed this Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM Practice E1527-21 of the subject property. Any exceptions to, or deletions from, this practice are described in Section 2.0 of this report. This assessment has revealed no recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), or significant data gaps in connection with the subject property.

# Important Information about This

# Geoenvironmental Report

Geoenvironmental studies are commissioned to gain information about environmental conditions on and beneath the surface of a site. The more comprehensive the study, the more reliable the assessment is likely to be. But remember: Any such assessment is to a greater or lesser extent based on professional opinions about conditions that cannot be seen or tested. Accordingly, no matter how many data are developed, risks created by unanticipated conditions will always remain. *Have realistic expectations.* Work with your geoenvironmental consultant to manage known and unknown risks. Part of that process should already have been accomplished, through the risk allocation provisions you and your geoenvironmental professional discussed and included in your contract's general terms and conditions. This document is intended to explain some of the concepts that may be included in your agreement, and to pass along information and suggestions to help you manage your risk.

## **Beware of Change; Keep Your Geoenvironmental Professional Advised**

The design of a geoenvironmental study considers a variety of factors that are subject to change. Changes can undermine the applicability of a report's findings, conclusions, and recommendations. *Advise your geoenvironmental professional about any changes you become aware of.*

Geoenvironmental professionals cannot accept responsibility or liability for problems that occur because a report fails to consider conditions that did not exist when the study was designed. Ask your geoenvironmental professional about the types of changes you should be particularly alert to. Some of the most common include:

- modification of the proposed development or ownership group,
- sale or other property transfer,
- replacement of or additions to the financing entity,

- amendment of existing regulations or introduction of new ones, or
- changes in the use or condition of adjacent property.

Should you become aware of any change, *do not rely on a geoenvironmental report.* Advise your geoenvironmental professional immediately; follow the professional's advice.

## **Recognize the Impact of Time**

A geoenvironmental professional's findings, recommendations, and conclusions cannot remain valid indefinitely. The more time that passes, the more likely it is that important latent changes will occur. *Do not rely on a geoenvironmental report if too much time has elapsed since it was completed.* Ask your environmental professional to define "too much time." In the case of Phase I Environmental Site Assessments (ESAs), for example, more than 180 days after submission is generally considered "too much."

## **Prepare To Deal with Unanticipated Conditions**

The findings, recommendations, and conclusions of a Phase I ESA report typically are based on a review of historical information, interviews, a site "walkover," and other forms of noninvasive research. When site subsurface conditions are not sampled in any way, the risk of unanticipated conditions is higher than it would otherwise be.

While borings, installation of monitoring wells, and similar invasive test methods can help reduce the risk of unanticipated conditions, *do not overvalue the effectiveness of testing.* Testing provides information about actual conditions only at the precise locations where samples are taken, and only when they are taken. Your geoenvironmental

professional has applied that specific information to develop a general opinion about environmental conditions. *Actual conditions in areas not sampled may differ (sometimes sharply) from those predicted in a report.* For example, a site may contain an unregistered underground storage tank that shows no surface trace of its existence. *Even conditions in areas that were tested can change,* sometimes suddenly, due to any number of events, not the least of which include occurrences at adjacent sites. Recognize, too, that *even some conditions in tested areas may go undiscovered,* because the tests or analytical methods used were designed to detect only those conditions assumed to exist.

Manage your risks by retaining your geoenvironmental professional to work with you as the project proceeds. Establish a contingency fund or other means to enable your geoenvironmental professional to respond rapidly, in order to limit the impact of unforeseen conditions. And to help prevent any misunderstanding, identify those empowered to authorize changes and the administrative procedures that should be followed.

### **Do Not Permit Any Other Party To Rely on the Report**

Geoenvironmental professionals design their studies and prepare their reports to meet the specific needs of the clients who retain them, in light of the risk management methods that the client and geoenvironmental professional agree to, and the statutory, regulatory, or other requirements that apply. The study designed for a developer may differ sharply from one designed for a lender, insurer, public agency...or even another developer. *Unless the report specifically states otherwise, it was developed for you and only you.* Do not unilaterally permit any other party to rely on it. The report and the study underlying it may not be adequate for another party's needs, and you could be held liable for shortcomings your geoenvironmental professional was powerless to prevent or anticipate. Inform your geoenvironmental professional when you know or expect that someone else—a third-party—will want to use or rely on the report. *Do not permit third-party use or reliance until you first confer with the geoenvironmental professional who prepared the report.* Additional testing, analysis, or study may be required and, in any event, appropriate terms and conditions should be agreed to so both you and your geoenvironmental professional are protected from third-party risks. *Any party who relies on a geoenvironmental report without the express written permission of the professional who prepared it and the client for whom it was prepared may be solely liable for any problems that arise.*

### **Avoid Misinterpretation of the Report**

Design professionals and other parties may want to rely on the report in developing plans and specifications. They need to be advised, in writing, that their needs may not have been considered when the study's scope was developed, and, even if their needs were considered, they might misinterpret geoenvironmental findings, conclusions, and recommendations. *Commission your geoenvironmental professional to explain pertinent elements of the report to others who are permitted to rely on it, and to review any plans, specifications or other instruments of professional service that incorporate any of the report's findings, conclusions, or recommendations.* Your geoenvironmental professional has the best understanding of the issues involved, including the fundamental assumptions that underpinned the study's scope.

### **Give Contractors Access to the Report**

Reduce the risk of delays, claims, and disputes by giving contractors access to the full report, *providing that it is accompanied by a letter of transmittal that can protect you* by making it unquestionably clear that: 1) the study was not conducted and the report was not prepared for purposes of bid development, and 2) the findings, conclusions, and recommendations included in the report are based on a variety of opinions, inferences, and assumptions and are subject to interpretation. Use the letter to also advise contractors to consult with your geoenvironmental professional to obtain clarifications, interpretations, and guidance (a fee may be required for this service), and that—in any event—they should conduct additional studies to obtain the specific type and extent of information each prefers for preparing a bid or cost estimate. Providing access to the full report, with the appropriate caveats, helps prevent formation of adversarial attitudes and claims of concealed or differing conditions. If a contractor elects to ignore the warnings and advice in the letter of transmittal, it would do so at its own risk. Your geoenvironmental professional should be able to help you prepare an effective letter.

### **Do Not Separate Documentation from the Report**

Geoenvironmental reports often include supplemental documentation, such as maps and copies of regulatory files, permits, registrations, citations, and correspondence with regulatory agencies. If subsurface explorations were performed, the report may contain final boring logs and copies of laboratory data. If remediation activities occurred on site, the report may include: copies of daily field reports; waste manifests; and information about the disturbance of subsurface materials, the type and thickness of any fill placed on site, and fill placement practices, among other types of documentation. *Do not separate supplemental documentation from the report. Do not, and do not permit any other party to redraw or modify any of the supplemental documentation for incorporation into other professionals' instruments of service.*

### **Understand the Role of Standards**

Unless they are incorporated into statutes or regulations, standard practices and standard guides developed by the American Society for Testing and Materials (ASTM) and other recognized standards-developing organizations (SDOs) are little more than aspirational methods agreed to by a consensus of a committee. The committees that develop standards may not comprise those best-qualified to establish methods and, no matter what, no standard method can possibly consider the infinite client- and project-specific variables that fly in the face of the theoretical "standard conditions" to which standard practices and standard guides apply. In fact, these variables can be so pronounced that geoenvironmental professionals who comply with every directive of an ASTM or other standard procedure could run afoul of local custom and practice, thus violating the standard of care. Accordingly, when geoenvironmental professionals indicate in their reports that they have performed a service "in general compliance" with one standard or another, it means they have applied professional judgement in creating and implementing a scope of service designed for the specific client and project involved, and which follows some of the general precepts laid out in the referenced standard. To the extent that a report indicates "general compliance" with a standard, you may wish to speak with your geoenvironmental professional to learn more about what was and was not done. *Do not assume a given standard was followed to the letter.* Research indicates that that seldom is the case.

### **Realize That Recommendations May Not Be Final**

The technical recommendations included in a geoenvironmental report are based on assumptions about actual conditions, and so are preliminary or tentative. Final recommendations can be prepared only by observing actual conditions as they are exposed. For that reason, you should retain the geoenvironmental professional of record to observe construction and/or remediation activities on site, to permit rapid response to unanticipated conditions. *The geoenvironmental professional who prepared the report cannot assume responsibility or liability for the report's recommendations if that professional is not retained to observe relevant site operations.*

### **Understand That Geotechnical Issues Have Not Been Addressed**

Unless geotechnical engineering was specifically included in the scope of professional service, a report is not likely to relate any findings, conclusions, or recommendations about the suitability of subsurface materials for construction purposes, especially when site remediation has been accomplished through the removal, replacement, encapsulation, or chemical treatment of on-site soils. The equipment, techniques, and testing used by geotechnical engineers differ markedly from those used by geoenvironmental professionals; their education, training, and experience are also significantly different. If you plan to build on the subject site, but have not yet had a geotechnical engineering study conducted, your geoenvironmental professional should be able to provide guidance about the next steps you should take. The same firm may provide the services you need.

### **Read Responsibility Provisions Closely**

Geoenvironmental studies cannot be exact; they are based on professional judgement and opinion. Nonetheless, some clients, contractors, and others assume geoenvironmental reports are or certainly should be unerringly precise. Such assumptions have created unrealistic expectations that have led to wholly unwarranted claims and disputes. To help prevent such problems, geoenvironmental professionals have developed a number of report provisions and contract terms that explain who is responsible for what, and how risks are to be allocated. Some people mistake these for “exculpatory clauses,” that is, provisions whose purpose is to transfer one party’s rightful responsibilities and liabilities to someone else. Read the responsibility provisions included in a report and in the contract you and your geoenvironmental professional agreed to. *Responsibility provisions are not “boilerplate.”* They are important.

### **Rely on Your Geoenvironmental Professional for Additional Assistance**

Membership in the Geoprofessional Business Association exposes geoenvironmental professionals to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a geoenvironmental project. Confer with your GBA-member geoenvironmental professional for more information.



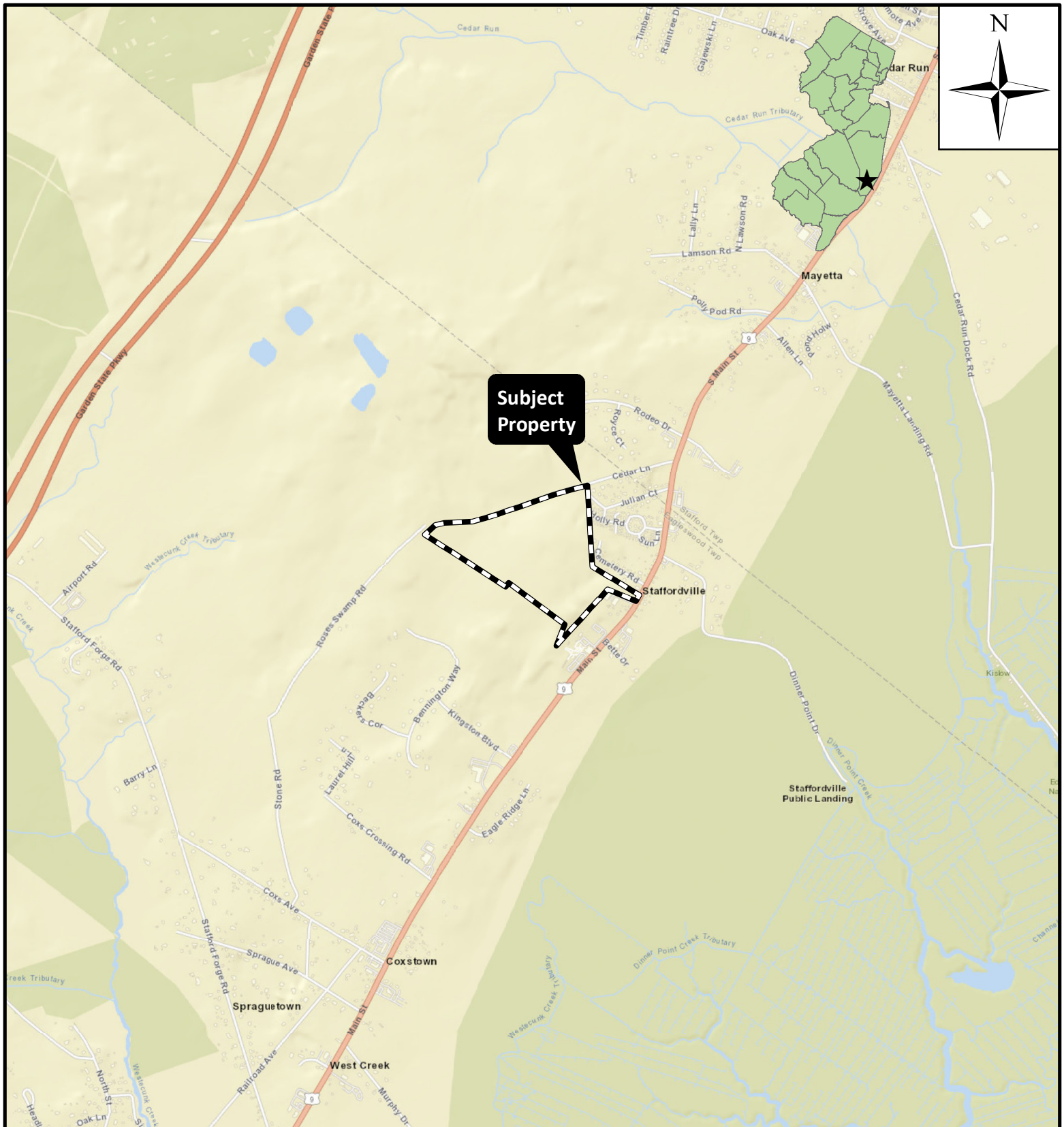
8811 Colesville Road/Suite G106, Silver Spring, MD 20910  
Telephone: 301/565-2733 Facsimile: 301/589-2017  
e-mail: [info@geoprofessional.org](mailto:info@geoprofessional.org) [www.geoprofessional.org](http://www.geoprofessional.org)

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# **APPENDIX A**

## **Figures**



**Subject Property**

Note: Site boundary is approximate.

**FIGURE 1: SITE LOCATION MAP**



14 Worlds Fair Drive, Suite A  
 Somerset, New Jersey 08873  
 (732) 271-9301  
 fax (732) 271-9306

**GEO-TECHNOLOGY ASSOCIATES, INC.**

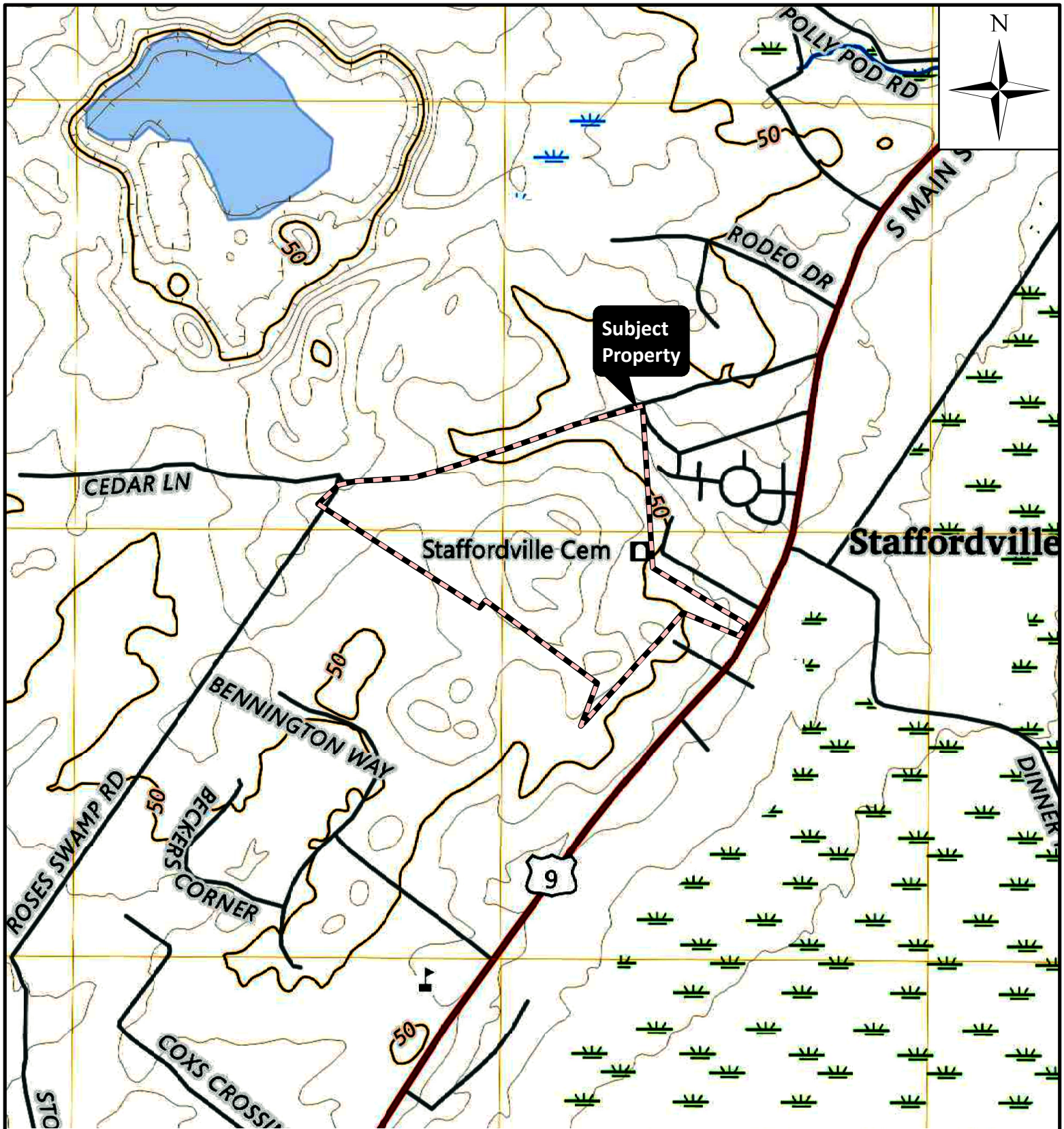
**Eagleswood Estates**  
 Eagleswood Township, Ocean County, New Jersey

SOURCE: ESRI

SCALE: 1" = 2,000'

APR 2024

PROJECT #: 240747



Note: Site boundary is approximate.

**FIGURE 2: TOPOGRAPHIC MAP**



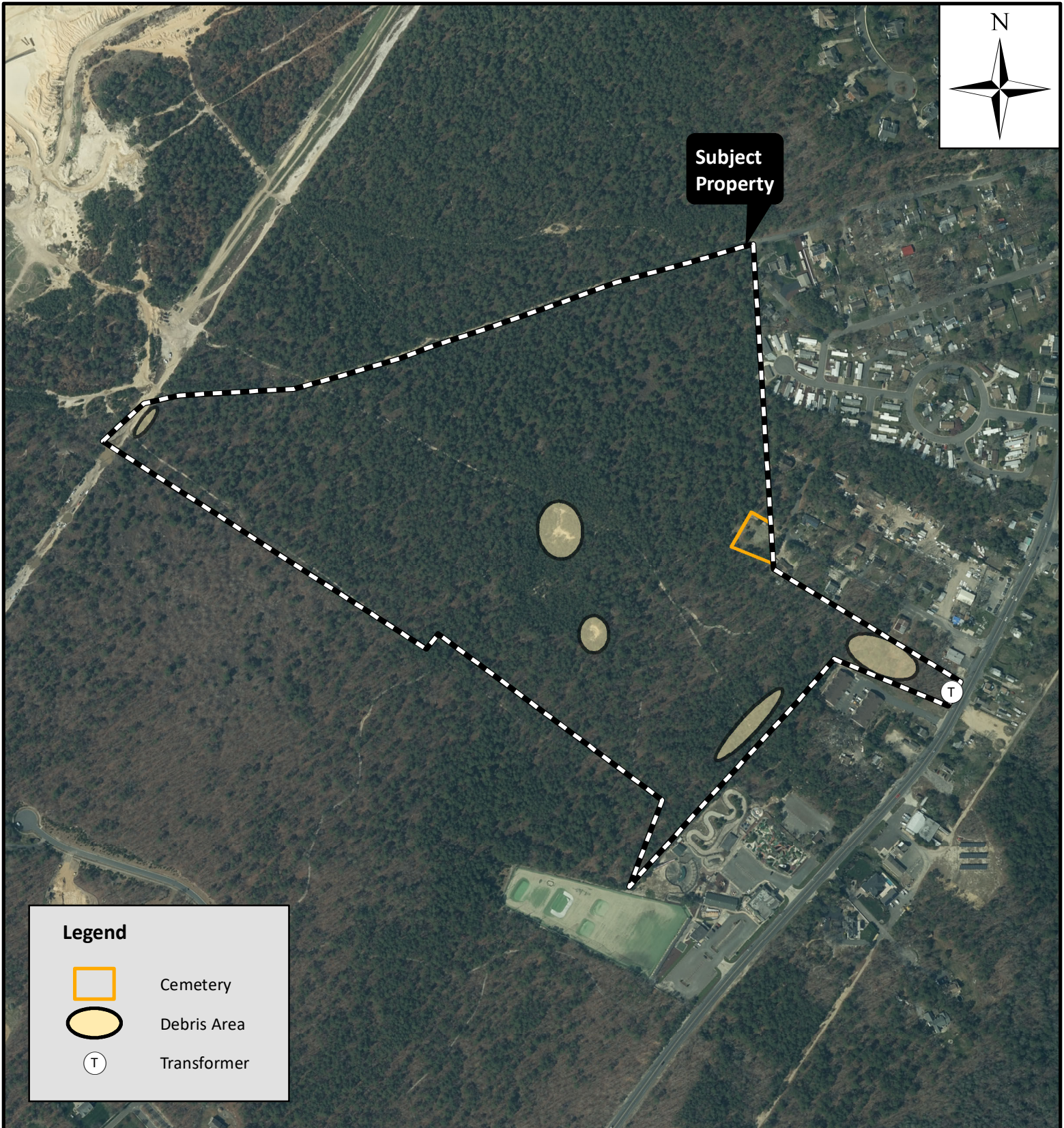
14 Worlds Fair Drive, Suite A  
 Somerset, New Jersey 08873  
 (732) 271-9301  
 fax (732) 271-9306

**GEO-TECHNOLOGY ASSOCIATES, INC.**

**Eagleswood Estates**  
 Eagleswood Township, Ocean County, New Jersey

SOURCE: USGS Quadrangle Map (West Creek, NJ, 2023)

SCALE: 1" = 1,000' | APR 2024 | PROJECT #: 240747



Note: Locations are approximate.

**FIGURE 3: SITE SKETCH**



14 Worlds Fair Drive, Suite A  
 Somerset, New Jersey 08873  
 (732) 271-9301  
 fax (732) 271-9306

**GEO-TECHNOLOGY ASSOCIATES, INC.**

**Eagleswood Estates**  
 Eagleswood Township, Ocean County, New Jersey

SOURCE: NJOIT - OGIS (2020)

SCALE: 1" = 500'

APR 2024

PROJECT #: 240747



Note: Site boundary is approximate.

**FIGURE 4: 1930 AERIAL PHOTOGRAPH**



14 Worlds Fair Drive, Suite A  
 Somerset, New Jersey 08873  
 (732) 271-9301  
 fax (732) 271-9306

**GEO-TECHNOLOGY ASSOCIATES, INC.**

**Eagleswood Estates**  
 Eagleswood Township, Ocean County, New Jersey

SOURCE: NJOIT - OGIS (1930)

SCALE: 1" = 1,000'

APR 2024

PROJECT #: 240747



Note: Site boundary is approximate.

**FIGURE 5: 2022 AERIAL PHOTOGRAPH**



14 Worlds Fair Drive, Suite A  
Somerset, New Jersey 08873  
(732) 271-9301  
fax (732) 271-9306

**GEO-TECHNOLOGY ASSOCIATES, INC.**

**Eagleswood Estates**  
Eagleswood Township, Ocean County, New Jersey

SOURCE: USDA - FPAC - BC (2022)

SCALE: 1" = 1,000' | APR 2024 | PROJECT #: 240747



## **APPENDIX B**

### **Photographs**

**Project Name:** Eagleswood Estates

**Date Photographed:** April 10, 2024

**GTA Job Number:** 240747

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**Photo 1:** Wooded land (typical) located on the subject property.



**Photo 2:** Wooded land (typical) located on the subject property.



**Photo 3:** Debris located on the subject property.



**Photo 4:** Cemetery located on the eastern portion of the subject property.