

TOWNSHIP OF MAHWAH SOIL MOVEMENT PERMIT APPLICATION

(FOR TWP. USE ONLY)

SOIL APPLICATION NUMBER: _____

DISTRIBUTION LIST: TWP. ENG. ___ BLD. DEPT. ___ ENV. COMM. ___ ORIG. ___
TWP. ENG. ___ BLD. DEPT. ___ ENV. COMM. ___ AMENDED ___

I. PRE-APPROVAL DATA REQUIREMENT

1. PROPERTY DESCRIPTION

- a. Block(s) _____ Lot(s) _____
b. Street Address _____

2. PROPERTY OWNER/PERMITEE

- a. Name(s) _____
b. Street Address(es) _____
c. Municipality(ies) _____
d. Telephone Number(s) Area Code () _____

3. WORK PROPOSED/REASON FOR SOIL APPLICATION/PROJECT DESCRIPTION _____

- a. TOTAL LOT AREA _____ (SQ. FT.)
b. TOTAL IMPERVIOUS AREA (SQ. FT.) BEING CREATED IN CONNECTION WITH THIS APPLICATION _____

4. DESCRIPTION OF SOIL TO BE MOVED

	<u>Quantity</u>	<u>Type of Soil</u>
a. Volume of Cut	_____ c.y.	_____
b. Volume of Fill	_____ c.y.	_____
c. Volume to be Imported	_____ c.y.	_____
d. Volume to be Exported	_____ c.y.	_____
e. Volume of Soil to be Moved	_____ c.y.	(cut plus import)

5. SOIL MOVEMENT TIME LIMITS : START _____ COMPLETION _____
(1 YEAR MAXIMUM, ONLY 1 APPLICATION PER YEAR)

6. WETLANDS DATA

- a. Has a wetlands investigation been done on the subject lot(s), and on the surrounding property(ies) ? Yes ___ No ___
If yes, Date: _____
- b. Are wetlands present on the site ? Yes ___ No ___
- c. Are wetlands present on adjacent property(ies) ? Yes ___ No ___
- d. Has a wetlands delineation been done for on-site wetlands ? Yes ___ No ___
If yes, Date: _____
- e. Are on-site wetlands proposed to be disturbed ? Yes ___ No ___
- f. Is the site subject to buffer or transition zone restrictions from wetlands on adjacent property(ies) ? Yes ___ No ___
- g. Has a wetlands permit been secured for the site ? Yes ___ No ___
- h. What agency issued said permit ? _____
- i. Has a copy of said approval/permit been submitted with this application ? Yes ___ No ___

7. EROSION CONTROL PLAN

- a. Is Bergen County Soil Conservation District approval required? Yes ___ No ___
b. Has this approval been secured? Yes ___ No ___
c. Has a copy of the plan certification been submitted with this application? Yes ___ No ___
d. The following is a written description of the plan to control soil erosion and sediment:

8. TOPOGRAPHIC MAP

- a. Has a topographical map been submitted with the application? Yes ___ No ___
b. Is the scale of the map 1" = 50', or larger? Yes ___ No ___
c. Is the map on sheets no larger than 42" x 36"? Yes ___ No ___
d. Is the map referenced to the USGS datum? Yes ___ No ___
e. Has the map been prepared, certified and sealed by a N.J. licensed professional engineer and land surveyor? Yes ___ No ___
f. Does the map show the present grades of the lot(s) to, from or upon which it is intended to import, deposit, excavate, move or remove soil? Yes ___ No ___
g. Has aerial topography been utilized to establish ground elevations? Yes ___ No ___
h. Does the map show the present grades of all land within two hundred (200) feet of the boundaries of the subject lot(s)? (If this application is for a single-family homesite, circle N/A not applicable) Yes ___ No ___
i. Does the map show the present grades of all abutting streets, and rights-of-way, for the full width of the rights-of-way and full frontage(s) of the subject parcel(s)? Yes ___ No ___
j. Does the map contain the proposed final grades shown by contour lines over the entire parcel when the work has been completed, at intervals no greater than two (2) feet? Yes ___ No ___
k. Does the map show the quantity, in cubic yards, of soil involved in the work of cutting, filling, importing, exporting, and/or stockpiling, together with the location(s) and base area(s) of any proposed stockpile(s)? Yes ___ No ___
l. Does the map show proposed slopes and lateral supports, which shall be not more than one (1) foot vertical to six (6) feet horizontal, to adjacent properties and on the lot upon which the work is to be done? Yes ___ No ___
m. Does the map show present and proposed surface water drainage, and the means of control of same? Yes ___ No ___
n. Does the map contain spot grades showing the proposed elevations at all building corners, at edges of all paved areas and at all bend points in retaining walls? Yes ___ No ___
o. Does the map show the location and limits of all on-site wetlands and wetlands buffer and transition areas? Yes ___ No ___
p. Does the map show the boundaries of the lot(s) in question and of all lots with area within two hundred (200) feet of the perimeter(s) of the subject lot(s)? (If this application is for a single-family homesite, circle N/A - not applicable) Yes ___ No ___
q. Does the map show the locations(s), length(s), types(s), size(s) and detail of all soil erosion and sediment control measures proposed for use on the site? Yes ___ No ___

9. APPLICATION FEE

- a. Does this application include the requisite fees as noted in Ordinance 1581? Yes ___ No ___
b. What is the amount of the fee submitted? _____

10. WAIVERS REQUESTED FROM PRE-APPROVAL DATA REQUIREMENTS

- a. The total number of waivers being requested from pre-approval data requirements is _____
- b. A listing of the nonconformities, and the reason(s) for the waiver request(s), is as follows:

<u>Nonconformity</u>	<u>Reason</u>
_____	_____
_____	_____

11. SIGNATURE AND NOTARIZATION

I certify that the statements set forth in this application are true to the best of my knowledge, information and belief, and I consent to the filing of this application with the Township of Mahwah. I further acknowledge that I will be responsible for payment of any fees and charges (including professional fee escrow account charges) pertaining to this application which are not paid by the applicant and that all such unpaid fees and charges shall become liens on the subject property.

Sworn and subscribed to
Before me this _____ day
of _____ 200 .

Signature of Property Owner

Notary Public of New Jersey

Print Signer's Name

My Commission Expires:

Signer's Title (Corporate Title if a Firm or Corporation)

II. POST-APPROVAL/PRE-ISSUANCE DATA REQUIREMENTS

1. LOCATION(S) TO WHICH EXCESS SOIL WILL BE EXPORTED

Street Address _____
Municipality _____ State _____

2. LOCATION OF SOURCE OF SOIL TO BE IMPORTED

Street Address _____
Municipality _____ State _____
Owner _____
Owner's Telephone Number, Area Code () _____

3. PERSON(S) IN CHARGE OF SOIL MOVEMENT OPERATIONS

Name _____
Street Address _____
Municipality _____ State _____
Telephone Number Area Code () _____

4. PERSON(S) IN CHARGE OF SOIL TRANSPORTATION

Name _____
Street Address _____
Municipality _____ State _____
Telephone Number, Area Code () _____
Type of Vehicle for Import/Export _____

5. ROUTE OF TRAVEL

The route to be used by vehicles to access the site for soil, material and equipment pick up, and/or for delivery of soil, material and equipment, shall as be follows (roads in Mahwah). To Site: _____

From Site: _____

6. LIABILITY INSURANCE

- a. Has a certificate of insurance been submitted with the application ? Yes ___ No ___
b. Is the insurance held by or for the benefit of the Township of Mahwah ? Yes ___ No ___
c. Is the insurance coverage in amounts equal to the minimum figures stipulated in the Code ? Yes ___ No ___
d. Does the insurance cover the full term (i.e. date of commencement to date of completion) of the permit ? Yes ___ No ___

7. GUARANTEES

- a. Is a developer's agreement required in conjunction with this project ? Yes ___ No ___
b. Will an overall performance guaranty be posted in connection with the developer's agreement ? Yes ___ No ___
c. If an overall performance guaranty is not to be posted, have you posted
* - a separate performance guaranty ? Yes ___ No ___
* - a separate revegetation guaranty ? Yes ___ No ___

- d. Amounts of Separate guarantee Circle N/A if not applicable
- Performance Guaranty \$ _____
- Revegetation Guaranty \$ _____

- e) Guaranty Submission Verification
 Performance Guaranty Received \$ _____
 Revegetation Guaranty Received \$ _____
 Date Received _____
 Signature of Planning Board Administrative Officer or Designee _____

8. WAIVERS REQUESTED FROM POST-APPROVAL/PRE-ISSUANCE DATA REQUIREMENTS

- a) The total number of waivers being requested from post-approval / pre-issuance data requirements is _____
 b) A listing of the nonconformities, and the reason(s) for the waiver request(s), is as follows:

<u>Nonconformity</u>	<u>Reason</u>
_____	_____
_____	_____

9. SIGNATURE AND NOTARIZATION

I certify that the statements set forth in this application are true to the best of my knowledge, information and belief, and I consent to the filing of this application with the Township of Mahwah. I further acknowledge that I will be responsible for payment of any fees and charges (including professional fee escrow account charges) pertaining to this application which are not paid by the applicant and that all such unpaid fees and charges shall become liens on the subject property.

Sworn and subscribed to
 Before me this _____ day
 of _____ 200 .

 Signature of Property Owner

 Notary Public of New Jersey

 Print Signer's Name

My Commission Expires:

 Signer's Title (Corporate Title if a Firm or Corporation)

MAHWAH ENVIRONMENTAL COMMISSION
TOWNSHIP OF MAHWAH

The Township Ordinance and tree replacement guidelines are intended to preserve the aesthetic and natural character of the Township. The mature forest trees on land within the Township enhance the quality of life of the Township. Development involving the complete removal of these mature trees diminishes the Township's quality of life and rural characteristics. In addition, it is the Commission's belief that the mature trees found within the Township greatly enhance the value of a property before and after development.

SUGGESTED REPLACEMENT TREE TYPES: OAK, MAPLE HICKORY AND OTHER HARDWOODS

SUGGESTED "STREET TREE" VARIETIES (to be planted along public roadways)

Callery Pear

Varieties - Aristocrat
Chanticleer
Cleveland Select
Redspire
Autumn Blaze
Bradford variety is not acceptable

Pin Oak

Red Maple

Varieties - October Glory
Hedge Maple (Queen Elizabeth)

Cherry

Prunus Virginiana (Canada Red)

Japanese Pagoda or Zelkova

Amelanchier (Serviceberry) (Cumulus Serviceberry Tree Form)

Silver Linden

Koosa Dogwood Tree Form (Cornus Koosa)

SUGGESTED REPLACEMENT TREE TYPES: OAK, MAPLE, HICKORY & OTHER HARDWOODS

TOWNSHIP OF MAHWAH
ENVIRONMENTAL COMMISSION
TREE PRESERVATION APPLICATION

(Township Use Only)

Docket Number: _____

Submission Dates: _____ _____ _____ _____
 Original Amended Amended Amended

Env. Comm. Action _____ _____ _____ _____

Date _____ _____ _____ _____

PROPERTY DESCRIPTION

a) Block(s) _____ Lot(s) _____

b) Street Address _____

PROPERTY OWNER/PERMITTEE

a) Name(s) _____

b) Street Address _____

c) Municipality _____ State _____ Zip Code _____

PRESERVATION ORDINANCE: TREE COUNT, REMOVAL AND REPLACEMENT

Number of Trees Counted _____

1) Number of Trees to be Removed _____

2) Number of Trees To be Replaced _____

Describe Replacement Trees Species to be planted:

NOTES:

**SOIL MOVEMENT PERMIT APPLICATIONS
TOWNSHIP OF MAHWAH**

EXEMPT SOIL MOVEMENT ACTIVITIES

ACTIVITIES: Septic Systems (Tanks and Disposal Systems)
 Utility excavations by Licensed Utility Co. (ex. gas, water, electric, cable, telephone)
 Soil Borings
 Test Pits
 Hazardous Waste Cleanups
 Landscaping / Gardening, up to 20 Cubic Yards of Soil

APPLICATION: None Required
APPLICATION FEE: None
ESCROW FEE: None
PLANS BY ENGINEER: No
CERTIFICATE OF INS.: No
GUARANTEES: No
AS-BUILT SURVEY: No

ADMINISTRATIVE REVIEW SOIL MOVEMENT APPLICATION

ACTIVITIES: Filling of abandoned wells, septic systems, cisterns, swimming pools or residential "non-leaking" fuel oil tanks
 Pools, 1 to 199 Cubic Yards of Soil
 Additions, 1 to 999 square feet or less than 10% of Lot Area
 Increase in Impervious Area*, 1 to 999 square feet or less than 10% of Lot Area
 *Impervious Area includes patios, pools, decks, driveways, accessory structures, additions, etc.
 Landscaping / Site Work, 21 to 100 Cubic Yards of Soil

APPLICATION: Fill out Applicable Information on Form (N/A - IF NOT APPLICABLE)
APPLICATION FEE: \$50.00
ESCROW FEE: None
PLANS BY ENGINEER: No
CERTIFICATE OF INS.: No
GUARANTEES: No
AS-BUILT SURVEY: No

PROFESSIONAL REVIEW SOIL MOVEMENT APPLICATION

ACTIVITIES: Pools, ≥ 200 Cubic Yards of Soil
 Additions, ≥ 1000 square feet or more than 10% of Lot Area
 Increase in Impervious Area*, ≥ 1000 square feet or more than 10% of Lot Area
 *Impervious Area includes patios, pools, decks, driveways, accessory structures, additions, etc.
 Landscaping / Site Work, 101 to 999 Cubic Yards of Soil

APPLICATION: Full Application Form
APPLICATION FEE: \$100.00
ESCROW FEE: New Single Family Dwellings (or knockdowns) \$2,500.00
 Others (Pools, Additions, Increase in Impervious Area, Landscaping) \$700.00
 Site Plans and Subdivision Improvements \$1,800.00**
 ** Plus additional fees based on volume/number of units (see below)

PLANS BY ENGINEER: If Determined
CERTIFICATE OF INS.: Yes
GUARANTEES: Yes
AS-BUILT SURVEY: If Determined

**SOIL MOVEMENT PERMIT APPLICATIONS
TOWNSHIP OF MAHWAH**

PUBLIC HEARING SOIL MOVEMENT APPLICATION

<i>ACTIVITIES:</i>	≥ 1000 Cubic Yards of Soil, or Where Variances and/or Waivers are required.	
<i>APPLICATION:</i>	Full Application Form	
<i>APPLICATION FEE:</i>	\$100.00	
<i>ESCROW FEE:</i>	Single Family Dwellings, Pools, Additions, Landscaping, etc.	\$2,500.00
	Site Plans and Subdivision Improvements	\$1,800.00**
	** Plus additional fees based on volume/number of units (see below)	
<i>PLANS BY ENGINEER:</i>	Yes	
<i>CERTIFICATE OF INS.:</i>	Yes	
<i>GUARANTEES:</i>	Yes	
<i>AS-BUILT SURVEY:</i>	Yes	

**** ADDITIONAL FEES FOR SITE PLANS AND SUBDIVISIONS**

\$.40/c.y. for first 3,000 c.y.
\$.25/c.y. for next 2,000 c.y.
\$.15 for amount greater than 5,000 c.y.

FOR SUBDIVISIONS

Fee amount for major subdivisions is for the roadway, utility and drainage improvements. Additional fees to be determined based on the number of dwelling lots proposed in accordance with the fee required for each dwelling unit, as noted above.

ADDITIONAL COMMENT

The Administrative Officer has the discretion to require a Professional Review Soil Movement Application and/or Public Hearing Soil Movement Application and associated fees if it involves soil movement related to one or more of the following:

- a. existing and/or proposed drainage facilities or improvements;
- b. wetlands and/or flood plain concerns;
- c. contains unique engineering issues; or
- d. unique topographic conditions.

SOIL MOVEMENT REPORT

Township of Mahwah

Date: _____

Project Name: _____

Project Address: _____

Docket No: _____

AFR File No. MAH- _____

Approved Soil Movement Quantities:

Cut:	_____	C.Y.
Fill:	_____	C.Y.
Import:	_____	C.Y.
Export:	_____	C.Y.

Month	Year	Cut (a)	Fill (b)	Import (c)	Export (d)	Placed in Stockpile (e)	Removed from Stockpile (f)	Remaining in Stockpile (g)
TOTALS TO DATE								

1. Each Soil Movement Report must be cumulative (i.e. include all previous monthly reports).
2. (a + c + f) must equal (b + d + e) for each month.
3. Add each column (a thru f) to provide "TOTALS TO DATE" for all soil movement operation.
4. "Totals to date" e less "Totals to date" f must equal g.

WHEN A CERTIFICATE OF INSURANCE IS REQUIRED, APPLICANTS SHOULD UTILIZE THE FOLLOWING FORM:

INSURANCE REQUIREMENTS
TOWNSHIP ORDINANCE NO. 1234

This ordinance stipulates the township be provided with certain insurance documentation. In order to expedite your application it is suggested you provide your agent or broker with a copy of this requirement.

1. If the applicants are providing liability insurance directly as a named insured, they must provide an original Accord Certificate of liability insurance in an amount of not less than \$1,000,000 combined single limit. The effective and expiration dates must be for the time of the entire project. If not, a renewal certificate must be provided before expiration of the liability policy.
2. If the applicants are providing liability insurance as an additional insured under a contractor's or other party's liability insurance there is one further requirement. In addition to #1 (above) an original endorsement adding the applicant to the other party's insurance policy must also be provided.

If the agency providing the insurance is not a policy writing agent they may have to wait for an insurance company to issue the endorsement. An original Accord binder adding the additional insured will be acceptable for a sixty (60) day period. The original endorsement must then be received.

The Certificate Holder is:

Township of Mahwah
475 Corporate Drive
Mahwah, New Jersey 07430

If Certificate is going to be in a name other than the owner's the owner must be listed as additionally insured.



Township Of Mahwah

Municipal Offices: 475 Corporate Drive
P.O. Box 733 • Mahwah, NJ 07430
Tel 201-529-5757 • Fax 201-512-0537

Board of Adjustment x 245

Property Maintenance x 246

Zoning/Planning Board x 245

Effective August 1, 2012, there are additional identification requirements for establishing Escrow Management Accounts. The new requirements are being implemented in accordance with bank policies and applicable laws, including Federal law requiring all financial institutions to obtain, verify and record information that identifies each person for whom an account is established.

Applicants to Planning Board or Zoning Board of Adjustment with one or more developer's escrow accounts must complete a bank deposit slip obtained from the Mahwah Planning and Zoning Department for each new account. A copy of the deposit slip is below for your reference. Any applicant posting a cash bond (performance, revegetation, road opening, or sewer) which is held in escrow must complete the information on the deposit slip.

Sub name: Full Legal Name of Individual or Business

Address: Physical Address

Social Security or Tax Identification Number to match the name or business on the account

Date of Birth of Individual

Signature of Applicant at W9 Section

BAESDT 010A9368

Escrow Management Service Sub Account Deposit Ticket

PLEASE PRINT information clearly and completely. (Incomplete information may delay processing)

Date _____

Sub # _____ (CIRCLE ONE) NEW EXISTING INTEREST BEARING NON-INTEREST BEARING IORET/MOLTA

Group # _____ Interest Payout _____ MONTHLY QUARTERLY YEAR END ANNIVERSARY

Social Sec. / Tax. ID # _____ (CIRCLE ALL THAT APPLY) Individual Business Foreign

Sub Name _____ Date of Birth _____ / /

Sub Address _____ APT# _____ Location Code _____

City _____ ST _____ ZIP _____ Memo: _____

Obtain Deposit Slip from Planning & Zoning Department

Substitute W9 Section Identification Required for New Sub Account
Under penalties or perjury, I hereby certify that the number above is my correct taxpayer identification number and 2. I am not subject to backup withholding because: (a) I am exempt from withholding, or (b) I have not been notified by the Internal Revenue Service that I am subject to backup withholding as a result of failure to report all interest and dividends or (c) the Internal Revenue Service has informed me that I am no longer subject to backup withholding.
Check if you are subject to backup withholding _____

Check if multiple sub deposit _____	
Cash	_____
Checks	_____
TOTAL	_____

DEPOSIT TICKET

TOWNSHIP OF MAHWAH
SOIL MOVEMENT
475 CORPORATE DR.
MAHWAH, NJ 07430-3603



540060102 000999084135

TOWNSHIP OF MAHWAH

*PLANNING BOARD

*BOARD OF ADJUSTMENT

SOIL MOVEMENT APPLICATION
PUBLIC HEARING NOTICE

Application #: _____

PLEASE TAKE NOTICE that the undersigned will apply to the (***choose from above**) _____ of the Township of Mahwah for a permit to allow soil removal pursuant to Chapter 28 of the Township of Mahwah Ordinance on (**insert weekday, date, month and year**) _____ at (**insert time**) _____ P.M. at the Municipal Building, 475 Corporate Drive, Mahwah, N.J. The amount involved in the application is (**give # of cubic yards of soil and gravel**) _____, and it is located at property known as _____ on Block (s) _____, Lot (s) _____ in the Township of Mahwah. The application and plans are on file for review prior to the Public Hearing at the Planning Board Office located at 475 Corporate Drive between the hours of 8:00 A.M. and 4:00 P.M., Monday through Friday.

ALSO, TAKE NOTICE that certain waivers/variances from the requirements of the Ordinance will be sought at that time.

Any interested parties may appear in person at said hearing and participate therein in accordance with the rules of the _____.

Notice is hereby served by the following

Attorney(s) for Applicant

Applicant(s)

By: _____

By: _____

DATED: _____

NOTE: In accordance with Ord. #1234, notice must appear seven (7) days prior to the Public Hearing and be placed in the Official Township Newspaper; e.g. THE BERGEN RECORD.

**** Also, contact the Mahwah Tax Assessor's Office (Phone# 201-529-5757 ext. 229 or ext. 223) to obtain the 200 ft. radius map and certified list of property owners for notice of the public hearing.**

TOWNSHIP OF MAHWAH

ORDINANCE NO. 1581

AN ORDINANCE TO AMEND CHAPTER 28 OF THE MUNICIPAL CODE OF THE TOWNSHIP OF MAHWAH ENTITLED "SOIL MANAGEMENT".

WHEREAS, the Township Engineer of the Township of Mahwah has recommended amending Chapter 28 of the municipal code of the Township of Mahwah; and

WHEREAS, the Township Council has determined that such an amendment will promote the health, safety and welfare of the community;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Mahwah, County of Bergen, State of New Jersey that Chapter 28 be amended to read as follows:

Section 1 Section 28-1 entitled "Definitions" shall be amended to add:

Administrative Review Soil Movement Application shall mean a short form application submitted to the Planning Department's Administrative Officer for his/her review, who may consult with the Township Engineer but who has sole discretion to issue the soil movement permits.

Professional Review Soil Movement Application shall mean a full application for which the Township Engineer is required to review the application for approval and render a decision as to the issuance of a permit.

Public Hearing Soil Movement Application shall mean a full application which requires a public hearing in front of either the Planning or Zoning Board for which all required notices be sent, due to the complexity or amount of soil being moved.

Section 2 Section 28-3.11 Exemptions from Soil Movement Permit Requirements.

- a. Remains unchanged.
- b. The exceptions for foundations, *additions*, swimming pools, septic tanks and sanitary disposal systems will be allowed for only one (1) foundation, addition, swimming

pool, septic tank or sanitary disposal system per lot, per year.

1. *Swimming pools requiring less than 200 cubic yards of soil movement shall be required to submit a short form Administrative Review Soil Movement Application. Swimming pools requiring 200 or more cubic yards of soil movement shall require a full Professional Review Soil Movement Application.*
 2. *Proposed additions that are equal to or greater than 10% of the lot area or 1,000 square feet, whichever is less, shall require the submission of a Professional Review Soil Movement Application, any other additions or foundations shall only require an Administrative Review Soil Movement Application.*
 3. *Applications which propose to create additional impervious surface, including but not limited to patios, decks, driveways, accessory structures, etc., which are equal to or greater than 10% of the lot area or 1,000 square feet, whichever is less, shall require the submission of a Professional Review Soil Movement Application.*
- c. Abandoned wells, septic systems, cisterns, swimming pools or residential "non-leaking" fuel oil tanks may be filled in without a permit provided that the owner or his agent files an *Administrative Review Soil Movement Application* with sufficient information to review the proposal and provided that all Building Department approvals are obtained prior to the commencement of work.
- d. *Unless stated elsewhere in this Chapter, a maximum of 20 cubic yards of soil may be excavated, moved, removed or placed upon a single lot as an exception for which an application or fee will not be required. For soil movement consisting of 21 cubic yards to 100 cubic yards an Administrative Review Soil Movement Application shall be required. These exceptions shall be available only once for each lot during any twelve (12) month period. All soil movements during a 12 month period shall be aggregated to determine the amount of fill moved.*
- e. *Unless stated elsewhere in this Chapter, a total of 101 cubic yards to 999 cubic yards of soil may be excavated, moved, removed or placed upon a single lot as an excepted lawn, garden or landscape excepted operation provided that the owner of the lot completes and files a Professional Review Soil Movement Application with the Planning Board's Administrative Officer prior to commencement of the work to be performed. Soil movement of 1,000 cubic yards or greater requires a Public Hearing Soil Movement Application and requires approval by the Planning Board/Board of Adjustment with a public hearing. These exceptions shall be available only once for each lot during any 12 month period. All soil movements during a 12 month period shall be aggregated to determine the amount of fill moved.*
- f. remains unchanged.
- g. unless otherwise set forth above, in order to qualify for an exception under this

Subsection 20-3.11 the applicant must file in advance with the Planning Board Administrative Officer an Administrative Review Soil Movement Application.
h. remains unchanged.

Section 3 Section 28-2.4(f) *Review of Application.*

1. remains unchanged.
2. remains unchanged.
3. remains unchanged.
4. remains unchanged.
5. *For any application which requires an Administrative Review Soil Movement Application only, the Administrative Officer has the discretion to require a Professional Review Soil Movement Application and/or Public Hearing Soil Movement Application and associated fees if it involves soil movement related to one or more of the following:*
 - (a) *existing and/or proposed drainage facilities or improvements;*
 - (b) *wetlands and/or flood plain concerns;*
 - (c) *contains unique engineering issues; or*
 - (d) *unique topographic conditions.*

Section 4 Section 28-2.4(e) *Subsection 5 shall be amended as follows:*

All soil movement fees shall forthwith be deposited in a specially designated and separate project escrow account and shall be used to pay the Township's engineering, legal, administrative and any other expenses incurred in processing the application and monitoring of the permit status and applicant's performance. Upon completion of the soil movement operation or the expiration of the permit, any unexpended portion of the fees *shall be returned to the Applicant*. In the event that the fees posted by the Applicant are insufficient to meet the reasonable engineering, legal and administrative expenses incurred by the Township in processing the application and monitoring the permit status and applicant's performance, the Applicant shall upon the request of the Township immediately pay such additional engineering, legal and administrative and other expenses incurred by the Township. In the event that the project is not completed or in the event that the Applicant does not pay all the fees required by this Chapter, the sums due to the Township shall become an obligation of the owner of the property and shall become a lien upon the property.

Section 5 Section 28-2.4(d) *Fees.*

1. The application shall be submitted to the Township's Planning Board Administrative Officer with a *one time non-refundable fee* in an amount set forth in the attached schedule "A" which is incorporated herein by reference.
2. remains unchanged.
3. shall be added to read as follows:
Upon completion of the soil movement operation or the expiration of the permit, any unexpended portion of the fees and/or escrow posted shall be used to pay the Township's engineering, legal, administration and other expenses and any unexpended portion of the escrow fee shall be returned to the Applicant.

Section 6. Section 28-2.4(b)(7) Present and Proposed Surface Water Drainage and the means of control of same. *The applicant's engineer shall also demonstrate and provide certification that there shall be no increase in the rate of storm water runoff as a result of the application.*

Section 7. Section 28-2.4(a) *Schedule A entitled "Soil Movement Fee Schedule" shall be amended as follows:*

I. Application Fees

- | | | |
|----|--|----------|
| A. | Fee for Professional Review Soil Movement and Public Hearing Soil Movement Applications. | \$100.00 |
| B. | Administrative Review Soil Applications | \$50.00 |

II. *Escrow Fees¹*

- | | | |
|----|---|---------|
| A. | <i>Public Hearing Soil Movement Application</i> | \$2,500 |
| B. | <i>Professional Review Soil Movement Application – Single Family Dwellings</i> | \$2,500 |
| C. | <i>Professional Review Soil Movement Applications – Other</i> | \$ 700 |
| D. | <i>Professional Review Soil Movement Applications – Subdivision Improvements and Site Plans</i> | \$1,800 |
| E. | <i>Additional Fees for Site Plans and Subdivision Improvements:</i> | |
| | <i>\$.40/c.y. for first 3,000 c.y.</i> | |
| | <i>\$.25/c.y. for next 2,000 c.y.</i> | |
| | <i>\$.15 for amount greater than 5,000 c.y.</i> | |

Notes:

- I. *Amounts noted are minimum amounts. In the event the fees posted by the applicant are insufficient to meet the reasonable engineering, legal and administrative expenses incurred by the Township in processing the application and monitoring the permit status and the applicant's performance the applicant shall upon the request of the Township immediately pay such additional engineering, legal and administrative and other expenses incurred by the Township.*
2. *Fee amount for major subdivision is for the roadway, utility and drainage improvements. Additional fees to be determined based on the number of dwelling lots proposed in accordance with the fee required for each dwelling unit, as noted above.*

III. Review Fees

All requests for review of soil movement applications after the second submission shall be accompanied by check for \$60.00.

BE IT FURTHER ORDAINED that this Ordinance shall become effective after final passage, adoption and publication according to law.

Attest:

Approved:

Kathrine G. Coletta, Township Clerk

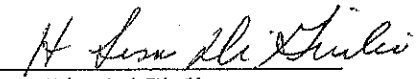
Richard J. Martel, Mayor

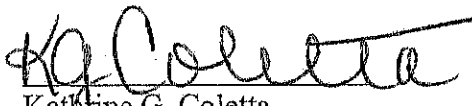
Ordinance No. 1581

Page 6

Date: August 7, 2007


Attest


H. Lisa DiGiulio
Council President


Kathrine G. Coletta
Municipal Clerk

CERTIFICATION

I, Kathrine G. Coletta, Municipal Clerk of the Township of Mahwah, hereby certify that the within Ordinance was passed and adopted at a meeting of the Township Council held on the 12 day of July, 2007.


Kathrine G. Coletta, RMC/CMC
Municipal Clerk



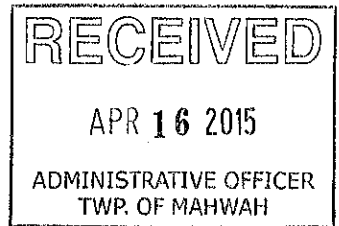
Orange & Rockland
a conEdison, Inc. company

Orange and Rockland Utilities, Inc.
One Blue Hill Plaza
Pearl River NY 10965-9006
www.oru.com

(845) 577-2838

April 10, 2015

Planning Board Chairperson
Township of Mahwah
475 Corporate Drive
Mahwah, NJ 07430



Ladies and Gentlemen:

As you are aware, Rockland Electric Company, ("RECO") has many easements on which our electric facilities operate. This letter addresses RECO's efforts to enhance public and worker safety and to minimize service disruptions caused by interference with electric facilities in those easements. RECO is asking for you to help in these efforts by notifying us of any work that you become aware of that is planned or already taking place in its easements.

To enhance public and worker safety and to minimize service disruptions, RECO restricts others from working in the easements and prohibits the placement of obstructions in the easements. RECO restricts others from working in its easements because working near electric wires can lead to serious injury or death. In addition, the State of New Jersey High-Voltage Proximity Act requires anyone working near high-voltage lines to take precautionary actions to prevent injury or death to themselves or their workers. Finally, New Jersey State Law requires that anyone who intends to dig into any property call 8-1-1 to have all utility facilities marked out. RECO's restrictions and these laws are designed to prevent anyone from contacting any electric facilities causing injury to themselves, their co-workers, or the public or damage to the facilities.

RECO also restricts the placement of obstructions within its easements. Obstructions include but are not limited to items such as trees, buildings, swimming pools, patios, or swing sets. Obstructions are restricted because they too can lead to serious injury or death by making it possible for people to come into contact with our electric lines (e.g., by climbing on a roof or up a tree or by skimming a pool). Obstructions can also cause interruptions in service by falling and damaging electric facilities. Finally, obstructions can endanger RECO employees and delay the restoration of service after an outage if they block or impede RECO's access to electric facilities, particularly in an emergency.

Thus, preventing work in our easements and keeping them clear from obstructions is vital to ensuring public and worker safety and minimizing service interruptions. Accordingly, if your office becomes aware of any work to be performed or already being performed in RECO's easements, we ask that you please notify us immediately by calling me at (845) 577-2838. We also ask that, before your office authorizes any work in RECO's easements, RECO's written consent first be obtained.¹ Finally, please remind anyone who plans to dig to call 8-1-1 before they begin. Your actions can help ensure the safety of the public and workers and minimize service interruptions.

RECO greatly appreciates your assistance. If you have any questions, please feel free to contact me.

Very truly yours,



Eric J. Grumm
Real Estate Analyst

Enclosures

¹ Once RECO learns that work is being performed or going to be performed in our easements, we will require drawings depicting the proposed work, including machines to be used, any proposed grade changes and landscaping, and any obstructions to be brought into or constructed in the easement. Based on these drawings, RECO will determine whether the work and/or the obstruction will result in any safety hazards or interfere with or endanger any electric or gas facilities and, consequently, whether the work may proceed. As to vegetation sought to be placed in our easements, enclosed is a listing of species determined to be compatible with RECO's electric and gas facilities.

As spring approaches, so does the construction season. In anticipation of this busy season, the New York Mutual Aid Group ("NYMAG"), the Occupational Safety and Health Administration ("OSHA"), and the New York State Department of Labor's On-Site Consultation Program ("DOL") have formed an Alliance to save lives.

Through this Alliance, the members of NYMAG, OSHA and the DOL are reaffirming their commitment to providing a safe workplace for the many thousands of workers in the construction field. With your assistance, this Alliance will prevent potentially lethal contacts by contractors and other service providers with overhead and underground electric transmission and distribution facilities.

One of the Alliance's goals is to educate contractors and service providers, as well as their respective employees, in procedures that will ensure that proper clearances are established and maintained throughout the life of a project. Because your office is often the first and only point of contact for work permits, the Alliance believes your organization's participation is crucial in our effort to eliminate electrical contacts.

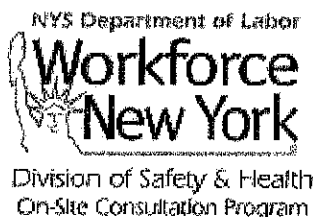
NYMAG, is an association of New York State electric utility companies including Orange and Rockland Utilities, Inc. As a member of the Alliance, Orange and Rockland Utilities, Inc fully supports the goals of the Alliance and asks your organization's assistance as stated below to achieve this goal.

The Alliance requests that you encourage applicants to comply with and provide them a copy of New York State's "High Voltage Proximity Act" and "Protection of Underground Facilities", when issuing permits. Orange and Rockland Utilities, Inc will provide you with a contact number and copies of the High Voltage Proximity Act and Protection of Underground Facilities, which outlines the procedure that should be utilized by applicants working near utility electric facilities. In addition to providing information to contractors, other service providers and homeowners, the Alliance encourages your organization to notify Orange and Rockland Utilities, Inc when a worksite is clearly within the vicinity of overhead transmission or distribution facilities, where there is a high probability of contact; such as a construction site directly beneath overhead transmission or distribution facilities or where conditions exist where intervention may prevent an inadvertent overhead or underground electrical contact.

We believe that by working together we can make construction projects safer, and we thank you for helping us reach this vitally important goal. Please contact Orange and Rockland Utilities, Inc at 845-577-2837 to further establish this process that will significantly contribute to avoiding unnecessary electric contacts.

Thank you for your help,

Orange and Rockland Utilities, Inc and The
Alliance Members



TRANSMISSION RIGHTS-OF-WAY (ROW)

Compatible Trees*

Vegetation that grow less than 20 feet tall

Flowering Almond	<i>Prunus triloba</i>	6' - 10'
Star Magnolia	<i>Magnolia stellata</i>	10' - 20'
Hopa Crabapple	<i>Malus 'Hopa'</i>	12' - 18'
Mary Potter Crabapple	<i>Malus 'Mary Potter'</i>	10' - 15'
Eastern Redbud	<i>Cercis Canadensis</i>	15' - 20'
Fringetree	<i>Chionanthus virginicus</i>	15' - 18'
White Flowering Dogwood	<i>Cornus florida</i>	15' - 20'
Red Flowering Dogwood	<i>Cornus rubra</i>	15' - 20'
Kousa Dogwood	<i>Cornus kousa</i>	16' - 18'
Purple Leaf Flowering Plum	<i>Prunus cerasifera</i>	15' - 20'
Dwarf Norway Spruce	<i>Picea abies 'Compacta'</i>	8' - 12'
Dwarf Globe Blue Spruce	<i>Picea pungens 'R. H. Montgomery'</i>	10' - 15'
Mountain Laurel	<i>Kalmia latifolia</i>	5' - 6'
Winterberry	<i>Ilex verticillata</i>	6' - 8'
Redosier Dogwood	<i>Cornus sericea</i>	7' - 9'
Nanking Cherry	<i>Prunus triloba</i>	6' - 10'
Arrowwood	<i>Viburnum lentatum</i>	6' - 10'

*In New Jersey, The New Jersey Board of Public Utilities prohibits:

- Any species maturing over three feet tall in a transmission ROW Wire Zone, the area directly under the conductors.
- Any species maturing over 15 feet tall in a transmission ROW Border Zone, the area from the edge of the conductors to the edge of the ROW.

NOTE: Situational and topographical conditions may not allow for selected species to be used in some locations. Consult your energy provider for planting limitations at your site.

Remember, before you dig, dial 811, the toll-free number of your state utility notification service. The service will contact member utilities who will mark the location of underground facilities for you at no charge.

Call two to 10 working days in advance.

In August 2003, a widespread blackout affecting 50 million customers in two countries and seven states was caused by a single tree making contact with a transmission line. As a result, state utility commissions have imposed strict regulations on the control of vegetation in transmission line rights-of-ways.

TRANSMISSION RIGHTS - OF - WAY (ROW) Continued
Compatible Shrubs*

Vegetation that grows less than 20 feet tall

Japanese Flowering Quince	<i>Chaenomeles speciosa</i>	8' - 10'
Siberian Pea Shrub	<i>Caragana arborescens</i>	10' - 15'
Gray Dogwood	<i>Cornus racemosa</i>	8' - 10'
Royal Purple Smoke Tree	<i>Cotinus coggygia 'Royal Purple'</i>	10' - 15'
Burning Bush	<i>Euonymus alata</i>	8' - 12'
Forsythia	<i>Forsythia X intermedia</i>	8' - 10'
Siberian Arbovitae	<i>Thuja occidentalis 'Mareana'</i>	12' - 18'
Hatfield Yew	<i>Taxus X media 'Hatfieldii'</i>	6' - 12'
Upright Japanese Yew	<i>Taxus cuspidate 'Capitata'</i>	10' - 12'
Blue Hollies	<i>Ilex X meserveae 'Princess/Princess'</i>	10' - 15'
Chinese Witch Hazel	<i>Hamamelis mollis</i>	10' - 15'
Rhododendron	<i>Rhododendron (Various species)</i>	10' - 20'

NOTE: Situational and topographical conditions may not allow for selected species to be used in some locations. Consult your energy provider for planting limitations at your site.

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