

John De Simone, Inc.

waters will spill into the perpendicular section of the flume, the Department cannot conclude that the applicant has satisfied the following requirement of the Flood Hazard Area Control Act Rules:

N.J.A.C. 7:13-3.3(a) which requires all applications for permits pursuant to this chapter shall describe soil erosion and sediment control measures to control and minimize disturbance of any surface area under the jurisdiction of this chapter during construction and use of the proposed structure.

The applicant has not submitted any details to indicate how the bottom of the basin will be constructed and to indicate that the proposed basin will successfully function to meet the infiltration requirement.

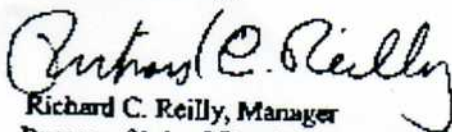
The location of the encroachment line as shown on the submitted site plan does not match the location as calculated in the hydraulic calculations in some locations.

Based on the above, your request for authorization under Flood Hazard Area Control Act Rules is denied without prejudice. It is suggested that you consider revising the application in order to meet the requirements of the Flood Hazard Area Control Act Rules, and the Stormwater Management Rules as discussed above. Program staff would be glad to discuss revisions to this project for compliance with the applicable rules.

In accordance with N.J.A.C. 7:13-4.10, any person who is aggrieved by this decision may request a hearing within 10 days of publication of notice of the decision in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, PO Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the administrative Hearing Request Checklist.

Please contact Nabil M. Andrews at (609) 984-0194 should you have any questions regarding this letter. Be sure to indicate the Division's file number in all communication.

Sincerely,



Richard C. Reilly, Manager
Bureau of Inland Regulation

C: Township of Bloomfield Environmental Commission
Township of Bloomfield Municipal Engineer, Clerk, and Construction Official
Township of Bloomfield Municipal Planning Board
Frederick C. Meola, Frederic Meola Engineering & Surveying