

PLANNING BOARD
CITY OF LAMBERTVILLE
REGULAR MEETING MINUTES

Wednesday, October 1, 2014

The meeting was called to order by Tim Korzun, at 7:10 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Tim Korzun, Paul Kuhl, Steve Stegman, John Miller, Derek Roseman and Ken Rogers
Absent: Mayor DelVecchio, Dave Morgan and Gina Fischetti.
Also Present: Attorney William Shurts, Board Planner Emily Goldman and Pete McCabe, in for Robert Clerico.

Approval of Minutes

Paul Kuhl made a motion to approve the September 3, 2014 meeting minutes, as submitted. Steve Stegman seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. John Miller and Derek Roseman abstained from voting.

MOTION CARRIED

Completeness – Preliminary Site Plan & Major Subdivision

ReAlliance, LLC
Clinton Street
Block 1029 Lot 3 & 3.01

The applicant submitted an application for the Board to review for completeness. However, Mr. Clerico's letter dated September 15, 2014 states that the application is incomplete. Architectural plans have not yet been submitted for the Board Professionals to review.

Derek Roseman made a motion to deem the application incomplete. Steve Stegman seconded the motion. A unanimous roll call in favor of the motion was taken by all members present.

MOTION CARRIED.

Completeness – Final Major Subdivision

JWG Builders (formally Zatuzhni)
Church and North Franklin Street
Block 1076 Lot 14

The applicant, Marc Jacobson, amended his prior application and has reduced the amount of units from four to only three, as the Board had suggested. The

proposed two car garage has been reduced to a one car garage and garage doors comply with the City Ordinance requirements.

Mr. Jacobson advised the Board that he has met with the surrounding neighbors after the Planning Board meeting in September and has received positive feedback from them since making the current changes.

The new application has not been submitted to the Lambertville Historic Preservation Commission as of yet. The applicant advised that he will appear before the Commission with the final design.

Mr. Stegman asked what the finishes on the building will consist of and Mr. Jacobson advised him that all elevations will have the traditional stucco and a stone base along the front. The roof materials being use will be asphalt shingles.

Mr. Rogers wanted confirmation that the proposed dormer on the middle unit would be for decoration only and not used as habitable space. Mr. Jacobson confirmed this.

Mr. Rogers also advised the applicant that no windows are permitted within five feet of the property line, according the State UCC Construction Code Standards.

Each unit will have a total of three parking spaces. One will be utilized by the garage and there will be two parallel spaces as well. Mr. Stegman expressed concern about the two spaces that will be located in the front of the buildings. He suggested reducing the garage spaces and granting a variance for the parking spaces.

Derek Roseman stated that the applicant has already met with the neighbors and presented the changes, with the parking arrangements, and that the Board should consider the neighbors opinions regarding the parking.

Mr. Stegman stated that he was in favor of relocating the building further towards the front of the property and relief for the on street parking. The applicant stated that he was willing to relocate the location of the building.

John Miller asked about the detention system along all three properties and if the system fails, where the water would be dispersing.

An easement will be added to the rear of the property for the storm water management.

The applicant needs to submit additional documents to the Board Professionals, but the Board members took action to approve this application with the following relief requirements:

1. Preliminary and Final Site Plan and Subdivision approval.
2. Design waiver for parking depth from right of way.
3. Exception for the width of the driveway – 12 foot is allowed, 18 foot is being proposed.
4. Exception for the garage door size.

The applicant is to submit revised plans to the Board Professionals for review.

A draft resolution will be done by Mr. Shurts and submitted the applicant and Board Professionals for their review.

Since the Board did not have enough voting members present at the meeting, a formal vote will take place at the November 12, 2014 meeting. Several of the Board members will need to listen to the recordings from the prior meetings in order to be eligible to vote at the November meeting.

No further notices will be required.

Ordinance Recommendation

Expansion of the Historic Preservation Commission Area

As the ordinance currently states, the Historic Preservation Commission only has jurisdiction of the Central Business District (CBD). A proposal has been made to expand their jurisdiction to include the C2 and C3, General Commercial Zone.

Derek Roseman made a motion to recommend an amendment to the current ordinance for approval by the City Council. Paul Kuhl seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED

PAYMENT OF BILLS

Derek Roseman made a motion to pay bills, so long as funding was available. Paul Kuhl seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.

MOTION CARRIED.

PUBLIC COMMENT

None

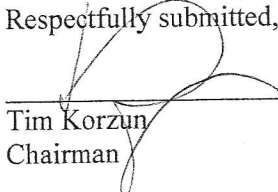
ADJOURNMENT

Paul Kuhl made a motion to adjourn the meeting at 9:11 pm. Derek Roseman seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present.

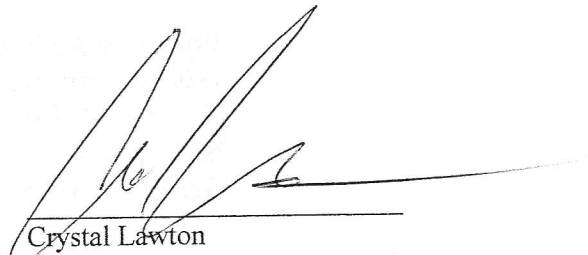
MOTION CARRIED.

October 1, 2014
Planning Board Meeting

Respectfully submitted,



Tim Korzun
Chairman



Crystal Lawton
Administrative Officer



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Nell I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E. & P.P.
Robert B. Helbell, P.E., L.S. & P.P.
Daniel A. Nagy, L.S. & P.P.
Samuel D. Costanzo, P.E. & P.P.

September 15, 2014

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Block 1029 Lots 3 & 3.01– 3 Clinton St.
reAlliance LLC Townhouse Project - Completeness Rpt #2 –
City of Lambertville, Hunterdon County, New Jersey

Dear Crystal:

I am in receipt of this Preliminary/Final Site Plan and Minor Subdivision Application requesting approval for a 3 unit townhouse project. The applicant held several informal discussions with the Board and is now seeking formal approval. The documentation filed with this submission consists of the following:

1. Application Form for a Minor Subdivision, Preliminary Site Plan, Final Site Plan and Bulk Variances prepared by the applicant. Note that the application has not been signed by the Property owner and the Applicant is an LLC but indicates that they are not being represented by an Attorney.
2. City Checklist for
 - a. "Application Submittal Checklist" that has not been filled out.
 - b. Checklist #1- for Minor Subdivision
 - c. Checklist #4 for Preliminary & Final Site Plan.
3. Letter from Goldenbaum Baill Eng. Inc (GBE) outlining the variance request and identifying requested waivers from various checklist items. Note that the letter consist of 2 pages and is not dated or signed.
4. Minor Subdivision & Preliminary and Final Site Plans prepared by GBE consisting of 6 sheets. Sheets 1, 3, 4, 5, & 6 are dated 9/10/14 and signed by Eric B. Rupnarain PE. Sheet 2 is dated 9/9/14 and is signed by Vincent J. Rigelon Jr. PLS.

Note that:

- i. Architectural Plans were not filed with the current application. It is possible that the applicant may be relying upon the plans that they presented informally to the Board a prior meeting. However, signed and sealed plans of the Building Elevations and Floor Plans must be made part of the current submission in order for them to be formally considered as part of the Public Hearing Process.
- ii. The applicant has applied for a "Minor Subdivision" rather than a Preliminary Major Subdivision. It is not appropriate to process the application as a Minor Subdivision for the following reasons:
 - a) The current property consists of 2 separate lots (3 & 3.01) which were presumably created by a prior minor subdivision. The applicant intends to merge these properties under what would be identified as a consolidation (reverse) subdivision. The applicant then intends to subdivide merged parcel into three separate building lots. The multiple subdivisions do not meet the definition of a "minor subdivision".

Please Reply To:

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City of Lambertville, Hunterdon County, New Jersey -

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- b) It would be necessary for the applicant to demolish the existing garages, install the public improvements (drainage, curb, sidewalk, driveway aprons etc.) along Clinton Street and meet any of the other conditions of approval that may be imposed by the Board and would need to be addressed prior to the recording of deeds. Under the Minor Subdivision process an applicant only has 190 days to record the deeds after the adoption of a resolution of approval. It is unlikely that an applicant can accomplish this within that limited time.
- c) In the event that the applicant wished to post performance guarantees for the subsequent construction of any of the work outlined in item ii-b above (prior to recording of deeds) there would be no mechanism (if the application was processed as a minor subdivision) to allow that to occur.

Based upon the reasons outlined above, the request to classify the application as a "Minor Subdivision" should be denied and the applicant should be required to file an application for Preliminary Major Subdivision. The "major subdivision" process will give the applicant 3 years to perfect the subdivision (recording of a File Map) and will allow the posting of performance guarantees if that should be required. Bill Shurts should advise the Board on the issue of the appropriate classification of the application as either a Major or Minor Subdivision.

My comments relating the submitted documentation in reference to the City Checklist are as follows:

- A. **Application Submittal Checklist** (2a above) – the submitted form has not been completed so it does not identify if the applicant is providing all the required documentation or if they are seeking waivers from any of the submission requirements. **The application remains incomplete until the proper form and listed documentation has been filed.**
- B. **Minor Subdivision – Checklist #1** (2b above) – note comments above regarding the applicability of processing this as a "minor subdivision". **If the Board concurs that the request to classify the application as a Minor Subdivision should be denied, then the application would remain incomplete until the required Preliminary Major Subdivision Checklist, Application and related documents have been filed with the Board.**
- C. **Preliminary / Final Site Plan – Checklist #4** (2c above)
 - **Item 5-** the required "disclosure statement" has not been provided for this LLC.
 - **Item 8 –** the "certification of owner" (Owner's Consent) has not been provided. The owner's certification needs to be included on the application forms as well as on the site/subdivision plans.
 - **Item 9 -** the certification on payment of taxes has not been provided.
 - **Item 11-** the Hunterdon County Planning Board's "signature box" has not been included on the plans. Since it is likely that the County will waive jurisdiction over the application the applicant could request and the Board can grant a waiver of this requirement.

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- Item 13- the deed of record along with a copy of a title search documenting any recorded covenants and deed restrictions has not been provided.
- Item 14a, 14b, 14c- copies of applications and proof of filing with the HCPB, HCSCD & D&R Canal Commission have not been provided. The applicant can identify that filing with the Hunterdon Co. Health Department (14d) is "not applicable".
- Item 17e - the applicant seeks a waiver from providing topographic documentation extending 200 feet beyond the property. I recommend that the waiver be granted "conditioned" upon a requirement that additional topographic elevations be provided to document the "top of wall" that will remain along with additional spot elevations at least 25 feet onto the adjoining properties including tops of retaining walls, ground elevations, sidewalks, driveways and building/garage floor elevations.
- Item 18 a, 18b & 18c- the applicant seeks a waiver from providing street cross sections and centerline profile documentation. I recommend that the waiver be denied and that the required documentation be provided along the applicant's frontage and 25 foot intervals including separate cross-sections at proposed driveways. The required documentation should also extend a minimum of 25 feet beyond this property.
- Item 23- the applicant seeks a waiver from providing the location of man-made and natural features 200 feet beyond the property. The planimetric data provided is adequate and I recommend that the waiver be granted.
- Item 24 - the applicant seeks a waiver from providing proposed drainage and utility profiles. Profile documentation of the proposed storm drain along Clinton Street, the existing sanitary sewer main, the proposed lateral and roof leader connections must be provided.
- Item 24a - the applicant seeks a waiver from providing an approval from the LMUA. I recommend that the waiver be denied.
- Item 24c - the applicant seeks a waiver from providing an approval from United Water. I recommend that the waiver be denied.
- Item 27- the applicant has not provided a SE&SC Plan
- Item 28 - the applicant seeks a waiver from providing a SWMP and assessment report. I recommend that the waiver be denied. The proposed disturbance will exceed 3000 ft.² and under the provisions of the city ordinance a SWMP is required.
- Item 29 - while it appears that the property is not located in a Flood Hazard Area, the plan should document the FH Elevation that is located on the Canal side of the wall.
- Item 30 - the plan does not depict any existing or proposed easements. It is likely that maintenance easements will be required for the retaining wall that runs along the rear property line both on and off of the applicant's property.

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- **Item 33-** architectural plans (when submitted) should denote the location and type of any building mounted lighting.
- **Item 34a & 34c -** the applicant seeks a waiver from providing an NRI and wetland delineation. I defer to the Board's and Environmental Commission's discretion in considering this request but I would have no objection to the Board granting the requested waiver.
- **Item 34b -** the applicant seeks a waiver from providing an EIS. I defer to the Board's and Environmental Commission's discretion in granting the waiver. However, I recommend that given the use of the property as a vehicle garage and parking area that some testing for contaminated soils be conducted to determine if any of the excavated material would be classified as regulated waste.

If the Board is in agreement with the above then they should take the following action at their meeting on October 1, 2014:

1. **Grant the requested waivers** for checklist items 11, 23, 34a & 34c.
2. **Grant conditional waivers** on items 17e & 34b - subject to the applicant providing the additional topographic information (17e) and agreeing to test the soil for contaminated material (34b)
3. **Deny the requested waivers** for checklist items 18a, 18b, 18c, 24, 24a, 24b & 28 and **note these items to be incomplete.**
4. **Deem the application to be incomplete** for the missing documentation under the items listed in paragraph 3 above as well as checklist items 5, 8, 9, 13, 14a, 14b, 14c, 29, 30 & 33.

I will defer on making any detailed comments with regard to the application at this time; however, when the applicant does return with updated plans to address the completeness issues, they should also address the following general comments that I originally raised in my December 2, 2013 letter on their initial concept plan:

- a) **Obtain preliminary input** from the D&R Canal Commission. They will most likely have comments relating to any site runoff and SWM provisions along with requiring additional buffer & maintenance easements along the rear of these lots in order to preserve the existing stone masonry wall that extends beyond and encroaches into various portions of this property. Input from the D&R Canal Commission is critical to any consideration for development on this property.
- b) **Obtain written input** from the LMUA and United Water relating to the availability of service and details for individual unit connections. Information relating to adequacy of fire flow in this area of the City should be verified.
- c) Since the proposed units are relatively close to the existing overhead primary electric service lines: **obtain input from JCP & L** to determine the required minimum building offset from any high voltage lines.



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- d) **Identify an additional variance** for providing off-street parking. Currently the plans show that 2 "off-street" parking spaces are provided with one car parked within the proposed garage and one car will be parked in the proposed driveway. However, the parking area provided in the driveway is only 16 ft. deep which does not meet the 20 ft. RSIS standard and most of this space is actually located within the "existing public ROW" of Clinton St, so it is not "off-site". As currently presented, the project is only providing 1 off-site parking space per unit whereas RSIS requires 2.4 spaces per unit.

Peter McCabe from my office will attend the meeting on October 1st to address any questions relating to these comments.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert J. Clerico", is written over a horizontal line.

Robert J. Clerico, P.E.
Board Engineer
R 5040.186- 2014-09-15.doc
RJC

cc: All Planning Board Members (email distribution)
William A. Shurts, Esq. -email (fcslegal@netcarrier.com)
Emily Goldman, P.P. email (egoldman@vannoteharvey.com)
Eric Rupnarain PE - email (ebr@gbamail.com)



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Samuel D. Costanzo, P.E. & P.P.

October 1, 2014

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Jason Greenwald – Final Major Subdivision
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Completeness Review

Dear Crystal:

I am in receipt of the Final Major Subdivision Application for the above referenced three (3) unit townhouse project. The documentation filed with this submission consists of the following:

1. A completed Application Form for a Final Major Subdivision Approval.
2. A completed City Checklist #3 for Final Major Subdivision Approval.
3. A Final Subdivision Plan prepared by Goldenbaum Baill Engineering, Inc., dated August 11, 2014

We also received a letter with related documentation, on Friday, September 26, 2014 responding to the conditions of the resolution of preliminary approval from December 2010. We have not had an opportunity to fully review this documentation, but upon cursory review we have noted that there are changes that affect the design including relocation of the stormwater connection. We will issue a separate review letter prior to next month's meeting.

My comments relating to the submitted documentation in reference to the City Checklist #3 are as follows:

Final Subdivision Approval – Checklist #3

- **Items 1, 2, 3, 4 & 18-** These are administrative requirements and I defer to the Board Secretary for applicant's compliance with these items.
- **Items 5, 6(a to h), 7, 8, 12, 13, & 14-** These items are all provided on the subdivision plan, therefore these items are addressed.
- **Items 9, 10, 11 & 15-** The applicant has indicated these items as "not applicable". I concur that street names, land reserved for public use and open space are not applicable, however descriptions of the drainage easement will need to be provided and therefore Item #11 is not satisfied.
- **Item 16** – the applicant indicated that approvals for soil conservation district were provided. No new certification has been provided. The Hunterdon County Planning Board had previously issued a letter of no interest. The checklist item for D&R canal commission approval was left blank. Since these outside agency approvals were also conditions of the preliminary approval we will address these in our review of the compliance with resolution of preliminary approval discussed above.

Please Reply To:

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October 1, 2014
Jason Greenwald – Final Major Subdivision
Block 1076, Lot 14
City of Lambertville, Hunterdon County, New Jersey
Completeness Review

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- **Item 17** – The applicant has requested a **waiver** from the requirement for As-built plans & profile of all roads and utilities. The applicant will be required to as-built all new utilities prior to receipt of a certificate of occupancy. A note on the subdivision plan has been provided to indicating this requirement.

If the Board is in agreement with the above then they should take the following action at their meeting on October 1, 2014:

1. **Grant the requested waivers** for checklist item 17.
2. **Deem the application to be complete** subject to submission of the descriptions of the proposed easements (Item 11).
3. **Defer action on the application** until we have had the opportunity to review the design changes and the Goldenbaum-Baill Engineering resolution compliance letter.

Peter McCabe from my office will attend the meeting this evening to address any questions related to these comments.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Peter McCabe", is written over a horizontal line.

Peter McCabe for
Robert J. Clerico, P.E.
Board Engineer

R 5040.191 -10-01-2014.doc
RJC

cc: All Planning Board Members (email distribution)
William A. Shurts, Esq. -email (fcslegal@netcarrier.com)
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October 1, 2014

City of Lambertville
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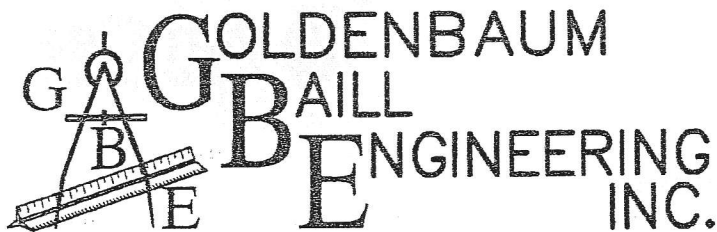


Peter McCabe for
Robert J. Clerico, P.E.
Board Engineer

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RJC

cc: All Planning Board Members (email distribution)
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Emily Goldman, P.P. email (egoldman@vannoteharvey.com)
Eric Rupnarain PE – email (ebr@gbamail.com)



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CERTIFICATE OF AUTHORIZATION NUMBER 24GA28220200

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LAMBERTVILLE, NJ 08530
Telephone: (609) 397-1505
Fax: (609) 397-1739
GBA@GBAMAIL.COM
WWW.GOLDENBAUMBAILL.COM

ERIC B. RUPNARAIN, PE

September 18, 2014

Van Cleef Engineering Associates
1128 Route 31
Lebanon, NJ 08833

Attn: Robert J. Clerico, P.E.

Re: Major Subdivision and Site Plan
Church and Franklin Streets
Block 1076, Lot 14
City of Lambertville, Hunterdon County
GBA #: 08-038

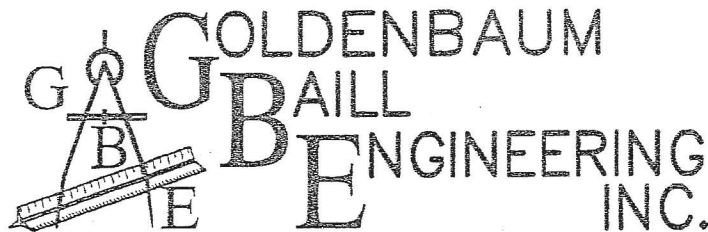
Dear Mr. Clerico:

Enclosed please find one (1) set of plans titled "Major Subdivision and Site Plan for Genadi Zatzuhni" dated August 14, 2009, last revised April 17, 2013 (8 sheets) for your review and approval.

The plans have been revised to comply with the resolution of approval. An application was submitted to the New Jersey Department of Transportation (NJDOT) for approval of the storm sewer connection into there system on Route 179. NJDOT indicated that they will not allow any direct connection from the project to their drainage system. Therefore; the plans were revised to eliminate the direct connection and reroute the proposed drainage pipes to the existing inlet at the intersection of Church and Franklin Streets. Because the connection to their system has been eliminated, approval form NJDOT is not required for this project.

Also, the following revisions have been completed per your letter dated September 29, 2010:

- B1 Spot elevation has been show on the sidewalk detail located on sheet #4.
- Ca-d The soil permeability rate is shown on sheet #5 and in the Drainage Report.
Void ratio has been revised to 0.35%
Driveway slopes, depth to bottom of stone and seasonal water table are shown on the profiles on sheet #4.
The front half of each dwelling roof shall be connect to the porous pavement.
- C3 BMP manual has been prepared and enclosed for your review.
- C4 Drainage profiles are included on sheet #4.
- C5 Season high water table elevation has been added to sheet nos. 4 and 5.
- C6 NJDOT would not approve direct connection to their system. Therefore; the stormwater discharge has been route to the inlet located at Church and Franklin Street.



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CERTIFICATE OF AUTHORIZATION NUMBER 24GA28220200

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WWW.GOLDENBAUMBAILL.COM

ERIC B. RUPNARAIN, PE

September 18, 2014

Van Cleef Engineering Associates
1128 Route 31
Lebanon, NJ 08833

Attn: Robert J. Clerico, P.E.

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Church and Franklin Streets
Block 1076, Lot 14
City of Lambertville, Hunterdon County
GBA #: 08-038

Dear Mr. Clerico:

Enclosed please find one (1) set of plans titled "Major Subdivision and Site Plan for Genadi Zatzuhni" dated August 14, 2009, last revised April 17, 2013 (8 sheets) for your review and approval.

The plans have been revised to comply with the resolution of approval. An application was submitted to the New Jersey Department of Transportation (NJDOT) for approval of the storm sewer connection into their system on Route 179. NJDOT indicated that they will not allow any direct connection from the project to their drainage system. Therefore, the plans were revised to eliminate the direct connection and reroute the proposed drainage pipes to the existing inlet at the intersection of Church and Franklin Streets. Because the connection to their system has been eliminated, approval form NJDOT is not required for this project.

Also, the following revisions have been completed per your letter dated September 29, 2010:

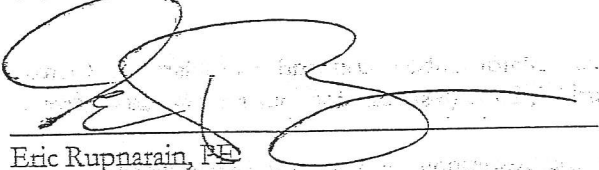
- B1 Spot elevation has been shown on the sidewalk detail located on sheet #4.
- Ca-d The soil permeability rate is shown on sheet #5 and in the Drainage Report.
Void ratio has been revised to 0.35%
Driveway slopes, depth to bottom of stone and seasonal water table are shown on the profiles on sheet #4.
The front half of each dwelling roof shall be connected to the porous pavement.
- C3 BMP manual has been prepared and enclosed for your review.
- C4 Drainage profiles are included on sheet #4.
- C5 Season high water table elevation has been added to sheet nos. 4 and 5.
- C6 NJDOT would not approve direct connection to their system. Therefore, the stormwater discharge has been routed to the inlet located at Church and Franklin Street.

- D1 Existing cable and telephone lines have been removed and relocated by the utility companies.
- D2 The proposed bump out has been eliminated. The road work has is not limited to construction new curb and along the Church and Franklin Street frontages. Also one (1) new inlet and drainage pipe will be installed within Franklin Street. All requisite details have been added to sheet #8.
- D3 LMUA connection permits will be obtained at the time of construction.
- D4 Letter from United Water has been received and enclosed for your review.
- D5 No comment.
- F2 Final approved plans will be resubmitted to Hunterdon County Soil Conservation.
- F3 NJDOT approval is not required as they would not allow any direct connection to their inlet.
- F4 See enclosed letters from LMUA and United Water.
- F5

Kindly review the enclose plans and provide any comments.

Very Truly Yours,

GOLDENBAUM BAILL ENGINEERING, INC.



Eric Rupnarain, PE

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