



C

cc: Admin Plan eng



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Coastal and Land Use Compliance and Enforcement
Highlands Office
100 North Road
Chester, New Jersey 07930
Telephone: (908) 879-3769 Fax: (908) 879-6797

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

August 27, 2008

CERTIFIED MAIL/RRR
7007 0220 0002 1039 3668

Gary E. McGrath & Brian Cassidy
9 Erie Trail
Budd Lake, New Jersey 07828

Re: Gary E. McGrath & Brian Cassidy Property
Response to June 27, 2008 Letter
Enforcement Action ID#: PEA050001 - 1427-04-0012.1
9 Erie Trail, Tax Block: 1605, Lot: 2 ("property")
Township of Mount Olive, Morris County, New Jersey, 07828

Dear Messrs. McGrath & Cassidy:

The Department's Bureau of Coastal and Land Use Compliance and Enforcement ("Bureau") has reviewed your June 27, 2008 reply to the Final Warning Letter of January 16, 2008. To address the unauthorized FWPA disturbances at the property, you are required to either apply for and obtain a FWPA permit or submit a restoration plan to this office that depicts removal of the berm and deck down to the natural topography, within 30 days receipt of this correspondence. Should a FWPA permit be fully denied, then a restoration plan will be required to comply with the FWPA. Should a FWPA permit be partially denied, then a restoration plan will be required to address the components of the permit that were denied.

Please be advised that the construction of structures and the placement of soil fill material (berm) are regulated activities when conducted in areas within the jurisdiction of the FWPA. Such activities require permit authorization from the Department's Division of Land Use Regulation ("DLUR") prior to their being conducted. For FWPA permit information and applications, please contact DLUR at (609) 633-9277. Permit information can also be obtained through DLUR's website at http://www.nj.gov/dep/landuse.

Please be further advised that the situation at the property remains an ongoing FWPA enforcement action and the Department reserves all rights to take further enforcement action including assessment of penalties. Should you have further questions regarding this matter, please contact David Sumba of my staff at the address or telephone number at the top of this correspondence.

Sincerely,

Michael Nystrom, Region Supervisor
Bureau of Coastal and Land Use Compliance and Enforcement

David Sumba

- C Frank Wilpert, Jr., Zoning Officer, Township of Mount Olive
Arif Akhtar, Chief Environmental Health Specialist, Township of Mount Olive
Hon. David Scapicchio, Mayor; Lisa Lashway, Municipal Clerk; Township of Mount Olive
Susan Michniewski, Division of Land Use Regulation, NJDEP
Bureau File



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Coastal and Land Use Compliance and Enforcement
Highlands Office
100 North Road
Chester, New Jersey 07930
Telephone: (908) 879-3769 Fax: (908) 879-6797

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

August 27, 2008

CERTIFIED MAIL/RRR

7007 0220 0002 1039 3668

Gary E. McGrath & Brian Cassidy
9 Erie Trail
Budd Lake, New Jersey 07828

Re: Gary E. McGrath & Brian Cassidy Property
Response to June 27, 2008 Letter
Enforcement Action ID#: PEA050001 – 1427-04-0012.1
9 Erie Trail, Tax Block: 1605, Lot: 2 (“property”)
Township of Mount Olive, Morris County, New Jersey, 07828

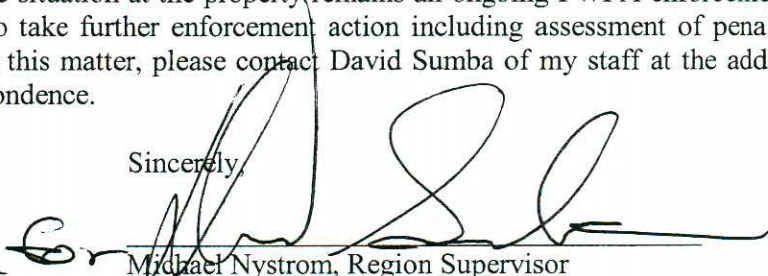
Dear Messrs. McGrath & Cassidy:

The Department’s Bureau of Coastal and Land Use Compliance and Enforcement (“Bureau”) has reviewed your June 27, 2008 reply to the Final Warning Letter of January 16, 2008. To address the unauthorized FWPA disturbances at the property, you are required to either apply for and obtain a FWPA permit or submit a restoration plan to this office that depicts removal of the berm and deck down to the natural topography, within 30 days receipt of this correspondence. Should a FWPA permit be fully denied, then a restoration plan will be required to comply with the FWPA. Should a FWPA permit be partially denied, then a restoration plan will be required to address the components of the permit that were denied.

Please be advised that the construction of structures and the placement of soil fill material (berm) are regulated activities when conducted in areas within the jurisdiction of the FWPA. Such activities require permit authorization from the Department’s Division of Land Use Regulation (“DLUR”) prior to their being conducted. For FWPA permit information and applications, please contact DLUR at (609) 633-9277. Permit information can also be obtained through DLUR’s website at <http://www.nj.gov/dep/landuse>.

Please be further advised that the situation at the property remains an ongoing FWPA enforcement action and the Department reserves all rights to take further enforcement action including assessment of penalties. Should you have further questions regarding this matter, please contact David Sumba of my staff at the address or telephone number at the top of this correspondence.

Sincerely,


Michael Nystrom, Region Supervisor
Bureau of Coastal and Land Use Compliance and Enforcement

- David Sumba
- C Frank Wilpert, Jr., Zoning Officer, Township of Mount Olive
 - Arif Akhtar, Chief Environmental Health Specialist, Township of Mount Olive
 - Hon. David Scapicchio, Mayor; Lisa Lashway, Municipal Clerk; Township of Mount Olive
 - Susan Michniewski, Division of Land Use Regulation, NJDEP
 - Bureau File



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Coastal and Land Use Compliance and Enforcement
Highlands Office
100 North Road
Chester, New Jersey 07930
Telephone: (908) 879-3769 Fax: (908) 879-6797

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

August 27, 2008

CERTIFIED MAIL/RRR

7007 0220 0002 1039 3668

Gary E. McGrath & Brian Cassidy
9 Erie Trail
Budd Lake, New Jersey 07828

Re: Gary E. McGrath & Brian Cassidy Property
Response to June 27, 2008 Letter
Enforcement Action ID#: PEA050001 – 1427-04-0012.1
9 Erie Trail, Tax Block: 1605, Lot: 2 (“property”)
Township of Mount Olive, Morris County, New Jersey, 07828

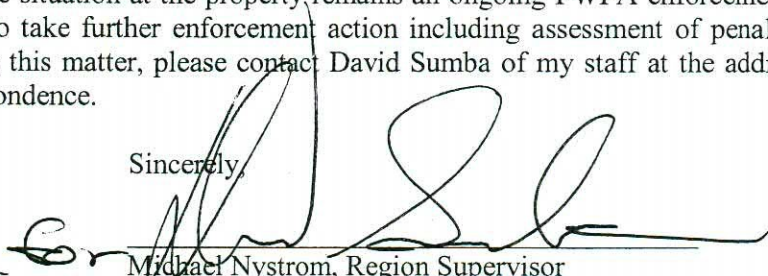
Dear Messrs. McGrath & Cassidy:

The Department’s Bureau of Coastal and Land Use Compliance and Enforcement (“Bureau”) has reviewed your June 27, 2008 reply to the Final Warning Letter of January 16, 2008. To address the unauthorized FWPA disturbances at the property, you are required to either apply for and obtain a FWPA permit or submit a restoration plan to this office that depicts removal of the berm and deck down to the natural topography, within 30 days receipt of this correspondence. Should a FWPA permit be fully denied, then a restoration plan will be required to comply with the FWPA. Should a FWPA permit be partially denied, then a restoration plan will be required to address the components of the permit that were denied.

Please be advised that the construction of structures and the placement of soil fill material (berm) are regulated activities when conducted in areas within the jurisdiction of the FWPA. Such activities require permit authorization from the Department’s Division of Land Use Regulation (“DLUR”) prior to their being conducted. For FWPA permit information and applications, please contact DLUR at (609) 633-9277. Permit information can also be obtained through DLUR’s website at <http://www.nj.gov/dep/landuse>.

Please be further advised that the situation at the property remains an ongoing FWPA enforcement action and the Department reserves all rights to take further enforcement action including assessment of penalties. Should you have further questions regarding this matter, please contact David Sumba of my staff at the address or telephone number at the top of this correspondence.

Sincerely,


Michael Nystrom, Region Supervisor
Bureau of Coastal and Land Use Compliance and Enforcement

- David Sumba
- C Frank Wilpert, Jr., Zoning Officer, Township of Mount Olive
 - Arif Akhtar, Chief Environmental Health Specialist, Township of Mount Olive
 - Hon. David Scapicchio, Mayor; Lisa Lashway, Municipal Clerk; Township of Mount Olive
 - Susan Michniewski, Division of Land Use Regulation, NJDEP
 - Bureau File