



HUDSON-ESSEX-PASSAIC SOIL CONSERVATION DISTRICT

80 ORCHARD STREET
BLOOMFIELD, NJ 07003-5104
Telephone: (862) 333-4505
Fax: (862) 333-4507
www.hepsoilnj.org

March 5, 2025

Lawrence BenBasset
MPB Realty LLC
301 Route 17N, Suite 802
Rutherford, NJ 07070

RECEIVED

MAY 02 2025

W.O. PLANNING DEPT

RE: MPB Realty Popeyes & IHOP Restaurant

470 Eagle Rock Ave, West Orange, NJ

Block: 153 Lot: 38

HEPSCD Ch.251 ID# 224-E-7243, SESC plan by Dynamic Engineering, dated 2/24/25

Dear Applicant:

The District has completed the review of the soil erosion and sediment control plan for the above referenced project and hereby reports that the plan meets the Standards for Soil Erosion and Sediment Control in New Jersey (N.J.A.C.290-1.1 et seq., promulgated pursuant to the New Jersey Soil Erosion and Sediment Control Act, N.J.S.A.4-24-39 et seq.). Accordingly, the plan is **certified** by the Hudson-Essex-Passaic Soil Conservation District subject to the following conditions:

- 48 hours prior to the commencement of any construction activity, complete & submit the District **Start Notice** form. The form is included in this mailing.
- A copy of the certified plan must be kept on the job site at all times.
- The applicant or contractor must request a final inspection (once landscaping and final soil stabilization is complete) & obtain a Report of Compliance prior to seeking a temporary or permanent Certificate of Occupancy.
- The District must be provided with written notification of any conveyance of this project, subject property, or portions thereof, including individual residential lots if applicable. Said notice must provide the names, addresses, and telephone numbers of subsequent owners.
- The District must be informed of address and or telephone number changes of owners, agents responsible for site construction, and job supervisors.

Please be advised that the Soil Erosion and Sediment Control Act authorizes the issuance of stop construction orders and penalties of up to \$3000 per day for violations of the certified plan or for failure to comply with the aforementioned requirements. Please be further advised that any conveyance of this project or portions thereof will transfer full responsibility for compliance with the certified plan to subsequent owners. Please contact the District if you require assistance implementing the certified soil erosion and sediment control plan. This certification is valid for 3-1/2 years from the date of this letter and is limited to the controls specified in this plan. It is not authorization to engage in proposed land use unless such use has been previously approved by the municipality or other controlling agency.

Yours truly,

Matthew J. Ward
Chairman

Cc: Planner, Municipality, County



APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

224-E-7243
Amherst 3/5/25
SD Unit 601: RXX6G1NEH8

For District Use Only

Rec'd 6/25/24

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975 as amended (N.J.S.A. 4:24-39 et. seq.). An application for certification of a soil erosion and sediment control plan shall include the items listed on the reverse side of this form.

Name of Project		Proposed Popeyes & Ihop Restaurant		Project Location: Municipality		Township of West Orange	
Project Street Address		470 Eagle Rock Avenue (CR 611)		Block	153	Lot	38
Project Owner(s)		MPB Realty, LLC Ben Bassett Lawrence		Email		lb@pnrrestaurants.com	
Project Owner(s)		301 Route 17 N, Suite 802 (No P.O. Box Numbers)		City	Rutherford	State	NJ
Total Project Area (Acres)		1.07 AC		Total Disturbed Area (Acres)		1,325.00	
Total Soil Restoration Area (Acres)		1.05 AC		No. Dwelling or other Units		N/A	
Plans Prepared by*		Dynamic Engineering Consultants, PC - Matthew J. Bersch, PE		Email of plan preparer:		mbersch@dynamicec.com	
Street Address		1904 Main Street		City	Lake Como	State	NJ
Zip		07719		Phone #		732-974-0198	
Fax #		732-974-3521		Zip		07719	

*(Engineering related items of the Soil Erosion and Sediment Control Plan MUST be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey, in accordance with NJAC 13:27-6.1 et. seq.)

Agent Responsible During Construction		TBD	
Email			
Street Address			
City			
State			
Zip			
Phone			
Fax #			

The applicant hereby certifies that all soil erosion and sediment control measures are designed in accordance with current Standards for Soil Erosion and Sediment Control in New Jersey and will be installed in accordance with those Standards and the plan as approved by the Soil Conservation District and agrees as follows:

- To notify the District in writing at least 48 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.
- To notify the District upon completion of the Project (Note: No certificate of occupancy can be granted until a report of compliance is issued by the District.
- To maintain a copy of the certified plan on the project site during construction.
- To allow District agents to go upon project lands for inspection.
- That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
- To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the district fee schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of this project will require submission and approval by the district. In no case shall the approval extend beyond three- and one-half years at which time resubmission and certification will be required. Soil Erosion and Sediment Control Plan certification is limited to the controls specified in the plan. It is not authorization to engage in the proposed land use unless such use has been previously approved by the municipality or other controlling agency. It is further understood that all documents, site plans, design reports etc. submitted to the district shall be made available to the public (upon request) pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

1. Applicant Certification* Signature Date 4/23/2024		3. Plan determined complete: Signature of District Official Date 5/3/24	
Applicant Name (Print) Amish Parikh		4. Plan certified, denied or other actions noted above. Special Remarks: Signature of District Official Date 3/5/25	
2. Receipt of fee, plan and supporting documents is hereby acknowledged: Signature of District Official Date 6/25/24		*If other than project owner, written authorization of owner must be attached.	