



January 24, 2018

Honorable Mayor and Council
Borough of Upper Saddle River
367 West Saddle River Road
Upper Saddle River, N.J. 07458

Re: Former Apple Ridge Golf Course Site
Block 401, Lot 2 and 4
Carlough Road
Borough of Upper Saddle River

Dear Mayor Minichetti and Council Members:

Please allow this correspondence to serve as a brief summary of the recent events concerning the Apple Ridge site and ongoing efforts by Toll Brothers as the developer to address them.

Toll Brothers (Toll) purchased an approved project from Apple Ridge USR, LLC and Apple Ridge Mahwah, LLC for the portions of the project within Upper Saddle River and Mahwah respectively. Toll assumed the obligation to not only construct the improvements but to also conduct the remediation of arsenic and lead within the top soil strata pursuant to the NJDEP standards to allow the property to meet the most stringent residential criteria and be repurposed for single family use.

The environmental permitting for the site not only required the remediation of the upland areas on either side of the Pleasant Brook, it also required the redevelopment of the stream channel to remove dams, plant approved wetland vegetation and redirect flows. The NJDEP Land Use and Wetland divisions classify these activities as habitat enhancement and they involve significant soil disruption within the stream channel. The sediment within the stream channel was also tested and met the residential standards, therefore, did not require remediation.

The remediation process involved the removal of the majority of the vegetation on the entire 112 acre site and the blending of the upper 1-3' of soil in order to reduce the concentrations of the stated contaminants to NJDEP residential standards. It was an intensive process that was

overseen by the developer's Licensed Site Remediation Professional (LSRP) and monitored by our office who have 4 LSRPs on staff.

The remediation process involved the blending of 1 acre areas of soil in a checkerboard pattern and then testing the soil to insure compliance with the required standards. Temporary stabilization of the soil involved the seeding and mulching of these areas as the work progressed. Any areas found to have higher than acceptable concentrations of either lead or arsenic were re-blended and tested until the areas met the required standards.

The LSRP overseeing this work has issued written confirmation indicating the remediation work was successfully concluded on December 22, 2017. Copies of both soil sampling test results, as well as air monitoring records, have been forwarded to our office and support this conclusion.

One of the approvals required before the project commenced was from the Bergen County Soil Conservation District. The disruption of the 112 acre tract to initially conduct the remediation and to subsequently construct the site improvements prompted this agency to coordinate their permitting directly with other state agencies to provide for increased coordination and communication. The approved plans indicate post remediation grades on the property which are to precede the installation of the site improvements. These grades existed onsite on December 22, 2017.

On January 4-5, 2018, a snowstorm hit the eastern U.S., followed by high winds. Wind gusts of 50 MPH were recorded in the vicinity of the site and resulted in not only the migration of soil offsite due to wind but also the disruption of many seeded/mulched areas. The developer was directed to remove soil which entered Carlough Road. On January 11, 2018, a notice was sent to nearby property owners informing them of the current status of the remediation and also providing contact numbers for the developer to coordinate the removal of any excessive amounts of soil/dust that may have been blown onto their properties.

On January 12, 2018, a rainstorm occurred resulting in a number of breaches of water and mud through the perimeter silt fencing and muddy water exiting the property via Pleasant Brook. A site meeting occurred on January 13, 2018 at which time a stop work order was issued directing any work not directly associated with stabilizing the site cease and a written project plan to address the soil erosion concerns be forwarded to the Borough.

On January 17, 2018, a written response to the stop work order was sent by the developer to the Borough and noted several measures they intended to install to address the soil erosion concerns. The developer was directed to immediately increase manpower onsite and provide multiple operators and laborers to address soil erosion measures.

The following soil erosion and site stabilization measures have been installed since January 5, 2018:

1. A double row of 4' high snow fence has been added within the interior of the site to create a windbreak and minimize the migration of windblown soil from the site.
2. Trenching has been installed to create additional storage and direct flows into the interior of the site.
3. The Bergen County Soil Conservation District was consulted numerous times to coordinate additional soil conservation measures determined to be appropriate by various field personnel.
4. A berm has been installed and mulched along the Carlough Road frontage. It will be seeded immediately, weather permitting.
5. A temporary detention basin is in the process of being installed and is expected to be operational, weather permitting, by February 9, 2018. The basin will utilize a floating skimmer outfall and employ flocculants to accelerate the settling of sediment before discharging runoff to the Pleasant Brook. The basin will be expanded to the full size of the permanent basin as weather permits.
6. Frank Rossi, LSRP, of our office has extensive experience with soil erosion issues on large construction sites. He has been directing the installation of additional swales with check dams onsite. The materials being used for the check dams include hay bales, gravel and absorbant filter booms.

Storm inlets and piping will be installed onsite to direct surface flows to the detention basin and additional seeding and mulching will be installed as weather permits.

The developer's LSRP has reviewed the wind and water borne sediment which has migrated from the site and noted that since the soil remediation work has been concluded, it does not create an off-site contamination concern. Our LSRPs concur with that position and expect future migration of soil from the site will be significantly mitigated due to the measures noted above.

We continue to be concerned with two primary issues. The first is the reseeding and mulching of the site. The current weather prohibits the germination of winter rye to establish a stabilized groundcover. We are consulting the Bergen County Soil Conversation District to coordinate a successful solution.

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The second is the restoration/enhancement work within the Pleasant Brook stream channel. A pre-construction meeting was held for this portion of the project on December 12, 2017 with NJDEP personnel present. The work has not yet commenced. As previously noted, this work does not involve any remediation but will require close coordination with both the Bergen County Soil Conservation District and the NJDEP to minimize additional sediment migration from the site.

We trust this is responsive to your request and remain available to meet to discuss additional measures for this project.

Very truly yours,

BOSWELL ENGINEERING



Kevin J. Boswell, P.E.
Borough Engineer

KJB/lk

Cc: Theodore F. Preusch, Borough Administrator
James Dougherty, Construction Code Official

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