

Resolution 12-109

RESOLUTION AUTHORIZING ENDORSEMENT OF  
REQUEST FOR MAPPING REVISION / GRANT CONDITION WAIVER  
FOR The HELLER GROUP – MARK'S CORNER  
BLOCK 129, LOTS 130 and 130-1  
RANDOLPH TOWNSHIP

**WHEREAS**, The Heller Group, Mark's Corner (Applicant) desires to connect a proposed mixed commercial use project consisting of 54,200 S.F. retail 6100 SF of restaurant and 3000 SF of bank on 1 West Hanover Avenue, Randolph Township, Tax Block 129, Lots No 130 and 130.01, Borough of Wharton to the Rockaway Valley Regional Sewerage Authority (RVRSA) system, which premises are located within an Environmentally Sensitive Area (ESA); and

**WHEREAS**, one of the conditions imposed by the United States Environmental Protection Agency (USEPA) upon the grant for the construction of the RVRSA new wastewater treatment plant prevents the connection of any structure within wetlands (as delineated on maps approved by USEPA), and upon parcels wherein wetlands are subsequently delineated, to the RVRSA treatment facilities for a period of 50 years from November 29, 1983; and

**WHEREAS**, in accordance with the requirements of the policy adopted by the RVRSA, the municipality where the project is located, by resolution submitted a written recommendation of endorsement to the RVRSA for a request by the applicant of a Mapping Revision / Grant Condition Waiver for the premises described above.

**NOW, THEREFORE, BE IT RESOLVED** by the Rockaway Valley Regional Sewerage Authority, as follows:

1. The RVRSA hereby endorses and approves the Mapping Revision/Grant Condition Waiver request as set forth in the municipal resolution attached hereto as Attachment A.
2. This approval is expressly conditioned upon compliance, by the Applicant, with any relevant provisions of the Highlands Preservation and Planning Act or any rules or regulations issued pursuant thereto, if any.
3. That this endorsement is not to be construed as any future approval, nor any commitment for future approval for any part of the project which may be deemed to be outside the boundaries of the RVRSA's future service area.
4. This endorsement shall not supersede the requirement to obtain other approvals from the RVRSA and other governmental entities having jurisdiction before the premises are connected to the RVRSA system including, but not limited to the approval of a TWA-1 sewer extension application, issuance of a permit to connect and the inspection of the entire sewer line by the RVRSA.
5. This approval is subject to the payment of the appropriate fees and/or charges of the RVRSA or any other governmental authority having jurisdiction.

6. This approval shall not constitute a representation by the RVRSA that gallonage capacity shall be available or shall be reserved for this project at the time of issuance of a favorable mapping revision and/or a grant condition waiver by the NJDEP or USEPA.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on December 13, 2012

On motion of Glenn Corbett

Seconded by Bruce MacNeal

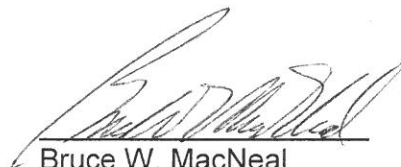
And a Roll Call Vote as Follows:

Yeas: (6) Cegelka, Corbett, Guadagno, MacNeal, Secco, Schorno

Nays: (0) None

Abstain: (0) None

Absent: (4) Klingener, Lowell, Shaefer, Vincitore



Bruce W. MacNeal  
Board Secretary