

RESOLUTION AUTHORIZING ENDORSEMENT OF
APPLICATION FOR TREATMENT WORKS APPROVAL (TWA-1)

Stratton Woods
Heather Court
Block 10802, Lots 33 & 34
Township of Rockaway

WHEREAS, an application for Treatment Works Approval has been submitted by the Township of Rockaway, which proposes that two (2) lots will be subdivided into ten (10) lots to consist of eight (8) lots upon which will be constructed new homes, as well as, one (1) lot upon which an existing home has been constructed and one (1) lot which is proposed for a detention basin, on Tax Block 10802, Lots 33 & 34, located on Heather Court, Rockaway, New Jersey for review by the Rockaway Valley Regional Sewerage Authority (RVRSA), which extension project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) presently requires the certification of the 201 Sewerage Agency, as well as the certification of the owner of the sewerage treatment facility, that its treatment system contains sufficient capacity to accept the additional flow, which would emanate from the sewer extension proposed in the said application; and

WHEREAS, the property is located within the RVRSA Sewer Service area, however, as confirmed by the New Jersey Highlands Council, the proposed Wastewater Management Plan maps removed Lot 34 from the service area due to environmental constraints, and the Highlands Council has advised that it will put Lot 34 back into the RVRSA Sewer Service Area; and

WHEREAS, the existing lots are constrained by wetlands and steep slopes for which on January 14, 2013, NJDEP issued Freshwater Wetlands General Permits No. 2 and No. 6 allowing for a temporary disturbance of 0.88 acres of wetlands/wetlands transition area during the necessary construction of the detention basin and for an access road, and excavation of 0.046 acres of wetlands/wetland transition area for the placement of a potable water line. Based upon its review of the project and determination that

except for the temporary disturbance, no other wetlands will be impacted by the project, USEPA has issued a waiver dated February 11, 2014, attached hereto and made a part hereof, approving a waiver of the RVRSA's ESA special grant condition for this project.

WHEREAS, pursuant to RVRSA's planning estimates the gallonage required to service proposed project is in the amount of 2,200 GPD, allocated from the First Come/First Serve category; and

WHEREAS, the gallonage required to service the project pursuant to the calculation of the NJDEP is 2,400 GPD.

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

1. There shall be allocated from RVRSA's "First Come/First Serve" category gallonage in the amount of 2,200 GPD.
2. JoAnn Mondini, Executive Director of the RVRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Form WQM-003 entitled Endorsements at subsections A2-C subject to the following conditions:
 - A. That subsection C Certification by Wastewater Treatment Facility Owner shall not be executed, however, a notation shall be inserted to refer to an addendum attached which includes a revised certification which provides as follows:

I (we) certify that the treatment plant is currently complying with its conventional and non-conventional NJPDES permit requirements (see N.J.A.C. 7:14A-22.17 (b)-(d), flow percent removal and toxicity requirements excluded from this certification) as determined by a rolling average of the three most recent monthly discharge monitoring reports that were required to be submitted to the Department as of this date, and based upon my (our) assessment of all information pertinent to this permit request, is anticipated to continue to do so with the additional flow from this project.

- B. That this approval explicitly excludes connection of vacant lot(s), which encroach any environmentally sensitive areas (ESA) pursuant to Special Grant Condition No. 4, federal project C340389-04-2, effective November 29, 1983. The ESA Special Grant Waiver issued by the USEPA dated February 11, 2014, contains restrictions relevant to the clearing of trees with 6-inch diameter breast height or greater from April 1 through November 15, and urges the usage of alternative /green materials, and energy and water efficient products by the developers, as well as, their consultants/contractors.
- C. This approval is expressly conditioned upon inclusion of the property within the RVRSA Sewer Service Area by the New Jersey Highlands Council and 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.
- D. That any connection from a non-domestic source is subject to the RVRSA's industrial pretreatment program regulations. The applicant shall first obtain a clearance form the RVRSA's pretreatment program prior to seeking for obtaining the necessary permit(s) for connection to the RVRSA's local/regional conveyance system.
- E. That the qualified property owner shall obtain the necessary permit(s) for sewer connection(s) to the RVRSA system, in connection therewith and the requirements of other governmental entities having jurisdiction.
- F. That the sewer mainline and each of the building lateral to be installed in connection with the project shall be subject to inspection(s) by the RVRSA.
- G. That this endorsement shall expire automatically unless the attached application is filed with the NJDEP within 60 days of the day of the adoption of this Resolution. Evidence of submission shall be submitted by the Applicant to RVRSA in order to satisfy this requirement.

- H. This approval is subject to compliance with revised Service Rules of the RVRSA, and the payment of the appropriate fees and/or charges of the RVRSA including, but not limited to those set forth at Section 4.03 (3) Revised Service Rules of the RVRSA, and payment of the appropriate fees of any other governmental authority having jurisdiction.
- I. In the event that the allocation remains unconnected to the RVRSA System for longer than eighteen (18) months from the date of this resolution, then payments shall be made to the RVRSA representing the debt service and capital cost funded by the users for the prior year—calculated on the number of gallons per day allocated but unconnected. Such payment shall be made each year until the allocated gallonage is connected or terminated.
- J. The approval of the use of NJDEP’s gallonage determination is made under protest and for the sole purpose of approving the TWA-1 sewer extension application and shall not affect in any way gallonage allocated for RVRSA’s planning purposes.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on March 27, 2014

On motion of Glenn Corbett

Second by Joseph Lowell

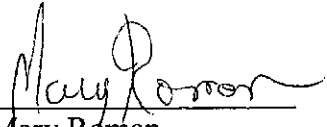
And a Roll Call Vote as Follows:

Yeas: (6) Cegelka, Corbett, Lowell, Schorno, Secco and Vincitore

Nays: (0) None

Abstain: (1) Andes

Absent: (3) Guadagno, Recchia, Schaefer


Mary Roman
Assistant Board Secretary

FACT SHEET
Stratton Woods - Rockaway Township

Action Request: WQM-003 Parts A-2 and C Endorsement for Treatment Works Approval

Project Location: Township of Rockaway
Heather Court
Block 10802, Lots 33 & 34

Applicant: Palmer Associates
10 Crystal Road
Boonton, NJ

Project: 2 lots will be subdivided into 10 lots total – 8 lots for new homes, 1 lot for an existing home and 1 lot for a detention basin. The existing lots are constrained by wetlands and steep slopes.

Service Area: The property is currently located within the RVRSA Service Area. As confirmed by the New Jersey Highlands Council, the proposed Wastewater Management Plan maps removed Lot 34 from the service area due to environmental constraints. The Highlands Council will move Lot 34 back into the service area.

Wetlands: The project site contains delineated wetlands on both lots; Lot 34 is currently unimproved. Although the proposed plan includes construction through a portion of the wetlands, an NJDEP fresh wetlands permit was issued 1/14/13. A wetlands waiver was received from the USEPA dated 2/11/14.

Gallage (FC/FS): NJDEP criteria 2,400 gpd
RVRSA gallage 2,200 gpd

Flow Metered at: MC: RT-2

Local Approval: Township of Rockaway, no resolution number, last dated 7/15/13: Extension of Preliminary and Final Major Subdivision Approval with Associated Variances and Waivers; Previous related resolutions dated 8/20/12, 7/9/10 and 7/21/08 (original ordinance)
Twp of Rockaway Resolution R-13-191, dated 10/29/13 (for TWA)
Twp of Rockaway Resolution R-13-215, dated 11/26/13 (for wetlands)

Ownership Disclosure Statement: Palmer Associates (Michael Mamowitz, Joseph Pallay, Robert Pallay, Jr.)
Shri Kant
Sarita Gupta

Engineer: Henry Huelsebusch, PE
Bricker & Associates
Denville, NJ (973) 361-0161