

**Resolution 16-0138**

**RESOLUTION AUTHORIZING ENDORSEMENT OF  
REQUEST FOR MAPPING REVISION / GRANT CONDITION WAIVER  
FOR KTB REALTY**

**311 West Main Street, Block 40, Lot 76  
BOROUGH OF ROCKAWAY**

**WHEREAS**, KTB Realty, with business offices located at 311 West Main Street, Rockaway, NJ, desires to extend sanitary sewers (including gravity line, pumping station and force main) for two flex buildings within an industrial park, each with footprints of 25,750 sf and 23,850 sf, located at 311 West Main Street, Block 40, Lot 76, Borough of Rockaway, 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 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**, the property is currently located partially within the RVRSA Service Area, as confirmed by Morris County Planning & Development based on NJDEP approved Wastewater Management Plan maps. Prior to consideration of an extension of the RVRSA sewer service area map to include all of the property within RVRSA's sewer service area, documentation is required demonstrating that a mapping revision or waiver has been obtained from EPA, pursuant to N.J.A.C. 7:15-4.4g; and

**WHEREAS**, in accordance with the requirements of the policy adopted by the RVRSA, the municipality where the project is located, Borough of Rockaway, by Resolution 164-16, adopted October 27, 2016, has recommended endorsement to the USEPA of the 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 164-16, adopted October 27, 2016, by the Borough of Rockaway, 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 sewer service area. The RVRSA is not legally authorized to extend sewer service beyond the sewer service area set forth in the Future Wastewater Service Area map approved by the NJDEP for Morris County adopted on April 25, 2013 and incorporated into the Northeast, Upper Delaware and Upper Raritan Water Quality Management Plan, unless and until the same is amended to include the project area within the RVRSA sewer service area. See adopted Future Wastewater Service Area map at: [http://www.morrisplanning.org/pdfs/FWSA\\_final.pdf](http://www.morrisplanning.org/pdfs/FWSA_final.pdf).

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 if applicable, 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.

#### **CERTIFICATION**

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on December 8, 2016

On motion of Glenn Corbett

Second by Joseph Lowell

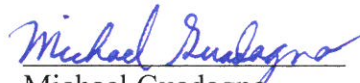
And a Roll Call Vote as Follows:

Yeas: (7) Andes, Cegelka, Corbett, Guadagno, Lowell, Rossi, Schorno

Nays: (0) None

Abstain: (2) Recchia and Vincitore

Absent: (1) Secco

  
Michael Guadagno  
Board Secretary

**FACT SHEET**  
**KTB Realty Proposed Planned Industrial Park – Borough of Rockaway**

**Action Request:** RVRSA submission to USEPA for wetlands waiver.

**Project Location:** Borough of Rockaway  
311 West Main St  
Block 40, Lot 76

**Applicant:** Tom Buechel of KTB Realities  
311 West Main St  
Rockaway, NJ

**Project:** Sewer extension (including gravity line, pumping station and force main) for two flex buildings within industrial park, each with footprints 25,750 sf and 23,850 sf

**Service Area:** The property is located partially within the RVRSA Service Area as confirmed by Morris County Planning & Development based on NJDEP approved Wastewater Management Plan maps.

Per the WQMP Rule Final Adoption which was to be published in the NJ Register on 11/7/16, "Environmentally sensitive areas in which 201 Facilities Plan grant limitations prohibit the extension of sewer service shall not be included in areas designated as eligible for sewer service area, unless documentation is provided demonstrating that a mapping revision or waiver has been obtained from EPA." (NJAC 7:15-4.4g). This prevents the sewer service area map amendment to be approved prior to receipt of the EPA grant waiver.

**Wetlands:** The project site, which is currently unimproved, contains delineated wetlands and is included on the RVRSA List of Affected Properties for a USEPA Wetlands Waiver. Given the proposed plan includes construction through a portion of the wetlands transition area, an NJDEP freshwater wetlands/flood hazard area permit was issued 1/28/16.

**Gallorage (FC/FS):** NJDEP criteria 4,960 gpd  
RVRSA gallorage 4,365 gpd

**Flow Metered at:** MC: RB1

**Local Approval:** Borough of Rockaway Resolution 164-16, dated 10/27/16 for wetlands

**Ownership Disclosure Statement:** Tom Buechel of KTB Realities

**Engineer:** Jeffrey Martell, PE  
Stonefield Engineering  
Rutherford, NJ  
201-340-4468

12/1/2016