

Resolution 17- 067

Resolution Granting Second One-Year Time Extension

Mark's Corner Village
1 West Hanover Avenue
Block 119, Lot 130 & 130-1
Township of Randolph

WHEREAS, by Resolutions 372-12, dated December 6, 2012 and 377-12, dated December 6, 2012, the Township of Randolph requested that RVRSA endorse an application for Treatment Works Approval for a proposed mixed commercial use project ("Mark's Corner Village") consisting of three buildings comprising 54,000 sf retail; 6,100 sf restaurant; and 3,000 sf bank, located on 1 West Hanover Avenue, Randolph, New Jersey; and

WHEREAS, by Resolutions 13-065 dated July 11, 2013, and 13-097 dated October 17, 2013, the Rockaway Valley Regional Sewerage Authority (RVRSA) approved the request for endorsement of an application for Treatment Works Approval for the Mark's Corner Village Project; and

WHEREAS, at that time, the RVRSA allocated, from RVRSA's "First Come/First Serve" category, gallonage in the amount of 10,525 GPD to the project; and

WHEREAS, pursuant to N.J.A.C. 7:14A-22.12 (b).1. iii, a local sewerage authority is entitled to render its consent or disapproval prior to the Department's action on a request for an extension of an application for Treatment Works Approval; and

WHEREAS, by Resolution 139-16, dated April 21, 2016, the Township of Randolph requested that RVRSA endorse a one-year extension of the application for Treatment Works Approval for the Mark's Corner Village Project, which endorsement the RVRSA approved by Resolution 16-061 on June 9, 2016; and

WHEREAS, by Resolution 99-17, adopted April 27, 2017, the Township of Randolph requested that the RVRSA endorse a second one-year extension of the application for Treatment Works Approval for the Mark's Corner Village Project; and

WHEREAS, based upon a letter from Modhuilika Mukerjee (Madz) and Daniel C. Lee, P.E. Bohler Engineering NJ LLC to Carrie Feuer, P.E. dated May 4, 2017, the project has been delayed due to a lack of response to diligent efforts to market the site and secure contracts with prospective tenants, and also due to the realignment of West Hanover Avenue and Sussex Turnpike by Morris County, which has only recently been completed. The applicant has delayed construction of the project and now has determined that it is appropriate to proceed; and

WHEREAS, the RVRSA has determined that it is appropriate to consent to a final one year extension of the Treatment Works Approval for Mark's Corner Village.

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

An extension of time for said Treatment Works Approval permit for Mark's Corner Village, Sanitary Extension is hereby approved, and the Executive Director is authorized to execute such documents as are necessary to effectuate these purposes, subject, however, to the following conditions:

- A. The extension of time to utilize said construction permit shall expire one calendar year from the date of adoption of this resolution.
- B. This extension is subject to compliance with rules and regulations of the RVRSA, including but not limited to compliance with the applicable provisions of the Authority's Service Rules and the requirements of the Authority's Permit system.
- C. This approval is subject to 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.
- D. This approval is further subject to compliance with the Permit Extension Act, if applicable, and RVRSA renders no opinion and instead defers to the New Jersey Department of Environmental Protection with respect to the determination as to the Permit Extension Act's applicability.
- E. That the RVRSA does not waive its right to review requests by the applicant for an extension of time for the issuance by New Jersey Department of Environmental Protection (NJDEP) of a Treatment Works Approval for the project and hereby notifies all affected parties of the necessity to obtain explicit RVRSA approval for any extension of time to construct or connect this project to the RVRSA System.
- F. All terms and conditions of the original RVRSA Resolutions 13-065 and 13-097, dated July 11, 2013 and October 17, 2013 respectively, approving the endorsement of Mark's Corner Village Sanitary Sewer Extension remain in effect.

CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on May 11, 2017,

On motion of Glenn Corbett

Second by Michael Guadagno

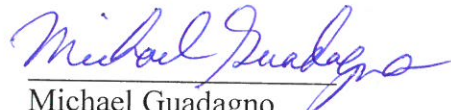
And a Roll Call Vote as Follows:

Yeas: (8) Andes, Cegelka, Corbett, Guadagno, Lavery, Lowell, Rossi, Schorno

Nays: (0) None

Abstain: (0) None

Absent: (2) Recchia and Vincitore


Michael Guadagno
Board Secretary

FACT SHEET
Mark's Corner Village – Township of Randolph

Action Request: WQM-003 Part C Endorsement for TWA Permit Time Extension
NOTE: Project/drawings remain the same.

Project Location: Township of Randolph
1 West Hanover Avenue
Block 119, Lots 130 & 130-1

Applicant: Heller Group LLC
PO Box 700, 180 Main Street
Madison, NJ 07940

Project: Sewer extension for mixed commercial use consisting of 54,200 sf. retail, 6100 sf restaurant and 3000 sf bank

Service Area: The property is located within the RVRSA Service Area as confirmed by the New Jersey Highlands Council based on NJDEP Wastewater Management Plan maps.

Wetlands: A wetlands waiver was received by the USEPA dated 2/4/13. Per letter from Bohler Engineering dated 4/14/17, wetlands modifications on the property have been completed per NJDEP Wetlands GP-1.

Gallongage (FC/FS): NJDEP criteria 11,210 gpd
RVRSA gallongage 10,525 gpd

Flow Metered at: MC: R3

Local Approval: Township of Randolph Resolution 372-12, December 6, 2012
Township of Randolph Resolution 377-12, December 6, 2012
RVRSA Resolution 12-109, dated December 13, 2012
RVRSA Resolution 13-065, dated July 11, 2013
RVRSA Resolution 13-097, dated October 17, 2013
Township of Randolph Resolution 139-16, April 21, 2016 - extension
RVRSA Resolution 16-061, dated June 9, 2016 -extension
Township of Randolph Resolution 99-17, April 27, 2017 –extension
Township of Randolph Resolution 100-17, April 27, 2017 –wetlands

Ownership Disclosure Statement: Heller Group LLC
John Heller
Jennifer Heller Wold

Engineer: Briar McMorrow, PE
Bohler Engineering
Warren, NJ
908-754-4401

5/4/2017