

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

879 Route 10  
Block 44, Lots 8, 9, and 10  
Township of Randolph

**WHEREAS**, an application for Treatment Works Approval has been submitted by the Township of Randolph (“Randolph”) which proposes the extension of 2,185 LF of 8-inch PVC sanitary sewer located along N.J. State Highway Route 10, in the Township of Randolph, to serve approximately 26,000 square feet of mixed use office/retail/daycare space, consisting of approximately 15,600 square feet devoted to office space and daycare to serve 130 students. The project is more particularly described in the Treatment Works Approvals Permit Application Form (TWA-1), attached hereto and made a part hereof; and

**WHEREAS**, it has been confirmed by the sewer service area mapping from NJGeoWeb, that the area is within the approved Sewer Service Area served by the RVRSA; 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**, 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 project site contains delineated wetlands on the property, which property is currently unimproved. The applicant has obtained two (2) NJDEP Freshwater Wetland Permits (both dated December 11, 2014, with expiration dates of December 10, 2019), as well as, a conditional waiver issued by the USEPA in a letter dated March 23, 2017 from the Environmentally Sensitive Area (ESA) special grant condition placed on RVRSA. USEPA Region 2, by letter dated March 23, 2017 (See Attachment A) has determined that a partial waiver of the Environmentally Sensitive Area Special Condition

No. 4, Construction Grant #C340389-04-02 (“ESA Special Grant Condition No. 4”) is appropriate for the project. Based upon the information submitted, except for the NJDEP authorized wetland disturbance, no other wetlands will be impacted by the project. Therefore, USEPA approved a partial waiver of the ESA grant condition. A partial waiver has been issued as there are additional wetlands and wetland transitional acres throughout the site that remain subject to Special Condition No. 4. USEPA further urges the usage of alternative/green building materials and energy and water efficient products; and

**WHEREAS**, pursuant to RVRSA’s planning estimates the gallonage required to service the proposed project is in the amount of 2,673 GPD allocated from First Come/First Serve; and

**WHEREAS**, the gallonage required to service the project pursuant to the calculation of the NJDEP is 2,860 GPD; and

**WHEREAS**, the Township of Randolph is required to endorse the project; which, it has done by Resolution 140-15, dated May 21, 2015; and

**WHEREAS**, RVRSA is desirous of facilitating Randolph's application for sewer service extension.

**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 2,673 GPD.
2. JoAnn Mondsini, 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 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 upon any environmentally sensitive areas (ESA) pursuant to Special Grant Condition No. 4, federal project C340389-04-2, effective November 29, 1983. RVRSA's consent is conditioned upon the requirement that prior to any modification to this project resulting in any additional disturbance to wetlands, an application shall be submitted to the EPA seeking a revised ESA special grant condition determination.
- C. 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.
- 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 laterals 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. 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 August 10, 2017. .

On motion of Glenn Corbett

Second by John Cegelka

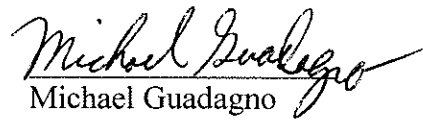
And a Roll Call Vote as Follows:

Yeas: (6) Cegelka, Corbett, Guadagno, Recchia, Rossi, Schorno

Nays: (0) None

Abstain: (2) Andes and Vincitore

Absent: (2) Lavery and Lowell

  
Michael Guadagno  
Board Secretary



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

**MAR 23 2017**

Carrie D. Feuer, P.E.  
Manager of Engineering  
Rockaway Valley Regional Sewerage Authority  
R.D. #1  
99 Greenbank Road  
Boonton, New Jersey 07005-9602

RE: SJC Builders, Randolph Township, Morris County, New Jersey

This letter is in response to your February 8, 2017 request to the U.S. Environmental Protection Agency for a waiver from the Environmentally Sensitive Area (ESA) special grant condition placed on the the Rockaway Valley Regional Sewerage Authority (RVRSA) construction grant projects (specifically C340-339-04). Your request pertains to providing sewer connections for SJC Builders' proposed construction of a 29,000-square-foot mixed use commercial building for a day care center, office spaces, and a storage facility. This development will be located on 879 Route 10 on Block 44, Lots 8, 9, and 10 in Randolph Township, Morris County, New Jersey.

In support of your waiver request, we have carefully evaluated the information that you have provided to us and note that the New Jersey Department of Environmental Protection's (NJDEP) Division of Land Use Regulation (DLUR) issued a Letter of Interpretation (LOI)/Line Verification (LV) for Lots 8 and 9 of the project site on January 13, 2009 and for Lot 10 on May 7, 2009. Consequently, the wetlands lines as shown on the Preliminary and Final Site Plan for SJC Builders, LLC (Sheet 4 of 15) as prepared by Dewberry Engineers, last revised on July 31, 2015, reflect the actual wetland boundaries as delineated in accordance with the NJDEP wetland protection requirements.

We also note that the NJDEP DLUR approved, on December 11, 2014, a Freshwater Wetland General Permit (GP) #10B for the freshwater wetland impacts from project activities involving filling 0.08 acre of wetlands for the construction of a driveway. The NJDEP DLUR also approved Freshwater Wetland GP #2, which approves disturbing 0.007 acre of freshwater wetlands to install an underground utility line. Both GP#2 and GP#10B have Transition Area Waiver Averaging Plans involving reduction and compensation of transition area wetlands throughout the project site.

EPA's review of the Preliminary and Final Site Plan and other supporting information provided indicates that, except for the aforementioned wetland disturbance, no other wetlands will be impacted by the project. Therefore, I approve a partial waiver of the ESA special grant condition for this proposed project as there are wetlands and wetland transition areas that remain throughout the site.

Please note that the sewer connection restriction will remain in effect for the wetlands remaining on this parcel following project implementation. Any modification to this project resulting in any additional disturbance to wetlands will require a resubmittal of this application to the EPA for a revised determination. Moreover, this waiver does not relieve the property owner from compliance with any other federal, state, or local requirements.

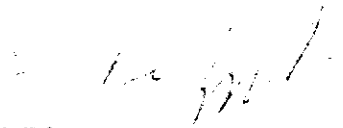
EPA encourages communities to incorporate site-specific management practices to protect wetlands and minimize stormwater runoff impacts. Careful site planning can reduce negative environmental impacts by limiting overall site disturbance, conserving vegetation and soil, maintaining natural drainage patterns, and minimizing creation of impervious surfaces which significantly increase stormwater runoff.

In addition, as part of a national effort to sustain healthier families, cleaner communities, and a stronger America, EPA would like you to inform the developers and their consultants/contractors about green building materials and sustainable practices, as well as energy-efficient and water-efficient products. Consider accessing information on EPA's website at:

<https://archive.epa.gov/greenbuilding/web/html/>. Please share this information with project proponents as appropriate. We encourage and commend efforts to use green building/energy efficient/water-saving products and would appreciate being made aware of examples of their utilization.

If you have any questions concerning this matter or would like additional information about our green recommendations, please feel free to contact Nikolaus Wirth of my staff at (212) 637-3902.

Sincerely,



John Filippelli, Director  
Clean Air and Sustainability Division

cc: Robert J. Foley, P.E., Dewberry

**FACT SHEET**  
**SJC Builders LLC - Township of Randolph**

**Action Request:** WQM-003 Part C Endorsement for Treatment Works Approval

**Project Location:** Township of Randolph  
879 Route 10  
Block 44, Lots 8, 9, and 10

**Applicant:** Township of Randolph  
502 Millbrook Avenue

**Project:** Sewer extension of 2,185 LF of 8-inch PVC sanitary sewer, located along N.J. State Highway Route 10, in the Township of Randolph, to serve approximately 26,000 square feet of mixed use office/retail/daycare space, consisting of approximately 15,600 square feet devoted to office space and daycare to serve 130 students.

**Service Area:** Based on the sewer service area mapping from NJGeoWeb, this project site is contained within the sewer service area of the RVRSA.

**Wetlands:** Wetlands are present on the property. The applicant has obtained two (2) NJDEP Freshwater Wetland Permits (both dated December 11, 2014, with expiration dates of December 10, 2019), as well as a conditional waiver from the Environmentally Sensitive Area (ESA) special grant condition placed on RVRSA, issued by the USEPA in a letter dated March 23, 2017.

**Gallage (FC/FS):** NJDEP criteria 2,860 gpd  
RVRSA gallage 2,673 gpd

**Flow Metered at:** MC: R2

**Local Approval:** Township of Randolph, Resolution 140-15, dated May 21, 2015

**Ownership Disclosure Statement:** Sal Campo

**Engineer:** Robert Foley, PE  
Dewberry  
Parsippany, NJ  
973-739-9400

8/4/2017