

RESOLUTION AUTHORIZING ENDORSEMENT OF
APPLICATION FOR TREATMENT WORKS APPROVAL (TWA-1)
185 Cedar Lake East
Township of Denville
Block 61302, Lot 110

WHEREAS, applications for Treatment Works Approval were submitted by the Township of Denville (“Denville”) and approved by RVRSA on June 14, 2018, which propose the extension of the sanitary sewer to serve two existing residential structures at 179 Cedar Lake East, Block 61302, Lot 111 and 181A Cedar Lake East, Block 61302, Lot 112, Township of Denville, currently on septic systems; and

WHEREAS, RVRSA adopted Resolution 18-058 endorsing said applications contingent upon RVRSA obtaining a copy of a TWA-1 for the connection of an existing house at 185 Cedar Lake East, Block 61302, Lot 110, Denville; and

WHEREAS, an application for Treatment Works Approval has been submitted by Denville which proposes the extension of the sanitary sewer to serve the existing house at 185 Cedar Lake East, Block 61302, Lot 110. 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 Morris County Planning & Development, on April 24, 2018, that, based on NJDEP approved Wastewater Management Plan maps, 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, pursuant to RVRSA’s planning estimates the gallonage required to service the proposed project is in the amount of 275 GPD; and

WHEREAS, the additional gallonage required to service the project pursuant to the calculation of the NJDEP is 300 GPD; and

WHEREAS, the Township of Denville is required to endorse the project; which, it has done by Resolution R-18-138 dated June 19, 2018; and

WHEREAS, RVRSA is desirous of facilitating Denville's application for sewer service extension, and

WHEREAS, adoption of this Resolution shall serve to satisfy conditions E and J of Resolution 18-058.

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 275 GPD for 185 Cedar Lake East, Block 61302, Lot 110.
2. Conditions E and J of Resolution 18-058 have been satisfied, accordingly JoAnn Mondisini, 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 for 185 Cedar Lake East, Block 61302, Lot 110 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.

- 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 from 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 property owners 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 July 12, 2018.

On motion of Michael Guadagno

Second by Joseph Rossi

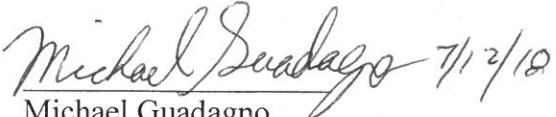
And a Roll Call Vote as Follows:

Yeas: (6) Cegelka, Guadagno, Isselin, Lowell, Recchia, Schorno

Nays: (0) None

Abstain: (0) None

Absent: (4) Andes, Corbett, Rossi, and Vincitore

 7/12/18
Michael Guadagno
Board Secretary

FACT SHEET
185 Cedar Lake East – Denville

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

Project Location: Denville
185 Cedar Lake East
Block 61302, Lot 110

Applicant: Janes F. and Anne E. McIntosh
11 Watchtower Road
Denville, New Jersey 07834

Project: Sewer extension of 307 LF 2-inch force main and 13 LF 4-inch PVC gravity main to replace septic system.

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

Wetlands: In accordance with letter dated June 21, 2018, by Thomas F. Graham, PE, of Dykstra Walker Design Group states: "This letter certifies that there are no wetlands and or floodplains in the project area associated with the proposed treatment works." NJDEP issued Flood Hazard Area Individual Permit FHA 140001 and Flood Hazard Area Verification FHA 140002, Approval date May 08, 2015 and Expiration date May 07, 2020.

Gallorage (FC/FS): NJDEP criteria 300 gpd
RVRSA gallorage 275 gpd (Original house was razed and rebuilt)

Flow Metered at: MC: DV1

Local Approval: Town of Denville Resolution R-18-138, dated 6/19/2018

Ownership Disclosure Statement: James F. and Anne E. McIntosh
James G. McIntosh
11 Watchtower Road
Denville, NJ 07834

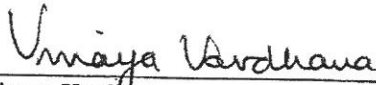
Engineer: Thomas F. Graham, PE
Dykstra Walker Design Group, PA
21 Bowling Green Parkway, Suite 204
Hopatcong, NJ 07849
(973) 663-6540



STATE OF NEW JERSEY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF LAND USE REGULATION
 Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
 Telephone: (609) 777-0454 or Fax: (609) 777-3656
 www.state.nj.us/dep/landuse



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		Approval Date MAY 8 8 2015
		Expiration Date MAY 8 7 2020
Permit Number(s): 1408-14-0013.1 FHA140001 1408-14-0013.1 FHA140002	Type of Approval(s): Flood Hazard Area Individual Permit Flood Hazard Area Verification	Enabling Statute(s): NJSA 58:10A WPCA NJSA 58:16A FHACA
Permittee: James McIntosh 11 Watchtower Rd Denville, NJ 07834	Site Location: Block(s) & Lot(s): [61302, 110] Municipality: Denville Township County: Morris	
Description of Authorized Activities: This permit verifies the flood hazard area and riparian zone limits of Cedar Lake onsite, and authorizes the reconstruction, as shown on the approved plans, of a single family residence on the project site partially in the flood hazard area and riparian zone of Cedar Lake, and located within Lot 110 of Block 61302, in the Township of Denville, Morris County.		
Prepared by:  _____ Vinaya Vardhana	Received and/or Recorded by County Clerk:	
THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.		
<p>This permit is not valid unless authorizing signature appears on the last page.</p>		

PRE-CONSTRUCTION CONDITIONS:

1. **Timing:** If this permit contains a condition that must be satisfied prior to the commencement of construction, the permittee must comply with such condition(s) within the time required by the permit or, if no time specific requirement is imposed, then within six months of the effective date of the permit, or provide evidence satisfactory to the Division that such condition(s) cannot be satisfied.

SPECIAL CONDITIONS:

1. **Recording of Permit:** This permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this project is located. Verified notice of this action shall be forwarded to the Division immediately thereafter. **NOTE:** The following information is to be submitted to the clerk for all Flood Hazard Area Verifications:
 - a. The Department file number for the verification;
 - b. The approval and expiration dates of the verification;
 - c. A metes and bounds description of any flood hazard area limit and/or floodway limit approved under the verification;
 - d. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification; and
 - e. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area. Certain activities in flood hazard areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a permit. Contact the Division of Land Use Regulation at (609) 777-0454 for more information prior to any construction onsite."
2. **Material Disposal:** All excavated material and dredge material shall be disposed of in a lawful manner. The material shall be placed outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetlands and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
3. Although no work is proposed within Cedar Lake, special caution shall be taken to protect warm water fish species resources within said tributary between **May 1 and June 30 of each year**. Furthermore, any proposed grading or construction activities which likely would introduce sediment into said watercourse or which could cause an increase in the natural level of turbidity is also prohibited anytime and especially during this period. The Department reserves the right to suspend all regulated activities on-site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
4. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
5. In addition, the applicant is responsible for installing a maintaining a silt fence sediment / turbidity barrier around the proposed construction area, sufficient to prevent the sedimentation of the on-site Cedar Lake. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading, or construction onsite, and shall be

maintained on a daily basis in proper working condition throughout the entire duration of the project.

6. The Division has determined that the riparian zone along Cedar Lake is 300 feet. Therefore, vegetation within 300 feet of top of bank shall only be disturbed in the areas specifically shown on the approved drawings. No trees or other vegetation within 300 feet of the top of bank of said Lake shall be disturbed for any reason. In order to protect the Lake and provide wildlife habitat, the remaining undisturbed portions of the riparian zone shall not be maintained, and shall be allowed to remain in a natural state. To facilitate the riparian zone restoration, native trees and shrubs shall be planted. Passive access to the Lake is allowed and this disturbance shall be the minimum necessary and without structures.

STANDARD CONDITIONS:

1. **Responsibilities:**
 - a. The permittee, its contractors and subcontractors shall comply with all conditions of this permit, authorizing and/or supporting documents and approved plans and drawings.
 - b. A copy of this permit, other authorizing documents, records and information including all approved plans and drawings shall be maintained at the authorized site at all times and made available to Department representatives or their designated agents upon request.
2. **Permit modification:** Plans and specifications in the application and conditions imposed by this permit shall remain in full force and effect so long as the proposed development or any portion thereof is in existence, unless modified by the Department. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department. The filing of a request to modify an issued permit by the permittee, or a notification of planned changes or anticipated noncompliance does not stay any condition of this permit.
3. **Duty to minimize environmental impacts:** The permittee shall take all reasonable steps to prevent, minimize or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit
4. **Proper site maintenance:** While the regulated activities are being undertaken, neither the permittee, its contractors nor subcontractors shall cause or permit any unreasonable interference with the free flow of a regulated feature by placing or dumping any materials, equipment, debris or structures within or adjacent to the regulated area. Upon completion or abandonment of the work, the permittee, its contractors or subcontractors shall remove and dispose of in a lawful manner all excess materials, debris, equipment, silt fences and other temporary soil erosion and sediment control devices from all regulated areas. Only clean non-toxic fill shall be used where necessary.
5. **Sediment control:** Development which requires soil disturbance, creation of drainage structures, or changes in natural contours shall conduct operations in accordance with the latest revised version of "Standards for Soil Erosion Sediment Control in New Jersey," promulgated by the New Jersey State Soil Conservation Committee, pursuant to the Soil Erosion and Sediment Control Act of 1975, N.J.S.A. 4:24-42 et seq. and N.J.A.C. 2:90-1.3-1.14.

6. **Rights of the State:**
 - a. This permit does not convey any property rights of any sort, or any exclusive privilege.
 - b. Upon notification and presentation of credentials, the permittee shall allow Department representatives or their designated agents, to enter upon the project site and/or where records must be kept under the conditions of this permit, inspect at reasonable times any facilities, equipment, practices or operations regulated or required under the permit, and sample or monitor for the purposes of determining compliance. Failure to allow reasonable access shall be considered a violation of this permit and subject the permittee to enforcement action.
 - c. The issuance of this permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction, structure or structures. Neither the State nor the Department shall, in any way, be liable for the loss of life or property which may occur by virtue of the activity of development resulting from any permit.
7. **Duty to Reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit authorization, the permittee must apply for and obtain a new permit authorization.
8. **Transfer of Permit:** This permit may not be transferable to any person unless the transfer is approved by the Department. Please refer to the applicable rules for more information.
9. **Other Approvals:** The permittee must obtain any and all other Federal, State and/or Local approvals. Authorization to undertake a regulated activity under this permit does not indicate that the activity also meets the requirements of any other rule, plan or ordinance.
10. **Noncompliance:**
 - a. Any noncompliance with this permit constitutes a violation, and is grounds for enforcement action, as well as modification, suspension and/or termination of the permit.
 - b. The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. In addition, the permittee shall report all noncompliance to Bureau of Coastal and Land Use Compliance and Enforcement, 401 E. State Street, 4th Floor, P.O. Box 420, Mail Code: 401-04C, Trenton, NJ 08625, in writing within five business days of the time the permittee becomes aware of the noncompliance. The written notice shall include: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter.
11. **Appeal of Permit:** In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the Checklist is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to your

hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information about this process.

APPROVED PLANS:

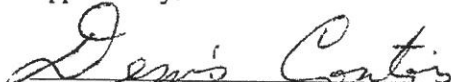
The drawings hereby approved are two (2) sheets prepared by Thomas F. Graham, P.E., of DYKSTRA WALKER GROUP, P.A., dated September 3, 2014, last revised February 6, 2015, entitled:

"BLOCK 61302, LOT 110 #185 CEDAR LAKE EAST TOWNSHIP OF DENVILLE MORRIS COUNTY NEW JERSEY"

"LOT DEVELOPMENT PLAN", Sheet 1 of 2, and
"NOTES AND DETAILS", Sheet 2 of 2.

If you need clarification on any section of this permit or conditions, please contact the Division of Land Use Regulation's Technical Support Call Center at (609) 777-0454.

Approved By:


Dennis Contois, Supervisor
Division of Land Use Regulation

5-8-2015
Date

Original sent to Agent to record
c: Permittee



Rockaway Valley Regional Sewerage Authority
 RD #1, 99 Greenbank Road Boonton, NJ 07005-9602
 (973) 263 - 1555 / Fax (973) 263 - 9068

OWNERSHIP DISCLOSURE STATEMENT

Project Name: AKS (Concrete Base) (Public Works)
 Property Owner: James G. McIntosh
 Corporation Name: _____
 Company Name: _____
 Trading As: _____

Corporate and partnership Applicants must submit a statement setting forth the names and addresses of all stockholders in the corporation or partnerships who own 10% or more of its stock, of any class or of all individual partners in the partnership who own a 10% or greater interest therein, as the case may be. If one or more such stockholders hold 10% or more of that corporation's stock, or of the individual partners owning 10% or greater interest in the partnership, as the case may be, shall also be listed. The disclosure shall be continued until all names and addresses of every non-corporate stockholder and individual partner exceeding 10% ownership has been listed.

Name	Address	% Ownership
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

If any entity owns 10% or less, please indicate.

 (Proprietor, Partnership or Corporation) _____
 (Authorized Signature)

11 Water Tower Road Boonton NJ 07004
 (Street address where notifications can be sent)

James G. McIntosh
 (Print Name)

TRUSTEE OF CHILDREN
 (Title)

6/27/18
 (Date)

ATTEST:

[Signature]
 (Signature)

James G. McIntosh
 (Print Name and Title)

Feel free to duplicate this form as necessary.