

Resolution 18-097

RESOLUTION AUTHORIZING ENDORSEMENT OF
APPLICATION FOR TREATMENT WORKS APPROVAL (TWA-1)
325 Mount Pleasant Avenue
Township of Rockaway
Block 11001, Lot 2.01

WHEREAS, an application for Treatment Works Approval were submitted by BC Rockaway, LLC relevant to the construction of Miller's Ale House in the Township of Rockaway ("Rockaway"), and which proposes the extension of the sanitary sewer to serve 423 linear feet commercial development (restaurant) at 325 Mount Pleasant Avenue, Block 11001, Lot 201, Township of Rockaway; and

WHEREAS, it has been confirmed by Virginia Michelin, by email dated September 6, 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 8,365 GPD; and

WHEREAS, the additional gallonage required to service the project pursuant to the calculation of the NJDEP is also 8,365 GPD; and

WHEREAS, the Township of Rockaway is required to endorse the project as the owner of the collection system into which the project will ultimately discharge; and

WHEREAS, Simon Properties-Rockaway Townsquare Mall is the owner of the local collection system into which this project is anticipated to directly connect and discharge wastewater prior to discharge to the collection system of the Township of Rockaway; and

WHEREAS, RVRSA is desirous of facilitating Rockaway Township'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 8,365 GPD for 325 Mount Pleasant Avenue, Block 11001, Lot 2.01, Rockaway Township, New Jersey.
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 for 325 Mount Pleasant Avenue, Block 11001, Lot 2.01, Rockaway Township, 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 from the RVRSA's pretreatment program prior to seeking 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.
- J. This approval is subject to receipt of a resolution adopted by the Township of Rockaway endorsing the project.
- K. This approval is subject to receipt of written approval from the owner of the local collection system, Simon Properties-Rockaway Townsquare Mall, authorizing the connection of 325 Mount Pleasant Avenue, Block 11001, Lot 2.01, Rockaway Township, to its local collection system.

L. This approval is further subject to receipt of a completed ownership disclosure statement from the applicant, BC Rockaway, LLC.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on September 13, 2018.

On motion of Michael Guadagno

Second by John Cegelka

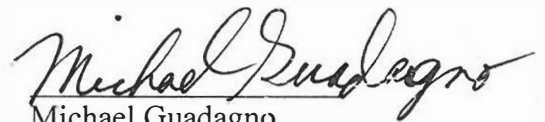
And a Roll Call Vote as Follows:

Yeas: (9) Andes, Cegelka, Corbett, Guadagno, Isselin, Lowell, Recchia, Rossi, Schorno

Nays: (0) None

Abstain: (1) Vincitore

Absent: (0) None


Michael Guadagno
Board Secretary

FACT SHEET
Millers Ale House – Rockaway Townsquare Mall, Rockaway Twp.

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

Project Location: Rockaway Townsquare Mall
Rockaway Township
325 Mount Pleasant Avenue
Block 11001, Lot 2.01

Applicant: BC Rockaway, LLC
24 South Holmdel Road, 1st Floor
Holmdel, NJ 07733

Project: Sewer extension of 423 LF for commercial use (restaurant)

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

Wetlands: The property is currently built upon. Per the project drawings, construction is not proposed within wetlands.
The project site does not contain delineated wetlands as determined by **Sonja Ommundsen, EIT**, of Stonefield Engineering and Design, LLC

Gallorage (FC/FS): NJDEP criteria 8,365 gpd
RVRSA gallorage 8,365 gpd

Flow Metered at: Rockaway Townsquare Mall Meter and RVRSA Meter Chamber RT-6.

Rockaway Townsquare Mall Flow Meter Data
Permitted Flow: 246,321 gpd (Daily Max)
Metered Flow: 155,516 gpd (Daily Max, 2017); 152,290 gpd (Daily Max: Jan-Apr 2018)

Local Approval: Pending Township of Rockaway Resolution, dated 9/xx/2018.
(This is scheduled at the September 13, 2018 Rockaway Twp Council Meeting)

Failed System Certification: Not Applicable

Ownership Disclosure Statement: See Attached

Engineer: Jeffrey A. Martell, PE
Stonefield Engineering and Design, LLC.
15 Spring Street, Princeton, NJ
(609) 362-6900

9/6/2018



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: Miller's Ale House
Property Owner: BC Rockaway, LLC
Corporation Name: _____
Company Name: BC Rockaway, LLC
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
<u>Tyler Bennett</u>	<u>24 S. Holmdel Road, Holmdel, NJ 07733</u>	<u>50 %</u>
<u>Dennis Cicci</u>	<u>523 River Rd., Edgewater, NJ 07020</u>	<u>50 %</u>
_____	_____	_____
_____	_____	_____

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

BC Rockaway, LLC _____
(Proprietor, Partnership or Corporation) (Authorized Signature)
24 S. Holmdel Road, Holmdel NJ 07733
(Street address where notifications can be sent)

Tyler Bennett _____ Managing Member 8/13/18
(Print Name) (Title) (Date)

ATTEST:

Linda M. Schwartz
Linda M. Schwartz
Notary Public
State of New Jersey
My Commission Expires July 9, 2022

Linda M. Schwartz personal banker
(Print Name and Title)

Feel free to duplicate this form as necessary.