

Resolution 20-033

**RESOLUTION CONSENTING TO THE PROPOSED AMENDMENT OF
THE NORTHEAST WATER QUALITY MANAGEMENT PLAN AND
MORRIS COUNTY WASTEWATER MANAGEMENT PLAN RELATIVE
TO TURZI WHARTON PROJECT, BLOCK 11504, LOT 2, ROCKAWAY
TOWNSHIP**

WHEREAS, the Water Quality Management Planning Rules (N.J.A.C. 7:15) adopted by the New Jersey Department of Environmental Protection (NJDEP) requires that all areas of New Jersey must be addressed by Wastewater Management Plans (WMP); and

WHEREAS, the New Jersey Water Quality Planning Act, N.J.S.A. 13:1D-1 et seq. and the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq. mandate the completion and submission to the New Jersey Department of Environmental Protection (NJDEP) for review and approval, of a Wastewater Management Plan (County WMP) which defines the existing and future capacity demands of existing and future wastewater related jurisdictions and wastewater service areas, and further requires that all projects and activities affecting water quality must be consistent with these planning documents. Upon adoption, the County WMP becomes a part of the areawide Water Quality Management Plan (WQMP); and

WHEREAS, N.J.A.C. 7:15-5.4 establishes that the county board of chosen freeholders shall have wastewater management plan responsibility for a WMP area consisting of all areas within its county. Those areas designated as within the Rockaway Valley Regional Sewerage Authority STP are depicted on the map entitled "Future Wastewater Service Area Map for Morris County amending the Following Areawide Water Quality Management Plans: Northeast, Upper Delaware, Upper Raritan, Sussex, Date of Current Submittal: March 14, 2012" as noticed in the July 2, 2012 New Jersey Register at 44 N.J.R. 1919, See also http://www.morrisplanning.org/pdfs/FWSA_final.pdf; and

WHEREAS, the Township of Rockaway is a participant of the RVRSA pursuant to a Service Contract dated July 1, 1976, between the RVRSA and Rockaway Township, which provides for the discharge of sewage into the System of the Authority; and

WHEREAS, Turzi Wharton., owns property located on Block 11504, Lot 2, Rockaway Township, which is located outside of the RVRSA's current sewer service area and therefor is currently inconsistent with the adopted WMP. Authority to adopt changes to the RVRSA sewer service area rests with the NJDEP, and is subject to the amendment process set forth at N.J.A.C. 7:15-3.4. Accordingly, prior to connection of this property, the adoption of an amendment to the applicable planning documents is needed to establish that connection of this property is consistent with N.J.A.C. 7:15-3.1; and

WHEREAS, the Turzi Wharton amendment proposal, published in the New Jersey Register on February 2, 2020, (Program Interest Number: 435442; Activity Number: AMD190001) would expand the sewer service area of the RVRSA by 7.23 acres to allow for the construction of a proposed warehouse complex on a portion of Block 11504, Lot 2, Rockaway Township, Morris County; and

WHEREAS, subject to endorsement of the project by Rockaway Township, Morris County Board of Chosen Freeholders and their Office of Planning and Preservation, and the Highlands Council, the RVRSA is desirous of endorsing an amendment to the RVRSA sewer service area, as contained in the proposed WMP amendment, to facilitate the connection of the Turzi Wharton property located on a portion of Block 11504, Lot 2, to the RVRSA System.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority, on this 12th day of March, 2020, that:

1. The Rockaway Valley Regional Sewerage Authority hereby consents to the amendment of the County WQMP to include a portion of Block 11504, Lot 2, Township of Rockaway, as within the sewer service area of the RVRSA, upon application therefor and with the consent of the Township of Rockaway, the New Jersey Highlands Council and the County of Morris Board of Chosen Freeholders and their Office of Planning and Preservation, for the purpose of providing wastewater to two mixed use commercial/warehouse buildings.
2. 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 adoption of a WMP amendment by the NJDEP.
3. This consent 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.
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 Mapping Revision/Grant Condition Waiver from USEPA; TWA-1 sewer extension approval from NJDEP, 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 consent 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.
7. This Resolution shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.1 et seq.
8. Copies of this Resolution shall be provided to the Morris County Planning Board, NJ Highlands Council and the Township of Rockaway.

CERTIFICATION

I hereby certify that this resolution was adopted at the regularly scheduled meeting of the RVRSA held on March 12, 2020.

Moved by: Hector Schorno

Seconded by: Michael Guadagno

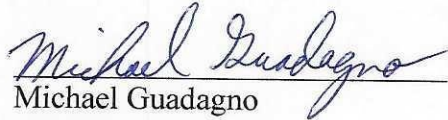
ROLL CALL VOTE:

YEAS: (10) Andes, Cegelka, Corbett, Guadagno, Isselin, Farrel, Recchia, Rossi, Schorno, Zuppa

NAYS:

ABSTAIN:

ABSENT:


Michael Guadagno
Board Secretary