

**RESOLUTION AUTHORIZING ENDORSEMENT OF
APPLICATION FOR TREATMENT WORKS APPROVAL (TWA-1)
360 FRANKLIN AVENUE,
TOWNSHIP OF DENVILLE
Block 40001, Lot 4 and Block 40203, Lot 1**

WHEREAS, an application for Treatment Works Approval have been submitted by the Township of Denville (“Denville”) which proposes the construction and connection of 3,950 LF of 8- inch diameter PVC gravity main to the existing sewer system in Franklin Avenue for the extension of sanitary sewer to serve five (5) one bedroom units, fourteen (14) two bedroom units, and ninety-seven (97) three bedroom units and one clubhouse in twenty-four (24) buildings, for a total of 116 dwelling units, 24 of which are to be affordable housing units (the “Project”) at 360 Franklin Avenue, within Block 40001, Lot 4 and Block 40203, Lot 1, Township of Denville. The Project is more particularly described in the Treatment Works Approvals Permit Application Forms (TWA-1), attached hereto and made a part hereof; and

WHEREAS, it has been confirmed by letter dated September 27, 2019, from B. Friedman, Director, NJDEP, to T. DiLodovico, Bowman Consulting, that, based on NJDEP adopted site specific amendment to the approved Wastewater Management Plan maps, the Project 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 not currently fully improved. By letter dated April 4, 2019 from John

Filippelli, Director, Clean Air Sustainability Division, USEPA to Robert Bocchino, P.E., RVRSA, USEPA has approved a conditional partial waiver of the ESA special grant condition for this project due to the fact that no wetlands onsite will be impacted by the project and contingent upon NJDEP approval of wetlands permits GP# 6, GP# 10A and GP# 11. By letter dated December 30, 2019, NJDEP approved wetlands permits GP# 6, GP# 10A and GP# 11. The sewer connection restriction of the special grant condition remains in effect for any future construction or proposed disturbance to wetland areas (1236 acres of wetlands that will remain on the site); and

WHEREAS, pursuant to RVRSA's planning estimates the gallonage required to service the proposed Project is in the amount of 24,391 GPD; and

WHEREAS, the gallonage required to service the proposed Project pursuant to the NJDEP is in the amount of 33,214 GPD; and

WHEREAS, the Township of Denville is required to endorse the Project; which, it has done by Resolution R-20-96, dated April 8, 2020; and

WHEREAS, the billing formula will be adjusted by RVRSA to deduct the flow from the Project from the flow calculation for Rockaway Borough and add the flow to the flow calculation for Denville; and

WHEREAS, the Borough of Rockaway is also required to endorse the Project; which, it has done by Resolution 70-20, dated April 23, 2020, as the flow will enter the Borough of Rockaway local collection system and be measured at RB-1, the Borough of Rockaway meter chamber.

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 24,391 GPD 360 Franklin Avenue, within Block 40001, Lot 4 and Block 40203, Lot 1, in the Township of Denville.
2. The RVRSA billing formula is hereby revised to deduct the flow from the Project from the flow calculation for Rockaway Borough, and to add the flow from the Project to the flow calculation for Denville.

3. JoAnn Mondsini, Executive Director of the RVRSA is authorized and directed to execute the Treatment Works Approval (TWA-1 Application) Forms 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, absent USEPA approval therefore.
 - 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 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 qualified 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. In the event that the allocation remains unconnected to the RVRSA System for longer than eighteen (18) months from the date of this resolution, then payments shall be made to the RVRSA representing the debt service and capital cost funded by the users for the prior year—calculated on the number of gallons per day allocated but unconnected. Such payment shall be made each year until the allocated gallonage is connected or terminated.
- J. 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 May 14, 2020.

On motion of Glenn Corbett

Second by Thomas Andes

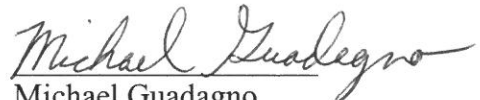
And a Roll Call Vote as Follows:

Yeas: (10) Andes, Cegelka, Corbett, Guadagno, Isselin, Farrell, Recchia, Rossi, Schorno, Zuppa

Nays: (0)

Abstain: (0)

Absent: (0)


Michael Guadagno
Board Secretary

FACT SHEET
Toll Brothers – Township of Denville

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

Project Location: 360 Franklin Avenue, Township of Denville
(Easterly side of Franklin Avenue, south of U.S. Route 46)
41 Acres within Block 40001, Lot 4 and
Block 40203, Lot 1

Applicant: Township of Denville
1 Saint Mary's Place
Denville, NJ 07834

Project: 24 buildings containing 116 dwelling units – 24 of which are to be affordable housing. Proposed are 5 – one-bedroom units, 14 – two-bedroom units, and 97 – three-bedroom units, and one clubhouse. A total of 3,950 linear feet of 8-inch diameter PVC gravity sewer pipe is to be installed to connect to an existing sewer line in Franklin Avenue.

Service Area: RVRSA adopted Resolution 17-122, dated October 12, 2017, to amend the county WQMP to include the project site in the RVRSA Service Area. State of New Jersey adopted Amendment to Northeast Water Quality Management (WQM) Plan for Toll Denville, Block 40001, Lot 4 (portion) and Block 40203 Lot 1 (portion), Denville Township, Morris County, dated Sep. 27, 2019.

Wetlands: The project site contains delineated wetlands per letter of interpretation dated 9/28/2009, extended to 9/27/2019, and Freshwater Wetland Permit Administrative Modification, dated February 27, 2020, with Permit expiration date of December 29, 2024.

Gallorage (FC/FS): NJDEP criteria 33,214 gpd
RVRSA criteria 24,391 gpd

Flow Metered at: MC: RB-1 (Verified by Trunk Line Manager on May 8, 2020)

Local Approval: Township of Denville Resolution R-20-86, dated April 8, 2020
Borough of Rockaway Resolution 70-20, dated April 23, 2020

Ownership Disclosure Statement: RAM Associates, LLC – Attached.

Engineer: Jay S Kruse, PE
ESE Consultants, Inc.
100 Willow Brook Road, Suite 200
Freehold, NJ 07728
732-272-0532