

RESOLUTION AUTHORIZING ENDORSEMENT OF
APPLICATION FOR FLOOD HAZARD AREA PERMIT

100 East Dewey Avenue
Borough of Wharton
Block 801, Lot 5.01

WHEREAS, RVRSA is the holder of an easement and right of way in and over lands owned by West Dewey, LLC and located at 100 East Dewey Avenue, in the Borough of Wharton, known and designated as Block 801, Lot 5.01; and

WHEREAS, West Dewey, LLC, owner of property located at 100 East Dewey Avenue, Wharton, New Jersey, desires to apply to the New Jersey Department of Environmental Protection for an Individual Flood Hazard Area Permit for the proposed construction of a building of approximately 95,674 square feet in size on Block 801, Lot 5.01, with a portion of the building proposed to encroach into the Flood Hazard Area on the property, as more specifically set forth in the application on file in the offices of the RVRSA; and

WHEREAS, pursuant to N.J.A.C. 7:13-18.2(g), the New Jersey Department of Environmental Protection (NJDEP) presently requires the execution of a Certification of Property Owner by the applicant, as well as, execution of the same by all owners of record including easement holders, evidencing consent of the easement holder to any activities proposed within the easement area; and

WHEREAS, RVRSA's staff have reviewed the activities proposed in the easement area and have determined that they are consistent with the Easement Agreement dated November 6, 1978 between RVRSA and Air Products and Chemicals Inc., and therefore recommends endorsement of the application for an Individual Flood Hazard Area Permit; and

WHEREAS, RVRSA is desirous of facilitating the application for an Individual Flood Hazard Permit for 100 West Dewey Avenue, Wharton, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. The RVRSA hereby endorses and approves the request for an Individual Flood Hazard Area Permit, subject to receipt of an approving resolution from the Borough of Wharton evidencing that the municipality does not object to the filing of a request for an Individual Flood Hazard Area Permit.

2. 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.
3. That this endorsement is not to be construed as any future approval, nor any commitment for future approval.
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 by USEPA of an Environmentally Sensitive Area Grant Condition Waiver Request, approval of a TWA-1 sewer extension application, if applicable, 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 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 issuance of a favorable Individual Flood Hazard Area Permit.

CERTIFICATION

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on October 13, 2022.

On motion of Commissioner Corbett

Seconded by Commissioner Guadagno


And a Roll Call Vote as Follows:

Yeas: (8) Andes, Cegelka, Corbett, Farrell, Guadagno, Howarth, Isselin, and Zuppa.

Nays: (0) None

Abstain: (0) None

Absent: (2) Lavery and Schorno


Michael Guadagno
Board Secretary